

MONO COUNTY PLANNING COMMISSION

PO Box 347
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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

AGENDA

November 17, 2016 – 10 a.m.
Supervisors Chambers, County Courthouse, Bridgeport

*Videoconference: Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at www.monocounty.ca.gov / boards & commissions / planning commission. For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

**Agenda sequence (see note following agenda).*

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT: Opportunity to address the Planning Commission on items not on the agenda

3. MEETING MINUTES: Review and adopt minutes of October 20, 2016 – *p. 1*

4. APPROVE PLANNING COMMISSION RULES UPDATE (*see lone change on p. 2*) – *p. 4*

5. PUBLIC HEARING

10:10 A.M.

A. GENERAL PLAN AMENDMENT 16-00020: 1. Change Land Use Designation (LUD) of former Mountain Gate property from Rural Residential (RR) 5 & 10 to Open Space (OS) (affected APNs 002-140-033, 002-490-002, -007, -008, -010 & -011 are owned by Mono County); 2. Change LUD for Walker Behavioral Health property from Mixed Use 1-acre minimum to Public Facility (PF) (APN is 002-361-012 and is owned by Mono County); 3. Change LUD for Public Works property at West Walker River/North River Lane from Estate Residential (ER) to Public Facility (PF) (APN is 002-310-056); 4. Change LUD of Walker tennis courts from Estate Residential to Public Facility (APNs are 002-362-008 & -009); 5. Change LUD on various FEMA properties along North River Lane and Meadow Drive from Estate Residential (ER) to Open Space (OS) (APNs are 002-290-005, 006, 007, 002-300-002, 002-310-001, -009, -038, -037, -035, and 002-343-005); 6. Change LUD on APN 002-450-014 Antelope Valley Fire Station from Agricultural 10 (AG10) to Public Facilities (PF); 7. Add policy to Land Use Element, Antelope Valley Plan as follows: *The RPAC endorses the use of FEMA/County properties on N. River Road and Meadow Lane as open space, without development for public improvements and facilities until 2041*; 8. Change setback in Mixed Use district for residential uses from 0 feet to 10 feet; 9. Specify that a General Plan Amendment initiated by a private landowner must go before the Board of Supervisors for approval if the GPA is a major policy change with potential significant impacts countywide; and 10. Amend Chapter 16, Accessory Dwelling Units, to comply with AB2200 and SB1069.. *Staff: Gerry Le Francois – p. 14*

6. WORKSHOP: No items.

More on back...

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

7. REPORTS:
A. DIRECTOR
B. COMMISSIONERS

8. INFORMATIONAL: No items.

9. ADJOURN to December 15, 2016

***NOTE:** Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing, but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

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Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

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DRAFT MINUTES

October 20, 2016

COMMISSIONERS: Scott Bush, Roberta Lagomarsini, Chris I. Lizza, Dan Roberts. **ABSENT:** Mary Pipersky
STAFF: Gerry Le Francois, principal planner; Wendy Sugimura (video); Walt Lehmann & Paul Roten, public works; CD Ritter, commission secretary
GUESTS: Supervisor Fred Stump, Pete Pumphrey

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Chris Lizza called the meeting to order at 10:13 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance to the flag.

2. PUBLIC COMMENT: District 2 Supervisor Fred Stump (via video) introduced Roberta Lagomarsini, his new appointee to Planning Commission.

3. MEETING MINUTES

MOTION: Adopt minutes of Aug. 11, 2016, as amended (no September meeting): Item 5, last line: Roberts ~~viewed USFS in offices, not in forest.~~ preferred to see more USFS in forest, not in offices. (Bush/Roberts. Ayes: 3-0. Absent: Pipersky. Abstain: Lagomarsini (not commissioner Aug. 11, 2016))

4. ACTION ITEM

A. EXTENSION OF TENTATIVE TRACT MAP 10-001/Haber. Owner has requested a one-year extension. The project site is a 49.51-acre parcel in the community of Swall Meadows in southern Mono County. The parcel is located southwest of existing development off Ridge View Road and Cougar Run as part of the Rimrock Ranch Specific Plan, and immediately west of the Pinon Ranch subdivision. *Staff: Gerry Le Francois*

Le Francois noted approval of tract map in 2010 for 24 months. Meanwhile, State Legislature approved numerous extensions since 2008 due to housing crisis. Starting to see maps in preliminary stage or tentative stage of approval. Nothing changed since approval by BOS, so looking at low-key extension. CEQA 15183 tiered off Rimrock Ranch EIR. Locational map provided.

MOTION: A. Find that the project was processed in accordance with Section 15183 of the CEQA Guidelines for a project consistent with the General Plan. No substantial changes have been proposed in the project or the circumstances under which the project will be undertaken, and no new information of substantial importance has been received to warrant further environmental analysis. B. Approve the first one-year extension of Tentative Tract Map 10-001/Haber to Nov. 2, 2017, subject to prior Conditions of Approval and Mitigation Monitoring Program as contained herein. (Bush/Roberts. Ayes: 4. Absent: Pipersky.)

5. WORKSHOPS

A. NEW BUILDING CODES:

Wendy Sugimura stated new code cycle starts Jan. 1, 2017. Planning approval decisions rely upon building codes to be met by projects; e.g., separation between buildings. She introduced Jim Shoffner, interim building official. Every three years codes change. Designed to push forward public welfare in

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commercial, industrial to residential. Relaxation of some code provisions, CalGreen code deals with water and energy efficiency.

Where do changes originate? Shoffner replied the Legislature. Three code councils write model code books. ICC (International Code Council), IAPMO (International Association of Plumbing & Mechanical Officials), and NFPA (National Fire Protection Association) have grown exponentially. Intent centered on protecting public welfare, but became big business. Ongoing process includes symposiums. The CBSC (California Building Standards Commission) promulgates Title 24 regulations.

Shoffner mentioned several specific changes in the new codes, including totally revamped carbon monoxide using new technology; signage is now based on "space" occupied; exit access travel distance increased.

P. 69: Solar PV conduits: Roof mounts are solar photovoltaic-ready. Designer/builder will come up with route for shortest length of electrical conduit so future conversion to solar can be completed. Proactive move, see more in future.

P. 72: Projections: FSD (Fire Separation Distance) applies to exterior walls or openings. New simplistic formula deals with required setback from property line. More options with low-eave or open-porch roofs.

P. 73: Under-floor protection: Especially on hillside find open space that could be available for storage or fuel-burning appliance.

P. 75: Electric-vehicle charging: Infrastructure required for attached garages, new construction only. CALGreen.

Tom Perry requested half-day presentation of code changes throughout Mono County.

B. ANNUAL GENERAL PLAN UPDATE: Gerry Le Francois noted RTP/GP/EIR last December. Found missing, unclear items. Information to prepare for November formal language in resolution in legislative format in General Plan.

Item 2: Mountain Gate: FEMA deeded ownership to Mono, all deed restricted. Grants for fishing access. Original Rural Residential, some OS (Open Space). All proposed to be OS.

Item 3: SFR residence, proposed Mixed Use: Change ER (Estate Residential) to Public Facility (items 2, 4).

Item 4: LUD (Land Use Designation) = ER, change to PF.

Item 5: North River Lane = private road. Residents worried about trespassing to access river. Keep open space for at least 25 years.

Item 6: Wendy Sugimura pulled out all policies in General Plan related to reduced energy use. Net zero E by 2020 cycle. Encourage but not require ahead of time. Stronger language for Mono facilities, but not regulatory in nature. More regulatory approach on CALGreen, achieve net zero E in advance?

Sugimura wanted to take recommendation to BOS that existing policies were reviewed, no changes needed.

Lizza found it hard to review on short notice. Roberts saw no glaring holes, pretty thorough. Bush asked about cars switching to electrical energy. Change way drive, change use of electrical energy?

Sugimura wanted to promote more electrical use, provide through renewable resources like solar, wind. CPUC (California Public Utilities Commission) is required to increase renewable energy portfolio.

Lizza suggested that Mono Basin RPAC look at these. Sugimura planned to leave as is for now, have RPAC conversation later. Updating Resource Efficiency Plan, which interests RPACs. Include any additional changes to energy policies.

Item 7: Plan policies on countywide level. Add subsection with potential significant impacts. Dark Sky Regulations do not apply in Antelope Valley. Hot-button issue where it does apply.

Who determines significant potential impacts? Le Francois stated staff would determine. Instances when EIR or Negative Declaration, appealed staff decision to do lesser level of environmental review. Hammil Valley fought land use war over land use size. Petition to go to five acres? Big policy change for that valley. Hammil has development-credit overlay.

Rentals? Burns posited that somebody could get radical idea on heights up to 200', whole county could erupt in controversy. BOS could say inappropriate amendment, so staff would not accept. BOS could authorize staff to not accept.

--- Lagomarsini exited meeting at 11:33 a.m. ---

Item 8: If residential structure exists in MU (Mixed Use) district, meet residential setback of 10'. Provide some snow shed, reasonable setback distance. Add section in MU.

Bush noted back side of business is a residence. Le Francois noted Walker has MU, but lots are large.

Item 9: Accessory dwelling units: Legislation just signed to make it easier for accessory dwellings. Primary focus is to take away discretion from locals to make more ministerial. Ch. 16 has mixture of discretionary and ministerial action. DR (Director Review) is ministerial, but conditions would ensure compliance with regulations. New law has size limit of 1,200 sf. Need to consult county counsel re authority. Waiving parking requirements if within half-mile of transit stop. Some incentive to get through so regulatory framework would still apply. At one time all accessory units required use permit. Why? Never any controversy, so downgraded to DR. Kick into use permit if encounter controversy. New law would take that away, allow outright. May not even DR, just building permit.

All LUDs? Burns cited residential designations only. Limited to size of units on smaller parcels.

CC&Rs? Burns described them as advisory but not affect outcome. Intent is to prevent local governments from making it difficult for accessory units.

Le Francois noted sometimes someone builds new house, designates original smaller home as accessory unit. Anything to prevent accessory unit to be a rental. Burns stated rental must be > 30 days. Might simplify if subject to building permit rather than DR. No ability to kick to Planning Commission. If follow standards, get to do accessory unit. Bush noted owner is on site, so ideal for transient rental. Burns stated originally large units required use permit. Bush compared to concept of guest house: now have house with smaller unit (guest house).

6. REPORTS

A. DIRECTOR: 1) **PC Rules:** New meeting date; 2) **TRODs to RPACs:** ump in road at Supervisor Johnston, who has proposal. CAC wants proposed revisions to go forward, but approvals consistent with area plan amendment to where allowed/not allowed. Take Johnston's proposal through process. Got CDBG grant for housing study, zero in on June Lake to get data. LTC had option to avoid Housing Element update in eight years instead of four years, coincide with RTP update. Update 18 months after RTP now. Housing Mitigation Ordinance suspended to September 2017. 3) **Tioga Inn scoping:** Oct. 27. Up to three stories, shrink footprint a bit. Additional restaurant seating. Large propane tank setup to compete with existing suppliers. Create new water tank. 4) **Marijuana:** Mono looking at moratorium on permits in November. Survey showed Mono second-to-last in interest in medicinal marijuana. 5) **Staff:** Paul McFarland is new assistant planner as of next week. Analyst interviews tomorrow. 6) **Proposals:** Crowley Lake Fish Camp, geothermal trail, June Lake restaurant.

B. COMMISSIONERS: Roberts: CCPCA met in Riverside, which wants to build more freeways, whereas other areas want public transit; local issues on agriculture, but parcels only five acres. Wealthy people are building estates, cheap water from canal. Basin recharge project to operate desalinization plant. Interaction with Temecula tribe, preserving cultural and burial sites. Casino parking lot is huge. Temecula winery tour. Tourism opportunity with hotels/tasting rooms. Roberts received plaque with gavel for assisting CCPCA, one of three ever bestowed. Some attendees said Mono conference was one of best in 15 years.

7. **INFORMATIONAL:** No items.

8. **ADJOURN** to November 17, 2016, at 12:15 p.m.

Prepared by CD Ritter, PC secretary

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PLANNING COMMISSION RULES FOR THE TRANSACTION OF BUSINESS (Authority: MCC 2.36.040 C)

ARTICLE I

SECTION 1. OFFICERS

- A. Chair, Vice-Chair. The officers of the Commission shall be a Chair and a Vice-Chair, who shall be members of the Commission elected by the Commission as soon as practicable following the first day of every year, and who shall serve at the pleasure of the Commission.
- B. Secretary. There shall also be a Secretary who shall not be a Commissioner. The Secretary shall be vested with all the powers and duties of Secretary pursuant to these rules and the various ordinances of the County of Mono.
- C. In the absence of the Chair and Vice-Chair, any other Commissioner shall call the Commission to order, whereupon a Chair shall be elected from the members of the Commission present to preside for that meeting only.

SECTION 2. POWERS & DUTIES OF OFFICERS

- A. The Chair shall preside at all meetings of the Commission, swear witnesses in all proceedings of the Commission where sworn testimony is taken, and exercise and perform such other powers and duties as are conferred upon him/her by law and these rules.
- B. The Vice-Chair shall have and perform all the powers and duties of the Chair in the absence of the Chair from any meeting of the Commission or whenever the Chair is unable for any reason to act.
- C. The Secretary shall:
 1. Keep and record the minutes of all meetings of the Commission, and *include* a copy of the minutes of each meeting *in the next meeting's agenda packet*;
 2. Keep complete files of all communications to the Commission, documents filed with the Commission, and all other necessary records of the Commission;
 3. Act as custodian of the minutes and of all the records of the Commission; and
 4. Perform such other duties as the Commission may from time to time prescribe.

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COMMISSIONER
Mary Pipersky

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Rodger B. Thompson

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DISTRICT #5
COMMISSIONER
Chris I. Lizza

SECTION 3. MEMBERS OF THE COMMISSION

- A. The Planning Commission shall consist of five members and shall be organized and exercise powers as prescribed by the California Government Code and by ordinance of the County of Mono.
- B. Terms of the Commission
1. The terms of office are as follows:

<u>DISTRICT</u>	<u>FOUR-YEAR TERM EXPIRES</u>
# 1	March 1, 2015, 2019, 2023, 2027
# 2	March 1, 2017, 2021, 2025, 2029
# 3	March 1, 2017, 2021, 2025, 2029
# 4	March 1, 2017, 2021, 2025, 2029
# 5	March 1, 2015, 2019, 2023, 2027
 2. Commissioners *may serve in excess of a period of 12 years per Board of Supervisors ordinance ORD07-01, adopted Feb. 13, 2007.*
 3. Members of the Planning Commission may be removed by a majority of the Board of Supervisors for the following reasons:
 - a. Failure to meet the following attendance requirements: A Commissioner shall not have three consecutive unexcused absences from regular meetings, nor may a Commissioner miss five or more regular meetings in any 12-month period;
 - b. Acting inappropriately, in the sole discretion of the Board, in matters regarding conflict of interest or personal bias;
 - c. Failure to carry out Commissioner duties over a period of time due to a frequent inability to vote caused by repeated conflict-of-interest issue;
 - d. Failure to carry out the duties of Commissioner by repeatedly abstaining on matters when there are no apparent conflict-of-interest or bias issues; and
 - e. Any other cause not enumerated herein which, in the opinion of a majority of the Board, reflects the Commissioner's failure to carry out the duties of the Commission, or which brings discredit to the County of Mono.

ARTICLE II

MEETINGS

SECTION 1. REGULAR MEETINGS

The regular meetings of the Commission shall be held on the ~~second~~ **third** Thursday of every month, commencing at 10:00 a.m. All meetings shall be duly noticed. Unless otherwise provided, meetings shall be held in the Board of Supervisors chambers, Courthouse, Bridgeport, California. The Commission may, on a majority vote of its members, or with the approval of the Chair upon consultation with the Community Development Director, cancel any regular meeting.

SECTION 2. SPECIAL MEETINGS

A special meeting may be called at any time by the Chair, and the Chair shall call a special meeting at the written request of three members of the Commission. Notice of each special meeting shall be given by delivering personally, or by email, a written notice thereof to each Commissioner, and to each newspaper of general circulation, radio, or television station requesting notice in writing. Such notice must be delivered personally or by email at least 24 hours before the time of such meeting. Such written notice may be dispensed with as to any Commissioner who at or prior to the time the meeting convenes, files with the Secretary a written waiver of notice. Such written notice may also be dispensed with as to any Commissioner who is actually present at the meeting at the time it convenes.

SECTION 3. ADJOURNED MEETINGS

The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members of the Commission are absent from any meeting, the Secretary shall declare the meeting adjourned to a stated time and place. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified in these rules for regular meetings.

SECTION 4. WORKSHOPS

- A. A workshop may be convened by the Commission as a whole, or by a committee of the Commission. It shall be convened in the manner prescribed for the calling of a regular or special meeting.
- B. Workshops shall be duly noticed and open to the public in accordance with the Brown Act.

SECTION 5. QUORUM

A majority of the members of the Commission shall constitute a quorum for the transaction of business.

SECTION 6. RESOLUTIONS & MOTIONS

Any actions or decisions of the Commission at any meeting shall be expressed by motion, duly seconded and voted upon by members of the Commission. The roll need not be called in voting upon a motion, except when requested by a Commissioner. If the roll is not called, in the absence of an objection, the Chair may order the motion unanimously approved. When the roll is called on any motion, any Commissioner present who does not vote in an audible voice shall be recorded as voting aye. The minutes or other public record of the meeting shall reflect the vote or abstention of each Commissioner.

The Chair of the Commission may second any motion and present and discuss any matter as a Commissioner without having to step down from the chair. The Chair of the Commission shall be entitled to vote on all matters before the Commission.

Every Commissioner must vote except when disqualified by reason of a conflict of interest or as otherwise required by law.

The adoption by the Commission of findings or recommendations to be made and reported to the Board of Supervisors may be made by resolution adopted on motion duly seconded and carried. Resolutions of the Commission may be adopted with modification or corrections stated orally by the Commission in the record, and referred to the Secretary of the Commission for incorporation of any such changes.

SECTION 7. REPORTS TO THE BOARD

When the Commission has by resolution made a recommendation to the Board of Supervisors, this action shall be reported to the Board as soon as practicable thereafter except as otherwise may be provided for. The action of the Commission shall be reported by the Director, or a member of his or her staff designated by him or her, but the Chair, or in his absence the Vice-Chair, or another Commissioner appointed by the Chair, may be present at the Board meetings when deemed advisable by the Commission.

SECTION 8. ORDER OF BUSINESS

At the regular meetings of the Commission, the following shall be the order of business:

1. Call to order
2. Pledge of allegiance
3. Public comment
4. Approval of minutes
5. Agenda of Commission
 - A. Consent agenda
 - B. Public hearings
 - C. Action items
 - D. Workshop items
 - E. Reports
 - 1) Director
 - 2) Planning Commissioners
6. Adjournment

The presiding officer may vary the order of business to expedite the conduct of the meeting provided no item is taken prior to the time for which it is listed on the agenda.

SECTION 9. AGENDA

Routine items to be placed on the agenda shall be determined by the Director; non-routine items shall be determined by the Director in consultation with the Chair. Any Commissioner may request the Chair to place any matter on the agenda, and it shall be so placed unless the Chair determines that the matter is not germane to Commission business as provided by law. In the case of such determination by the Chair, the Chair shall place the request and determination before the Commission, for its decision, at the next regular meeting.

The length of the agenda shall be determined by the Director in consultation with the Chair, and when deemed necessary, shall be limited to those items that can be satisfactorily concluded during a meeting day. When the workload becomes excessive, special meetings may be called.

SECTION 10. HEARING CONTINUANCES

Upon receipt of a request by the applicant or representative for good cause shown in writing, and prior to the mailing of the official public notices announcing the time and place of the meeting, the Director shall reschedule a hearing date. The Director may, in his discretion, reschedule a hearing date for the convenience of the Commission or the orderly conduct of business of the Department or the County.

In the event that less than the full Commission is present to hear a matter regarding which the Commission is the final decision maker, and upon the request of the project applicant or representative, made prior to the commencement of the hearing, the hearing shall be continued until such time as the full Commission can be present. Alternatively, at any time after commencement and prior to the close of the hearing at which less than a full Commission is present, the project proponent or representative may request, and may be granted, a rehearing before the full Commission. Such rehearing shall be considered a "continued hearing" for the purposes of the applicability of any fees or costs to the project applicant. For purposes of this paragraph, a full Commission means the presence of all five Commission members at the meeting, regardless of whether any individual member recuses himself or herself or abstains from participation in the particular matter.

SECTION 11. OTHER RULES FOR CONDUCT OF MEETINGS

Robert's Rules of Order (latest edition) shall govern in all matters and procedures not provided for herein or in the code, providing, however, that the failure of the Commission to conform to said rules shall not, in any instance, be deemed to invalidate the action taken.

The Chair shall remove items from the consent agenda and schedule them elsewhere on the agenda when requested by a Commissioner.

The Chair may decide to take public comment during any item on the agenda if he/she determines public comment is germane to the matter before the Commission or otherwise useful or desirable. Any citizen making a public comment shall state his/her name prior to making comment. The Chair shall instruct the person addressing the Commission to keep comments relevant to the agenda item, and in the interests of an orderly meeting, may limit the time for public comment. The Chair may also decide not to take public comment on items other than Public Hearings and during the agenda item public comment period.

SECTION 12. CONDUCT OF PUBLIC HEARINGS

The purpose of a Public Hearing is to provide the public with an opportunity to address the Commission on matters pending before the Commission. The Commission shall consider public comments along with the applicant's and staff's comments prior to taking action. The Chair shall facilitate Public Hearings to elicit all relevant information for decision-making purposes in an orderly and expeditious way.

The order of procedure for Public Hearings shall be as follows:

1. The Chair shall announce the subject of the particular hearing as advertised.
2. Planning staff shall present the substance of the application or other project, staff report, and recommendation to the Commission and shall answer technical questions of the Commission.

3. The Public Hearing is opened by the Chair. The order of testimony is as follows:
 - a. Applicant's statement;
 - b. Public's statements; and
 - c. Rebuttal statements from applicant if necessary.
4. When all relevant testimony is deemed to have been heard, the Chair shall close the Public Hearing. When a hearing is closed, it shall remain closed except when the matter is continued to another date for further hearing, or when the Chair, or Commission consensus, determines that additional testimony is necessary or desirable, in which case the Chair shall reopen the hearing.
5. Following the close of the public hearing, the Commission shall discuss and deliberate regarding the matter and then either determine the matter or continue it to a date and time certain.
6. Rules of Testimony:
 - a. Persons addressing the Commission shall address the Commission from a designated location. They shall state their name for the record. No person shall address the Commission without first securing permission from the Chair. Comments made must be relevant to the matter before the Commission.
 - b. The Chair may set rules regarding time and relevance of public testimony. The Chair may end testimony when a presentation exceeds the time limit; and may rule "out of order" or otherwise limit repetitive testimony and testimony deemed non-germane. Additionally, irrelevancies (including comments on race, religion, creed, political matters, etc.) shall be ruled out of order by the Chair.
 - c. All comments shall be addressed to the Commission.
 - d. If a Commissioner is in possession of extra-record evidence that is relevant to his or her decision making but which does not require recusal, then, the Commissioner shall state such evidence for the record.
 - e. The Chair shall discourage complaints regarding the staff or individual members of the Commission during a Public Hearing. Complaints should be presented as a separate item on the agenda, or submitted to the Commission in writing for later consideration.

ARTICLE III

COMMITTEES & REPRESENTATIVES ON OTHER BOARDS

SECTION 1. APPOINTMENT OF COMMITTEES

The Chair shall appoint such committees of members of the Commission as the Commission shall from time to time authorize to investigate and report to the Commission on matters within its jurisdiction.

SECTION 2. PUBLIC REPORTS

The Commission may issue public reports setting forth its consensus on matters before the Commission. After the adoption of such a report by the majority of the Commission, those voting in dissent may concurrently submit a minority report. Majority reports shall reflect the views of the Commission and shall not be prepared in consultation with the Board of Supervisors. Minority reports shall reflect the views of the member preparing them and shall not be prepared in consultation with the Board of Supervisors.

**ARTICLE IV
DOCUMENTATION**

SECTION 1. POLICY

Policies in addition to those set forth herein applicable to the Commission, when not otherwise set forth by law, may be adopted by resolution of the Board of Supervisors. In the absence of policies established by the Board of Supervisors, the Commission may by resolution adopt such policies consistent with the authority granted by subdivision C of Mono County Code section 2.36.040, and may, but is not required to, request confirmation of such policies by the Board.

SECTION 2. STAFF REPORTS & SERVICES

On all applications for change of land use designation, requests for approval of subdivision maps, proposed amendments to the Land Use Element and other matters that may be brought before the Commission, the Director (or his or her designee) shall furnish written reports containing an analysis and recommendation. The Commission shall look to the Director and his or her designees for all information and staff services. The Director will be responsible for all assignments to staff members.

When a matter is contested and a written request is submitted to the Secretary at least 24 hours before the commencement of the hearing, the Secretary shall cause a record of such hearing to be made. If a hearing is tape-recorded, a copy of the tape may be purchased at its reproduction cost from the Secretary, provided that a deposit in an amount estimated by said Secretary to cover the cost of reproduction shall be first made. If any person desires to have a hearing reported by a stenographic reporter, he or she may employ one directly at his or her expense, and shall notify the Secretary of his or her intent at least 24 hours in advance of the meeting if possible.

When a written Planning Staff report exists, the report shall be made public at the time it is presented to a majority of the members of the Commission. All reports shall be a matter of public record, and shall be included in the record of the hearing.

**ARTICLE V
ETHICS**

SECTION 1. CONFLICT OF INTEREST

No Commissioner shall participate in the making of a decision or vote on any item in which he or she has a financial interest as defined in Government Code Sections 87100 et seq. (the Political Reform Act) and its implementing regulations, or a financial interest pursuant to Government Code Section 1090. Further, no Commissioner shall participate in the making of a decision or vote on any item with respect to which he or she is biased or otherwise conflicted due to personal interests, consistent with applicable law. Possible biases, financial interests, and other conflicts of interest shall be discussed with County Counsel.

SECTION 2. SPECIAL REQUESTS TO COMMISSIONERS

Commissioners shall place in the record of Commission meetings a report of requests for special consideration received from any source either verbally or in writing. The purpose of this section is to keep the public and the Board of Supervisors informed regarding any showing of unusual or special interest by any person or group in any matter before the Commission.

SECTION 3. APPEARANCES BEFORE THE BOARD OF SUPERVISORS

Any Commissioner presenting a minority report to the Board may do so as a Commissioner, but shall make it clear to the Board that he or she is not presenting the sentiment of a majority of the Commission. Any Commissioner intending to make a minority report to the Board of Supervisors shall report this intention at a Commission meeting prior to making the minority report or to the Director if no Commission meeting is scheduled prior to the item's being heard by the Board of Supervisors.

ARTICLE VI

AMENDMENT TO RULES FOR THE TRANSACTION OF BUSINESS

SECTION 1. AMENDMENT TO RULES FOR THE TRANSACTION OF BUSINESS

These rules may be amended by the Commission by a majority of all members of the Commission at any regular meeting or special meeting.

ARTICLE VII

DEFINITIONS

SECTION 1. DEFINITIONS

For the purpose of these rules certain words, phrases and terms shall be construed as specified in this section:

- A. "Commission" shall mean the Planning Commission of the County of Mono;
- B. "Board" shall mean the Board of Supervisors of the County of Mono;
- C. "Law" or "Code" shall mean the ordinances of the County of Mono, the Constitution of the State of California, and any other law of the State of California that is applicable;

- D. "Director" shall mean the Community Development Director of the County of Mono; and
- E. "Staff" shall mean any County employee reporting to the Planning Commission for the County of Mono.

ARTICLE VIII

ADOPTION

SECTION 1. ADOPTION

The foregoing rules for the transaction of the business of the Planning Commission of the County of Mono were adopted by action of the Planning Commission of the County of Mono at its regular meeting held on the 11th day of the month of September 2014, and signed by Planning Commission Chair Daniel Roberts.

MONO COUNTY PLANNING COMMISSION RULES

Daniel Roberts, Chair

DATED: September 11, 2014

ATTEST:

CD Ritter, Secretary
Mono County Planning Commission

Mono County Community Development Department

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

November 17, 2016

To: Planning Commission
From: Gerry Le Francois, Principal Planner
Subject: Annual General Plan Update – Public Hearing

RECOMMENDED ACTION

1. Conduct a public hearing on the annual General Plan Update.
2. Following the public hearing and Commission discussion, adopt Resolution R16-01 recommending the Board of Supervisors certify an addendum to the 2015 General Plan Final Environmental Impact Report and adopt the 2016 General Plan Update.

BACKGROUND

A comprehensive General Plan update was adopted by the Board of Supervisors last December. Staff is proposing several annual General Plan clarifications and/or changes for the Commission's recommendation to the Board of Supervisors. The summarized changes proposed for discussion and direction from the Commission are:

1. Change the Land Use Designation (LUD) of the former Mountain Gate property from Rural Residential (RR) 5 & 10 to Open Space (OS). The affected APNs 002-140-033, 002-490-002, -007, -008, 010 & -011 are owned by Mono County (see Attachment 1).
2. Change the LUD for Walker Behavioral Health property from Mixed Use 1-acre minimum to Public Facility (PF). The APN is 002-361-012 and is owned by Mono County (see Attachment 2).
3. Change the LUD for Public Works property at the West Walker River and North River Lane from Estate Residential (ER) to Public Facility (PF). The APN is 002-310-056 (see Attachment 3).
4. Change the LUD of the Walker tennis courts from Estate Residential to Public Facility. The APNs are 002-362-008 & -009 (see Attachment 4).
5. Change LUD on the various FEMA properties along North River Lane and Meadow Drive from Estate Residential (ER) to Open Space (OS). The APNs are 002-290-005, -006, -007, 002-300-002, 002-310-001, -009, -038, -037, -035, and 002-343-005 (see Attachment 5).
6. Change the LUD on APN 002-450-014 Antelope Valley Fire Station from Agricultural 10 (AG10) to Public Facilities (PF) (see Attachment 6).
7. Add the following policy to the Land Use Element, Antelope Valley Plan: **The RPAC endorses the use of FEMA/County properties on North River Road and Meadow Lane as open space, without development of public improvements and facilities until 2041.**

8. Amend Chapter 48 Amendments as it relates to Initiation of a General Plan Amendment as shown in **bold**:

CHAPTER 48 – AMENDMENTS

I. General Plan Map/Land Use Designation

II. Text Amendments

General Policies

Land Development Regulations

Land Use Designations

Sections:

I. GENERAL PLAN MAP/LAND USE DESIGNATION AMENDMENTS

- 48.010 Initiation.
- 48.020 Planning Commission action.
- 48.030 Board action.
- 48.040 Covenants.
- 48.050 Reinitiation.

II. TEXT AMENDMENTS – GENERAL PLAN POLICIES, LAND DEVELOPMENT REGULATIONS

- 48.060 Initiation.
- 48.070 Planning Commission action.
- 48.080 Board action.
- 48.090 Reinitiation.

I. GENERAL PLAN MAP/LAND USE DESIGNATION AMENDMENTS

- 48.010 Initiation.

The provisions of this section, or portion thereof, to the extent that the same may be referred to in any specific procedure, shall govern in the initiation of proceedings. Initiation may be by:

- A. The adoption of a resolution of initiation by the Board of Supervisors;
- B. The adoption of a resolution of initiation by the Commission; or
- C. Filing with the Director an application signed by one or more of the record owners of the parcel of property that is the subject of the application or by an agent of the owner, authorized in writing, or by a public utility company or other agency with the powers of eminent domain. In the event that more than one parcel is submitted for district amendment, owners of parcels representing at least 60% of the area involved must sign the application. The names of all record

owners of all land involved must be stated. A petition for amendment shall be on a form designated by the Commission, and shall be accompanied by the required application, environmental forms, and fee. In addition, the applicant shall also be assured that the proposed district amendment is consistent with this General Plan before his application is deemed accepted.

D. General plan amendments addressing matters applicable throughout the county and/or not directly associated with specific parcels of land may be initiated only by the Planning Commission or Board of Supervisors.

9. Change the side-yard setback in the Mixed Use Land Use Designation and Table 04.120 for residential uses from 0 feet to **10 feet**.
10. Amend Chapter 16 Accessory Units as shown in **bold**:

DEVELOPMENT STANDARDS

Chapter 16 – Accessory Dwelling Units

Sections:

16.010	Intent.
16.020	Definition.
16.030	Applicable Land Use Designations.
16.040	General Provisions.
16.050	Standards for Accessory Dwelling Units.

16.010 Intent.

The intent of this chapter is to allow for Accessory Dwelling Units in accordance with State law in order to provide additional affordable housing opportunities, including housing for the elderly in Mono County.

16.020 Definition.

"Accessory Dwelling Unit" (also referred to as "dependent," "Secondary Housing," or "granny unit") means residential occupancy of a living unit located on the same parcel as the primary residential unit. It provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit is situated. An Accessory Dwelling Unit shall meet the minimum regulations for an efficiency dwelling unit in the California Building Code.

The Accessory Dwelling Unit can be either attached to or detached from the primary residential unit but in either case shall have similar architectural elements as the primary unit (i.e., materials, textures, colors, etc.; see 16.050 G below). The Accessory Dwelling Unit shall be clearly subordinate to the primary unit.

Utilities that are installed for future expansion, such as stub outs that would allow a kitchen to be installed at a later date shall be considered as complete cooking facilities in accessory dwelling units. In units required by deed restriction, complete cooking facilities shall be installed resulting in a usable kitchen at final permit issuance, and interior access between attached units shall be no more than a single personnel door.

16.030 Applicable Land Use Designations.

An Accessory Dwelling Unit may be permitted in any land use designation that allows single-family residences as a permitted use or as allowed in Specific Plan (SP) areas subject to the General Provisions below.

16.040 General Provisions.

- A. On parcels less than 7,500 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 500 sq. ft. in size may be permitted **with a building permit** by application for a Director Review.
- B. On parcels of 7,500 sq. ft. up to 10,000 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 640 sq. ft. in size is allowed with a building permit. A detached Accessory Dwelling Unit not exceeding 640 sq. ft. may be permitted by application for a Director Review.
- C. On parcels of 10,000 sq. ft. up to one acre in net area, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit.
- D. On parcels one acre or greater, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit. In this same parcel size range, an Accessory Dwelling Unit exceeding 640 sq. ft. but not exceeding 1,400 sq. ft. in size (attached or detached) may be permitted by application for a Director Review. In this same parcel size range, an Accessory Dwelling Unit exceeding 1,400 sq. ft. may be permitted by application for a use permit.
- E. Square footage of Accessory Dwelling Units shall be calculated based on the exterior dimensions of the unit. All interior living space shall count toward the total square footage of the unit.
- F. Consistent with Government Code section 65852.2, ministerial reviews shall occur within 120 days after receiving an accessory dwelling unit application.**

16.050 Standards for New Accessory Dwelling Units.

- A. All construction shall conform to the height, setback, lot coverage, fees (including school impact fees and fire district fees), snow storage, and other development requirements applicable to residential construction in the land use designation in which the property is located.
- B. If a well and/or septic system is/are to be utilized, a clearance letter shall be obtained from the Environmental Health director and shall accompany the building permit application (or if applicable, the Director Review or Use Permit application). For Accessory Dwelling Units that are served by a public water and/or sewer system, a letter from the serving entity that indicates adequate service shall be submitted as part of the application.
- C. One of the units on the parcel (either the primary unit or the Accessory Dwelling Unit) must be owner occupied.
- D. If the Accessory Dwelling Unit is 640 sq. ft. or less in size, one off-street parking space must be provided for the Accessory Dwelling Unit in addition to parking required for the primary unit. If the Accessory Dwelling Unit is larger than 640 square feet, two parking spaces must be provided for the Accessory Dwelling Unit in addition to parking required for the primary unit, **if it contains two or more bedrooms.** Parking shall be in accordance with Chapter 06 of the Mono County Land Use Element, ~~except that June Lake provisions of three parking spaces per unit shall apply only to the primary unit and not the Accessory Dwelling Unit.~~ **unless the following instances exist, in which case, no parking standards shall be imposed.**

(1) The accessory dwelling unit is located within one-half mile of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car-share vehicle located within one block of the accessory dwelling unit.

E. Whether attached or detached, the Accessory Dwelling Unit shall be architecturally compatible with the primary residence. The Community Development Department shall determine the architectural compatibility of the structures and shall consider roofing, siding, trim, door and window frame colors; roofing, siding, trim, door, and window materials; roof slope and pitch; and wall articulation, roof line articulation, eaves, railings, chimneys, porches, and similar features; landscaping should also be considered in helping to make the units compatible. In addition, the Accessory Dwelling Unit shall be clearly subordinate to the primary unit in terms of size and placement on the property. If attached, the two units shall have the appearance of a single-family residence; the Accessory Dwelling Unit entrance shall be located on the side or rear of the building.

F. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. Accessory dwelling unit utility connections and related fees shall comply with Government Code section 65852.2.

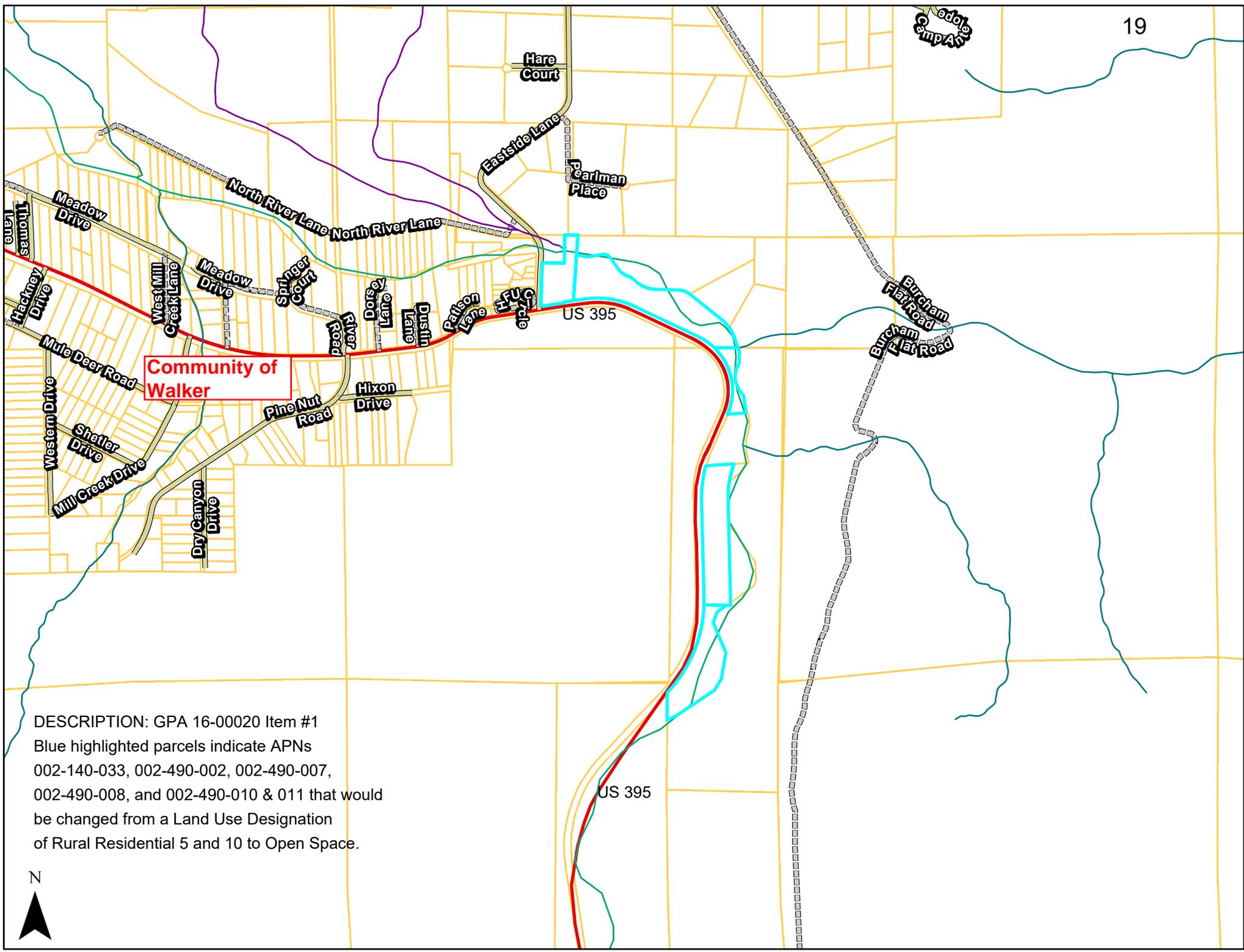
G. No passageway shall be required in conjunction with the construction of an accessory dwelling unit. No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

ATTACHMENTS

Community of Walker

DESCRIPTION: GPA 16-00020 Item #1
Blue highlighted parcels indicate APNs 002-140-033, 002-490-002, 002-490-007, 002-490-008, and 002-490-010 & 011 that would be changed from a Land Use Designation of Rural Residential 5 and 10 to Open Space.

N



DESCRIPTION: GPA 16-00020 Item #2

Blue highlighted parcel would change the Land Use Designation for the Walker Behavior Health property from Mixed Use 1-acre minimum to Public Facility.

The screenshot displays the PARCEL VIEWER 4.0 web application. The interface includes a top navigation bar with a search bar, a 'Parcel' dropdown menu, and a 'Quick Search' input field. On the right side of the top bar, the user 'wsugimura' is logged in. The main map area shows an aerial view of a rural area with several roads labeled: 'Meadow Drive', 'Clover Lane', 'Front Lane', 'Mule Deer Road', 'Shop Road', and 'Hickory Drive'. A parcel is highlighted in blue, located south of Highway 395. The right-hand panel contains the following information:

107655 HWY 395
002-361-012-000

[View or Print Value Notice](#)

Address	107655 HWY 395
Community	Walker
Complex	Walker Mental Health
Assessee Name	COUNTY OF MONO
Owner(s)	COUNTY OF MONO P.O. BOX 495 BRIDGEPORT, CA 93517
Legal Description	29 8N 23E, 37
Improvement Value	\$0
Land Value	\$0
Land Use Designation	MU 1
Division Type	Lot
Parcel Type	Land Parcel
Stated Area	1
Calculated Acres	1.02
Tax Rate Area	051001
Previous Assessment #	000236112000000

DESCRIPTION: GPA 16-00020 Item #3

Blue highlighted parcel would change the Land Use Designation for the Mono County Public Works Facility at West Walker River/North River Lane from Estate Residential to Public Facility.

The screenshot displays the Parcel Viewer 4.0 interface. At the top, there is a navigation bar with 'PARCEL VIEWER 4.0', a search bar, and a 'Parcel' dropdown menu. The main map area shows an aerial view of a rural area with a parcel highlighted in blue. The parcel is located at the intersection of Eastside Lane and North River Lane. Other streets visible include Peardman Place, HFU Circle, and various lanes like Dorsey Lane, Durkin Lane, and Patton Lane. A scale of 1:4,514 is shown in the bottom right corner of the map.

On the right side, a metadata table provides details for the parcel:

135 Eastside Lane 002-310-056-000	
View or Print Value Notice	
Address	135 Eastside Lane
Community	Walker
Complex	
Assessee Name	COUNTY OF MONO-ROAD DEPT. R-W
Owner(s)	EASTSIDE BRIDGE, R-W - REF. COUNTY OF MONO-ROAD DEPT. R-W @ EASTSIDE BRIDGE
Legal Description	RIGHT OF WAY AT EASTSIDE BRIDGE
Improvement Value	
Land Value	
Land Use Designation	Estate Residential (ER) ?
Division Type	Lot
Parcel Type	Land Parcel
Stated Area	Unknown
Calculated Acres	0.66
Tax Rate Area	051003
Previous Assessment #	000231056000000

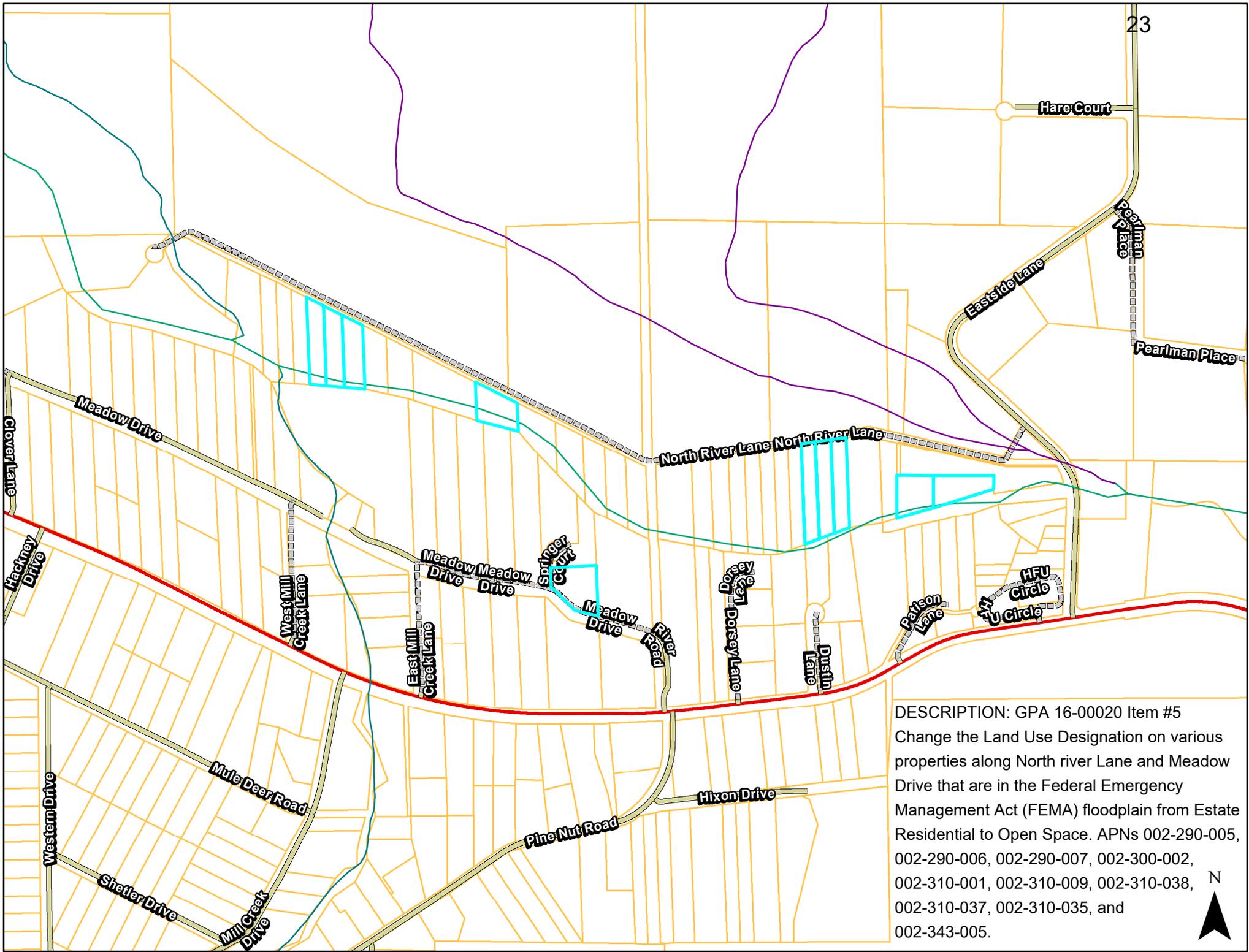
DESCRIPTION: GPA 16-00020 Item #4

Blue highlighted parcel would change the Land Use Designation for the Walker tennis courts from Estate Residential to Public Facility.

The screenshot displays the PARCEL VIEWER 4.0 web application. The main map area shows an aerial view of a residential and commercial area. A specific parcel, which is a tennis court, is highlighted in blue. The map includes various street names such as Mule Deer Road, Shop Road, Hasbany Drive, Western Drive, and Shepherd. A yellow line representing a highway (395) runs diagonally across the top of the map. The interface includes a search bar, a 'Parcel' button, and a 'Measure Tool'.

On the right side, there is a metadata panel for the selected parcel. The title is 'Walker' with the parcel numbers '002-362-009-000 and 002-362-008-000'. Below the title is a 'View or Print Value Notice' button. The panel lists the following information:

Address	Walker
Community	Walker
Complex	
Assessee Name	COUNTY OF MONO ANT. VLY REC. CTR
Owner(s)	COUNTY OF MONO ANT. VLY REC. CTR MONO COUNTY DEPARTMENT OF PUBLIC WORKS PO BOX 457 BRIDGEPORT, CA 93517
Legal Description	MILL CREEK RANCH Y-9, ANTELOPE VALLEY RECREATION CENTER RS 31 52 RSBK4 PG65
Improvement Value	
Land Value	
Land Use Designation	Estate Residential (ER) ⓘ
Division Type	Lot
Parcel Type	Land Parcel
Stated Area	1.02
Calculated Acres	1.04
Tax Rate Area	051001
Previous Assessment #	000236209000000



DESCRIPTION: GPA 16-00020 Item #5
 Change the Land Use Designation on various properties along North river Lane and Meadow Drive that are in the Federal Emergency Management Act (FEMA) floodplain from Estate Residential to Open Space. APNs 002-290-005, 002-290-006, 002-290-007, 002-300-002, 002-310-001, 002-310-009, 002-310-038, 002-310-037, 002-310-035, and 002-343-005.

DESCRIPTION: GPA 16-00020 Item #6

Blue highlighted parcel would change the Land Use Designation for the Antelope Valley Fire Station parcel from Agricultural 10 to Public Facilities.

PARCEL VIEWER 4.0 | Map | Search | Results 2 | Parcel | Quick Search

wsugimura | Logout

PLACES | Measure Tool

1058 Larson Lane
002-450-014-000

View or Print Value Notice

Address	1058 Larson Lane
Community	Walker
Complex	Praxis Fiber Optic Node Loc (Coleville)
Assessee Name	ANTELOPE VALLEY FIRE DIST.
Owner(s)	ANTELOPE VALLEY FIRE DIST. 1166 LARSON LANE COLEVILLE, CA 96107
Legal Description	A/P/O, S17,T8N,R23E, PARCEL B R/S 31-31 WAS 2-450-11 & 12
Improvement Value	\$0
Land Value	\$0
Land Use Designation	AG 10
Division Type	Lot
Parcel Type	Land Parcel
Stated Area	11
Calculated Acres	11.36
Tax Rate Area	051003
Previous Assessment #	000245014000000



RESOLUTION 16-01

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
RECOMMENDING THAT THE BOARD OF SUPERVISORS
CERTIFY AN ADDENDUM TO FINAL EIR MONO COUNTY
GENERAL PLAN ADOPT THE PROPOSED 2016 UPDATE**

WHEREAS, the Planning Division of the Community Development Department, is recommending some changes in the Land Use Element of the General Plan, some of these changes have been recommended by the Antelope Valley Regional Planning Advisory Committee, Planning Division staff, and/or needed changes to comply with State Law; and

WHEREAS, on November 15, 2016, the Planning Commission held a duly-noticed public hearing regarding the 2016 Updates and related Addendum to the Final EIR; and

WHEREAS, having reviewed and considered all the information and evidence presented to it, including public testimony, the Planning Commission recommends that the Board of Supervisors make required findings, certify the Addendum to Final EIR for the 2015 Updates.

NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION HEREBY FINDS, RESOLVES, AND RECOMMENDS AS FOLLOWS: The Planning Commission finds that the Addendum to Final EIR has been prepared for the 2016 Updates in compliance with CEQA and that the Addendum to the Final EIR reflects the County’s independent judgment and analysis.

PASSED AND ADOPTED THIS 15TH DAY OF November 2016, BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chris Lizaa, Chairman

Attest:

Approved as to form:

Planning Commission Secretary

County Counsel

**Addendum to the
Mono County General Plan
Final Environmental Impact Report (FEIR)**

SCH #2014061029

Table of Contents

Executive Summary	1
Addendum Determination	1
Table 1: Review of findings under CEQA guidelines section 15162	5 - 7

Executive Summary

The County of Mono, as Lead Agency, determined that the 2015 *RTP/General Plan Update* is a ‘project’ as defined in the CEQA Guidelines, and requires the preparation of an EIR. In compliance with CEQA, this EIR has been prepared to analyze the potential environmental effects associated with implementation of the project. The EIR has been prepared to fully inform decision-makers in the county, responsible and trustee agencies, interested organizations and the general public of the potential environmental consequences associated with approval and implementation of the *2015 RTP/General Plan Update*. A detailed description of the proposed project, including the project setting, project components and characteristics, project objectives, discretionary actions, and how the EIR will be used, is provided in EIR §3.0 (Project Description).

The 2015 Update and repeal of the Conway Ranch Specific covered by the FEIR included a comprehensive update of the Mono County General Plan including appendices and Land Use redesignation for Conway Ranch; the Regional Transportation Plan (RTP) which also included the Regional Blueprint, Bicycle Transportation Plan, and Trails Plan as appendices; three elements of the Countywide Integrated Waste Management Plan (CIWMP); Noise Ordinance update; and repeal of the Conway Ranch Specific Plan. All project components cover the unincorporated areas, and the RTP and CIWMP also apply to the town of Mammoth Lakes to varying degrees. The RTP was updated through community-based efforts with Regional Planning Advisory Committees (RPACs) for the unincorporated area and language provided directly by the Town, and the CIWMP was vetted through the Solid Waste Task Force which includes town representatives. The General Plan and RTP update continue to focus growth in and adjacent to existing communities to avoid growth in environmentally sensitive areas and agricultural lands, and support sustainable, healthy, and livable communities.

The proposed 2016 update contained in the attached staff report cover minor changes to the General Plan as proposed by Staff, the Antelope Valley Regional Planning Advisory Committee, and/or to comply with changes to state law.

This DEIR was provided to the Planning Commission last year prior to its adoption. If you need a copy or have questions, please contact Gerry Le Francois at gfrancois@mono.ca.gov or 760.924.1810.

Addendum Determination

Mono County has determined that an Addendum to the Final Environmental Impact Report of the 1015 Mono County RTP/General Plan is the appropriate level of environmental review under CEQA. An Addendum is appropriate because the analysis in Table 1 below demonstrates that none of the conditions described in CEQA Guideline Section 15162 have occurred.

CEQA Section 15164 (a) provides that “the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” None of the conditions described in section 15162 have occurred.

Section 15162 provides for the preparation of a subsequent EIR where:

- (1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the measure or alternative;
or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment but the project proponent declines to adopt the mitigation measure or alternative.

Table 1: Review of findings under CEQA Guidelines Section 15162

Summary according to staff report numbering	CEQA guidelines section 15162 Analysis
<p>ITEM 1: Change the Land Use Designation (LUD) of the former Mountain Gate property from Rural Residential (RR) 5 & 10 to Open Space (OS). The affected APNs 002-140-033, 002-490-002, -007, -008, 010 & -011 are owned by Mono County</p>	<p>These parcels have been acquired by Mono County either through purchase or from the Federal Emergency Management Agency (FEMA). These parcels are within the Walker River floodplain, have deed restrictions related to future development, and/or residential uses are no longer appropriate for these properties.</p> <p>These changes are not substantive under CEQA section 15162 analysis</p>
<p>Item 2: Change the LUD for Walker Behavioral Health property from Mixed Use 1-acre minimum to Public Facility (PF). The APN is 002-361-012 and is owned by Mono County.</p>	<p>This parcel is being used as a public building for government purposes. A Public Facility land use designation is the appropriate land use.</p> <p>These changes are not substantive under CEQA section 15162 analysis</p>
<p>Item 3: Change the LUD for Public Works property at the West Walker River and North River Lane from Estate Residential (ER) to Public Facility (PF). The APN is 002-310-056 and is Owned by Mono County</p>	<p>This parcel is being used for public purposes (parking area and mailboxes). A Public Facility land use designation is the appropriate land use instead of Residential.</p> <p>These changes are not substantive under CEQA section 15162 analysis</p>
<p>Item 4: Change the LUD of the Walker tennis courts from Estate Residential to Public Facility. The APNs are 002-362-008 & -009.</p>	<p>These parcels are being used for public purposes (parking area and mailboxes). A Public Facility land use designation is the appropriate land use instead of Residential.</p> <p>These changes are not substantive under CEQA section 15162 analysis</p>

<p>Item 5: Change LUD on the various FEMA properties along North River Lane and Meadow Drive from Estate Residential (ER) to Open Space (OS). The APNs are 002-290-005, 006, 007, 002-300-002, 002-310-001, 009, 038, 037, 035, and 002-343-005.</p>	<p>These parcels have been acquired by Mono County either through purchase or from the Federal Emergency Management Agency (FEMA). These parcels are within the Walker River floodplain, have deed restrictions related to future development, and/or residential uses are no longer appropriate for these properties.</p> <p>These changes are not substantive under CEQA section 15162 analysis.</p>
<p>Item 6: Change the LUD on APN 002-450-014 Antelope Valley Fire Station from Agricultural 10 (AG10) to Public Facilities (PF).</p>	<p>This parcel is being used for public purposes (Antelope Valley Fire Station, Digital 395 node, etc.). A Public Facility land use designation is the appropriate land use. A fire station has occupied this site since 2008.</p> <p>These changes are not substantive under CEQA section 15162 analysis</p>
<p>Item 7: Add a policy to the Land Use Element, Antelope Valley Plan: The RPAC endorses the use of FEMA/County properties on N. River Road and Meadow Lane as open space, without development of public improvements and facilities until 2041.</p>	<p>This policy change is related to various parcels acquired by Mono County either through purchase or from the Federal Emergency Management Agency (FEMA). These parcels are within the Walker River floodplain, have deed restrictions related to future development, and/or residential uses are no longer appropriate for these properties.</p> <p>These changes are not substantive under CEQA section 15162 analysis.</p>
<p>Item 8: Amend Chapter 48 Amendments as it relates to Initiation of a General Plan Amendment: General plan amendments addressing matters applicable throughout the county and/or not directly associated with specific parcels of land may only be initiated by the Planning Commission or Board of Supervisors.</p>	<p>This addition clarifies General Plan amendments that might have county wide impacts must be initiated by the Planning Commission or Board of Supervisors.</p> <p>These changes are not substantive under CEQA section 15162 analysis.</p>

<p>Item 9: Change the side yard setback in the Mixed Use Land Use Designation and Table 04.120 for residential uses from 0 feet to 10 feet.</p>	<p>This addition clarifies and make consistent the 10 feet side yard setback with other residential land use designations.</p> <p>These changes are not substantive under CEQA section 15162 analysis.</p>
<p>Item 10: Amend Chapter 16 Accessory Units to comply with recent legislation (AB 2200 and SB 1069) effective Jan. 1, 2017</p>	<p>This amendment to Chapter 16 insures consistency with AB 2200 and SB 1069.</p> <p>These changes are not substantive under CEQA section 15162 analysis.</p>