

MONO COUNTY PLANNING COMMISSION

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SPECIAL MEETING MINUTES

January 16, 2020 – 10 a.m.
(adopted May 21, 2020)

COMMISSIONERS: Scott Bush, Roberta Lagomarsini, Chris I. Lizza (from Bridgeport), Dan Roberts & Patricia Robertson
STAFF: Wendy Sugimura, director; Gerry Le Francois, principal planner; Nick Criss, compliance officer; Jake Suppa, compliance analyst; Michael Draper, planning analyst; Christy Milovich, deputy county counsel; CD Ritter, PC clerk
PUBLIC: Justin & Sarah Campbell

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Scott Bush called the meeting to order at 10:04 a.m. at the Town/County Conference Room in Mammoth Lakes, and attendees recited the pledge of allegiance to the flag.

2. PUBLIC COMMENT: None

3. MEETING MINUTES

MOTION: Adopt minutes of Dec. 19, 2019, as submitted (*Lagomarsini/Roberts. Roll call: Ayes: Lizza, Bush, Lagomarsini, Roberts. Abstain due to absence: Robertson.*)

4. PUBLIC HEARING

A. CONDITIONAL USE PERMIT 19-013/LAMPSON would allow off-site snow storage in compliance with General Plan Chapter 4.300. The site, located at 206 S. Crawford Ave. (APN 015-112-015) in June Lake with a land use designation of Mixed Use (MU), currently does not meet snow-storage requirements and is considered an existing non-conforming use. The project proposes to construct an additional structure, further decreasing the available snow storage area. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Michael Draper*

Michael Draper presented background, noting applicant is Mono employee and owner is former Mono employee. Above-ground pool with enclosure above. Would increase lot coverage and snow storage requirement. Additional walkways created. Snow storage = 65%. Need 568 sf. Lot coverage = 59.2% including walkways. MU max = 60%. General Plan has conflicting notions of lot coverage. One includes all impervious surface, other just vehicular traffic and walkway areas. Snow storage is existing nonconforming. Applicant proposes off-site snow storage, which needs use permit. PC would need to make findings on snow storage. Lot coverage would exceed 60%. Pool only for residents, not commercial or public. Contracting for on-site snow removal would bring into conformance. Mixed Use allows accessory structures, but this would increase to exceed allowable lot coverage. Project noticed in newspaper and to surrounding property owners. Comment letter from adjacent property owner, who wanted it known that drainage issues exist. Conditions of Approval mostly standard but first five specific.

How large is pool? *Draper: 7' x 14' (10' x 20' enclosure).*

If drain pool, where does water go?

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

Robertson: Clarify how it came to be existing nonconforming. *Draper: Original site plan from 1980 shows driveway 20'x20'. Additional walkway added, so measured added linear 4'. Created more impervious surface.*

Robertson: Three new snow-storage areas still less than required. *Draper: Snow storage areas have no dimensions now, likely wouldn't be sufficient so off-site snow removal proposed.*

Lagomarsini: Inconsistent code section. *Draper: Walkways raise to 59.2%. requirement of 10' between structures could be modified.*

Sugimura: Trigger for CUP is off-site snow storage. Also structure triggers lot coverage issue.

Secondary approval process? *Sugimura: Analyzing setbacks. If PC approves, structure OK. Requires building permit.*

Sugimura: Walkways not shown on original site plan. Clarify lot coverage in future GPA.

Snow storage areas gone? *Sugimura: Intent is to accumulate for immediate plowing. Store somewhere on property till removed*

Authorized parking places? *Sugimura: Part of challenge. Success of project hinges on daily use. Parking in garages, outside garages. Could add condition that vehicles park only in parking areas.*

Bush: Not snow storage because it's parking. *Sugimura: Feasible to remove as go.*

Crummy winter? *Sugimura: Still need contract in place.*

Lagomarsini: Not lot of snow piled up anywhere.

Bush: End of winter in June Lake seems early. Sometimes thick, heavy snow in springtime. *Sugimura: Use Safety Element dates Nov. 1 to April 1.*

Get flooded out after April 1? *Sugimura: PC could require more detail on snow removal contract. Focused on results.*

Lizza: Driveway encroached on street. Nonconforming as well? *Draper: Actually approved.*

Sugimura: Not drawn to scale. *Lizza: driveway only 18' nonconforming?* *Draper: Garages primary parking for vehicles. Driveway areas to access garages.*

Structure near rear fence? Side door access to what? Dumpster has to be on property but not counted as lot coverage? *Draper: Dumpsters not incorporated into lot coverage. Just impervious ground surfaces.* *Sugimura: Older project not identified trash.*

What about snow last year? *Draper: On site.*

OPEN PUBLIC COMMENT: Rebecca Buccowich, apartment tenant, June Lake resident for 30 years. Swim spot is hot tub where can swim against current. Never needed snow removal except once last year. South side of building melts very quickly, grass appears. Neighbor with flooding issue is in meadow part of June Lake, lot slopes down, building poorly planned. Puts snow on vacant lot next to his property. Side door accesses tenant hallway. Parks in garage for access. Structure by fence temporary. If approved, materials for project or for buyer if project denied. Snow removal so not so icy.

Applicant's contract? *Buccowich: Just for herself. Tenants work together. Owner wanted to attend but had frustrating meeting with Draper. Thought just a temporary spa.*

Sugimura: CUP runs with property. Situation today could change if discontinuation would expire use. Property owner submitted CUP on her behalf. Contract for entire property. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Robertson: Lot coverage includes impervious, unsure of one nonconformity for another.

Lagomarsini: Interpretation of walkways as impervious is appropriate. Concerns about tenant running snow removal contract for whole property, but landowner instead? Could set bad legal precedent. Inclined to move forward.

Roberts: Familiar with property structures when built. Thought to be well done with covered parking. Extra walkways inadvertent, not intended to increase lot coverage. No problem with proposal. Familiar with owner and tenants.

Lizza: Lot's super constrained, storage in front of garages, dumpster in front makes space only area for snow storage on property. Pile it up, take it elsewhere. Snow removal operations fairly stressed. Snow-load capabilities a concern. Conditions: Call out off-site snow removal. Dates Nov 15-April 15.

Milovich: If CUP terminated, what action would not take place: snow removal. *Sugimura: Off-site not conducted in two years.*

Milovich: If off-site not used? *Sugimura: Contract in place.*

Robertson: Another use in footprint, another snow removal contract? *Sugimura: Yes.* Milovich: Setting precedent with impervious

Bush: Pool is a want not a need. Nonconforming to nonconforming. One tenant speaking for whole building. If vehicles there, not storage. Need building owner present. Not support, not want to set precedence.

MOTION: Find that CUP 19-013 does not meet findings, therefore deny. (*Roll-call vote: Ayes: Bush, Lagomarsini, Lizza, Robertson. Nay: Roberts.*)

B. EXPANDED HOME OCCUPATION PERMIT 19-001/CAMPBELL would allow welding fabrication including, but not limited to, equestrian panels, corral gates, and accessories with outdoor storage of materials and finished products at 646 Valley Road (APN 026-291-002) in Chalfant. The property is approximately 0.77 acres with a land use designation of Rural Mobile Home. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Jake Suppa*

Jake Suppa introduced project. Approving business licenses is part of job, caught at that stage. Many of criteria met. Notice of 300' to owners. Two opposition, five support letters. Past compliance case brought up on inoperative vehicle storage. He showed location of commenters. DMV documentation provided for all vehicles and trailers, so compliance case in 2017 was closed. Proposed storage area 40' x 40'. Privacy fence shields storage area. General Plan consistency findings were met. Alternate findings not met. Based on findings, Conditions of Approval met.

Proposal to allow welding of "accessories?" Permit to store or have business? Could become auto repair shop? *Suppa: Specific to corrals, panels, etc. Would be totally different project. Outdoor storage triggers this process. No outdoor fabrication proposed. Open garage door would affect fire separation. Window for ventilation.*

Would open up to other areas of welding? Milovich: PC could put restrictions but not so many as to limit type of business to conduct.

Sugimura: If change welding business to remain within scope, would be consistent with this permit. If bring in vehicles, store on site would be outside scope.

Milovich: PC can't say what can or cannot weld.

How would working on vehicle be? *Criss: Storage area limited to materials of finished/unfinished product. Vehicles in area would not fit.*

Milovich: Car is finished product.

Allowing corrals, not anything else. If other, violating? Sugimura: Activity is welding and business, but also outdoor storage. Rest of project falls within regular home occupation.

Milovich: Can't limit what's in storage space.

Storage relate to business license? *Suppa: Business license funneled through finance office. Only inconsistency was outdoor storage.*

Lagomarsini: Vaguely knows applicant. Concern about storage is vermin, so many critters out there. Find fun place to hang out. Way to address issue like bunch of cats? Anything piled up attracts animals. *Suppa: Firewood storage could attract rodents but metal piping not attractive nuisance.*

Store raw materials? *Suppa: From Ridgecrest. Applicant will deliver to buyers, so vehicle trips remain consistent.*

What storage is permitted besides wood? *Suppa: Depends on definition; e.g., as long as lot is developed, allowed registered vehicles. If inoperative, have 200' threshold.* Criss: Scrap building materials OK.

Storage area not enclosed? *Suppa: True. Future ability.*

Bush: Home occupations graduated into shop (not live there). Could run businesses. *Suppa: As long as meets occupancy rating.* Criss: Criteria like extra traffic for neighborhood. Extra vehicles, customers coming. *Robertson: Changes to commercial use. People not coming there for guy stuff.*

Sugimura: Evaluate whether odors, noise, traffic beyond normal use. Welding in structure on residential property. Not need to be in home dwelling. *Suppa: No customer interaction, store front, signage.*

How deliver product? *Suppa: allowed two vehicles up to one ton.* Sugimura: Allows ancillary structures to be part of 'home occupation. *Criss: Home occupation revised a few years back.*

Milovich: If PC isn't comfortable, could limit type of business on land-use basis. Has to be tied to land use.

Bush: Creep of land use designations. OK with stated purpose, but if expanded, protect neighbors who might not want something different. Pay attention to descriptions.

Lagomarsini: Add condition that maintains fencing for visual screening. *Suppa: Maintain agriculture component.*

Robertson: Storage not higher than fence.

Lizza: No problem with outdoor storage that's not visible. Item G. *Suppa: Consider gaseous hazard threshold of 200'. OK if meets CUPA standards.*

Lagomarsini: FPD could say it notices that stuff is there.

Lizza: In dwellings, not buildings. *Suppa: Agriculture area would find more appropriate than any other No oversight or ability to control that.*

Lagomarsini: Verbiage on dwelling, ancillary structure, building. Use same phrase on all of these for consistency. Inconsistent terminology in Code causes problems.

OPEN PUBLIC COMMENT: Justin and Sarah Campbell, applicants, lifelong residents of Chalfant, very familiar with area. Saw void in pipe/corral world, saddle racks, shelters with corrals, ag-type products. Less-than-stellar relationship with few neighbors. Plan is customers not come to residence. Call or purchase online, deliver. Haul in materials. Have some basic stuff on hand, beyond would be built-to-order. Visible only on Campbell property.

If limited to ag, would be OK? *Justin Campbell: Yes. Not allowed to impact neighborhood with added traffic or noise.* Bush: 40 'x 40' would hold 10 cars.

Metal art? *Sarah Campbell: Yes. Interior or small-scale items.* Bush: Small-scale art, fabrication.

Art in storage area? *Limit storage to ag-style equipment.*

Justin Campbell: Goal is out of sight, nothing piled around garage. *Bush: Storage area just for materials/goods, no cars.* Milovich: Home occupation says two vehicles.

Roberts: Well-screened storage area reduces visual impacts.

Sugimura: Adding condition on outdoor storage ag products and storage thereof.

Trailers? *Justin Campbell: A couple.*

Sarah Campbell: Complaint letters: Family dynamic between two commenters, one former owner of property. Smaller the community the more the drama. Appreciate fair process. Willing to make it as foolproof as possible, even adding extra fencing. Will add solid fence to remove complaints. Welding with door open OK? *Bush: Garage front visible to Valley Road. Biggest problem would be noise. Saw no problem if stay under radar.*

Justin Campbell: Noise 55 day, 50 night. Where measured from? *Criss: Typically property line of sensitive receptor.* Justin Campbell: Window by weld table. Garage has good setback from road. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Lagomarsini: Add maintain fencing, not store higher than fencing, maximum two trailers.

Sugimura: Added conditions (see Motion).

MOTION: Make required findings in staff report; find that project qualifies for CEQA guidelines exemption 15301 and direct staff to file Notice of Exemption; approve Expanded Home Occupation Permit 19-001/Campbell subject to conditions of approve including modified conditions: 1) Maintain privacy fencing around the storage area; 2) outdoor storage shall not exceed the height of the fence; 3) permitted products in the storage area shall be related to or supportive of the rural agricultural character use and aesthetic of the local area; and 4) no vehicles shall be kept in the storage area except trailers necessary for the handling and delivery of the permitted product. (*Lagomarsini/Bush. Roll call: Ayes: Robertson, Lagomarsini, Bush, Roberts, Lizza.*)

5. WORKSHOP: None

6. REPORTS

A. DIRECTOR: 1) Former commissioner Mary Pipersky has terminal cancer, card going around; 2) Tioga Inn in late February, maybe public meeting on FEIR, comments will be provided to PC but not change FEIR. Special PC meeting in Lee Vining in late March; 3) Colitas to BOS Feb. 4, controversial, BOS may adjourn meeting to Antelope Valley; 4) Cargo container at June Lake, short-term rental permits; 5) Cannabis in Tri-Valley; 6) ORMAT Use Permit expiration, if in compliance do as minor amendment; 7) Highlands SP amendment and Tentative Tract Map; 8) Dog/cat boarding in Benton. 9) Hailey Lang moved to Central Valley, recruiting new planning analyst. Meanwhile, former employee Cedar Barager is on board part-time.

B. COMMISSIONERS: Robertson: Baby 5 weeks old now. **Lagomarsini:** RACE internet service in Chalfant Valley. **Bush:** AV too. Wants Caltrans cleanup sign. **Lizza:** Shut down Mono Market for two months. Working on projects. Negative impact on community but needs break.

7. INFORMATIONAL

8. ADJOURN at 12:43 pm to regular meeting February 20, 2020

Prepared by CD Ritter, PC clerk