

MONO COUNTY PLANNING COMMISSION

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MEETING MINUTES

November 19, 2020 – 9 am
(Adopted on December 17, 2020)

COMMISSIONERS: Scott Bush, Roberta Lagomarsini, Chris Lizza, Dan Roberts, Patricia Robertson

STAFF: Wendy Sugimura, director/asst. clerk; Michael Draper, planning analyst; Christy Milovich, deputy county counsel; Gerry Le Francois, principal planner; Jason Davenport, building inspector; Becky Peratt, planning commission clerk

PUBLIC: 760-258-5599

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Scott Bush called the meeting to order at 9:09 am in Zoom meeting room and attendees recited the pledge of allegiance to the flag.
3. **PUBLIC COMMENT:** Wendy Sugimura briefly commented on meeting procedures and format. No public comment.
4. **MEETING MINUTES**
 - A. **October 15, 2020 minutes:**

MOTION: Postpone approval to December 17, 2020 meeting.
Bush/Robertson. Roll-call vote – Ayes: Lizza, Roberts, Robertson, Lagomarsini, Bush.
5. **PUBLIC HEARING**
 - A. **CONDITIONAL USE PERMIT 20-007/Crowl** to allow a horse boarding operation at 580 Hunter Avenue, Chalfant (APN 026-200-023). The permit would allow 10 or fewer horses to be boarded at the location. The property owners live on-site and will manage the operation without additional employees. No new development on the property is proposed. Existing structures include a primary dwelling, detached garage, accessory dwelling, barn, storage shed, and chicken coop. The operation will utilize existing stalls, arenas, and the four-stall barn. Horses would be dropped-off by customers or picked up by the business. The business may also allow temporary parking for horse trailers. The property has a land use designation of Agriculture (AG). In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed.
 - Michael Draper presented project including changes to the staff report for animal units, Americans with Disabilities Act (ADA) requirements, and recommended modifications to the conditions of approval, and answered questions from the Commission.

Commissioner Lizza was dropped from the meeting due to a power outage.
Break 9:37-9:48 am to allow Commissioner Lizza to rejoin the meeting.
 - Jason Davenport, Gerry LeFrancois and Wendy Sugimura assisted with responding to Commission questions.
 - **The Public Hearing was opened at 10:28 am and Chair Bush called for public comment.**
 - Applicant, Carolyn Crowl (760-255-5599), testified and commented on ADA requirements. Jason Davenport clarified requirements. Ms. Crowl responded to questions from Commission.

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

- **The Public Hearing and public comment was closed at 10:34 am.**
- Lagomarsini: Requested the powerpoint slide of modified conditions of approval be posted again, commented that Conditions 1-3 (about the location of the arena and stalls, the location of arena and stall fencing, and the location of the tack room) should be eliminated. Gerry LeFrancois responded that Conditions 1 and 2 are required, but Condition 3 is voluntary and could be eliminated.
- Lizza: Asked questions about Condition 7 about farm labor quarters, staff responded and clarified that farm labor housing on an Agricultural Land Use Designation is the only situation where residential use of a trailer/RV is permitted, which is why this condition is included.
- Bush: Asked if an increase in employees would result in the applicant needing to come back to the Commission. Staff responded, recommended Condition 10 be modified to “Future development and/or expansion shall meet requirements...” and the applicant should advise staff if expanding operations beyond the project description. Staff can work with the applicant at that time to determine the appropriate type of permitting.
- Roberts: Proposed project appears to be appropriate for this location. Asked why Conditions 7-9 (about farm labor quarters; the removal of abandoned, wrecked, dismantled or inoperative vehicles; and the removal of junk, inoperative vehicles and scrap materials stored on the property) were included based on an anonymous comment. Staff responded, these conditions are required per County regulations regardless of whether they are listed, and Planning Division practice is to include regulations and standards in conditions as a communication tool to bring specific concerns to the attention of the applicant.
- Bush: If Conditions 8 & 9 are not related to the operation of the business, then eliminate. If these are issues related to general property compliance, a concerned party can file a complaint through Code Enforcement.
- Robertson: Remove Condition #6 and add building code citation to Condition 11.
- Bush: Agrees, also remove Conditions 7-9.
- Lagomarsini: Raised issue of a registered 290 offender living in the RV/trailer and asked if any protections should be included in the conditions. Christy Milovich responded that the property owner and offender would need to comply with all applicable laws pertaining to the 290 statute, but that the Commission does not need to include those in the conditions. Bush commented further, Milovich responded that separate laws apply and are not under the authority of land use decisions and therefore the Commission need not add any conditions, but that the Commission could include in one of the conditions that all applicable local, state and federal laws need to be followed in the conducting of the business and the planning and preparation of the business.
- **DISCUSSION:**
 - **MOTION:** Find that the project qualifies as a Categorical Exemption under CEQA guideline 15301 and instruct staff to file a Notice of Exemption; make the required findings as contained in the project staff report; and approve Use Permit 20-007 subject to Conditions of Approval as amended and presented (as follows):
 - Removal of Condition 3, “The tack room shall be relocated outside the setback of 50’.”
 - Removal of Condition 6, “ADA accessibility elements shall be provided prior to commencing business, including an ADA parking space, path of travel and sanitary facility approved by the Building Division and Environmental Health Department.”

- Removal of Condition 7, “Farm labor quarters on the property shall comply with General Plan definition 02.500. No personal shall live onsite in recreational vehicles unless the person is engaged in the business.”
- Removal of Condition 8, “Abandoned, wrecked, dismantled or inoperative vehicles or parts thereof on the property shall be removed to comply with Mono County Code Section 11.20.010. This includes vehicles that are mechanically incapable of being driven or prohibited from being operated on a public street or highway pursuant to applicable Vehicle Code sections concerning license plates, registration, equipment, safety, and related matters.”
- Removal of Condition 9, “Any junk or storage of inoperative vehicles and parts thereof, along with the accumulation of other miscellaneous junk and scrap materials shall be removed to comply with the Mono County General Plan Land Use Element Section 04.020 B and California Health and Safety Code Section 17920.3(j).”
- Addition to Condition 10 to include expansion, such that the condition now states that “Future development or expansion shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.”
- Additions to Condition 11 to include California Building Code Chapter 11b, California Senate Bill Number 945 and 1852, and California Penal Code 597 requirements, and all other applicable local, state and federal laws and regulations, such that the condition now states that “Project shall comply with all Mono County Building Division, Public Works, Code Compliance, Environmental Health, California Building Code Chapter 11b, California Senate Bill Number 945 and 1852, and California Penal Code 597 requirements, and all other applicable local, state and federal laws and regulations.”

Robertson/Bush. Roll-call vote – Ayes: Lizza, Roberts, Robertson, Lagomarsini, Bush.

6. WORKSHOP: None.

7. REPORTS

A. DIRECTOR: Director Wendy Sugimura provided a report on upcoming projects.

B. COMMISSIONERS

- Lagomarsini: New District 2 Supervisor.
- Bush: Summarized situation due to Mountain View Fire in Walker.
- No reports from Lizza, Roberts, Robertson.

8. INFORMATIONAL: None.

9. ADJOURN to the next regular meeting on December 17, 2020.

Prepared by Becky Peratt, Planning Commission Secretary