

MONO COUNTY PLANNING COMMISSION

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Minutes

November 17, 2022 – 9:00 a.m.

COMMISSIONERS: Chris Lizza, Roberta Lagomarsini, Jora Fogg, Scott Bush, Patricia Robertson

STAFF: Wendy Sugimura, director; Heidi Willson, planning commission clerk; Michael Draper, planning analyst; April Sall, planning analyst; Emily Fox, Counsel; Laura Stark, planning analyst; Sean Robison, Public Works

PUBLIC: Bartshe Miller; Darrol and Kevin Brown, DV8 Digital; Elin Ljung; Essra Mostavi, Geode Environmental; Jake Suppa; Jen; Mark; Michael Paiva; Mike Light; Stevekaramitros; Susan; 760-965-6254; 805-570-1943

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Meeting called to order at 9:08 am and the Commission led the pledge of allegiance.

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

No public comment.

3. **CONSENT ITEMS**
 - A. Review and adopt minutes of October 3, 2022, special meeting.
 - B. Review and adopt minutes from October 3, 2022, AB361 meeting.

Motion: Approve the minutes as presented.

Lizza motion; Fogg second.

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

Motion passed 5-0.

4. **PUBLIC HEARING**

- A. **9:00 a.m. USE PERMIT 22-007/Paiva.** Consider approval of a Use Permit application for overhead power to serve a single-family residence and accessory structures located at 650 Eastside Lane in Walker (APN 002-430-018-000). Overhead powerlines on the property are supported by three poles spanning from Eastside Lane approximately 600' onto the property; then powerlines are underground the remaining distance approximately 300' to the applicant's home and accessory structures. A Categorical Exemption under CEQA guideline 15303(d) is proposed. *Staff: Michael Draper*

Draper gave a presentation and answered questions from the Commission.

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jora Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

The Chair opened the public hearing at 10:12 am. Comments:

- Applicant Michael Paiva gave an opening and closing statement.
- In opposition from Mark to fire safety.
- In support from Susan due to financial hardship.

Public hearing closed at 10:18 am.

Motion: Find that the project qualifies as a Categorical Exemption under CEQA guidelines 15303 and instruct staff to file a Notice of Exemption. Make the required findings in the staff report and approve UP 22-007 subject to Conditions of Approval.

Bush motion; Lagomarsini second.

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

Motion passed 5-0.

- B. 9:05 a.m. GENERAL PLAN AMENDMENT 22-02 & USE PERMIT 21-007/D&S Waste.** Consider a General Plan Amendment to change the land use designation of 7937 Highway 167 in the Mono Basin (APN 013-210-028) from Resource Management to Industrial; and a Use Permit to build and operate a waste transfer station at the site. The General Plan Amendment must be approved for the Use Permit to be enacted. A Negative Declaration is proposed. *Staff: Bentley Regehr*

Regehr gave a presentation and answered questions from the Commission.

Public hearing opened at 11:28 am. Comments:

- Applicant gave a opening and closing statement.
- In support from Jake Suppa: applicant is a part of the Mono Basin extended business community and takes great care of the land.
- In opposition from Mike Light due to the noise concerns.

Public hearing closed at 11:43 am.

During discussion, the Commission modified or added the following conditions of approval:

19. Water use on the project site shall be provided from the existing onsite well, and limited to one onsite bathroom and **dust mitigation during construction** ~~the misters used inside the warehouse for odor control~~. Onsite use of process water shall at all times be prohibited. The project shall be in full compliance with all requirements of the Mono County Environmental Health Department.
25. Project lighting shall fully comply with lighting requirements of Mono County General Plan Land Use Element Chapter 23. Additionally, inasmuch as the southern project boundary adjoins SR-167, a County-designated Scenic Highway, project lighting shall fully comply with lighting requirements of the Mono County Scenic Combining Element, including provisions that prohibit glare, require proper maintenance, minimize allowed contrast in lighting levels, require full cut-off luminaires with the light source downcast and fully shielded and prohibit light trespass onto neighboring properties or the public right of way. Light intensity should aim for an intensity of **2700K-2400K**, and in no event shall exceed 3000K.

30. Within two years of issuance of the use permit, the County shall initiate a General Plan Amendment to change the land use designation of the parcel to Specific Plan and craft a Specific Plan limiting the uses to those proposed in the subject Use Permit for consideration of approval.

Motion: For General Plan Amendment 22-02, certify the Negative Declaration and make the findings as contained in the Resolution as presented, and adopt Resolution R22-12 recommending the Mono County Board of Supervisors approve the GPA and certify the Negative Declaration. For Use Permit 21-007, make the findings in the staff report, certify the Negative Declaration, and approve Use Permit 21-007 subject to the modified conditions of approval, which requires the approval of GPA 22-02 by the Board of Supervisors.

Bush motion; Lagomarsini second.

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

Motion passed 5-0.

C. **9:20 a.m. GENERAL PLAN AMENDMENT 22-03 & USE PERMIT 22-011/Nichols.** Consider a General Plan Amendment to change the land use designation of 171 Aurora Canyon Road, Bridgeport (APN 008-210-003) from Multi-Family Residential-Moderate to Mixed Use; and a Use Permit to conduct transient rental of the existing duplex. The duplex contains one one-bedroom unit and one two-bedroom unit. The General Plan Amendment must be approved for the Use Permit to be enacted. The property is 0.34-acres and contains a two-story duplex and garage. An Addendum to the 2015 Mono County General Plan EIR is proposed. *Staff: Michael Draper*

Draper gave a presentation and answered questions from the Commission.

Public hearing opened at 1:27 pm.

- Applicant gave an opening and closing statement.
- No public comment.

Public hearing closed at 1:28 pm.

Motion: Find that the Commission cannot make all the findings, especially (c) and (d), contained in the Resolution and deny GPA 22-03 and UP 22-011.

Robertson motion; Lizza second.

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

Motion passed 5-0.

5. WORKSHOP

No Item

6. REPORTS

- A. Director
Sugimura gave a brief update on staffing and projects.
- B. Commissioners
No reports

7. INFORMATIONAL

No Item

8. ADJOURN at 1:46pm to December 15, 2022