

# MONO COUNTY PLANNING COMMISSION

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## SPECIAL MEETING AGENDA

December 15, 2022– 9:00 a.m.

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

**STAFF:** Wendy Sugimura, director; Heidi Willson, planning commission clerk; Michael Draper; principal planner, April Sall, planning analyst; Laura Stark, planning analyst; Sean Robison, public works, Louis Molina, Environmental Health, Emily Fox, Counsel

**PUBLIC:** Helen Thompson, Terry, Sarah, Debbie, Cynthia, Rod Vickers, Daniel Dikes, Vanina Larroca Vicena, Valada Corbett, Susan Barnes, Star Arther, Tina, Cody McCabe, Angie Landrum, Benjamin Paladino, Ron, Wayne Swindall, Ella, Amanda, Dean Hemminger, Kate Buell, Eugene Chittock, Hap Hazard, Fred Stump, Carol Ann Mitchell, Zach Wood, Toiyabe Motel, Tarik Ouazzani, Jerry Ambrose, JoAnne Michael, John, MadisonLAScalza, JB Borton, Dan Landrum, David Semsarah, Dennis, Flowers3, Gio Isidro, Hammett & Edison, Jacqueline Hamilton, Alexis Dunlap, 714-319-0347, 530-495-1177, 530-208-6570, 530-570-1853, 775-781-8381, 775-781-9566, 831-750-7351

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**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE- Meeting called to order at 9:07 am.**

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

- No public comment.

**3. MEETING MINUTES**

- A.** Review and adopt minutes of November 17, 2022, AB361 meeting.
- B.** Review and adopt minutes of November 17, 2022, Special meeting.

**Motion:** Approve the minutes from meeting on November 17, 2022.

**Lagomarsini motion; Fogg second.**

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

**Motion passed 5-0.**

**4. PUBLIC HEARING**

- A. 9:00 Use Permit 22-009/Chalfant Cell Tower** The project proposes to install, operate, and maintain a proposed cell tower to be located at 500 Locust Road in Chalfant (APN: 026-200-044-000) in order to improve the cell service in the Chalfant Valley and along US 6.

*Staff Michael Draper and Laura Stark*

- Stark gave a presentation and answered questions from the Commission.
- Former Mono County Supervisor Hap Hazard gave a summary on his past work and history with the Chalfant Cell tower project.

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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

- Former Mono County Supervisor Fred Stump gave a summary on his work on the Chalfant Cell tower project.
- Public Hearing Opened at 9:58 am
- Carol Ann Mitchell is in support of the project but wanted to make sure traffic laws, color, and daylight maintenance hours were addressed in the conditions of approval.
- Public Hearing Closed at 10:02 am

Commission discussed colors and maintenance, modifying one condition of approval and adding another as follows:

2. The design, color and building materials for equipment structures shall be compatible with the surrounding natural environment. No reflective construction materials shall be used in the monopole, antenna pole(s), antennas and equipment shelters to house necessary radio and associated equipment. The design, color and building materials for equipment shelters shall be a dull finish in a ~~dark~~ muted color that is within the background landscape, ~~similar to Dunn-Edwards Paints, Shaker Gray DE623~~, approved by the Community Development Department.

11. ~~Physical, onsite maintenance shall occur if at all possible during daylight hours except for emergencies.~~

**Motion:** Find that the project qualifies as a class 3 Categorical Exemption making the required findings as contained in the staff report; and approve Use Permit 22-009 subject to the modified conditions of approval.

**Lagomarsini motion; Bush second.**

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

**Motion passed 5-0.**

- 9:10 USE PERMIT 22-010/Olson.** Consider approval of a Use Permit application for overhead power to serve a single-family residence located at 162 Wunderlich Way in Walker (APN 002-440-030-000). Overhead powerlines with two overhead poles on the property are supported by a pole spanning from Wunderlich Way approximately 380' onto the property; then powerlines are undergrounded the remaining distance approximately 180' to the applicant's home. A Categorical Exemption under CEQA guideline 15303(d) is proposed.

*Staff: April Sall*

- Sall gave a presentation and answered questions from the Commission.
- Public Hearing opened at 11:00 am.
- Eugene Chittock spoke on behalf of the applicant to address the concerns raised and answer any questions.
- Comments made in opposition by Katy Buell due to safety and fairness from other neighbors.
- Comments made in support of the project by Dean Hemminger with understanding on how hard and expensive undergrounding overhead power is.
- Applicant Angela Olson spoke to clarify information from the staff report, comments made by the public, and the Commission.
- Public Hearing Closed at 11:21 am.

**Motion:** Find that the project qualifies as a categorical exemption under CEQA guideline 15303 and instruct staff to file a Notice of Exemption; approve As-built Project and make the alternative findings and approve Use Permit 22-040 subject to Conditions of Approval on the basis of the financial hardship and also topography findings per Chapter 11.D.3. of the Mono County General Plan.

**Bush motion; Lizza second.**

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

**Motion passed 4-1.**

- C. **9:30 Use Permit 21-006/Sierra High.** Commercial cannabis activity including ten-acres of outdoor cultivation, and indoor cultivation of no more than 10,500 square-foot (SF) of mature plant canopy for year-round operation within four structures. The project also includes onsite cannabis processing (trimming, packaging, and labeling), wholesale distribution, and non-storefront retail. The project is located on a 124-acre parcel designated Agriculture (AG) at 7761 Eastside Lane, Topaz (APN 001-150-004-000). Supporting structures to be constructed may include: a well-house, a water tank-house, hoop-houses, storage containers, a drying shed, and a nursery/processing building. The property has previously been used for cattle grazing, has two private water wells on the property and energy will be provided by a combined heat and power system. A Mitigated Negative Declaration (MND) is proposed for compliance with the California Environmental Quality Act (CEQA).

*Staff Michael Draper*

Commissioner Bush recused himself due a possible conflict of interest.

- Draper gave a presentation and answered questions from the Commission.
- Public Hearing opened at 1:26 pm.
- Comments made in opposition by Helen Thompson, Terry, Sarah, Debbie, Cynthia, Rod Vickers, Daniel Dikes, Vanina Larroca Vicena, Valada Corbett, Susan Barnes, Star Arther, and Tina with concerns regarding safety, traffic, fire danger, visual impacts, and odor.
- Comments made in support by Cody McCabe, Angie Landrum, Benjamin Paladino, Ron, Wayne Swindall, Ella, Amanda, 714-319-0347.
- Public Hearing closed at 2:06 pm.

**Motion:** Adopt the Mitigated Negative Declaration findings based on the whole record that there is no substantial evidence the project will have a significant effect on the environment, that the Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis, and that the office of Community Development is the custodian of the records of proceedings on which the Planning Commission's decision is based. Further, make the findings as stated in the staff report and approve use permit 21-006 subject to the conditions of approval. Adopt the mitigated monitoring and reporting plan.

**Lizza motion; Robertson second.**

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

**Motion Passes 3-0 with one absent and one abstention.**

## 5. WORKSHOP

No item

## 6. REPORTS

**A. Director**

1. Summary of Brown Act requirements

**B. Commissioners**

No reports from the commissioners.

**7. INFORMATIONAL**

- 8. ADJOURN at 2:46 pm** to January 19, 2023

*Respectfully submitted by Heidi Willson*