

COUNTY OF INYO

PLANNING COMMISSION

MINUTES OF FEBRUARY 27, 2019 MEETING

COMMISSIONERS:

FRANK STEWART
CAITLIN (KATE) J. MORLEY
TODD VOGEL
SCOTT STONER
SCOTT KEMP

FIRST DISTRICT (CHAIR)
SECOND DISTRICT
THIRD DISTRICT (VICE)
FOURTH DISTRICT
FIFTH DISTRICT

Inyo County Planning Commission
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STAFF:

CATHREEN RICHARDS
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PLANNING DIRECTOR
COUNTY COUNSEL
ASSOCIATE PLANNER
ASSISTANT PLANNER
PROJECT COORDINATOR

The Inyo County Planning Commission met in regular session on Wednesday, February 27, 2019, in the Administration Building, in Independence, California. Commissioner Stewart opened the meeting at 10:00 a.m.

These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

ITEM 1: **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 9:59 a.m.

ITEM 2: **ROLL CALL** - Commissioners: Frank Stewart, Caitlin Morley, Todd Vogel, Scott Stoner and Scott Kemp, were present.

Staff present: Cathreen Richards, Planning Director; Ryan Standridge, Assistant Planner; Tom Schaniel, Associate Planner, John Vallejo, County Counsel, and Paula Riesen, Project Coordinator.

Staff absent: Clint Quilter, County Administrator; Michael Errante, Public Works Director.

ITEM 3: **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

Chair Stewart opened the Public Comment Period at 10:00 A.M. There was no one from the public who wished to comment on any planning subject that was not scheduled on the Agenda. Chair Stewart closed the public comment period at 10:00 A.M.

ITEM 4: **APPROVAL OF MINUTES (Action Item)** – Approval of Minutes from November 28, 2018, meeting of the Planning Commission.

MOTION: Moved by Commissioner Todd Vogel and seconded by Commissioner Caitlin Morley to approve the Minutes from November 28, 2018.

The Motion passed 5-0.

ITEM 5: **APPROVAL OF MINUTES (Action Item)** – Approval of Minutes from January 23, 2019, meeting of the Planning Commission.

MOTION: Moved by Commissioner Todd Vogel and seconded by Commissioner Scott Stoner to approve the Minutes from January 23, 2019.

The Motion passed 5-0.

ITEM 6: **NOMINATION & ELECTION OF VICE CHAIR PERSON – (Action Item) – Chair Frank Stewart opened Nomination & Election at 10:01.** Frank Stewart nominated Todd Vogel for Vice Chairperson.

MOTION: Moved by Commissioner Todd Vogel and seconded by Commissioner Scott Stoner to approve.

The Motion passed 5-0.

ITEM 7: **APPROVAL OF THE MITIGATED NEGATIVE DECLARATION FOR THE WALKER CREEK ROAD BRIDGE REPLACEMENT PROJECT -** The Inyo County Planning Commission will consider approval of a Mitigated Negative Declaration/Initial Study (MND/IS) for the proposed Walker Creek Road Bridge Replacement Project, which would involve the replacement of County Bridge 48C0039 with a new bridge and would close the existing bridge to public vehicular traffic. The proposed project would also include the realignment of Walker Creek Road as it approaches the bridge in either direction. The bridge is located approximately 1.5 miles south of Olancho, California.

Ms. Ashley Helms, Engineering Assistant II, presented the staff report.

Chair Stewart opened the Public Hearing at 10:08 a.m.

No one from the public wished to speak the hearing closed at 10:09 a.m.

MOTION: Moved by Commissioner Scott Stoner and seconded by Commissioner Kate Morley to approve the proposed Walker Creek Road Bridge Replacement Project as presented by staff.

The Motion passed 5-0

ITEM 8: APPROVAL OF THE MITIGATED NEGATIVE DECLARATION FOR THE CARROLL CREEK ROAD BRIDGE REPLACEMENT PROJECT -

The Inyo County Planning Commission will consider approval of a Mitigated Negative Declaration/Initial Study (MND/IS) for the proposed Carroll Creek Road Bridge Replacement Project, which would involve the replacement of County Bridge 48C-0011 with a new bridge and would decommission the existing bridge. The proposed project would also require the realignment of Carroll Creek Road as it approaches the new bridge in either direction. The bridge is located approximately 9 miles south of Lone Pine, California.

Ms. Ashley Helms, Engineering Assistant II, presented the staff report.

Chair Stewart opened the Public Hearing at 10:11 a.m.

No one from the public wished to speak the hearing closed at 10:12 a.m.

MOTION: Moved by Chair Frank Stewart and seconded by Commissioner Scott Stoner to approve the proposed Carroll Creek Road Bridge Replacement Project as presented by staff.

The Motion passed 5-0

ITEM 9: NON-HOSTED SHORT-TERM RENTAL PERMIT NO. 2018-13/ARY -The applicant has applied for a Non-hosted Short-Term Vacation Rental permit, located at 650 School Street, in Lone Pine. This permit is required for the applicant to begin renting residential space for periods of 30-days or less, and to achieve compliance with Inyo County Code Chapter 18.73.

Mrs. Standridge, Assistant Planner, presented the staff report.

Chair Stewart opened the Public Hearing at 10:15 a.m.

Mr. Jeff Ray had two questions. First what about the wear and tear on our Roads? Second is this going to make our community better? Also, Mr. Ray asked if there will be bed tax collected. Mrs. Standridge stated there will be bed tax collected.

Next to speak was Earl Wilson stated he did not want short term rentals.

Jessica Ary then got up and spoke that she lives there part-time and she is charging a higher rate and insisting on a two night minimum as to try and keep the quality of customers for her community.

With no additional members of the public wishing to speak the hearing closed at 10:25 a.m.

Chair Stewart stated he does not know of anyone staying in short term rentals. Commissioner Scott Kemp stated that he is happy to have these homes kept up so they

are not falling apart, it makes it better for the kids and helps the community. He does understand the concerns of the public though.

MOTION: Moved by Commissioner Vogel and seconded by Commissioner Kate Morley to approve the **NON-HOSTED SHORT-TERM RENTAL PERMIT NO. 2018-13/ARY** as presented by staff.

The Motion passed 5-0

ITEM 10: **CONDITIONAL USE PERMIT (CUP) 2019-01/SHADE GROWN FARMS -**
The applicant has applied for a CUP to operate a commercial cannabis cultivation, under 5,000 square-feet, establishment located at 140 Agate Street in the community of Stewart Valley. The applicant has been approved by the Board of Supervisors for a ‘Cannabis Cultivation, under 5,000-square-feet’ License. The proposed project location is currently developed with a single-family home; stables; a horseback riding arena; driveways; and, greenhouses. The project is Exempt from CEQA per the General Rule.

Ms. Richards, Planning Director, presented the staff report.

Chair Stewart opened the Public Hearing at 10:29 a.m.

No one from the public wished to speak the hearing closed at 10:12 a.m.

MOTION: Moved by **Chair Stewart** and seconded by Commissioner Scott Kemp to approve the **CONDITIONAL USE PERMIT (CUP) 2019-01/SHADE GROWN FARMS.**

The Motion passed 5-0

ITEM 11: **2018 ANNUAL PROGRESS REPORT -** Presentation of the Inyo County 2018 Annual Progress Report

Mrs. Standridge, Assistant Planner, presented statistics for the Planning Department in the last year.

- ❖ Building Permits processed - 395
- ❖ New homes - 10
- ❖ 81 Planning Permits – 33 were reviewed by the Planning Commission
- ❖ Cannabis Permits – 3 and starting to increase

Cathreen Richards, Planning Director asked how many this year compared to last year.

Mrs. Standridge stated there were 19 last year and 33 this year.

Chair Stewart and the commissioners thanked Planning Department for all of work.

Item 12:

DARK SKIES POLICY DEVELOPMENT – Staff will conduct a workshop with the Planning Commission regarding issues related to night time light pollution and potential regulation of exterior lighting.

Mr. Tom Schaniel, Associate Planner presented staff report. Giving a presentation on what is considered Backlight, Up lights and Glare lights and the limits of Lumens. Mr. Schaniel then introduced Tyson Sparrow, Inyo County Building Inspector who spoke about Lighting zones, Classes of lights and Lighting plans.

Chair Stewart opened the Public Hearing at 11:21 a.m.

April Zerlk was the first member of the public to ask about the Shields on the street lights. She stated that she thought that the BOS had declared Independence Creek a Dark Skies area. She would like an ordinance to promote Dark Skies.

John Lough stated that he strongly supports the down light shields and wants a lighting curfew.

Mary Canada likes the Dark Skies program.

Linda Chaplin has an issue with some of the business exterior lighting, and wants a Dark Skies community.

Susan Guises from Big Pine would like to see a retroactive dark at 8:00 pm night light.

Earl Wilson believes that Independence is a Dark Skies area already.

Calder Reid has been a founding member and yes Independence is a Dark Skies area.

Jeff Ray of Lone Pine was interested to see if Cannabis is being check for Lighting standards. Staff informed him that it is.

Mr. Schaniel concluded his presentation.

With no one else wishing to speak the presentation closed at 11:40 a.m.

Chair Frank Stewart thanked Mr. Schaniel for a great presentation.

COMMISSIONERS' REPORT/COMMENTS –

Commissioner Stewart would like to discuss the method of Zoning Violations.

DIRECTOR'S REPORT -

Cathreen Richards proposed that the March Planning Commission Meeting be cancelled due to lack projects and staff vacations.

ADJOURNMENT –

With no further business, Chair Stewart made a motion to adjourn the meeting at 11:40 a.m., and for the Commission to reconvene at the April 24, 2019 meeting, at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

Motion by Commissioner Vogel to Adjourn.

Seconded by Commissioner Stoner.

Motion passed 5-0.

Prepared by:
Paula Riesen
Inyo County Planning Department

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