

MONO COUNTY PLANNING COMMISSION

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Adopted Minutes

February 16, 2023 – 9:00 a.m.

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; Louis Molina, Environmental Health; Emily Fox, Counsel

PUBLIC: Alisa Adriani, Amu, Anne, Bryan Butler, David Cooke, David Parker, Eldon, Gavin, Greta Mettauer, Heidi Rose, Jim, Lindsay Sherer, Marcia Weiland, Mark, Melacurt, Pam Padgett, Ramona Delmas, Robert Paull, Tomasini

1. **CALL TO ORDER** – Meeting called to order at 9:08 am.
2. **PUBLIC COMMENT:** Opportunity to address the Planning Commission on items not on the agenda.
 - No public comments
3. **MEETING MINUTES**
 - A. Review and adopt minutes of December 15, 2022, AB 361 meeting.
 - B. Review and adopt minutes of December 15, 2022, special meeting.

Motion: Approve the minutes from the AB361 and special meetings on December 15, 2022.

Bush motion; Lizza second.

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

Motion passed 5-0.

4. **PUBLIC HEARING**
 - A. **UP 22-012/The Villager Motel. [9:00 am]** The project is located at 2640 Highway 158, June Lake (APN 015-113-068) and proposes to replace a one-story, two-unit existing commercial lodging structure with a two-story, four-unit structure. The proposed structure will have a footprint approximately 20 square feet larger than the existing structure. It will be setback 10' from South Crawford Avenue and 3' from the south property boundary. Additional parking is provided on site, and a project condition will require a contract for snow removal. The property is 0.76 acers and designated Commercial. *Staff: Michael Draper*
 - Draper gave a presentation and answered questions from the Commission.
 - **Public hearing opened at 10:08 am.**
 - No public comment
 - **Public hearing continued until March 16th at 9 am.**

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

Commission Deliberation:

- Concerns were discussed regarding the parking spots along Knolls Avenue that may impede the roadway and the snow removal plan that was presented did not discuss the location where snow would be stored.
- Request to see additional parking plan documents.
- Discussion regarding the ability of nonconforming parking spaces be considered a parking space?
- Staff clarified that Chapter 6/Parking Management plan of the General plan would allow for 8x16 spaces which cover the current size of the parking spots. A condition can be added to mark the Knolls Avenue parking spots to be "Compact Only" and require striping. This UP could also be carried to a future meeting and require the applicant to create a parking management plan before coming back to the Commission.

Motion: To continue the public hearing till March 16th at 9am to review a complete parking plan and receive more details on the snow removal plan.

Robertson motion; Lagomarsini second.

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

Motion passed 5-0.

B. UP 23-001 & Expanded Home Occupation Permit 23-001/Sherer. [9:30 am] The project is located at 1273 Swall Meadows Road, Swall Meadows (APN 064-140-014) and proposes an accessory structure/garage greater than 20' in height and an Expanded Home Occupation Permit. The Expanded Home Occupation will allow the applicants to complete maintenance work on heavy equipment related to the applicants' existing business, Eastside Iron Co. All work will be completed within the accessory structure/garage. Heavy equipment will not be used at the project site, other than for the purpose of moving equipment into and out of the accessory structure. The property is designated Estate Residential and is 0.95 acres. *Staff: Michael Draper*

- Draper gave a presentation and answered questions from the Commission.
- **Public hearing opened at 11:18 am.**
- Applicant Lindsay Sherer gave a brief presentation regarding the garage and intent behind the home occupation and answered questions from the Commission.
- Comments made in opposition by Alisa Adriani, Amy, Daniel Bacon, Blythe Ousterman, Bryan Butler expressed their concerns regarding the height, loss of views, equipment transportation, noise, smell, and the overall appearances of the garage.
- Concerns was raised by David Cooke regarding cost burden on local taxpayers if the project is not approved and the potential of a lawsuit as the county issued the permit in error.
- Comments made in support of the project by Tomasini and Eldon.
- Applicant Sherer responded to questions brought up during the public comment and make a few final comments.
- **Public Comment closed at 12:10 pm.**

Commission Deliberation regarding Use Permit 23-001 for increased height of an accessory structure:

- Concerns were made regarding the noise caused by the equipment, design of the garage, location of the garage on the parcel, size of equipment coming onto the property.
- The garage is permissible under General Plan regulations and consistent with the other buildings and garages in the neighborhood and its appropriate.

Motion: Find that the **Use Permit 23-001** qualifies as a Categorical Exemption under CEQA 15303e instruct the staff to file a notice of exemption; making the required findings for the use permit contained in the staff report and approve Use Permit 23-001 subject to the conditions of approval.

Lizza motion; Bush second.

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

Motion passed 5-0.

Commission Deliberation regarding the Expanded Home Occupation Permit 23-001:

- Concerns raised with approving the permit are noise from the equipment, diminishing the character of the neighborhood due to an 18-wheeler delivering the equipment/vehicles, narrow roadways, does not fit the area plan.
- If the expanded home occupation permit was approved, it would put more restrictions what the homeowners could do with the property as they would have to comply with the conditions of approval.

Motion: Approve the Expanded Home Occupation Permit 23-001 and find that the project qualifies as a categorical exemption under CEQA, make the required findings as contained in the staff report and approve the Expanded Home Occupation Permit.

Robertson motion; Bush second.

Roll-call vote:

Ayes: Bush, Robertson.

Nays: Lizza, Fogg, Lagomarsini.

Motion failed 2-3.

Motion: Deny the expanded home occupation permit because Finding 2 could not be made as the expanded home occupation permit is not compatible with the intent of the estate residential designation because it involves the transportation of heavy machinery.

Fogg motion; Lagomarsini second.

Roll-call vote:

Ayes: Fogg, Lagomarsini.

Nays: Robertson, Bush, Lizza.

Motion failed 2-3.

Motion: Find that the Expanded Home Occupation Permit 23-001 qualifies as a Categorical Exemption under CEQA 15303E and instruct the staff to file a notice of exemption; **denying** the expanded home occupation 23-001 using the alternative findings for 1,2,4 contained in the staff report.

Lizza motion; Lagomarsini second.

Roll-call vote:

Ayes: Lizza, Fogg, Lagomarsini.

Nays: Bush, Robertson.

Motion passed 3-2.

***Commissioner Bush left the meeting at 12:37 pm.**

5. ACTION ITEM

- A.** Recommend the Board of Supervisors send a letter to Liberty Utilities regarding compliance with overhead power regulations. *Staff: Wendy Sugimura & Emily Fox*

Commission consensus to add a request for Liberty Utilities staff with the authority to make decisions to attend a future Planning Commission meeting for a discussion.

Motion: Approve the letter as modified recommending the Board of Supervisors send to Liberty Utilities.

Robertson motion; Lagomarsini second.

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

Motion passed 4-0 with one absent.

6. WORKSHOP

- A.** Brown Act requirements and returning to in-person meetings. *Staff: Emily Fox*
- Fox gave an overview of the Brown act requirements and answers questions from the Commission.

7. REPORTS

A. Director

B. Commissioners

- Commissioner Fogg will be unable to attend the March meeting.

8. INFORMATIONAL

- A.** Letter to the Planning Commission from Mark Langner

9. ADJOURN at 1:28 pm to March 16, 2023.