

# MONO COUNTY PLANNING COMMISSION

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## MINUTES

JULY 9, 2015  
(Adopted September 10, 2015)

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**COMMISSIONERS:** Scott Bush, Chris I. Lizza, Mary Pipersky, Dan Roberts, Rodger B. Thompson.

**STAFF:** Scott Burns, CDD director; Gerry Le Francois, principal planner; Courtney Weiche, associate planner; Walt Lehmann, public works; C.D. Ritter, commission secretary

**VIDEOCONFERENCE FROM MAMMOTH LAKES:** Wendy Sugimura, associate analyst; John Vallejo, deputy county counsel

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**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Rodger B. Thompson called the meeting to order at 10:07 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance.

**2. PUBLIC COMMENT:** None

**3. MEETING MINUTES:**

***MOTION:*** Adopt minutes of May 14, 2015, (*no June meeting*) as amended: 1) p. 5, Lizza line 2: Santa Monica just banned ~~second-family~~ transient rentals. 2) p. 5, Roberts line 2: Trend toward eliminating all housing for long-term housing rentals. (*Bush/Roberts. Ayes: 5.*)

**4. PUBLIC HEARING**

**10:10 A.M.**

**USE PERMIT 15-003/Ohanas** to allow for operation of a year-round mobile food trailer (8' x 16') on a parcel adjacent to the June Lake Brewery and General Store (APN 015-113-054) to sell retail food and beverages to the public. The project qualifies as a CEQA exemption. *Staff: Courtney Weiche, associate planner*

Commissioner Roberts has leased commissary space to Ohanas 395, so recused himself from the discussion.

Courtney Weiche presented a PowerPoint on the project. A few proposals for mobile food vending have come in, so policies were drafted after research and Commission input. The first Ohanas permit was two years ago in Lee Vining by Shell station for temporary usage June through November. Applicant wanted to relocate to vacant parcel next to June Lake Brewery. Due to success and desire to stay, a use permit would allow operation longer than six months. Long-term operation is sought. Patrons visit by walking path off Main Street. Lot has existing storage shed, but otherwise unimproved and vacant. Signage on food trailer, no outside signage. Parking requires one/employee, no outside seating. Reduction of 40% of parking approved. Installed bike rack with four slots, so parking requirement was eliminated. Patrons can park on Ohanas 395 parcel. Thirty-three notices were sent to surrounding property owners, PUD and FPD. Julie from FPD was confident of no issues; requested on-site inspection later to identify any potential hazards. Notices sent to requesters also. Total of 54 favorable comments, one negative.

All Environmental Health requirements were met, and an agreement to use nearby facilities was set up. Significant changes would be referred to Planning Commission. Weiche requested approval.

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DISTRICT #1  
COMMISSIONER  
Mary Pipersky

DISTRICT #2  
COMMISSIONER  
Rodger B. Thompson

DISTRICT #3  
COMMISSIONER  
Daniel Roberts

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris Lizza

Bush: Originally six months, added another six months. Weiche: Additional cost every time reapply for Director Review. Burns: Once applicant seeks permanence, need Use Permit, not subsequent DRs.

Bush: If permanent but does not like site, move truck? Burns: Another site would need another permit. Could need special event permit. Not prohibited from food services elsewhere.

Vallejo: Separate County Code chapter applies to mobile food vendors, must be in compliance. Not in place at all times for duration of Use Permit.

Weiche: Ability to cater elsewhere. Couldn't go back to private property at Shell station.

Lizza: Letter of opposition? Mischaracterizing letter.

Weiche: No problem with operation of food truck. Some items out of purview. Chris Babula does environmental inspections, up to code on everything. Methodically gone through concerns.

**OPEN PUBLIC HEARING: Rina McCullough** noted supportive outreach. With her passion for cooking, she hopes to stay in business. Her original intention was in Lee Vining, but discovered food truck had to report to and stay overnight at commissary. Moving truck is time-consuming, takes away hours from business – hard on her, crew, and truck. Traffic per hour is not like a city. Needs longer hours, so moving doesn't work for business model. People come to June Lake in winter. Parked on June Lake General Store property.

**Justin Walsh**, June Lake Brewery co-owner, noted opportunity Commission gave them created something. He cited a synergy between the two businesses: craft beer and high-quality, affordable food. Ohanas provides amazing service to entire county and tourists. Break out TOT numbers over two years to show increased business. Business still thrived during worst snow year. June Lake has only five restaurants, with long waits. Take advantage of beautiful resources; need new ideas, new ways of operating. Everything's changing.

**Don Morton**, June Lake Accommodations, has heard strong support from patrons. Ability to walk over for lunch. His vacation rental business sees lots of people of different lifestyles. Most all guests visit both entities, no negative comments. June Lake businesses are doing well. Brewery and Ohanas are pivot point for different business climate at June Lake. **CLOSE PUBLIC HEARING.**

**DISCUSSION:** Lizza: Never seen so many enthusiastic letters of support. Could use landscaping.

Bush: Landscaping plan proposed? Burns: Normally would require, but disturbed area, not typical street frontage, interacting with other businesses. Planning Commission's discretion. Bush: Waive landscaping plan? Burns: Yes. Bush: Ask to waive landscaping plan due to nature of project and its location; not necessary.

Pipersky: Put out some green stuff.

McCullough: Had more planters, painted tires, and cinder block, being sensitive to drought. Gravel and overgrown weeds. Timid due to permit status. OK to have standards on how businesses look.

Bush: File paperwork to apply for landscape plan.

Pipersky: Pop-up? McCullough: Tied down with rock, stayed as shelter from weather. Brewery is kid and dog friendly, as is Ohanas. Mix of seating preferences exists.

**MOTION:** Find that the project qualifies as a Categorical Exemption under CEQA Guideline section 15303 and instruct staff to: file a Notice of Exemption; make the required findings as contained in the project staff report; and approve Use Permit 15-003 subject to Conditions of Approval.

*(Bush/Pipersky. Ayes: 4. Abstain due to recusal: Roberts.)*

## **5. WORKSHOP:**

**GENERAL PLAN CIRCULATION ELEMENT.** *Staff: Gerry Le Francois, principal planner, and Wendy Sugimura, analyst – p.59*

Gerry Le Francois started on p. 76 of the massive document. Staff is in final stages of releasing General Plan update and EIR by early August. Circulation Element includes Regional Transportation Plan (RTP) for transportation planning agency (Local Transportation Commission, LTC). Since early 2000s, Mono has made them the same. Small county doesn't need two separate documents. State money goes toward update of RTP, but not Circulation Element. RTP is more focused on traditional forms of transportation, whereas Circulation Element has additional items such as County facilities and community services

infrastructure. Consistent externally and internally. Financial Element is important, as well as numerous appendices.

- p. 93: Public participation: RPACs, advisory committees at Town. RTP update three years in making.
- p. 98: Every two years get money for State Transportation Improvement Program (STIP) to program projects consistent with RTP. Minor revisions involved.
- p. 99: Needs assessment: Population considerations, land use forecast. Existing transportation network within county: state highway stem is primary.
- p. 168: Regional policy: Apply anywhere in county. Resource efficiency section with greenhouse gas (GHG) component rolled into RTP.
- p. 182: Mono always had non-motorized component; updated to reflect changes in federal legislation. Safe Routes to Schools, bicycle highway funding, etc.
- p. 191: Ch. 4: Town's Mobility Element is to be adopted, so was included in RTP.
- p. 236: Ch. 5: Action Element. Looking at cost-benefit analysis, performance measures.
- p. 241: Declining revenue stream, so fix-it-first philosophy. Major rehabs include bike facilities now. Road's torn up, so improve facility for a little greater cost. Measure to reduce wildlife kills. Undercrossings or overpasses might be prohibitively expensive. District 9 provided info to show wildlife kills. Quantifying might be better for additional funding. Rurals have hard time measuring important items. Working on seasonal closure. Lizza: Closures are based on calendar, not conditions. Le Francois: May get specific ideas from Lizza, who has appeared at commission meetings.
- p. 246: Ch. 6. Funding cycle every two years. In December adopt 2016 RTIP, which becomes STIP. Gone from \$4 million for Town and County. Olancho/Cartago project gets money from counties and State. LTC identified Mono's North County Passing Lanes. Increasing maintenance liability, decreasing revenue streams. What if STIP were zero for 2016? Programmed in 2014 cycle \$20 million for projects. Lower gas prices hit hard. Gas tax no longer pays its way. Federal treasury takes general fund dollars to prop up.

Thompson: How interface with Caltrans? Stump wants turn lane on US 6 with truck traffic increase.

Le Francois: Prior to mid-'90s, locals didn't have a say over STIP dollars. Since then, LTC adopts program of projects. Can't dump \$6 million into county projects. Balancing act. Stump looking for other funding source. Chalfant projects could be added.

Thompson: Fatalities on US 6. Couldn't turn left when followed by truckers who wouldn't let him. Caltrans agrees.

Le Francois: Steer RPACs from identifying specific projects, keep broader. "Consider safety improvements to US 6." Large transportation projects take tremendous amount of time. Olancho/Cartago around since mid-1990s.

Pipersky: \$20 million in projects for Mono? Le Francois: Close to \$12 million goes to Inyo and Kern counties. Projects get pushed out, or come up with allocation plan. Better success funding projects on state highway system, not Mono roads.

Le Francois: Some to Olancho/Cartago, Freeman Gulch (long, expensive). Broke Freeman into three pieces. Segment 1 fully funded all way to construction. Segment 2 does not have construction funding. Segment 3 has no money from anybody. Kern COG has bigger priorities, so not inclined to put construction money into High Desert when greater need exists in Bakersfield area. Without increasing gas tax, will not do well. Why add capacity if can't take care of what already have? Mono's pushed pedestrian and bike. District 9 and State changing by Complete Streets, multi-modal improvements. Blueprint will be part of RTP. Existing trails plan from 1990s was cleaned up.

Wendy Sugimura addressed communications policies. Regulatory pieces with "shall" statements moved into Ch. 11 in Land Use Element.

Communications: Arose from D-395. Level of competition and market development. Nate Greenberg developed section. Free WiFi in public areas, county facilities. Improving and expanding communication facilities, joint trenching, and partnerships with agencies.

County facilities: Critical space for employees, challenges in prioritizing projects. Shift to maintain what have before building new. Make sure communities get fair share.

Developing process for selecting projects, applying resources. Where County has no jurisdiction, cooperate with special districts.

Le Francois: Planning Commission will get slammed with General Plan update soon, so this was broad overview. Schedule: Adopt RTP and Circulation Element by December. Lizza: Update RTP every two years? Le Francois: When adopt Regional Transportation Improvement Program (RTIP), amend RTP at same time. Financial Element drives implementation. Given five years to adopt RTP. Went to four-year cycle to coincide with Housing Element every eight years (harder to adopt at State level at Housing and Community Development (HCD). GPU/EIR to be released in early August; workshops September/October; and Planning Commission recommendation in November. It will be posted on website, so all can work from same document. Wendy Sugimura, Brent Calloway, and environmental consultant Sandra Bauer are working on it.

## **6. REPORTS:**

**A. DIRECTOR:** Very progressive, Resource Efficiency Plan already won an award. 1) General Plan: Major focus in next fiscal year. BOS has budget/strategic plan workshops. Another bad budget message. CDD staff is taking furloughs to avoid staff layoffs. Planning Commission budget has little for travel. Another conference of Association of Environmental Professionals at Westin. Also California County Planning Commissions Association Oct. 23. 2) TROD issues: Applicants both withdrew when saw sentiments not changing. Workshop at June Lake CAC with Courtney Weiche and Nick Criss on regulations, philosophy. 3) RPACs: Active on transportation, trails. Grant for Walker trails planning. Antelope Valley is proud of Mountain Gate. Bridgeport Valley is focused on OHVs with highway use; no money now. Mono Basin and June Lake want trails. 4) Agriculture: Brent Calloway and Wendy Sugimura created sustainable agriculture policy for Mono. Separate general funds to keep good staff. Sugimura has ongoing grant with Bi-State sage grouse. Added fire-protection planning with BLM as well. 5) Byway: Courtney Weiche working on ongoing scenic byway grant. Application for EIR on water rights in Walker area. Bad budget year, but grants will help. Lots of inquiries about potential planning projects, but no permits right now.

**B. COMMISSIONERS: Roberts:** June Lake streets looking good. **Lizza:** Did TROD applicant withdraw? Mono has tools to combat transient rentals under fiction of lease. TRODs are for < 30 days. Applicant might go to 30 days. Other applicant withdrew. Nick Criss is checking on rentals. Since word's gotten out, took one to full conclusion, notice of pendency before selling. Mono will pursue despite staff limitations. Lots of advertising on web pages, number of illegals reduced to only two. Best Mono can do under circumstances.

**7. INFORMATIONAL:** No items.

**8. ADJOURN** at 11:57 a.m. to August 13, 2015 (Lizza will not attend).