

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

MINUTES

September 20, 2018
(Adopted November 15, 2018)

COMMISSIONERS: Scott Bush, Roberta Lagomarsini, Mary Pipersky, Dan Roberts. **ABSENT:** Chris I. Lizza

STAFF: Wendy Sugimura, CDD director; Gerry Le Francois, principal planner (video); Michael Draper & Bentley Regehr, planning analysts; Nick Criss, code compliance (video); Julie Aguirre, permit tech (video); Tony Dublino, assistant CAO; Garrett Higerd & Walt Lehmann, public works; Christy Milovich, assistant county counsel; CD Ritter, commission secretary

GUESTS: John DeCoster, Eric Edgerton, Connie Lear

1. **CALL TO ORDER:** Chair Scott Bush called the meeting to order at 10:04 a.m. at the board chambers in Bridgeport with teleconference to Town/County Conference Room in Mammoth Lakes.
2. **PUBLIC COMMENT:** No items
3. **MEETING MINUTES**

MOTION: Adopt minutes of June 14, 2018, as submitted (*Pipersky/Lagomarsini. Ayes: 4. Absent: Lizza.*)

MOTION: Adopt minutes of August 16, 2018 as submitted (*Lagomarsini/Roberts. Ayes: 3. Abstain: Pipersky. Absent: Lizza.*)

Sugimura: At last PC meeting, joint meeting with BOS was proposed. Rescheduled to Sept. 28, 1-4 pm on housing only. Redundant information plus consultant. No need to be at meeting unless to interact with BOS.

4. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT 18-008/Prince for a non-owner occupied (Type III) short-term rental use in a 2-BD single-family residential unit at 46 Leonard Ave. (APN 015-101-004) in June Lake, and the LUD is SFR. Maximum occupancy of six persons and two vehicles. A CEQA exemption is proposed.

Michael Draper discussed last month, continued today. Non-owner, type III rental, 2BD/loft, 801 sf, two parking areas identified. Maximum six people of single party. Access via Leonard Avenue, so parking needs paving to meet standards. A few other STRs nearby approved last week by BOS. Size of second space not meet requirements: only 5'10 not 10'20' (angular beam in way). Options: Deny based on parking, or approve and apply commercial lodging parking standards, limiting occupancy to four, CEQA Categorical Exemption 15301. One parking space/bedroom. Conditions of option: single party of four, one vehicle, paved parking, sleep in dwelling, not in vehicle, comply with Ch 25, TOT certificate, business license, EH requirements, CofO (outstanding building permit sign-off).

Sugimura noted not have full commission, so applicant can continue to different date if affect outcome. Connie Lear wanted to hear deliberation first. Bush reminded three votes are needed to pass. Milovich stated at any time prior to end of hearing, decision can be made to postpone.

Bush indicated usually recommendations are to approve, but this one is denial. Maybe want five? Asked staff if limit on apps. *Draper: Not this tract. Property owners contacted, no comment back.*

OPEN PUBLIC COMMENT: None. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Milovich stated no exception to parking requirement. Go back, reopen comment.

REOPEN PUBLIC COMMENT: Connie Lear OK'd option 2. Small house, four people, one car. Planning to pave driveway regardless of PC input. Continue. **CLOSE PUBLIC COMMENT.**

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

DISCUSSION: Non-parking spot prohibited? *Draper: List within rental agreement, post signs.*

Pipersky thought Prince showed reasonability, operate with alternative, have sign no parking in other spot (add to conditions). Get CUP, maybe never use it, still have a year, some options.

Roberts is familiar with property, watched upgrade work, former workforce rental. Applicants interested in family visits, wanted flexibility to rent. Parking space practically in the street, so not allow renters to park there. *Draper: STR requires on-site parking.*

Bush noted small vehicle in photos. Understand where to park. Protect Princes from car getting hit coming down road. Maybe not illegal, but dangerous.

Sugimura noted STR requires interior signage document posted with parking map. Concern is property boundary, overhanging conflict with snow removal.

Address parking space? *Sugimura: Interior signage not part of rental contract, enforcement for CDD.*

Helpful to sign that parking space? *Criss: Would help.*

Bush wanted to post sign on wall: unloading only, no guest parking.

MOTION: Approve Conditional Use Permit 18-008/Prince with categorical exemption 15301 maximum of four, one parking space, no guest parking. (*Roberts/Pipersky. Ayes: 4. Absent: Lizza.*)

B. CONDITIONAL USE PERMIT 18-003/DeCoster for retail cannabis in the existing building at 2555 Hwy 158 (APN 015-085-010). Land use designation is Commercial (C). A CEQA exemption is proposed.

Bentley Regehr presented background. Intersection of 158 and Lakeview Drive. Most surrounding properties are commercial, some SFRs along Lakeview east, Multifamily, Mixed Use west. Phase I, no expansion; phase II, expand use but not building footprint. Study from 1973 showed avalanche element, so consultant hired for site-specific avalanche study. In "white" zone; i.e., lower risk than 1973. Relatively harmless zone, safe for year-round use. Discrepancy due to lack of precision in 1973.

Michael Draper reminded no prohibited facilities within 600 ft. Noticed all property owners, one opposed, four supported. Setback requirements met. Project not generate significant odors, simply retail. All products received in packaging, no on-site consumption of product, so minimal or negligible odor. Signage: High Sierra June Lake below Insane Audio sign. Visual screening from public right of way. No product visible from outside. Dark Sky regulations followed. One parking space/200 sf of retail space; one space required but site has two plus loading area. Room for five more spaces if needed.

Opposition letter: Odors. Support: Business would promote economic growth consistent with commercial core of that area. Staff recommended approval subject to Conditions.

Lighting already in compliance. Approve phases I and II together? *Draper: Expansion of retail, but not building footprint.*

Parking adequate for retail, what about audio? *Regehr: Other space for existing audio. Draper: Audio not have storefront, so cannabis only open to public.*

Conditional Use Permit vs. Use Permit? *Sugimura: Semantics and nomenclature. Either term used.*

OPEN PUBLIC COMMENT: Want full commission? *DeCoster: Review packet, proceed.* Landlord concerns of drug culture? *DeCoster: Adjacent to property, not next door to business. Move forward.* **CLOSE PUBLIC COMMENT.**

DISCUSSION: Bush stated cannabis is here, we all voted for it, knew this day was coming. Legal business. Test the waters. Roberts: Opposition letter implied no cannabis at all. Pipersky: Confident with conditions, business like any other. Bush: **Mammoth's** Wellness Center has no adverse effects.

MOTION: Find that project qualifies as a Categorical Exemption under CEQA guideline 15303, instruct staff to file Notice of Exemption, make required findings in project staff report, and approve Conditional Use Permit 18-003 subject to Conditions of Approval. (*Pipersky/Roberts. Ayes: 4. Absent: Lizza.*)

--- Break: 11:05-11:15 ---

5. WORKSHOPS

A. Capital Improvement Program: Tony Dublino cited roads, facilities and radios. Five-year program needs consistency with General Plan. Non-real program in effect for several years. Details on prioritizing, funding, and development of projects.

Sugimura indicated CDD director would make finding, as not on PC agenda.

Consistent? *Sugimura: Staff finds yes, facilities, roads from LTC in RTP/Circulation, other projects of maintenance or improvement to County facilities.*

New jail, new civic center? *Dublino: Both. Civic center prior to jail.*

Landfill at Benton Crossing? *Dublino: Yes.*

Consider equipment like diesel graders? *Dublino: Most are diesel. Unaware of hybrid or electric options. Taking comprehensive view of major financial considerations.*

Turn over to Sugimura to make finding. Sugimura asked PC to not debate projects themselves, just consistency with General Plan.

Posted publicly? *Dublino: GIS team has map showing projects with costs. Will educate public. Some projects not programmed in next five years.*

B. Housing Toolbox: Wendy Sugimura went to RPACs with toolbox from 2017 housing needs assessment. To BOS in June, working on fee-based structure of housing mitigation ordinance. BOS wants to understand funding. Engaged with ETS Consultants for matrix with broad housing goals, strategies, implementation actions to address housing needs.

Bentley cited goals: increase housing supply, community housing, retain existing community housing. Terminology: "Community **housing**" preferred to affordable or workforce now. Development readiness refers to barriers to ADU (Affordable Dwelling Unit), tiny houses. Better review and streamlining. Partnerships with outside agencies, land banking.

Water, sewer barriers to tiny houses? *Regehr: Definition of tiny houses overlaps with motorhomes.*

Sugimura cited two types: Mobile or on foundation. Usually mobile, how fit into housing stock.

Julie Aguirre: Mobile is like RV. Allowable if on permanent foundation. Phrase usually refers to RV style. 2018 building code: less than 400 sf. Changing clearances. Shipping containers as dwelling units.

Sugimura stated wheeled tiny houses, like RVs, are not allowed. Either type has challenge meeting building code. Try to address in future. Fresno ordinance allows tiny homes. San Luis Obispo looking as well. Differentiate from RVs.

Bush saw water, septic as safety issues. Just a fad or way to low-cost housing? Understand why. Maybe smaller RVs would be easier as mobile home.

Sugimura thought tiny home reality TV shows might define better. Bush noted people love these.

Sugimura saw market segment attracted to tiny houses. May be part of solution for community housing needs. Cheaper to build, easier to install because of mobility. Building regulations **haven't changed to** accommodate them yet. Bush thought mobile-home park setting might work.

Sugimura noted treated like SFR with well and septic. Counterpoint is installed and treated like SFRs even though on wheels. Required to meet setbacks and other land use requirements. Believes Fresno treats them as ADU, not primary residence. Cheap to build, easy to install, rent as long-term housing.

Pipersky noted even mobile-homes not on wheels anymore. Le Francois mentioned mobile-home/RV parks like Crowley Lake Fish Camp. County sets density for number of units. Two or more on individual parcel go to HCD for regulation. Not required to be on permanent foundation, could be pier-type system. If manufactured home is residence, wheels come off.

Regehr wanted to focus on things staff can review. Bush noted PC **can't look at everything**. Community housing not cheap in Mono.

Regehr cited inclusionary housing: purchase, deed restrict, sell. Partnerships with entities/agencies.

Bush recalled getting housing developments, Specific Plans. Mandatory housing component disbanded. Ever coming back? *Sugimura found it hard to say. Tioga Inn SP in process. Addition of housing units. Rodeo Grounds never completed. Inquiries picking up after trough.*

Le Francois recalled several big projects: Lakeridge Ranch Estates at Crowley (30- to 35-lot subdivision). Another 70 lots expired (infrastructure cost). Last SPs were Rock Creek Canyon and Rock Creek Ranch.

Bush thought if no projects, more expense into developing. Drastically changed from sprawl concerns. If nobody interested in building, how to get them to build? Lagomarsini suggested reaching out to developers. Bush noted Gardnerville built \$125,000-\$150,000 homes. People bought them.

Sugimura observed Mono does not have a lot of development. Inclusionary only if project big enough. Partial **units possible. No single solution to housing issue. Can't simply rely on** development projects. Prioritize actions. Create requirements but need private side to develop. Incentivize it better? Limited authority and control. Does

Mono build projects? Whole other strategy. Take-home message: Do what can do within our control, create options.

Bush stated half of sheriff's staff live outside Mono. Sugimura cited affordability, number of houses quality of housing stock.

Discussion on wages so easier to afford housing? *Sugimura: Studies on wages, gap with housing market. No control. Can't tell businesses what they should pay.*

Pipersky thought minimum wage could change. At least discuss it. Roberts saw wealth gap as national issue. Bush could not buy his house in **today's market. No in-between costs. Mono's location is a problem. Where** to put workforce? Lagomarsini recalled Chalfant project died, should have let it happen. Any other properties identified?

Bush noted deputies formerly required to live in area they serve. Whole world has changed. Need affordable apartment buildings, quarter-acre lots instead of larger. If Mono had land, lots people could get affordable house. No private contractor; community fights against it. Miss those, no place to live.

Regehr indicated Housing Element will analyze viable sites. Sugimura indicated other tools have higher priority. Set of things to do but **can't do them** all at once. Inventory County properties, maybe build housing project. How to do that?

Roberts mentioned one or two units in June Lake and Benton. Mahaffey confirmed two Benton selling to tribe. Sale of June Lake unit.

Sugimura indicated Mono getting out of property manager business at direction of BOS. Funding to go toward other housing projects. June Lake unit potentially deed restricted to stay with intent.

Habitat for Humanity? Sugimura suggested creating public/private partnerships with developers.

Where are employers on community housing? *Sugimura noted four employees live with parents. No way could pay enough.*

Employers find housing? Bush has never had paycheck himself, but his workers do. Walker has \$350 motel rentals, houses \$1,500-\$2,000/mo rent. Nothing else exists. Marine Base duplexes are always full. Get somebody to acquire land, build units.

Regehr cited zero-sum development of housing. Employee for new commercial business.

Bush named County as biggest offender. No employee housing, so employees move elsewhere. Need nice starter homes. People take care of things they buy not rent.

Need for higher-density subdivision? Bush suggested building somewhere to serve Bridgeport/Walker, June Lake/Mammoth Lakes. Bedroom communities within community. Other communities have it – **we don't. Our tax** base has gone away.

Walt Lehmann brought up subdivision at Conway Ranch. Water issue, visual impact. Problem is tied up in **Caltrans, other sources, deed restrict. Can't undo what's been done. Nice central** location in middle of county for Bridgeport, Lee Vining, Mammoth Lakes, June Lake. Infrastructure partially in, road deteriorated. Anti-growth pushback at the time. Preserve large landscape.

Bush recalled 1990s-2000s people wanted big houses.

Lehmann noted subdivided into many parcels. Inexpensive land within Chalfant is flood-plain. Higher densities are problem. Building structures on higher flood plain channels, culverts, etc. has its own set of challenges.

Lagomarsini recalled push for secondary units at Chalfant as unpopular. *Sugimura: Strategy in past is inclusionary housing in subdivisions of smaller units.*

Lagomarsini thought everyone get own stand-alone house with higher density. Two-story boxes close by. All self-contained.

Roberts indicated ADUs wanted STR option. Lagomarsini noted ADUs become Airbnb. Roberts saw Colorado as model: rent to tourists not workers.

Bush indicated no house to look at to buy for new deputy. Lagomarsini noted workers not spending money in Mono or Inyo. Bishop Main Street half empty.

Sugimura noted Mono communicates but has no direct authority over land use.

Regehr indicated demand for 50-100 rentals in next five years, 135-250 owners. He suggested STR units convert to long-term. Educate realtors. Lagomarsini suggested Habitat for Humanity could help with refurbishing. Will research.

Sugimura reminded STR type II moratorium still in effect countywide. Probably set highest bar for STR approvals. Only to certain residential land uses. Roberts noted extra income for taxes from STRs. Bush saw lots of theories, ideas but need plan to get there.

Mahaffey mentioned aligning ideas with plan of action. HMO collected fees 2006-11, since was suspended. Funding source fluctuated from \$266,000 into revolving loan fund. If another, could bring funds for housing. Another option would be private bond backed by rent revenues. TOT in place, could allocate toward housing. Sales tax add-on (property increment tax). General obligation bond for Mono to build. Revolving loan fund. Public land disposition. Selling County rental properties. First-time homebuyer program (federal and State funded). Source decreasing not increasing. Loans through USDA to finance home purchase. Proposition 41 for veterans.

Mahaffey cautioned not solve housing problem overnight, not alone, problem throughout country. Curb problem so not self-fulfilling. Huge need of 100+ units. Not move forward with solutions not fully vetted, have support of everybody.

Mono still own sheriff substation? *Sugimura: Yes.*

Roberts noted TOT (Transient Occupancy Tax) as possible source of funding. Has TOT appreciably increased with STR permits? June Lake citizens complained about primary source of TOT in county, not enough back. Sugimura indicated specific discussion of TOT beyond knowledge base of staff present. At least from STR in residential locations subject to Ch. 25, not have very many. Additional in condo units. TOT as revenue source not substantial. Increment increase would require 2/3 vote of public.

Regehr closed workshop, requested priorities from each commissioner.

Bush: If housing does **not exist, it's a problem. Mono has no middle-class** housing to rent or to own. Priority is lack of availability, inventory. Does Mono want to get into housing? No County workforce housing for employees. If build it, people will come. Bush noted beautiful hilltop house turns upside down when owe \$500,000.

Roberts: HMO suspended 2011 to stimulate development. Mobile-home park for motorhomes.

Lagomarsini: Identify parcels ripe for community housing (tiny houses, condos, apartments), get word out. Landowner could make money on vacant land. Tiny houses good for retirees, singles, families. Need diverse housing to attract diverse people. Small-lot development needed.

Pipersky: Get employers involved, wages. Land acquisition first step. Things take time. Go beyond fees, taxes, capital gains.

6. REPORTS

A. DIRECTOR: 1) Vacancies: Assistant planner and planning analyst both allocated, interviews next week; 2) Projects: June Lake for Use Permit/TTM with variance for four units; internal inconsistencies within General Plan; cannabis active use permit in progress, lots of cultivation inquiries; Caltrans reclamation plan for pit; water export issue with Coyote Springs in Tri-Valley; LADWP lawsuit on watering practices, not renew leases with ranches (should have done environmental review); sage grouse population (Boot Fire impacted); hazard mitigation plan; Inyo Forest Plan record of decision (Mono comments on wilderness not included in plan, so will comment again); Mammoth base exchange into USFS ownership; LTC noted YARTS working on short-range transit plan; Lee Vining street rehab project took community feedback, document within next year; North County water transfer project, identify project boundaries, maximum amount of transfer (involves water rights, climate change), restoration of Walker Lake.

Garrett Higerd: Ongoing topic related to CIP reviewed earlier. Many transportation projects funded by SB 1/gas tax. Funds secured for transportation. Prop 6 would eliminate funds, projects listed on CIP. No other funding source identified for projects. If repealed, \$1.7 million of Mono projects in fiscal year, next 10 years loss of \$30 million local transportation projects, many more on state highway system, including Lee Vining project. Tuesday BOS resolution opposed Prop 6.

B. COMMISSIONERS: None.

7. INFORMATIONAL: No items

8. ADJOURN at 1:17 p.m. to special meeting Sept. 28, 2018 (interact with BOS if desired, notice it properly) or regular meeting October 18, 2018

Prepared by CD Ritter, PC secretary