

# COUNTY OF INYO

## PLANNING COMMISSION

### MINUTES OF JANUARY 23, 2019 MEETING

**COMMISSIONERS:**

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

FIRST DISTRICT (CHAIR)  
THIRD DISTRICT  
SECOND DISTRICT  
FOURTH DISTRICT

Inyo County Planning Commission  
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**STAFF:**

CATHREEN RICHARDS  
JOHN VALLEJO  
STEVE KARAMITROS  
TOM SCHANIEL  
RYAN STANDRIDGE  
PAULA RIESEN

PLANNING DIRECTOR  
COUNTY COUNSEL  
SENIOR PLANNER  
ASSOCIATE PLANNER  
ASSISTANT PLANNER  
PROJECT COORDINATOR

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The Inyo County Planning Commission met in regular session on Wednesday, January 23, 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.

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**ITEM 1:**     **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:00 a.m.

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

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

Staff absent: Clint Quilter, County Administrator; Michael Errante, Acting 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 10:01 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 10:02 A.M.

**ITEM 4:**     **NOMINATION & ELECTION OF CHAIR PERSON – Chair Frank Stewart**  
**opened Nomination & Election at 10:04.** Todd Vogel nominated Frank Stewart for  
Chairperson.

**MOTION:**     Moved by Commissioner Todd Vogel and seconded by Commissioner Kate Morley to  
approve.

The Motion passed 4-0

Frank Stewart newly elected Chair suggested adding and voting on Vice Chair at next  
planning commission Meeting in February, as it was left off agenda. Staff said they  
would include election of Vice Chair on February agenda.

**ITEM 5:**     **NON-HOSTED SHORT-TERM RENTAL PERMIT**  
**NO. 2018-02/MOBERLEY-** The applicant has applied for a Non-hosted Short Term  
Vacation Rental permit, located at 324 McLaren Lane, Bishop, Ca 93514. 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.

Mr. Karamitros, Senior Planner, presented the staff report.

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

Vicky Campbell got up and spoke on behalf of Ms. Moberley.

Joanne Lijek spoke and said she is not happy about this rental and she wrote a letter of  
complaint that was presented to Board about not wanting more traffic in the  
neighborhood and is concerned about neighbor to neighbor issues.

Next to speak Angela Scott who stated she was not notified and she lives next to  
property. Senior Planner, Steve Karamitros stated they had made multiple attempts to  
notify property owner to no avail.

Chair Stewart stated he had gone out to this location and he had concerns about the  
narrow street, although he did state that he felt there was ample room at project location  
to turn around and for parking.

Chair Stewart added conditions to this location,

- No trailers allowed
- No dogs allowed

With no more members of the public wishing to speak the hearing closed at 10:31 a.m.

**MOTION:**     Moved by Chair Stewart and seconded by Commissioner Vogel to approve the  
NH-STR-2018-02/MOBERLEY as presented by staff.

The Motion passed 4-0

**ITEM 6: NON-HOSTED SHORT-TERM RENTAL PERMIT**

**NO. 2018-14/TRACY** - The applicant has applied for a Non-Hosted Short Term Rental permit for their residence located at 304 Altair Circle, in the community of Starlite, Inyo County, California. A Non-Hosted Short Term Rental permit is required before an applicant can begin renting a residence for periods of 30 days or less. The requirements for this permit are specified in Inyo County Code Chapter 18.73. The project is exempt from CEQA.

Mr. Schaniel, Associate Planner, presented the staff report.

Chair Stewart opened the Public Hearing at 10:50 a.m.

No one from the public wished to speak on NH-STR- 2018-14/Tracy and the hearing closed at 10.50 a.m.

Chair Stewart made a condition of no dogs allowed; Commissioner Morley opposed this decision and Ms. Richards agreed since pets are allowed per the code unless the applicant chooses not to. We should not be restricting without a reason related to specific property. Chair Stewart rescinded his no dog policy. Commissioner Vogel liked that the rules for the rentals be included in the staff report.

**MOTION:** Moved by Commissioner Morley and seconded by Chair Stewart to approve the NH-STR- 2018-14/Tracy as presented by staff.

The Motion passed 4-0

**ITEM 7: NON-HOSTED SHORT TERM RENTAL PERMIT 2018-16/SHELDON** – The applicant has applied for a Non-Hosted Short Term Rental permit for their residence located at 1575 Indian Springs Drive, in the Alabama Hills neighborhood of the community of Lone Pine, Inyo County, California. A Non-Hosted Short Term Rental permit is required before an applicant can begin renting a residence for periods of 30 days or less. The requirements for this permit are specified in Inyo County Code Chapter 18.73. The project is exempt from CEQA.

Mr. Schaniel, Associate Planner, presented the staff report. Stating there are two rooms available to rent, and three adequate spaces for parking.

Chair Stewart opened the Public Hearing at 10:55 a.m. With a stipulation that each person had a three minute time limit to discuss their issues since this was such a big agenda this meeting.

Loretta Dorame went first and stated that cars always park in the street and the other community members have to deal with this problem.

Next to speak was Michael Dorame. His first issue was he was not notified that the Hosted Rental application had been approved. The second concern was he wanted clarification on the Hosted verses Non-Hosted rental application process.

Chair Stewart deferred to Ms. Richards, Planning Director; she explained that Hosted is given by Director Approval. Non-Hosted rentals are brought here to be approved by the Planning Commission.

Next to speak was Shirley Boyer stating she did not like the rental because of parking issues. Also, in the past there were noise issues and she had made a complaints.

Chair Stewart asked Associate Planner, Tom Schaniel for more details on parking. Commissioner Vogel asked if there was a parking ordinance. Planning Director Richards stated that the owner can park on the street. Commissioner Stoner asked if there was anything the owner could do to increase the parking. Mr. Schaniel stated there was no more room for that.

With no additional members of the public wishing to speak the hearing closed at 11:25 a.m.

**MOTION:** Moved by Commissioner Vogel he added conditions to this location, only two cars for the guest rentals and seconded by Commissioner Scott Stoner to approve the NH-STR-2018-16/SHELDON as presented by staff.

The Motion passed 4-0

**ITEM 8:** **NON-HOSTED SHORT TERM RENTAL PERMIT 2018-17/WILSON** – The applicant applied for a Non-Hosted Short Term Rental permit for their residence located at 200 Sierra Summit Drive, in the community of Aspendell, Inyo County, California. A Non-Hosted Short Term Rental permit is required before an applicant can begin renting a residence for periods of 30 days or less. The requirements for this permit are specified in Inyo County Code Chapter 18.73. The project is exempt from CEQA.

Mr. Schaniel, Associate Planner, presented the staff report, including there is plenty of parking, has house rules, public notices were sent out.

Chair Stewart opened the Public Hearing at 11:35 a.m.

Mr. Bob Stark stated that it brings noise, disturbs nature, and the rental is unnecessary, he would like request denied.

Dave Tanksley spoke for Cardinal Village and they would like to bring in more economic growth for the community.

Dave Tanksley then spoke for himself; he loves the Wilsons, he but does not want this approved. Also, that there is a 45 min response for emergency vehicles to area.

Next George Ivy spoke about not wanting the Liability of the dumpster on his land. The dumpster has always been on this property and was not worried with the Wilson Family, they are great neighbors. With the addition of guests he worried with the lack of supervision and the use of the dumpster on his land. Because of the bears here the dumpster lid is very heavy and is worried about someone getting hurt. Also he does not want strangers around, noisy.

County Counsel John Vallejo spoke of the noise ordinance as being 7:00 a.m. to 9:00 p.m.

Property owner Mr. Wilson then requested to speak and stated he did not know there was an issue with the dumpster and he will move the dumpster to his land and release liability to Mr. Ivy

Connie Miller then spoke not about any short term rental, but all

1. Never read the rules
2. Bring cars
3. Not follow the rules

Susan Muniz from Big Pine spoke with regard to Air B&Bs, in general the rules of one car per person does not work. She is unhappy with Rubber Stamp approval of these rentals, even when people are opposed to them.

Chair Stewart stated that insurance rests with owner of home not the county. Commissioner Scott Stoner did state that there is a 45 min response for emergency vehicles.

Commissioner Vogel addressed the Rubber Stamp comment, and stated that quite a bit of time is spent on trying to address issues that they can address. Mr. Wilson is moving the dumpster.

**MOTION:** **Moved by Commissioner Vogel and** seconded by Commissioner Scott Stoner to approve the NH-STR-2018-17/Wilson.

The Motion passed 4-0

**ITEM 9:** **CONDITIONAL USE PERMIT #2018-06/GILLIGAN-** The applicant is requesting a CUP to install a manufactured home to house a caretaker on site. The project includes: Installation of 1080 square foot antique furniture store and warehouse allowed by 18.44.020 Permitted uses. Upon completion of the store the manufactured home will be installed with utilities and placed on a permanent foundation. The project is exempt from the California Environmental Quality Act (CEQA).

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

Chair Stewart opened the Public Hearing at 12:23 p.m.

No one from the public wished to speak the hearing closed at 12:24 p.m.

**MOTION:** **Moved by Commissioner Vogel and** seconded by Commissioner Scott Stoner to approve the **CUP #2018-06/GILLIGAN.**

The Motion passed 4-0

**ITEM 10:** **ZONE RECLASSIFICATION 2018-10\JELLISON-** The applicant is proposing to change the Zoning Designation on a property, located at 2476 and 2478 Dixon Lane Bishop. It is currently zoned Multiple Residential with a 14,000 square foot minimum and has the General Plan designation of Residential Medium (RM). The applicant is requesting the Zoning Designation of Single Residence or Mobile home Combined, with a 7,200 square foot minimum (RMH-7200). The existing General Plan designation is consistent with the proposed Zoning designation and will not change. The proposed zoning is consistent with the current use on the parcel (a single family residence and an accessory dwelling unit). The applicant has applied for a Hosted Short-Term rental at this property, which is allowed in the RMH zoning, but not in the R2 zoning. This project is categorically exempt from the requirements of the California Environmental Quality Act under CEQA Guidelines 15061 (b)(3) general rule.

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

Chair Stewart opened the Public Hearing at 12:28 p.m.

No one from the public wished to speak the hearing closed at 12:29 p.m.

**MOTION:** **Moved by Commissioner Vogel and** seconded by Chair Frank Stewart to approve the Zoning Reclassification 2018-10/Jellison.

The Motion passed 4-0

**ITEM 11:** **TENTATIVE PARCEL MAP 420; GENERAL PLAN AMENDMENT 2018-05; ZONE RECLASSIFICATION 2018-11/PINE CREEK RANCHES-** The applicant, Pine Creek Ranches LLC, is requesting a subdivision of an approximate 121-acre lot into 2-parcels one consisting of 12.9-acres and the other (remainder) approximately 108-acres. This subdivision request also requires a Zone Reclassification and General Plan Amendment to meet the minimum lot size and density requirements. The applicant is requesting Rural Residential with a 10-acre minimum (RR-10) and a General Plan designation of Residential Ranch (RR) with a one-dwelling unit per ten-acre density requirement. This project is Exempt under CEQA by the General Rule 15061.

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

Chair Stewart opened the Public Hearing at 12:32 p.m.

No one from the public wished to speak the hearing closed at 12:33 p.m.

**MOTION:** **Moved by Commissioner Vogel and** seconded by Commissioner Kate Morley to approved the **TENTATIVE PARCEL MAP 420; GENERAL PLAN AMENDMENT 2018-05; ZONE RECLASSIFICATION 2018-11/PINE CREEK RANCHES.**

The Motion passed 4-0

**Item 12:** **CONDITIONAL USE PERMIT 2018-08/ SIMPLY GREEN** - The applicant has applied for a CUP to operate a retail cannabis establishment located at 1275 Rocking W Drive in the community of Bishop. The applicant has been approved by the Board of Supervisors for a Cannabis Retail Business License. This project is Exempt under CEQA by 15301, Existing Facilities – Class 1.

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

Chair Stewart opened the Public Hearing at 12:36 p.m.

Connie Miller stated that they applicants are not part of the Rite Aid Center, one is already there.

With no one else wishing to speak the hearing closed at 12:38 p.m.

**MOTION:** **Moved by Commissioner Vogel under conditions stated and** seconded by Chair Frank Stewart approved the **CONDITIONAL USE PERMIT 2018-08/ SIMPLY GREEN.**

The Motion passed 4-0

**Item 13:** **CONDITIONAL USE PERMIT 2018-08/ PAL'S** - The applicant has applied for a CUP to operate a retail cannabis establishment located at 1367 Rocking W Drive in the community of Bishop. The applicant has been approved by the Board of Supervisors for a Cannabis Retail Business License. This project is Exempt under CEQA by 15301, Existing Facilities – Class 1.

Mrs. Cathreen Richards, Planning Director, presented the staff report.

Chair Stewart opened the Public Hearing at 12:42 p.m.

Connie Miller stated that they applicants have been great, with no problems.

With no one else wishing to speak the hearing closed at 12:43 p.m.

**MOTION: Moved by Chair Stewart pursuant to findings 1-7, and 1-2** seconded by Commissioner Scott Stoner approved the **CONDITIONAL USE PERMIT 2018-08/PAL'S**

The Motion passed 4-0

**COMMISSIONERS' REPORT/COMMENTS** – Commissioner Morley would like a presentation about short term rentals with a breakdown of complaints. Planning Director stated there has only been one issue. It was a dumpster blowing over.

**DIRECTOR'S REPORT-**

Introduction of Ryan's replacement Paula Riesen she came from Public Works. Planning a workshop about Dark Skies at next meeting. Also, continuing cannabis discussions.

**ADJOURNMENT** –

With no further business, Chair Stewart made a motion to adjourn the meeting at 12:47 p.m., and for the Commission to reconvene at the February 27<sup>th</sup> 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 4-0.

Prepared by:  
Paula Riesen  
Inyo County Planning Department