

# COUNTY OF INYO

## PLANNING COMMISSION

### MINUTES OF JUNE 27, 2018 MEETING

**COMMISSIONERS:**

FRANK STEWART  
CAITLIN MORLEY  
TODD VOGEL  
SCOTT STONER  
SCOTT KEMP

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

Inyo County Planning Commission  
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**STAFF:**

CATHREEN RICHARDS  
CLINT QUILTER  
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RYAN SMITH-STANDRIDGE  
JOHN VALLEJO

PLANNING DIRECTOR  
PUBLIC WORKS DIRECTOR  
COUNTY ADMINISTRATOR  
PROJECT COORDINATOR  
COUNTY COUNSEL

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The Inyo County Planning Commission met in regular session on Wednesday, June 27, 2018, 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.

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

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

Staff absent: Kevin Carunchio, County Administrator; Clint Quilter, 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.

There was no one from the public that 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** – Approval of minutes from the April, 25, 2018 Planning Commission Meeting.

**MOTION:**    Moved by Commissioner Scott Stoner and seconded by Commissioner Kate Morley to approve.

The Motion passed 4-0- 1 abstained.

**ITEM 5:**     **APPROVAL OF MINUTES** – Approval of minutes from the May 23, 2018 Planning Commission Meeting.–

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

The Motion passed 5-0

**ITEM 6:**     **CONDITIONAL USE PERMIT 2018-03/STUART** – The applicant has applied for a Conditional Use Permit for a new business and digital fuel station sign that is replacing an existing business and analog fuel station sign. This use permit is part of a larger project that consists of the remodeling and rehabilitating what was the Big Pine Chevron Station into the Mobil Station, which is located at 356 N. Main Street in the community of Big Pine. The project is exempt from CEQA–

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

Chair Stewart opened the Public Hearing at 10:05 a.m.

Kent Schlick expressed his endorsement of the project that benefits the Big Pine community and there were no further request from the Public to speak on Conditional Use permit 2018-03 Stuart and the hearing closed at 10.06 a.m.

**MOTION:**    Moved by Commissioner Todd Vogel and seconded by Commissioner Scott Kemp to approve with the Findings and Conditions of Approval as presented by staff.

Motion Passed 5 – 0.

**ITEM 7:**     **HEARING ON TENTATIVE PARCEL MAP #386/POOL-** Receive a presentation from staff regarding TPM386/Pool. The applicant and staff have found inconsistencies in the Tentative Map with the Conditions of Approval and are requesting to amend them, as well as, extend the map approval period for one year.

Mr. Dan, Assistant Planner, presented the staff report.

Chair Stewart opened the Public Hearing at 10:13 a.m.

No one from the Public wished to speak on Parcel Map #386 Pool and the hearing closed at 10.13 a.m.

**MOTION:** Moved by Commissioner Frank Stewart and seconded by Commissioner Todd Vogel to approve with the Findings and Conditions of Approval as presented by staff.

Motion Passed 5 – 0.

**ITEM 8:** **NON-HOSTED SHORT-TERM RENTAL PERMIT NO. 2018-03/RUDOLPH** – The applicant has applied for a non-hosted short-term vacation rental permit, located at 595 Brockman Ln, in Bishop. 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 10:18 a.m.

No one from the Public wished to speak on Non-Hosted Short-Term Rental 2018-03 and the hearing closed at 10.18 a.m.

**MOTION:** Moved by Commissioner Scott Stoner and seconded by Commissioner Kate Morley to approve the hosted short-term rental as presented by staff.

Motion Passed 5 – 0.

**ITEM 9:** **CONDITIONAL USE PERMIT 2018-01/ SILVER SPRING STORAGE** – The project site is located approximately 0.7 miles west of U.S. 395, on a 0.5-acre lot, in the community of Wilkerson. The applicant is applying for a Conditional Use Permit to install prefabricated storage units for commercial storage rentals (mini-storage). The project will begin with the removal of a convenience store that currently sits abandoned on the lot. Next, the septic tank will be pumped empty and filled with either cement or decomposed granite. Finally, the project site will be graded, and the storage units placed on the property. A Draft Mitigated Negative Declaration of Environmental Impact has been prepared for the project.

Mr. Karamitros Senior Planner presented the staff report.

Planning Director Richards clarified the mitigations in CEQA requirements are the Conditions of approval that staff is recommending the Commission to approve.

Chair Stewart opened the Public Hearing at 10:26 a.m.

Marty Williams Owner of the Property addressed the commission and informed Staff and the Commission that they have the business name incorrect. The business name is Silver Canyon Storage. He expressed the need for storage throughout the Owens valley.

Tracy Bear expressed her concern for the depreciation of the property values in the Wilkerson area. Also expressed her concern of the amount of people that would be coming and going through the night to the proposed storage facility site. She requests that the property be rezoned to residential.

Clancy Batchelder request the commission deny the Conditional Use permit out of fear for the neighborhood children's safety. The storage facility would increase traffic that has a school bus stop on the corner where the facility is located. Mrs. Batchelder also voiced, concern of lighting, and bathroom facilities. Mrs. Batchelder believes that a storage facility is not compatible with the neighborhood. Mrs. Batchelder ask if the Commission chooses to approve the conditional use permit they require an onsite manager, bathrooms available and gated access to the premises.

Kent Schlick read a text from Ross Corner that captured the history of the Wilkerson and the community cleanup of the area. Ross expressed his concern of property values declining with allowing the storage facility and being added to the existing shipping containers that do not follow the code.

Frank Stewart informed the new commissioners that Ross Corner was a former planning commissioner.

Tom Batchelder explained to the commissioners that he had run a business next door the existing laws storage facility and that he has concerns. Marty has allowed businesses to operate out of the laws rented unit, has double stacked units, and has allowed chain link fencing and misc. other items to lay on the ground cluttering the laws facility.

Kylee Ann Schlick Stated that she opposes the Conditional Use 2018-01 being approved and that she agrees with Ross Corner.

Linda Baptie a longtime resident of Wilkerson opposes the approval of the conditional use that would allow another storage facility when an existing one is down the road on Collins road. She expressed her concern for the children with the bus stop being at the proposed storage facility. In addition to her concern for the children, she fears that it would be a location for people to party and hang out because throughout the years that is what it has been used for.

Charles Phinizy expressed his concerns for the property values impacts. He requested a few questions be answered if they could. The first question was can a renter run a business out of the storage facility?

Director Richards made clear that it would be a different Conditional Use permit.

Charles asked if they see it occurring who do they contact?

Director Richards wanted to address a couple of issues that were previously brought up that have a similar circumstance. She clarified the Zoning Ordinance is complaint driven and that it would need to be in written form.

Charles requested that if the conditional use is approved require a gated to limit the after-hour use. Charles wanted to know who decides that painting is necessary?

Director Richards explained that upon approval it would be conditioned as a visual resource of the required mitigation.

Charles expressed his concern for the aesthetics of the proposed facility. The one down the street blends. He feels that there are too many storage facilities in the community.

Chair Stewart Closed the Public Hearing at 10:42 a.m.

Commissioner Kemp asked how long the building has been vacant and a member of the public informed the commission that it has been 10 years.

Chair Stewart expressed the challenge of the decision with a commercial business surrounded by residential property.

Commissioner Morley asked if there is any additional Commercial zoned Properties in the Area and Director Richards confirmed there are a few.

Commissioner Vogel announced that he is a customer of Marty's and he is recusing himself from this item.

Commissioner Kemp requested that the rezone question be addressed, and Director Richards explained that a rezone could be done but it would have to file at the property owners request.

Commissioner Stewart has concerns of the hours of operation and security on the site and asked the applicant how he planned on enforcing the hours of operation.

Marty Williams explained the discussion he held with the Building Inspector Jerry Poole regarding security, he restated to the commission that he has no intention of putting up a gate because there is no power at the facility. However is willing to post a sign with the hours of operation.

Director Richards reiterated that it is a zoning violation that would be complaint driven system.

Commissioner Morley asked the applicant how many units are planned for the parcel and the applicant stated the plan of 31units. Commissioner Morley asked if applicant intends

to expand could it be done. Director Richards explained that it would be similar to the TPM/Pool that the Commission has reviewed today and that the applicant would have to come before the commission to expand for more than what is in the approval today.

Commissioner Stewart stated he values amount of years of service of former commissioner Ross Corner and will not vote in favor of the project but encouraged the other commissioners to make a motion.

**MOTION:** Moved by Commissioner Scott Kemp approve with the Findings and Conditions of Approval as presented by staff. No second was presented and Chair Stewart asked for a second and again no motion made so the motion died.

**ITEM 9: WORKSHOP ON SHIPPING CONTAINERS-**Staff has drafted a proposed ordinance to update the Inyo County Zoning Code's Title 18.78.150 Accessory Buildings to include Shipping containers and similar structures and for a general reformatting of 18.78.150.

Mr. Dan, Assistant Planner, presented the workshop.

Chair Stewart asked about the building with a porch on the flyer. Chair Stewart asked if the porch included in the square footage. Mr. Dan suggested that the Building Inspector would be better suited to answer that question. Director Richards believes it to be the conditioned space.

Commissioner Stoner questioned the amount of accessory building on a given property that meets the planning department requirements.

Director Richards explained that theoretically it could be done because the Planning Department does not regulate the amount as long as they meet the requirements.

Chair Stewart opened the Public Hearing at 11:09 a.m.

Bill Gilbert expressed his concerns regarding storage containers affecting views and property values. Mr. Gilbert recommends limiting the quantity.

Kent Schlick said storage containers are all about the ascetics. The proposal is good but you should consider quantity. Also, suggest working on the violations.

Sharon White has concerns of what people are using storage containers for since some have windows and doors. She expressed that the county is moving in the right way to start enforcing.

Chair Stewart closed the Public hearing at 11:26 a.m.

Chair Stewart suggests limiting the quantity but utilizing a conditional use permits to allow for additional containers and the Code should clearly define the difference of an

accessory dwelling. Also, Chair Stewart encouraged the public to get involved to help with bringing violations into compliance by writing a complaint.

**MOTION:** Moved by Commissioner Frank Stewart and seconded by Commissioner Scott Kemp to adopt the resolution and recommend the board consider adopting.

Motion passed 4-1-0.

**COMMISSIONERS' REPORT/COMMENTS –**

None

**DIRECTOR'S REPORT-**

Last month the commission had interest in the Saline Valley Letter, the Board has approved the submission to Death Valley National Park and a copy is available to view. Congressman Cook's Off-Road Recreation, and Conservation Act passed in Congress, It still needs to go to Senate. This is of interest because the proposed Alabama Hills National Scenic Area is included. The Board has directed Planning Staff to work on Dark Sky's Ordinance. Public outreach meetings are proposed for Bishop, Independence, and Lone Pine before coming to commission for recommendations.

**ADJOURNMENT –**

With no further business, Commissioner Stewart made a motion to adjourn the meeting at 11:39 a.m., and for the Commission to reconvene at the July 25<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 Kemp.

Motion passed 5-0.

Prepared by:  
Ryan Smith-Standridge  
Inyo County Planning Department