

COUNTY OF INYO

PLANNING COMMISSION

MINUTES OF August 23, 2017 MEETING

COMMISSIONERS:

FRANK STEWART
CAITLIN MORLEY
TODD VOGEL
ROSS CORNER
SCOTT KEMP

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

Inyo County Planning Commission
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STAFF:

CATHREEN RICHARDS
CLINT QUILTER
KEVIN CARUNCHIO
RYAN SMITH-STANDRIDGE
JOHN VALLEJO

PLANNING DIRECTOR
PUBLIC WORKS DIRECTOR
COUNTY ADMINISTRATOR
PROJECT COORDINATOR
COUNTY COUNSEL

The Inyo County Planning Commission met in regular session on Wednesday, August 23, 2017, 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.

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

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

Staff present: Cathreen Richards, Planning Director; John Vallejo, County Counsel; Ryan Standridge, Project Coordinator

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 was not scheduled on the Agenda.

Public Present did not address the Commission, and Chair Stewart closed the public comment period.

ITEM 4: **APPROVAL OF MINUTES (Action Item)** – Approval of Minutes from July 26, 2017, meeting of the Planning Commission.

MOTION: Moved by Commissioner Vogel and seconded by Commissioner Morley to approve the Minutes from July 26, 2017.

The Motion passed 4-0.

ITEM 5: **Zone Reclassification 2017-02/Silcott and General Plan Amendment 2017-02 Silcott**
The applicant is proposing to change the Zoning and General Plan Designations on a property they own, located between South Lake Road and Mt. Tom View Drive, west of the community of Bishop.

Cathreen Richards, Planning Director gave summary of the staff report and recommended the Commission certify General Plan Amendment and the Zone Reclassification are exempt from CEQA; and requested the Commission recommend the Board of Supervisors approve the zone reclassification and General Plan Amendment.

The Commissioner Chair opened the Public hearing.

No one from the public wished to address the Commission, and the Public hearing was closed.

MOTION: Moved by Commissioner Kemp to approve the staff recommendations. Commissioner Morley seconded the motion.

The Motion passed 4-0

ITEM 6: Short-Term Vacation Rentals: staff will conduct a workshop with the Planning Commission regarding potential regulation of Hosted Short-Term Rentals and Short Term Vacation Rentals.

Commissioner Stewart gave a brief announcement about public comment and how the workshop worked. The Planning Director confirmed that this was not a public hearing and that public would still be allowed to comment.

Planning Director, Cathreen Richards explained that the Planning Department held five community workshops. Based on the comments collected at the workshops, staff develop two separate draft regulations, one for on-site hosted short-term rentals and one for (whole house) short term vacation rentals.

Commissioner Kemp asked for clarification on where the regulations came from. Ms. Richards explained that other jurisdictions' with regulations that had similar circumstances were used as a guideline and then were adjusted to include what staff had heard from the public.

Commissioner Stewart requested clarification on guest count limitation and the under age three limitation. Ms. Richards explained that other jurisdictions use the children three and under limitation and staff believed this was due to the likelihood that children in this age

group would be more likely to sleep in the same rooms as their parents/adult. It was also explained that the age and number of guest limitations would be better defined in the next draft of the regulations. Also, a detailed definition of excessive complaints would need to be included. Also, Commissioner Stewart asked why it was necessary to apply for two separate permits for the same parcel. Ms. Richards explained that a permit for both a short-term vacation rental and an on-sited hosted rental would be required if someone had both on their property.

Commissioner Morley questioned whether the proposed parking standards alleviate the parking issues. Ms. Richards acknowledged that nothing is set in stone it could be revisited however many of the public commenters had expressed that parking is an issue.

Commissioner Vogel expressed his agreement of the age of three in the limitation section. Also, he suggested for clarification under the application requirements adding adjacent (5) house radius.

Commissioner Stewart opened up public comment

Trudy Milenburg requested information on how to get in touch with property owners when used as a secondary home. She recommended including the parking requirements with the notifications to allow the neighborhood to choose and suggested we let the Air B&B collect the TOT and have them pay the County. Ms. Richards explained that it is standard procedure much like a conditional use permit. Staff acquires the information by pulling the owner's information from the tax roll. Ms. Richards also acknowledged that it was an interesting idea to allow neighborhood input for parking but that it also introduces potential conflicts and calls into question across the board fairness.

John Vallejo, County Counsel, suggested an overlay system such as Mono County had developed for their short term vacation rental ordinance, Ms. Richards gave a brief description of what an overlay is and why it has not worked in Mono County also, explained that at the workshops people did not have a positive reaction to the suggestion.

Andrea Krammer of Big Pine expressed her concern of the associated permit fees. Mr. Vallejo explained that the fees the County charges can only be enough for cost recovery and that a cost study would have to be done to determine those costs related to this particular use.

Isabell from Tecopa requested that the standards for compliance be clarified. Ms. Richards explained that each complaint would be handled individually and that the ordinance when completed would define regulations for compliance.

Christie Martindale suggested that the limitation section should use a minor child instead of a child if an age is not defined. Another suggestion was offered to consider the location (town, neighborhood) and what if any, other rental opportunities are there, when looking at allowing a second home owner to have a short term vacation rental. What is already around the proposed site could impact renter opportunities.

Paul Pain wanted to know how the Short-term/Hosted Vacation rental would affect him having a special event on his property. Ms. Richards explained that for now the proposed draft ordinance does not allow for events.

Planning Director Richards presented the Short-Term Vacation Rental Ordinance to the Commission in sequential order.

Andrea Krammer suggested that there be guidelines for being a property manager.

Trudy Milenburg thanked Cathreen for the excellent job on the draft.

Paul Pain Inquired as to how the TOT tax is going to work.

Alisha McMurtrie addressed the commission and Mr. Payne by explaining that it would have to be collaborated with the Assessors office.. The Assessor's office assesses the values and the tax collector collects. A dwelling being used for a short-term vacation rental would be assessed at a commercial rate for the portion of the home that is being used as a vacation rental with regard to property taxes.

COMMISSIONERS' REPORT/COMMENTS –

Commissioner's thanked the staff for their hard work to get the draft completed. Ms. Richards mentioned that it is staff's goal to have a final ordinance available at the first of the year.

DIRECTOR'S REPORT-

Nothing to report.

ADJOURNMENT –

With no further business, Chair Stewart requested a motion to adjourn the meeting at 12:05 p.m., and for the Commission to reconvene in Regular Session on September 27, 2017, at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

Motion by Commissioner Kemp to Adjourn.

Seconded by Commissioner Vogel.

Motion passed 4-0

Prepared by:
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