

Agenda

County of Inyo Planning Commission

Board of Supervisors Room
Inyo County Administrative Center
Independence, California

WILLIAM STOLL
CYNTHIA LITTLE
SAM WASSON
RICHARD WHITE
PAUL PAYNE

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SECOND DISTRICT
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PLANNING DIRECTOR
PLANNING COMMISSION SECRETARY
PUBLIC WORKS DIRECTOR
COUNTY ADMINISTRATOR

Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order or the items are continued. Estimated start times are indicated for each item. The times are approximate and no item will be discussed before its listed time.

Lunch Break will be given at the Planning Commission's convenience.

The Planning Commission Chairperson will announce when public testimony can be given for items on the Agenda. The Commission will consider testimony on both the project and related environmental documents.

All final decisions of the Planning Commission may be appealed to the Board of Supervisors by the applicant or any interested person. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days of the action by the Planning Commission. If an appeal is filed, there is a fee of \$300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

Public Notice: In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

OCTOBER 28, 2009

10:00

A.M.

1. ROLL CALL – Secretary.

**Action
Item**

2. APPROVAL OF MINUTES (Action Item) – Approval of Minutes from September 23, 2009.

3. ADDITIONS/DELETIONS TO THE AGENDA – Opportunity for the Commission to add or delete an item on the Agenda.

4. PUBLIC COMMENT PERIOD – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

**Public
Hearing
&
Action
Item**

5. CONDITIONAL USE PERMIT No. 2009-03 & RECLAMATION PLAN No. 2009 01/SORRELLS (Public Hearing & Action Item) - The applicant, Charles Sorrells, is proposing to mine sand, gravel, and aggregate on 2.7 acres for a period of 5 years for the purposes of constructing County approved private access driveways to a future 40 acre subdivision. An estimated 7,700 cubic yards of material will be removed. The site is located on already disturbed privately owned land, approximately 6 miles east of Shoshone on State Route 178 and Chicago Valley Road, Section 14, Township 22 North, Range 7

Public
Hearing
&
Action
Item

6. **VARIANCE No. 2009-02/DYER (Public Hearing & Action Item)** – The applicant is requesting a variance from the Inyo County Zoning requirement that requires homes in the R-2 (Multi-Family Residential) Zone to be located a minimum of five feet from side property boundaries. The applicant for the property located at 258 East Center Street, in Big Pine, requests that an already-constructed second story enclosed porch, which is located 2-1/2 feet from the east property line, be allowed to remain. The property is designated Residential Medium High Density (RMH), 7.6-15 dwelling units per acre. This item was heard on September 23, 2009 and continued to today to allow staff to coordinate with the Building & Safety Department for further information.

Public
Hearing
&
Action
Item

7. **VARIANCE No. 2009-03/LEE'S FRONTIER (Public Hearing & Action Item)** – A request for a variance from front yard setback requirements in order to construct a patio seating enclosure at Lee's Frontier, the Chevron gas station & store/deli located south of Lone Pine at 1900 S. Main Street. The property is designated RC/Retail Commercial under the General Plan, and zoned C-2/Highway Services & Tourist Commercial.

Public
Hearing
&
Action
Item

8. **ZONE RECLASSIFICATION No. 2009-04 & CONDITIONAL USE PERMIT No. 2009-05/BATCHELDER (Public Hearing & Action Item)** - The project proposes to rezone three parcels in the community of Laws from M-1 (General Industrial & Extractive) to M-2 (Light Industrial). The proposed change in zoning would allow industrial uses that are usually considered cleaner/less intrusive than the heavier industrial uses allowed under the current zoning. In addition, setback requirements are smaller for the proposed M-2 zone than for the existing M-1 zone. This project does not propose any new uses for any of the three properties.

Action
Item

9. **WILKINSON APPEAL (Action Item)** – The Environmental Health Department denied requests from Gavin Wilkinson for two septic systems for five-bedroom residential developments on his property east of Lone Pine. The denial was based on Inyo County Code (ICC) Section 18.78.120, which indicates in part that an accessory use, such as a septic system, is permitted when located on the same lot as a lawfully existing principal use to which it is incidental and subordinate. The subject property is zoned Rural Residential, with a ten-acre minimum lot size and a mobilehome overlay (RR-10-MH), and designated by the Inyo County General Plan Land Use Element Rural Residential (RR). Mr. Wilkinson appealed the decision of the Environmental Health Department to the Planning Commission per ICC Section 18.81.030.

Work-
shop

10. **NON-CONFORMING BUILDINGS WORKSHOP** – Inyo County Code (ICC) Section 18.78.280 indicates in part that a non-conforming building destroyed by more than 50 percent shall not be restored except in full conformity with the Zoning Ordinance. Staff believes that the ICC's direction is quite clear, and that permitting reconstruction of non-conforming residences would be contrary to the intent of the Code. At its regular September 23, 2009 meeting, the Commission directed staff to identify and evaluate several alternatives to the ICC's regulations regarding non-conforming buildings.

Public
Hearing
&
Action
Item

11. **AMENDMENT TO RECLAMATION PLAN No. 91-4/ STRATCOR, U.S. TUNGSTEN CORPORATION (Pine Creek Mine) PINE CREEK MINE (Public Hearing & Action Item)** - The applicant, Bishop Tungsten Development, LLC wishes to retain the Mill Building and its remaining equipment, the Clarifier, the Crusher Building, the Dumper, a number of Storage Tanks, the Avalanche Dikes, the Snow Shed and the sealing of the Mine Portals and Powder Magazine by steel doors and/or fencing instead of back-filling. The site will then be utilized as a historical resource. The project is located on

the eastern slope of the Sierra Nevada Mountains approximately 7 miles west of the community of Rovana in Inyo County, Section 8, Township 7 South, Range 30 East, M.D. B. & M. (APN 009-300-02, 009-300-04, 009-300-05 and 009-300-06).

COMMISSIONERS' REPORT/COMMENTS

Commissioners to give their report/comments to staff.

PLANNING DIRECTOR'S REPORT

Planning Director, Mike Conklin, will update the Commission on various projects.

CORRESPONDENCE – INFORMATIONAL