

COUNTY OF INYO PLANNING COMMISSION

MINUTES OF APRIL 27, 2011 MEETING

COMMISSIONERS:

WILLIAM STOLL
CYNTHIA LITTLE
SAM WASSON
RICHARD WHITE
PAUL PAYNE

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

Inyo County Planning Commission
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STAFF:

JOSHUA HART
DOUG WILSON
KEVIN CARUNCHIO
TANDA GRETZ
ADENA FANSLER
CATHREEN RICHARDS
DAN STEWART
DANA CROM

PLANNING DIRECTOR
INTERIM PUBLIC WORKS DIRECTOR
COUNTY ADMINISTRATOR
SENIOR PLANNER
ASSOCIATE PLANNER
ASSOCIATE PLANNER
PLANNING COORDINATOR
COUNTY COUNSEL

The Inyo County Planning Commission met in special session on Thursday, April 27, 2011, in the Department #3, in Independence, California. Commissioner Wasson opened the meeting at 10:00 a.m.

ITEM 1: PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Commissioner Wasson at 10:00.

ITEM 2: ROLL CALL - Commissioners: Bill Stoll, Paul Payne, Sam Wasson, Cindy Little and Richard White.

Also present were: Josh Hart, Planning Director; Dana Crom, County Counsel; Tanda Gretz, Senior Planner; Adena Fansler, Associate Planner; Cathreen Richards, Associate Planner; and Dan Stewart, Planning Coordinator.

Absent: Kevin Carunchio, County Administrator
Doug Wilson, Interim Public Works Director

ITEM 3: PUBLIC COMMENT PERIOD – This is the opportunity to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

There was no one from the public wishing to comment.

ITEM 4: APPROVAL OF MINUTES (Action Item) – Approval of Minutes from March 31, 2011.

Mr. Josh Hart, Planning Director, commented that there was a typographical error in the minutes and that error would be corrected.

MOTION: Moved by Commissioner Stoll and seconded by Commissioner White to approve the Minutes from March 31, 2011 with the corrections stated by Mr. Hart.

The Motion passed unanimously.

ITEM 5: RECLAMATION PLAN #2008-01/INTERNATIONAL ZEOLITE GROUP, INC. (Public Hearing & Action Item)– International Zeolite Group, Inc., wishes to establish an open-pit zeolite mine, consisting of 53 acres over a period of twenty years. The maximum depth is 50 feet at the southern end of the open-pit. The 53-acre quarry and staging areas will be approximately 1,900 feet long and 1,300 feet wide. The project is located on BLM property approximately 6.4 miles west of Death Valley Junction and approximately 3 miles southwest of State Route 190.

Mrs. Adena Fansler, Mining Inspector, stated that there was a minor correction to the Staff Report, on page 17, 4D should be International Zeolite not T-Rock. Mrs. Fansler then presented the Staff Report to the Commission.

Commissioner Wasson opened the public hearing at 10:12.

Mr. Fred Johnson, International Zeolite, stated some of the uses of Zeolite and a brief history of the project.

Mr. Allen Aiken stated that he was in support of the project. Mr. Aiken also stated that the Death Valley National boundary line was drawn in such a way to not include the rich mineral resources where the proposed zeolite mine is located.

Commissioner Wasson closed the public hearing at 10:15.

Commissioner Stoll inquired about the financial assurances of the project. Mrs. Fansler stated that the financial assurances have been met.

MOTION: Moved by Commissioner Payne and seconded by Commissioner White to: Adopt the Negative Declaration and approve the Reclamation Plan with the minor corrections.

The Motion passed unanimously.

ITEM 6: RECLAMATION PLAN #2010-01/T ROCK PRODUCTS, INC. (Public Hearing & Action Item) – T Rock Products, Inc. is proposing to mine sand and gravel from the already existing pit formerly operated by Valley Sand and Gravel. The project is located on BLM property, approximately 6.5 miles north of the community of Trona & east of the Trona-Wildrose road.

Mrs. Adena Fansler, Mining Inspector, stated that there was a minor correction to the Staff Report, on page 9, should read 15 mph and not 25 mph. Mrs. Fansler then presented the Staff Report to the Commission.

Commissioner White asked Mrs. Fansler if this proposed reclamation plan is connected to a project that went before the Commission several months prior (Sorrell's project). Mrs. Fansler stated that the projects were not connected except for geographic proximity.

Commissioner Wasson opened the public hearing at 10:22.

Walt Pachucki, Bear Engineering, commented that the key thing to be mindful of concerning this project is that the mine is existing, and not new. Commissioner Wasson closed the public hearing at 10:24.

MOTION: Moved by Commissioner Payne and seconded by Commissioner White to: Adopt the Negative Declaration and approve the Reclamation Plan with the minor corrections.

The Motion passed unanimously.

ITEM 7: ZONE RECLASSIFICATION #2011-01/PRIEST AND CONDITIONAL USE PERMIT #2011-01/PRIEST (Public Hearing & Action Item) – The project proposes a zone reclassification of an 8.83-acre parcel located at 924 Pearson Road in the community of Pearsonville, from Multiple Residential (R-2)-5.0 acres-MH to Rural Residential (RR)-2.5 acres-MH, in order that a kennel can be established as a conditional use on the property.

Tanda Gretz, Senior Planner, stated that Mrs. Stephanie Priest, applicant, submitted an email as financial proof of the care that she provides for their animals. Ms. Gretz then presented the staff report to the Commission.

Commissioner Wasson opened the public hearing at 10:32.

Commissioner Wasson inquired about the distance to the closest neighbor. Commissioner White commented his recollection was that the distance was approximately a half of a mile. Mrs. Priest somewhat agreed, she thought it may be slightly less. The Commission all agreed the property in question is well back of the highway and about a half mile from the nearest neighbor.

Commissioner Little inquired about the Zoning Code complaint submitted to the Planning Department. Ms. Little was particularly concerned about the care of the dogs. Mrs. Priest was puzzled about how a person could hear the dogs barking and further how a person could view her property without trespassing on their property. Mrs. Priest further stated that she has handled show dogs for many years and has ample experience caring for animals. Mrs. Priest further explained the details of their future plans to improve the kennel.

Commissioner Little asked Mrs. Fansler, Inyo Code Enforcement, what her findings were when she went to investigate the code infraction. Mrs. Fansler indicated that there were too many dogs for the current zoning and the health conditions needed to be improved for the health of the dogs.

Commissioner Stoll clarified that the Commission's duty was to determine the appropriateness of the proposed zoning change and not to determine the health conditions of the property. Mrs. Priest replied that the Inyo County Animal Services Department's only request is that the animals be appropriately vaccinated.

Commissioner Wasson Closed the Public Hearing at 10:37.

Commissioner White stated that he approved of the project as long as the kennel is within the accordance of the Inyo County Animal Services Department's regulations for kennels. Mr. White further stated that he was in support of the proposed rezoning so that the Priests could pursue their aspirations to operate a kennel.

MOTION: Moved by Commissioner Payne and seconded by Commissioner Stoll to: 1) Certify that the project is exempt from environmental review per the “General Rule” [CEQA Guidelines, Section 15061(b)(3)]. 2) Make certain Findings with respect to, and approve, Conditional Use Permit #2011-01/Priest, subject to the Conditions of Approval as recommended in the staff report. 3) Adopt the attached Resolution, Recommending that the Board of Supervisors: A) Certify that the project is exempt from environmental review per the “General Rule” [CEQA Guidelines, Section 15061(b)(3)]. B) Approve Zone Reclassification #2011-01/Priest.

ITEM 8: ZONING CODE UPDATE (WORKSHOP 1) – The County is working on an update to the Zoning Code as a follow-up to the 2001 General Plan. Chapters 1 (Administration) and 2 (Permits and Approvals) are being presented to the Planning Commission for review and recommendations.

Commissioner Wasson requested the Commission be notified of changes between the current Zoning Code and the proposed Zoning Code so that the Commission could more clearly differentiate between the current and proposed code.

Mr. Hart stated that the most influential changes to the code are the eliminations of the RMH zoning and the C-3 zoning. Commissioner White expressed some caution over the elimination of zoning and the possible implications with current property owners.

Mr. Hart requested the Commission’s recommendation regarding the timeframe that an appeal could be filed. The consensus of the Commission was ten day rather than five days, so that people would have sufficient time to appeal a decision.

Mr. Hart requested the Commission’s recommendation regarding establishing a committee for land-use. The Commission felt the committee would add another unnecessary layer of government intervention, and recommended not including the proposed committee for land-use in the Zoning Code.

Commissioners White and Wasson expressed some concern over the usage of irrelevant verbiage in the Code, especially zoning pertaining to oilfields. Commissioner Wasson reminded the Commission some of the consultants are not mindful of the fact that Inyo County is vastly different than the “city/urban” areas, and should be addressed differently in the Zoning Code. The Commission requested that the Inyo County Zoning Code be tailored to be relevant to our area.

The Commission thanked staff for the for work on the Zoning Code.

ITEM 9: OWENS LAKE MASTER PLAN –The Los Angeles Department of Water and Power has initiated a Master Plan for the Owens Lakebed following many years of dust mitigation efforts. The Plan will provide a framework for the future of the Lakebed, including potential solar energy development, habitat enhancement, and further dust mitigation, while working to conserve water. The Planning Commission will receive a presentation regarding the Plan and provide input.

Mr. Hart presented a summarization of the recent action by the lakebed planning committee. Commissioner Wasson, a public participant in the planning effort, commented on the refreshing

willingness of several different organizations, with contrasting agendas, to come together and address this issue in a productive manner.

Commissioner Little inquired about why LADWP is seeking to pump groundwater in lieu of water being used on the drylake when they were, and are, the ones causing the lake to dry-up. Commissioner Wasson and Mr. Hart explained that the City of Los Angeles needs water.

Commissioner Payne, a long time resident of Lone Pine, stated that the lake emitted dust long before LADWP dried the lake up. He went on to state that when run-off was low and certain times of the year the lake was not full, and dust would generate from the periphery of the lake.

COMMISSIONS' REPORTS/COMMENTS– Commissioner Little expressed concern over the length of the Natural Resources Advisory Committee (NRAC). She suggested more meetings to spread-out the meetings. Mr. Hart explained that the Staff time for NRAC is limited to 8 hours a month, so the Staff time is a limiting constraint.

DIRECTOR'S REPORT– Mr. Hart provided an update on the Death Valley Plan. Mr. Hart stated that comments on the conceptual alternatives for Death Valley Plan are due Sunday May 1, 2011.

Mr. Hart informed the Commission that the Renewable Energy General Plan Amendment was considered by the Board. The Board approved the General Plan Amendment 5-0.

Mr. Hart cautioned the Commission that an appeal to the Coso project (CUP 2007-03) has been received. Dana Crom, County Counsel, informed the Commission that the applicant is appealing under the general appeal. The discussion moved to the logistics of the next meeting.

ADJOURNMENT - With no further business, Commissioner Wasson adjourned the meeting at 12:27 P.M. to reconvene in Special Session on Wednesday, June 1st at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

Prepared by:
Dan Stewart, Planning Coordinator
Inyo County Planning Department