

COUNTY OF INYO PLANNING COMMISSION

MINUTES OF MAY 27, 2009 MEETING

COMMISSIONERS:

WILLIAM STOLL	FIRST DISTRICT (CHAIR)	Inyo County Planning Commission
CYNTHIA LITTLE	SECOND DISTRICT	Post Office Drawer L
SAM WASSON	THIRD DISTRICT (VICE-CHAIR)	Independence, CA 93526
RICHARD WHITE	FOURTH DISTRICT	(760) 878-0263 / (760) 872-2706
PAUL PAYNE	FIFTH DISTRICT	(760) 872-0382 FAX

STAFF:

DOUG WILSON	ACTING PLANNING DIRECTOR
TED PEDERSEN	PUBLIC WORKS DIRECTOR
KEVIN CARUNCHIO	COUNTY ADMINISTRATOR
SHARON BIRMINGHAM	PLANNING COMMISSION SECRETARY
TANDA GRETZ	SENIOR PLANNER
JOSHUA HART	SENIOR PLANNER
ADENA FANSLER	ASSOCIATE PLANNER

The Inyo County Planning Commission met in regular session on Wednesday, May 27, 2009, in the Board of Supervisor's Room, Administrative Center in Independence, California. Chair Stoll opened the meeting at 10:00 a.m.

These minutes are to be considered for approval by the Planning Commission at their next regularly scheduled meeting.

ITEM 1: ROLL CALL - Commissioners: William Stoll, Sam Wasson, Cynthia Little, and Richard White.

Also present were: Mike Conklin, Planning Director; Randy Keller, Assistant County Counsel; Tanda Gretz, Senior Planner; Adena Fansler, Associate Planner; and Secretary, Sharon Birmingham.

Absent: Paul Payne, 5th District Commissioner
Kevin Carunchio, County Administrator
Ted Pedersen, Public Works Director
Josh Hart, Senior Planner

ITEM 2: APPROVAL OF MINUTES (Action Item) – Approval of Minutes from March 11, 2009 and March 25, 2009.

MOTION: Moved by Commissioner White and seconded by Commissioner Wasson to approve the Draft Minutes from March 11, 2009 as amended to include changes to Scott Kemp's testimony as follows-last sentence:

Mr. Kemp informed the Commission that he observed alfalfa being grown on the ranch for years and was on the Water Commission and no one said a word.

Also, amend the Motion as follows: Commissioner Payne moved and Commissioner White seconded . . .

The motion passed unanimously, with Commissioner Payne absent.

MOTION: Moved by Commissioner Wasson and seconded by Commissioner White to approve the Draft Minutes from March 25, 2009.

The motion passed unanimously, with Commissioner Payne absent.

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

Secretary, Sharon Birmingham, presented the Commission with correspondence to be added to the Correspondence section of the Agenda as follows:

- a. City of Bishop Planning Commission Agenda for May 27, 2009
- b. Information/Briefs on Pending Lawsuit-McLaren
- c. Letter to Chair Stoll from Mike Johnston
- d. Letter from Jeff and Vicki Davis-Coso

ITEM 4: **PUBLIC COMMENT PERIOD** – Opportunity to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

There were none.

ITEM 5: **AMENDMENT TO CONDITIONAL USE PERMIT 76-5/AMERICAN BORATE COMPANY (Public Hearing & Action Item)** – American Borate Company requested an amendment to their existing conditional use permit for the Billie Mine located along the eastern boundary of Death Valley National Park approximately two miles southwest of the junction of State Route 190 and Dante’s View Road. American Borate donated their mining claims within Death Valley National Park and the associated mining facilities on the Jeff Claims along the boundary of the park. The National Park accepted these claims and facilities but with specific conditions.

Associate Planner, Adena Fansler, presented the Staff Report to the Commission. Ms. Fansler requested that the Staff Report be entered into the record.

Chair Stoll opened the public hearing at 10:10 a.m.; there was no one from the audience wishing to speak on this item, Chair Stoll closed the public hearing at 10:11 a.m.

The Commission held a brief discussion.

MOTION: Moved by Commissioner Wasson and seconded by Commissioner White to approve the amendment to Conditional Use Permit No. 1976-5/American Borate (Billie Mine) by making findings and approving the conditions of approval recommended by staff within the Staff Report.

The Motion passed unanimously, with Commissioner Payne absent.

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ITEM 6: TENTATIVE PARCEL MAP NO. 381/SANTA ROSA CATHOLIC CHURCH-TIME EXTENSION (Consent Item) – The Santa Rosa Catholic Church requested a one-year time extension for approved Tentative Parcel Map No. 381/Santa Rosa Catholic Church. The project is located in the community of Shoshone (046-120-26) to subdivide a 283.06-acre property owned by Susan Sorrells into parcels of 4.35-acres (developed with the Catholic Church), a 5.00-acre parcel (vacant) and a remainder parcel of 228.71-acres (with various land uses).

Associate Planner, Adena Fansler, presented the Staff Report to the Commission.

MOTION: Moved by Commissioner White and seconded by Commissioner Wasson to approve a one-year time extension as recommended by staff.

The Motion passed unanimously, with Commissioner Payne absent.

ITEM 7: VARIANCE #2009-01/HOHMAN - (Public Hearing and Action Item) – This project is a request for a variance from the County Zoning requirement that an accessory structure be located a minimum of five feet from any property boundary. The applicant requested that an already-constructed patio, which has been located two feet from a property boundary, be allowed to remain.

Senior Planner, Tanda Gretz, presented the Staff Report to the Commission.

Chair Stoll opened the public hearing at 10:15 a.m.

Jim Hohman, property owner, spoke in support of the request for a variance and informed the Commission that the patio had been built without permits. Mr. Hohman presented letters of support from adjacent property owners.

Chair Stoll closed the public hearing at 10:25 a.m.

The Commission held a brief discussion. Chair Stoll expressed concerns with contractors having to obtain permits.

MOTION: Moved by Commissioner White and seconded by Commissioner Little to approve the variance subject to the applicant obtaining all necessary building permits.

The Motion passed 3-1, with Chair Stoll voting no, and with Commissioner Payne absent.

COMMISSIONERS' REPORT/COMMENTS – Chair Stoll expressed concerns with the property located at the Corner of 395/Barlow next to the Value Sports Business, and deterioration of the fence that surrounds the property. The Commission also discussed a letter received from Mike Johnston regarding non-conforming use.

PLANNING DIRECTOR'S REPORT –Planning Director, Mike Conklin, updated the Commission on various projects.

CORRESPONDENCE-INFORMATIONAL – There were none.

ADJOURNMENT - There being no further business, Chair Stoll adjourned the meeting at 10:50 a.m. to reconvene in regular session on Wednesday, June 24, 2009 at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

Prepared by:

Sharon M. Birmingham

Sharon M. Birmingham,
Secretary To
Inyo County Planning Commission