

City of Bishop
PLANNING COMMISSION MEETING AGENDA
City Council Chambers – 301 West Line Street
Bishop, California 93514

DATE: November 24, 2009
7:30 P.M.

NOTICE TO THE PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (760) 873-5863. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II).

Any writing that is a public record that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at City Hall, 377 West Line Street, Bishop, California.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT: NOTICE TO THE PUBLIC: This time is set aside to receive public comment on matters not calendared on the agenda.

APPROVAL OF MINUTES

- (1) Minutes of the Planning Commission meeting held on May 27, 2009 subject for approval.

CORRESPONDENCE

PUBLIC HEARING

- (2) Amend the Zoning Map of the City of Bishop

NEW BUSINESS

- (3) Review the request to amend the Zoning Map of the City of Bishop to designate a Public Zone for the City's water and sewer facilities.
- (4) Set a date of December 17 for the regular schedule meeting of the Planning Commission.

STAFF AND COMMISSION REPORTS

ADJOURNMENT: The next regularly scheduled meeting of the Planning Commission will be December 29 at 7:30 P.M. in the Bishop City Council Chambers, 301 West Line Street, Bishop.

City of Bishop
PLANNING COMMISSION MINUTES
City Council Chambers – 301 West Line Street
Bishop, California 93514

May 27, 2009

CALL TO ORDER:

Chairman Hardy called the meeting to order at 7:30 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Hardy

COMMISSIONERS PRESENT:

Hardy, Foote, Lowthorp, Huntley, Hess and Bloom

COMMISSIONERS ABSENT (Excused):

One current vacancy until filled

OTHERS PRESENT:

Richard F. Pucci, City Administrator
Gary Schley, Public Services Officer
Michele Thomas, Secretary
Father John Gracey
Kent Schlick
Ken Carpenter

PUBLIC COMMENT:

Chairman Hardy asked if anyone wished to speak on a subject not calendared on the Agenda. There was no public comment.

APPROVAL OF MINUTES

Chairman Hardy asked if there were any additions or corrections to the minutes of the March 31, 2009 meeting.

MOTION

Commissioner Foote moved to approve the Minutes of the March 31, 2009 meeting as written.

Ayes: Lowthorp, Bloom, Huntley, Foote and Hardy

Abstain: Hess

MOTION CARRIED: 5-0

CORRESPONDENCE

- (2) Letter from Cecilio Haro-Cortez requesting to withdraw his request for a Conditional Use Permit at 151 East South Street.

Chairman Hardy stated due to the withdrawal, no action is needed to be taken.

PUBLIC HEARING

- (3) Request for a Conditional Use Permit by Our Lady of Perpetual Help Church to allow the development of a 30 ft. by 60 ft. covered patio structure at 849 Home Street which is located in an R-1 zone.

Chairman Hardy opened the public hearing at 7:33 PM and stated that if anyone wished to appeal any decision by the Planning Commission, they may do so by writing to the City Council within five days of this meeting.

Schlick explained he was volunteering to help out Father John and stated that the structure would be a nice addition to the park and if anyone has any questions they may ask him.

Chairman Hardy closed the public hearing at 7:35 PM

NEW BUSINESS

- (4) Request for a Conditional Use Permit by Our Lady of Perpetual Help Church to allow the development of a 30 ft. by 60 ft. covered patio structure at 849 Home Street which is located in an R-1 zone.

Pucci stated that there was one concern brought up at the environmental review and the commission may want to discuss the restriction of "no outside amplified music". There could be receptions outside in the patio structure that may cause noise concern.

Foote asked if the City of Bishop has any ordinances for noise after 10:00 pm. Pucci stated that there is an ordinance in place based on decibel levels; there is no loud music allowed over a certain decibel level after a certain time.

Father Gracey explained there is usually no loud music; most noise in the area comes from the fairgrounds. Schlick also added that the majority of activities go on during the day.

Lowthorp asked Pucci if the staff wanted there to be no amplified music. Pucci explained that there was a concern at the environmental regarding outside music. The commission may request a condition for no outside amplified music, amplified music not allowed after a certain time, or no condition is required if the commission wishes to not request one. The continuance of the CUP would go away if the condition is violated. At the present time, there have not been any complaints of music from the location. Huntley asked who raised the concern of noise. Pucci stated that a council member that lives close to the church raised the concern of loud music. Tracey added that the staff is not asking the commission to place a condition on the permit if they do not feel one is necessary.

Huntley made a motion to approve the conditional use permit to allow the construction of the 30 ft. x 60 ft. covered patio at 849 Home Street. No conditions were added.

Ayes: Huntley, Lowthorp, Bloom, Hess, Foote and Hardy

MOTION CARRIED: 6-0

(5) Election of Officers – Chairman and Vice Chairman

Chairman Hardy turned the nominations over to Pucci. A call for nominations for the position of chairman was made. Chairman Hardy nominated Foote. No further nominations were received. A motion to close the nominations for chairman was made by Lowthorp and passed unanimously.

A roll call vote was taken for the election of Foote for Chairman.

Ayes: Lowthorp, Huntley, Bloom, Hess, Foote and Hardy.

MOTION CARRIED: 6-0

Foote will serve a one-year term for Chairman.

Newly-elected Chairman Foote opened nominations for the position of Vice-Chairman and Chairman Foote nominated Huntley. No further nominations were received. A motion to close the nominations for Vice Chairman was made by Foote and passed unanimously.

A roll call vote was taken for the election of Huntley for Vice-Chairman.

Ayes: Lowthorp, Huntley, Bloom, Hess, Foote and Hardy.

MOTION CARRIED: 6-0

Huntley will serve a one-year term for Vice-Chairman.

STAFF AND COMMISSION REPORTS:

Pucci asked the commission to recommend two commissioners to sit on an interview panel for the planning commission opening. The two applicants running are Frank Crom and Darren Malloy. Chairman Foote and Vice-Chairman Huntley volunteered for the panel.

ADJOURNMENT:

Chairman Foote adjourned the meeting at 7:48 P.M. The next scheduled meeting will be June 30, 2009 at 7:30 P.M. in the City Council Chambers.

Chairman Foote

Michele Thomas, Secretary

MEMORANDUM

TO: Planning Commission

FROM: Richard F. Pucci, Director of Planning 

SUBJECT: PUBLIC HEARING – Amend the Zoning Map of the City of Bishop

DATE: November 18, 2009

A Public Hearing has been scheduled to accept input regarding a proposed Public Zone for the City's water and sewer facilities.

RECOMMENDATION:

Hold Public Hearing.

MEMORANDUM

TO: Planning Commission

FROM: Richard F. Pucci, Director of Planning 

SUBJECT: NEW BUSINESS – Amend the Zoning Map of the City of Bishop

DATE: November 18, 2009

The attached memorandum relates to certain staff proposed amendments to the City of Bishop Zoning map. The zoning map does not presently provide a zoning designation for the described properties which house public facilities and/or infrastructure. The proposed zoning for these locations would be “P” (Public District). Permitted uses within the “P” district are as follows:

1. Buildings and uses of governmental agencies not subject to regulation by Bishop Municipal Code.
2. Public buildings and uses of the city and other governmental agencies that are subject to regulation by this title, when in conformity with the general plan and the provisions of other applicable laws.

RECOMMENDATION:

Review the request for a zoning designation of “P” for the described properties and if appropriate, recommend to the City Council approval of the draft ordinance creating the zoning.

MEMORANDUM

Date: November 16, 2009

To: Richard F. Pucci, Planning Director

From: Gary Schley, Public Services Officer 

Subject: Amend the Zoning Map of the City of Bishop to designate a Public Zone for the City's water and sewer facilities.

Background: The Zoning Map of the City of Bishop does not provide a zoning designation for the current Public Works sewer plant and ponds located on Poleta Road, the sewer trunk line between Clarke Street and the sewer plant, well site four on West Line Street and well site three on Sunland Avenue. The proposed zone for these facilities will be P (Public District). Permitted uses within the P Public district are:

1. Buildings and uses of governmental agencies not subject to regulation by Bishop Municipal Code.
2. Public buildings and uses of the city and other governmental agencies that are subject to regulation by this title, when in conformity with the general plan and the provisions of other applicable laws.

The project is determined to be categorical exempt from CEQA, citing CEQA Guidelines Section 15301, Class 1 (b) Existing facilities of both investor and publicly-owned utilities used to provide electrical power, natural gas, sewerage, or other public utility services.

According to the Governor's Office of Planning and Research, General Plan Guidelines, When zoning occurs, the newly adopted zone must be appropriate and consistent with all elements of the general plan. It also states; that in all cases, the regulation or ordinance must have a "real and substantial" relationship to the public welfare.

The City of Bishop General Plan description for Public Zone:

"This land use category is characterized by activities that are intended to serve the general public in varying capacities. These uses include schools, police and fire stations, the Fairgrounds, public works facilities, etc."

Topics to consider:

- Would the proposed zoning designation be contrary to the General Plan land use policies?
- Is the proposed zoning incompatible with established land use patterns?
- Will the change adversely influence living conditions in the neighborhoods?
- Will an undesirable precedent be set by allowing the proposed zoning at the locations?

A zoning map amendment must be submitted to the Planning Commission and given a

noticed public hearing. After the hearing, the Planning Commission must render its decision in the form of a written recommendation to the City Council that includes the reasons for the recommendation.

Recommendation: Review the request to assign a zoning designation to the City's sewer and water facilities with the appropriate bodies and hold a public hearing.

ORDINANCE 5??

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, ZONING UNZONED AREA AND ADOPTING THE ZONING MAP OF THE CITY OF BISHOP, INCORPORATED BY REFERENCE IN SECTION 17.04.050 OF CITY OF BISHOP MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. The districts and boundaries of the Zoning Map of the City of Bishop, incorporated by reference in City of Bishop Municipal Code 17.04.050, be amended to designate as zone Public (P), as defined in Title 17 of the City of Bishop Municipal Code, all that property now within the City of Bishop, shown on Exhibit A, and generally described as Well Site 4 (APN 11-360-02), Well Site 3 (APN 08-201-02), Waste Water Trunk Line (APN 08-260-02 and 08-010-14 portion), Waste Water Treatment Plant (APN 08-010-15), Waste Water Treatment Ponds and Disposal (APN 08-010-36), and Waste Water Treatment Plant Access Road (APN 08-010-14 portion).

SECTION 2. The map prepared to show the zoning districts and boundaries of the City of Bishop, including as hereby amended, be the Zoning Map of the City of Bishop.

SECTION 3. This ordinance shall take effect and become operative thirty (30) days from and after its final reading and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form prescribed by law in the Inyo Register, a weekly newspaper of general circulation, printed and published in the City of Bishop, State of California, which said newspaper is hereby designed for that purpose.

PASSED, APPROVED AND ADOPTED this day of .

SUSAN CULLEN, MAYOR

ATTEST: Richard F. Pucci, City Clerk

By: _____
Denise Gillespie, Assistant City Clerk

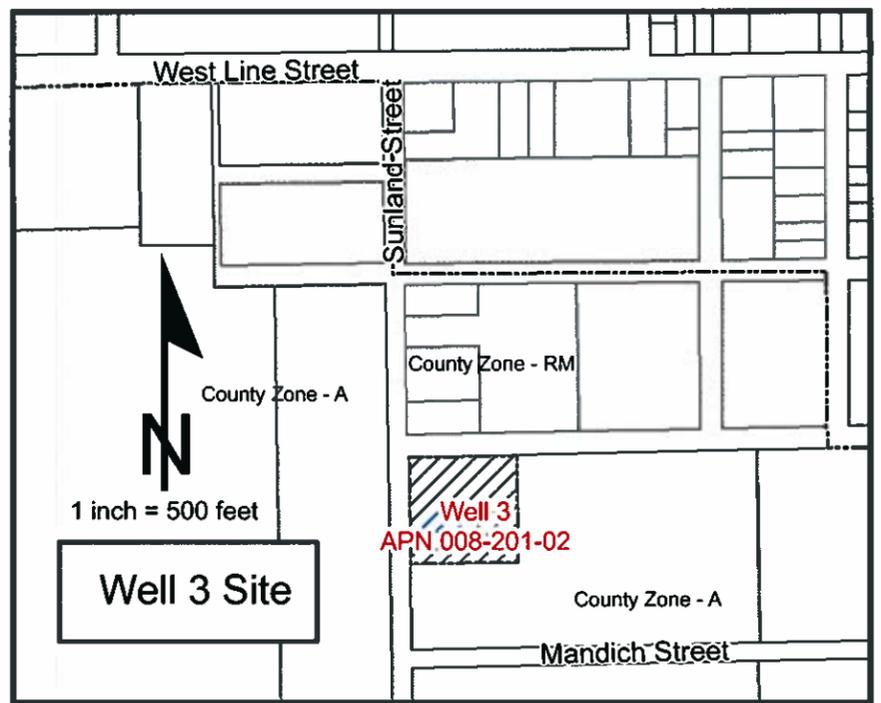
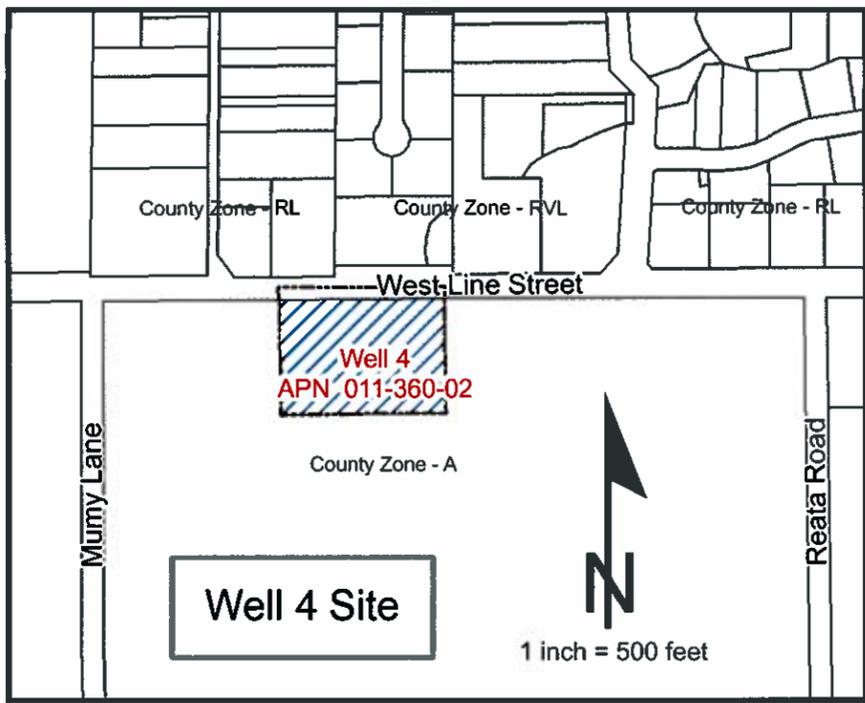
Inyo County Land Use Designations

Residential

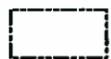
RL	Residential Low Density
RVL	Residential Very Low Density
RM	Residential High Density

Other

A	Agriculture
PF	Public Service Facilities



Legend

-  City Limit
-  Proposed "P"

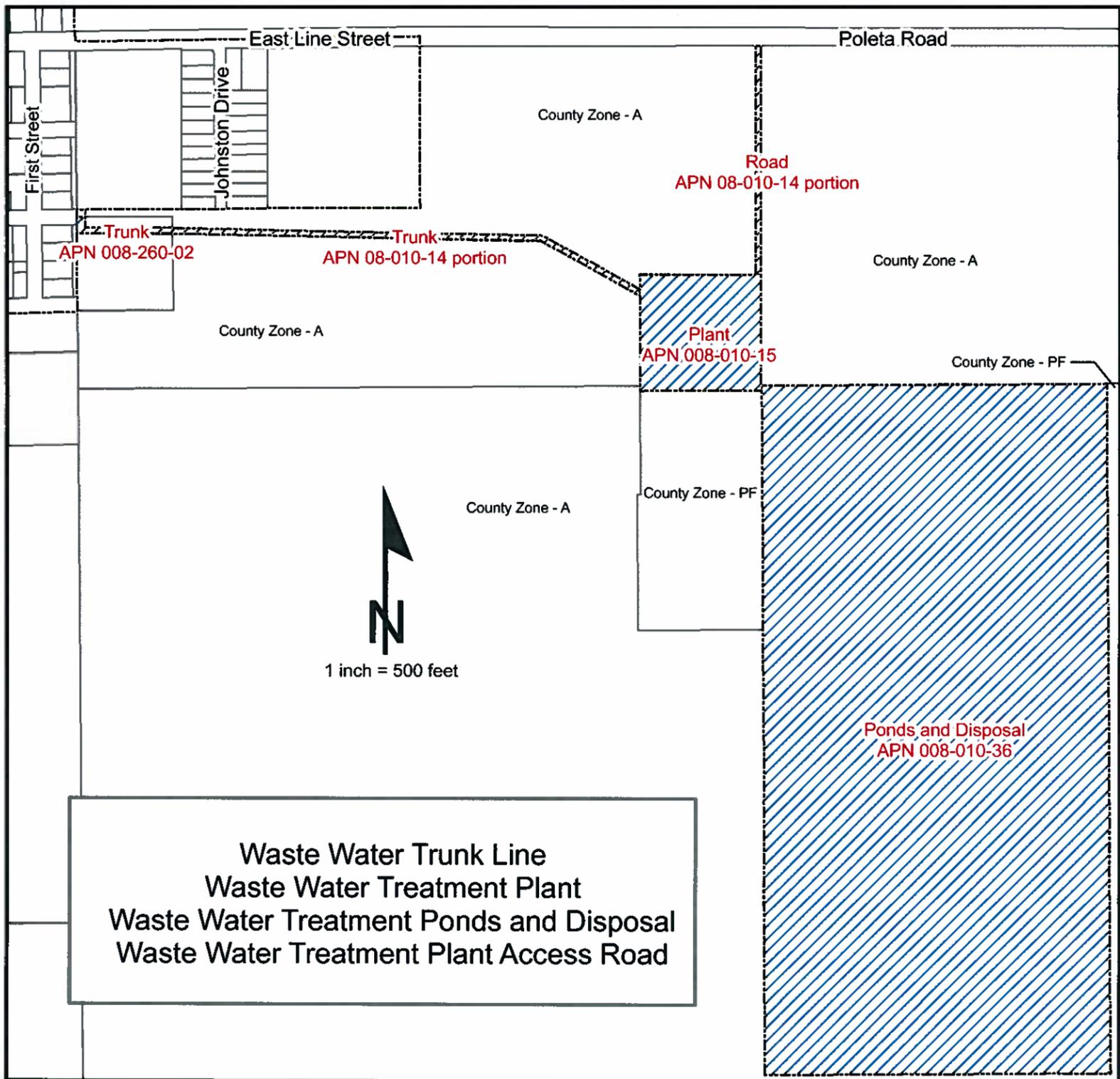
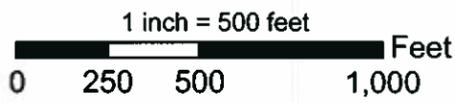


Exhibit A to City of Bishop Ordinance 5??

MEMORANDUM

TO: Planning Commission

FROM: Richard F. Pucci, Director of Planning 

SUBJECT: NEW BUSINESS – Set a date of December 17 for the regular scheduled meeting of the Planning Commission

DATE: November 18, 2009

Because of the upcoming holidays and the fact that there are several matters for Commission review, staff is recommending that the Commission adjourn tonight's meeting to December 17, 2009 at 7:30 pm in the Council Chamber

RECOMMENDATION:

Approve the date of December 17 for the next scheduled Planning Commission meeting.
