

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

DATE:

August 30, 2011

7:00 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 meetings held on March 31 and July 26, 2011 subject for approval.

CORRESPONDENCE

PUBLIC HEARING: If anyone wishes to appeal any decisions by the Planning Commission, they can do so by writing to the City Council within 5 days of the meeting.

- (2) Request for a Conditional Use Permit to place one storage container at 137 East South Street which is located in a C-1 (General Commercial and Retail District).

NEW BUSINESS

- (3) Request for a Conditional Use Permit to place one storage container at 137 East South Street which is located in a C-1 (General Commercial and Retail District).

- (4) Re-organization for Vice Chairman vacancy

**STAFF AND COMMISSION REPORTS**

**ADJOURNMENT:** The next regularly scheduled meeting of the Planning Commission will be September 27, 2011 at 7:00 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 31, 2011**

CALL TO ORDER:

Chairman Huntley called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Huntley.

COMMISSIONERS PRESENT:

Huntley, Lowthorp, Crom, Hardy, Gardner and Bhakta

COMMISSIONERS ABSENT (Excused):

None

OTHERS PRESENT:

James M. Southworth, City Administrator  
Peter Tracy, City Attorney  
Gary Schley, Public Services Officer  
Michele Thomas, Secretary

PUBLIC COMMENT

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

(1) APPROVAL OF MINUTES

MOTION

Commissioner Crom moved to approve the minutes of the March 29, 2011 meeting with the corrections of “Hardy” to be removed from the motion of the approval of the minutes and to change the word “omit” to “admit” on page 3.

Ayes: Crom, Bhakta, Lowthorp and Gardner  
Abstain: Hardy and Huntley

MOTION CARRIED: 4-0

## CORRESPONDENCE

None

## PUBLIC HEARINGS

- (2) Public Hearing on a Conditional Use Permit to allow a woodshop occupancy and set aside the commercial parking requirements at 336 Hammond Street which is located in a C-1 zone (General Commercial and Retail District).

- (a) Open Public Hearing

Commissioner Lowthorp excused himself from the public hearing due to personal matters regarding the property.

Schley explained that the applicants, Steve White and Antonia Bulpitt-Ramirez, are requesting a conditional use permit to allow a change of use of a warehouse type occupancy to a woodshop occupancy and to set aside the commercial parking requirements at 336 Hammond Street. Within this use, the required parking would call for four spaces and there is presently one. The woodshop is not a commercial-industrial type business; it is an art studio type woodshop where furniture will be made on a low scale production.

Schley went on to explain that there were onsite parking surveys conducted at the location. The survey determined that public parking during the business hours was not heavily impacted adjacent to the project or at the project site. Bishop City Council approved the Negative Declaration for the project, therefore, complying with CEQA requirements.

Bhakta asked Schley what the parking requirements are for the current form of use. Schley stated that in its current form, it would require two parking spaces for a warehouse at 1600 sq. ft; one space per 1000 sq. ft. Schley added that the on-street parking cannot be counted as parking spaces.

Gardner brought up the question of deliveries of materials and lumber. Schley mentioned that there are warehouse type doors if necessary for unloading. Southworth added that the wood work products are mostly art and one-of-a-kind pieces and will not have large production quantities.

Steve White, owner of the woodshop, explained that he has had a one person furniture making business in Bishop for the past 13 years. The type of furniture produced is called studio furniture or one-of-a-kind, highly individualistic pieces. It can take one to several weeks to build a piece. The business is not considered a retail shop. Customers may come by to discuss having an item built or to have a

piece of furniture repaired. White also went on to say that he talked to almost all the neighbors in the area regarding the business and any concerns they may have. He added that only one was concerned about possible noise and another questioned fumes. As for the noise, the building will be insulated and noise will be contained within the building. Most work is done by hand and heavy machinery is not used very often. The fumes are not an issue as they will only use oil finishes that are hand applied. Occasionally a truck may deliver lumber, but White said he usually drives out of town to pick up lumber so he can pick the pieces out himself. Also the business would be open during the day and occasionally on weekends.

Crom asked if the applicant was interested in having students or classes on the premises. White said that he would like to one day have an apprentice. White mentioned that he would like to rent out space inside for other woodworkers for a maximum of three people working at one time.

Cheryl Stanford, real estate officer representing White, commented that the business is a good fit for the property. He will be dressing up the exterior of the building and making it look much better. She also commented that she feels there is enough day parking in the area.

(b) Planning Commission Discussion on a Conditional Use Permit to allow a woodshop occupancy and set aside the commercial parking requirements at 336 Hammond Street which is located in a C-1 zone (General Commercial and Retail District).

Huntley asked staff if the existing parking would need to be improved. Schley feels that if the space were to be paved, there could be drainage issues. Using a base type material may be the best way of improving the parking space.

Bhakta asked about signage for the business and what type would be added. White stated he would want to put a small sign against the building. Bhakta also added that he has seen White's work and it is exceptional quality and his production is art and craft and he is very committed to his work.

Hardy stated that a title of "studio woodworking shop" should be added to the wording of the conditional use permit since the permit stays with the property.

On a motion by Commissioner Huntley, the commission voted 6-0 to close the public hearing.

(c) Planning Commission action for a proposed Conditional Use Permit to allow a woodshop occupancy and set aside the commercial parking requirements at 336 Hammond Street which is located in a C-1 zone (General Commercial and Retail District).

Hardy made a motion to approve the Conditional Use Permit at 336 Hammond located in a C-1 zone to allow occupancy for a studio-furniture workshop, operated with no more than 3 artisans, and to set aside the minimum parking requirements for that occupancy down to one gravel impervious improved space.

MOTION CARRIED: 6-0

Commissioner Lowthorp rejoined the meeting at this time.

STAFF AND COMMISSION REPORTS:

Southworth shared with the commission that the City has held Mobility Element workshops and is preparing an updated draft plan. The City is proposing a joint meeting with the City Council and the Planning Commission for 5:00 pm on 26 July, the regularly scheduled Planning Commission meeting night. If there is time during the meeting, the council and or commissioners interested in bringing up the matters of parking and sign ordinances that were previously discussed at past meetings, would have this opportunity for further discussion.

ADJOURNMENT:

Chairman Huntley adjourned the meeting at 7:41 p.m. The next scheduled meeting is for July 26, 2011 – 5:00 p.m. Joint Meeting with City Council / 7:00 p.m. regular scheduled meeting. Regularly scheduled meetings will be held in the Bishop City Council Chambers, 301 West Line Street, Bishop.

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Chairman Huntley

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Michele Thomas, Secretary

City of Bishop  
PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
Executive Conference Room – 377 West Line Street  
Bishop, California 93514

**July 26, 2011**

CALL TO ORDER:

Mayor Smith called the meeting to order at 5:00 p.m.

COMMISSIONERS PRESENT:

Lowthorp, Gardner, Hardy, and Malloy

COMMISSIONERS ABSENT (Excused):

Huntley, Crom and Bhakta

OTHERS PRESENT:

James M. Southworth, City Administrator

Laura Smith, Mayor

David Stottlemire, Mayor Pro Tem

Susan Cullen, Council Member

Jim Ellis, Council Member

Jeff Griffith, Council Member

David Grah, Director of Public Works

Keith Caldwell, Assistant City Administrator/Community Services Director

Gary Schley, Public Services Officer

Denise Gillespie, Assistant City Clerk

Michele Thomas, Public Works Secretary

PUBLIC COMMENT

Mayor Smith asked if anyone wished to speak on a subject not calendared on the agenda. There was no public comment.

DISCUSSION

- (1) Draft Mobility Element Update to the General Plan

The City Administrator stated the purpose of this meeting is to brief both the Council and Planning Commission on the Draft Mobility Element and supporting reports and to provide an opportunity for questions and receive feedback to staff and the consultants. Similar presentations have been given to the Paiute Tribal Council and the Inyo County Board of Supervisors. More presentations will be scheduled for other stakeholders.

Bauer Environmental Consulting, Inc. representatives gave a slide show presentation of the Mobility Element (ME) which is one of the required elements of the General Plan. The purpose of the ME is to define how the City will serve the transportation needs of its residents, businesses and visitors while enhancing its environmental, economic and natural resources. This study is funded by the Local Transportation Commission.

The contents of the element reviewed by those attending included: Purpose and Scope; Mobility Element Transportation Report; Roadway Component; Opportunity Areas; Other Transportation Modes; Goals, Policies and Implementing Actions.

Included in discussion under the Draft Transportation Report was the concept of a Truck Route east of Bishop to be used by large trucks which would make Main Street more pedestrian-friendly. It was reported that the funding, location, responsibility, and implementation of this concept were concerns expressed by both the Tribal Council and County Supervisors.

Comments from the public included:

Chuck Kilpatrick felt public education would be an important element in making any changes. Relating to the truck route concept he encouraged the addition of a truck stop with access to services in town.

Tawni Thomson, Executive Director for the Chamber of Commerce, stated that speeding on Main Street, especially the big trucks, is perceived by pedestrians and businesses. She suggested that any information available on Main Street speeding statistics should be included in the study. Thomson also encouraged meetings to receive input from Main Street business owners.

Nel Hecht suggested making West Line from Main Street to Home more bike and pedestrian friendly by removing some of the parking.

Another suggestion offered by Jeremy Plum was to provide an underpass for bicycles and pedestrians where the truck route would cross East Line Street.

John Helm, Executive Director for the Eastern Sierra Transit Authority, commented on the difficulties/inability for transit buses to pick up and deliver to Main Street locations and requested that considerations be made for transit in planning.

Attendees were encouraged to make comments and notations on printed materials posted on the walls.

RECESS/RECONVENE

At 6:50 p.m. the meeting was recessed for a break and reconvened at 7:04 p.m. with all five Council Members and the four Planning Commissioners in attendance.

(2) Update on General Plan Housing Element Compliance

Sandra Bauer gave an update on the state mandated requirements written into the 2009 Housing Element Update to the City's General Plan. The remaining compliance obligations are: 1) designating zoning for group housing (for 6 or more people); 2) working with developers to facilitate ways to help people with disabilities; and 3) the City's commitment to look at mixed use/higher density housing if the City is not able to obtain LADWP land as anticipated. The consultants will be meeting with the City in the future to present ideas.

(3) Sign Ordinance Review

Councilmember Griffiths questioned if guidelines are needed to help the Planning Commission decide on when to grant a conditional use permit for signage. It was determined that without having a code enforcement officer, the City would not be able to provide tighter code enforcement. Therefore, the consensus that the procedure for granting conditional use permits for signs would remain the same.

(4) Parking Regulations Review

Discussion was held on general parking issues including improving ways to direct the traveling public to city parking lots; mobility versus parking needs; business requests for timed parking; and requests for on-site parking variances.

(5) Term Limits for City Commissioners

Discussion on the appointment of new applicants to commission positions versus incumbent reappointments was held. It was determined that decisions should be based on which candidate is the most qualified for appointment. It was also determined that the interview committee should consider the past attendance record of the incumbent and the availability and willingness of a new candidate to make the commitment to attend regular and special meetings.

ADJOURNMENT:

The joint meeting of the City Council and Planning Commission was adjourned at 7:52 p.m. The next regularly scheduled meeting of the Planning Commission will be August 30, 2011 at 7:00 P.M. in the City Council Chambers.

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Commissioner, Lowthorp

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Michele Thomas, Secretary

# MEMORANDUM

TO: Planning Commission

FROM: Keith Caldwell, Acting City Administrator *KAC*

SUBJECT: PUBLIC HEARING – Conditional Use Permit –  
137 East South Street

DATE: August 22, 2011

A Public Hearing has been scheduled to accept input regarding a request to approve a Conditional Use Permit to place one storage container at 137 East South Street, which is in a C-1 district.

## RECOMMENDATION:

Hold Public Hearing.

# MEMORANDUM

TO: Planning Commission

FROM: Keith Caldwell, Acting City Administrator *KSe*

SUBJECT: NEW BUSINESS – Conditional Use Permit –  
137 East South Street

DATE: August 30, 2011

The proponent, Pestmaster Services Inc. at 137 East South Street, is requesting permission to place an 8' x 40' storage container at the location. A site plan is included for Commission review. Staff has also provided a list of possible standards utilized for storage containers within permitted zones.

## RECOMMENDATION:

Review the request to place an 8' x 20' storage container at 137 East South Street.

## MEMORANDUM

Date: August 22, 2011

To: Keith Caldwell, City Administrator

KSC  
AS

From: Gary Schley, Public Services Officer

Subject: An application for a request of a Conditional Use Permit to allow the applicant Pestmaster Services Inc. to set aside Bishop Municipal Code Section 17.48.090 Driveways and compliance with Chapter 8.21 Storage Containers. The request is to place one eight (8) ft. by forty (40) ft. storage container upon the facilities existing paved driveway/parking lot at 137 East South Street. The request would reduce the required two way twenty-four (24) ft. driveway width to twelve feet six inches (12' 6").

Background: The property location 137 E. South Street (APN 01-212-16) is in a C-1 zoning district which is General Commercial and Retail District. The .15 acre site is occupied as a business office with facility parking. The adjacent properties are zoned C-1. The use of properties to the north is a public alley and retail motor vehicle sales and service garage, to the east and west commercial facilities with grandfathered non-compliant residential uses and to the south is South Street and retail lumber/hardware store. Pestmaster Services facility site design submitted and approved in 1991 required 12 legal parking spaces with a 24 ft. two way driveway accessing the alley.

Project Description: The existing storage container is placed on a paved surface which was previously designated as required parking space for the facility. Parking is reconfigured to provide the required number of parking spaces. In doing so the driveway is reduced to a single lane. Several parking site surveys were performed with a conclusion that Pestmaster Services makes there employee and site parking work. The container is being used to store office materials, supplies and paper records. There are no hazardous materials stored within the container.

The Bishop City Council made a negative declaration determination pursuant to the provisions of CEQA at its regular scheduled meeting of August 9, 2010 for the above mentioned project.

History: At its regular scheduled meeting of August 31, 2010 the Bishop Planning Commission denied a different version of the above mentioned request. The proponent appealed the denial to the Bishop City Council. The Council upheld the denial and recommended the proponent make changes to the proposed site plan and conditional use permit application.

Recommendation: Review the request for a Conditional Use Permit to set aside the required two way driveway standard and allow the placement of one 8' x 40' storage container trailer at 137 E. South Street.

**Consideration:** List of possible standards to consider for the placement of cargo type storage containers within City of Bishop commercial zoned areas.

1. Permit or prohibit electrical service.
2. Permit or prohibit lighting.
3. Permit or prohibit the placement of signage upon containers.
4. Property line setbacks (front, rear, side).
5. What type of surface the container shall be place on (dirt surface or paved surface).
6. Container maintenance and appearance;
  - a). exterior surface painted every ? years or as needed.
  - b). make rodent proof in, around and under container.
  - c). provide exterior facade or exterior siding.
  - e). provide solid fence around container or containers.
7. Storage container may not be used as storage rental (mini storage) unless all other requirements are met for business use.

City of Bishop

**Use Permit and Zoning Variance Application Form**  
(To be completed by applicant)

Date Filed 08/01/2011

This application is for a (circle one) Conditional Use Permit Zoning Variance

Name and address of applicant: Jeff Vandiepen  
Pestmaster Services Inc.  
137 E. South St.  
Bishop, Ca 93514

Name and address of property owner: Jeff Vandiepen  
Pestmaster Services Inc.  
137 E. South St.  
Bishop, Ca 93514

Legal description of property: Pest Control Company  
APN 001-212-16

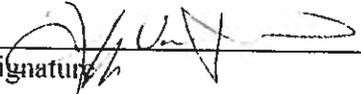
Location (address, section, township, range, parcel number): Jeff Vandiepen Parcel # 001-212-16  
Pestmaster Services  
137 E. South St.  
Bishop, Ca

Present zoning: C1

General Plan designation: General Commercial and Retail District.

Proposed use of property: Pest Control Business Storage Containers:  
Purpose: To house File Cabinets, and other misc. items which pertain  
to Company Business  
Only Record Storage NO Pesticide Storage.

**Consent of Owner:** The following must be signed by at least one owner of record. I consent to the information accompanying this statement.

  
Signature

3-31-10  
Date

Jeff Vandierck  
Name

(766) 873-8100  
Phone or email

**Applicant Certification:** I hereby certify that the statements furnished above and in the attached exhibits present the data and information required to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Phone or email

-----  
**This Section For City Use**

Filing Fee:

\_\_\_\_\_  
Receipt/application number:

\_\_\_\_\_  
Accepted for processing (signature and date):

\_\_\_\_\_  
Staff action:

\_\_\_\_\_  
Planning Commission Action:

\_\_\_\_\_  
Remarks



## CITY OF BISHOP

377 West Line Street - Bishop, California 93514  
P. O. Box 1236 - Bishop, California 93515  
City Hall 760-873-5863 Public Works 760-873-8458  
Fax 760-873-4873

June 13, 2011

William Morris, Operations Manager  
Pestmaster Services Inc.  
137 East South Street  
Bishop, CA 93514

Subject: Storage Container and Technician Trailer placement at 137 East South Street.

William,

Thank you for your timely reply requesting for a time extension for the removal of a Technician Trailer and applying for a conditional use permit for the placement of a cargo type storage container at Pestmaster Services, 137 E. South Street.

Please be advised that the City of Bishop is granting a time extension to September 14, 2011 for removal of the Technician Trailer and submittal of conditional use permit application for the placement of a cargo type storage container.

If further clarification is needed, please contact me at 760 873-8458.

Thank You,

Gary Schley  
Public Services Officer

Cc: James Southworth, City Administrator  
Dave Grah, Director of Public Works  
Peter Tracy, City Attorney

PESTMASTER SERVICES, INCORPORATED

**William Morris**

**Operations Manager**

137 E South Street

Bishop, CA 93514

PHONE (760) 873-8100

(800) 525-8866

Cell: (760) 427-2183

FAX (760) 873-4638

EMAIL [wmorris@pestmaster.com](mailto:wmorris@pestmaster.com)

INTERNET <http://www.pestmaster.com>



6/2/2011

City of Bishop

ATTN: Gary Schley

Gary

Pestmaster Services is submitting this letter to update the City on the progress that we have made in regards to satisfying the City of Bishop's concerns regarding the Storage Container, and the Technician Trailer, located behind our main office.

In our last meeting before the City Council, we all agreed that Pestmaster would see what it could do to solve the issue by combining the parcels. Pestmaster has found that this is not in fact a viable option. In response we have in fact moved all personnel out of the Technician Trailer, and have moved them into the main office. In doing this, it is our plan to move the Tech Trailer off the facility as requested originally by the City; in hopes that it will free up the possibility of review of the option of Pestmaster keeping the Storage Container in place.

Gary, when we last spoke, I informed you that we were in preparation to move the Technician Trailer to create a facility in the Northern part of California, were we were working with a Federal Government Contractor. However, since we have talked, this project has in fact been placed on hold due to lack of funding, and the recent threat of a Government shut-down.

While it is Pestmaster Services intent to follow through with the plan to move the Technician Trailer, we are at a standstill at this point to determine where we are going to place it. We are certainly working to solve the issue, and it is our goal to work with the City to establish a middle ground by moving this trailer, thus promoting hopes that the City of Bishop will recognize Pestmaster's effort to work with them to solve the issues at hand, thus paving the way for City approval of the Storage Container.

We respectfully request that Pestmaster simply has more time to evaluate where in fact we are going to place the Technician Trailer. We hope that the City will allow Pestmaster the summer to review the situation, move the Trailer, and get back with the City in regards to the Storage Container approval.

Respectfully

William Morris



Service centers across California, Arizona, Florida, Kansas, Nevada, Pennsylvania, Georgia, New Jersey, New York, South Carolina, Texas and Virginia

PESTMASTER SERVICES, INCORPORATED  
**William Morris, Branch Manager**  
137 E South Street  
Bishop, CA 93514  
PHONE (760) 873-8100  
(800) 525-8866  
Cell: (760) 427-2183  
FAX (760) 873-4638  
EMAIL [wmorris@pestmaster.com](mailto:wmorris@pestmaster.com)  
INTERNET <http://www.pestmaster.com>



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incorporated

4/1/2010

Letter in reference to City of Bishop Code Violation Notice.  
Dated March 19, 2010

Mr. Schley

I am writing this letter as manager of Pestmaster services, in response to a violation notice that we received from you dated March 19, 2010. This notice was in reference to a storage container that we have behind our facility.

This container was placed in 2001. In response to Jeff VanDiepen, company owner, needing a facility on site in order to store items of company interest. I.E, paper records, and other miscellaneous items.

The storage container in question currently houses the items that I have described above only. We do not under any circumstances ever have any pesticides or materials that are deemed hazardous in this container, as we store all such items in our company warehouse.

It is our hope that the board understands that this container was placed prior to the ordinance being set in place, and will allow us to maintain this container as is. This container provides us with an essential purpose, and we believe that its placement does not interfere with our neighboring residences. The container is vented, and again is only used to store company items in which are deemed necessary to record keeping requirements.

Thank You

William Morris





# Counties of Inyo & Mono



George L. Milovich  
Agricultural Commissioner  
Director of Weights and Measures  
207 W. South Street, Bishop, CA 93514  
Telephone - (760) 873-7860 Fax - (760) 872-1610  
<http://www.InyoMonoAgriculture.com>  
E-mail - InyoMonoAg@gmail.com

RECEIVED

SEP 15 2010

CITY OF BISHOP

Date: September 7, 2010

From: George Milovich, Agricultural Commissioner

A handwritten signature in black ink, appearing to read "G. Milovich".

Subject: Storage of Records

Section 6624 of the California Code of Regulations, and section 15205 of the California Food & Agriculture Code requires that headquarter inspections of pesticide operations be carried out regularly.

Records must also be readily accessible to State and County Inspectors, as inspections are done without notifications. We recommend that these records be kept onsite. These records must be retained for three years.

**JEFF VAN DIEPEN, PRESIDENT**

Corporate Headquarters

137 E. South Street

Bishop, CA 93514

PHONE (760) 873-8100, ext. 112

FAX (760) 873-4638

EMAIL [jvandiepen@pestmaster.com](mailto:jvandiepen@pestmaster.com)INTERNET <http://www.pestmaster.com/>

RECEIVED

SEP 07 2010

CITY OF BISHOP

September 3, 2010

Richard Pucci  
City of Bishop  
P.O. Box 1236  
Bishop, CA 93514

RE: 137 E. South Street, Bishop

Dear Rick,

I received your letter of September 1, and I know you've spoken with William Morris, our local Branch Manager. Of course, we'll attempt to do whatever we can to make the use of the container and the mobile office trailer within the permit requirements of the City.

As a 31+ year businessman here in Bishop, I would like you to know, that often to our detriment, we have stubbornly resisted external pressures to "move the home office" out of Bishop. With 26 franchises and 12 of our own operations, located in 14 states across the nation, the common complaints we hear have been:

- No commercial air service into Bishop for meetings
- 4 hour drive to reach Pestmaster
- Little to offer in the way of restaurants and entertainment
- Small pool of employee talent
- Etc.

The Bishop office has 16 employees working out of it, with 2 being part time. The result of a detrimental ruling against us, and the requirement to move the mobile trailer off our property, would be very disruptive. We would have no place to house at least 6 of these employees in the existing office space.

As you may be aware, business in California has been exceptionally difficult. In addition to it ranking 51<sup>st</sup> in the nation as being the "worst state to do business



Service centers across California, Arizona, Nevada, Texas,  
Florida, S. Carolina, Virginia, Georgia, Pennsylvania, New Jersey and New York

in” (including Puerto Rico), California has a growing number of disadvantages that that any reasonable businessman would have to consider when faced with new challenges like the permit issue with Bishop. Here’s a few:

- The Federal Government (Obama) has declared war on contract business and has an aggressive effort underway toward “in-sourcing”. This is eliminating contracts we have and is hurting our business.
- The State of California has been unable to pass its budget. Until it does, Pestmaster has the unenviable option of: working, but with an unknown time table for payment, OR: not work and delay state services until the budget is passed (which would spell lay-offs).
- An essential part of our business is termite control. This is directly related to real estate. As we all know, California’s real estate is in the tank, and by extension, this part of our business is also.
- Finally, we come to the issue of credit. Any businessman knows that credit lines have been eliminated or frozen, even for companies like myself, who have over 3 decades of profitability and success.

How do businesses in California weather all this? Regrettably, many don’t, and this is borne out by record bankruptcies being filed here in California.

For me, I won’t wait for that to happen. I already operate in Nevada, Virginia, Maryland and Florida, and any one of these states could serve us well as our “home offices”. You may already know, but I will confirm: I am a Nevada resident already, with a home and commercial property in Reno now. All our banking relationships are now in Nevada. I guess the question will be: Will the City of Bishop, and this “permit issue”, be the “straw that broke this camel’s back” on stubbornly hanging onto Bishop.

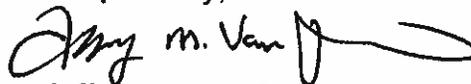
Of course we’ll continue to have a service center here, but I urge you to consider the effect of losing 6 full time jobs with benefits, on Bishop residents, who pay taxes, buy locally, and contribute to the community. This is the anticipated result of a negative decision on our request for the Conditional Use Permit.

California is in terrible shape. Regulation, taxes, frivolous litigations, etc. are just some of the factors driving business out. The challenges are many; and the tradeoff of clean air and the view of Mt. Tom is a diminishing return.

Page Three  
City of Bishop – Richard Pucci  
September 3, 2010

We hope that the City Counsel, and you Rick, will assist us and *want* to keep Pestmaster's full staff right here in Bishop. Thanks in advance for any help you can offer.

Respectfully,

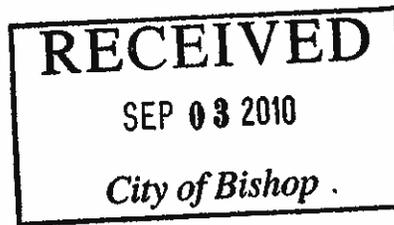
A handwritten signature in black ink, appearing to read "Jeffrey M. Van Diepen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jeffrey M. Van Diepen  
President and CEO

PESTMASTER SERVICES, INCORPORATED  
**William Morris**  
Northern CA/NV Operations Manager  
137 E South Street  
Bishop, CA 93514  
PHONE (760) 873-8100  
(800) 525-8866  
Cell: (760) 427-2183  
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INTERNET <http://www.pestmaster.com>

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9/1/2010

### REQUEST FOR APPEAL BY CITY COUNSEL

Pestmaster Services is sending this letter as a formal request to the City Council of Bishop, CA. to allow Pestmaster Services a Conditional Use Permit for the placement of an 8' X 40' storage container, and a 10' X 32' Technician trailer. Thus setting aside the original number of Parking Spaces for the facility, and waiving the requirement for a two-way driveway.

On 8/31/2010, Pestmaster Services, went before the Planning Commission, and requested the above. Regrettably, the Commission declined to give us these Conditional Use Permits. It is the feeling of the management and owner of Pestmaster Services that the commissions reasoning did not consider all the facts, and was based off the fact that the facilities in question have been used on premises for years without the permit (which we were unaware that was needed).

Pestmaster Services also asks that the City Council see the detriment that would result from us having to remove these facilities, or follow some of the suggestions of the Planning Commission (including tearing down a rental house, with Bishop already having critically low numbers of rentals for the public). The trailer and the storage container are vital parts of our operations, and we hope that we can work hand in hand with the Counsel to solve this issue.

I am aware from my previous meeting with the Counsel, that all counsel members have been supplied with all documentation, to include site maps for the project. Pestmaster Services is available at any time to discuss this issue before all members. Below I have overviewed a few points that I hope the Counsel will take into consideration.

**STORAGE CONTAINER:** The storage container has been on site since 2004. This facility is used for the storage of all company tax records, and all records that are required to be on site ready for inspection by the Department of Pesticide Regulation. At no time does Pestmaster Services store any Hazardous or Pesticide materials in this facility. In addition, this facility does not have any electrical, gas, or plumbing. You will also note by your site



Service centers across California, Arizona, Florida, Kansas, Nevada, Pennsylvania, Georgia, New Jersey, New York, South Carolina, Texas and Virginia

maps that this facility is vented. This container is essential to maintaining our records required by State, and Federal law.

TECHNICIAN TRAILER: This building has been in place since 1998. This facility houses the offices of the Bishop Personnel, as there is no office space available in the corporate facility, as the corporate building houses operations for Pestmaster Services across the United States. This building again has nothing but electrical run to the facility, which is up to City code, and also houses no Hazardous materials, or Pesticides. From this building we operate our business as it pertains to the City of Bishop, and it is the heart of all aspects of the Bishop operation.

COMMUNITY: Pestmaster Services has been apart of the Bishop community for 32 years now. We have graciously given back to our City in many ways. Examples are, Raffling off free services to raise money for Wild Iris, giving Bishop High School students scholarships, free herbicide applications to the Saddle Club, Sponsorship of community events, sponsoring soccer, basketball, softball teams, and most recently, providing a free herbicide application to the Catholic Church parking lot. Our commitment to our home town is real, and measurable.

The parking in the back of the corporate offices is employee parking. At no time have we ever had any customers enter our facility from the back door. With the container, and the Technician trailer, we have a total of 11 spaces available. This is short one from the original plans. In addition, we never have two way traffic coming in, and out of this parcel. Thus we have no need for a two way driveway. We have always made this work, and have never had any issues maneuvering through the parking area. In addition, on the parcel to the east, attached to the corporate facility, we have a garage that is capable of parking up to eight additional vehicles. And although it is public access parking there are three spaces in front of our facility that we use as well. Simply put, we have enough parking for our needs, and any potential walk through customer has always used the public access parking entering our building through the front.

In part the commissions seemed to feel that that E.South Street is simply too congested. Pestmaster Services is not the blame for this. High Country Lumber, takes up numerous parking spaces along this street with employees, and a few parcels to the east of ours there is a body shop that parks numerous vehicles along the public access as well. The City has known for some time that this is a commercial zone with limited space. Pestmaster uses *our spaces* to support our needs, and it is our hope that the Counsel can see that the overflow in the area is caused by other commercially zoned buildings not using theirs, thus producing the congestion the commission stated was unacceptable.

People who live, and work in the city of Bishop are fortunate in many ways. Bishop is a fine place to raise a family, and work. We are fortunate that we are able to control growth

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of the City based on surrounding property being under the arms of DWP, SCE, and BLM. Yet due to this many companies find it hard to expand within their parcel limits. Pestmaster Services has been able to do so by the use of the facilities that we are requesting a Conditional Permit for. Pestmaster Services, for 32 years has called Bishop, CA. its home. We have established ourselves in the community at many levels. Fact is that local business drives the economic engines of Cities prosperity, and when a company is not allowed to use reasonable resources to sustain its growth, and then they have no choice but to find resources outside of the community. I ask the question, who win's then? Nobody as the result effects many aspects in the community. We must work together.

In closing, we ask that the counsel look at this objectively, and see that Pestmaster Services is making every good intention to make things right, and legal. This is, and should not be an issue of the past permit situation, and we ask that we all focus on what measures We can take working with the City of Bishop to solve this issue, and allowing Pestmaster Services to keep operations as they currently exist. Please allow for the permits we have requested.

I look forward to meeting with the counsel regarding this issue, and all members our welcome for a tour of our operations at any time, by reaching me at the cell number above.

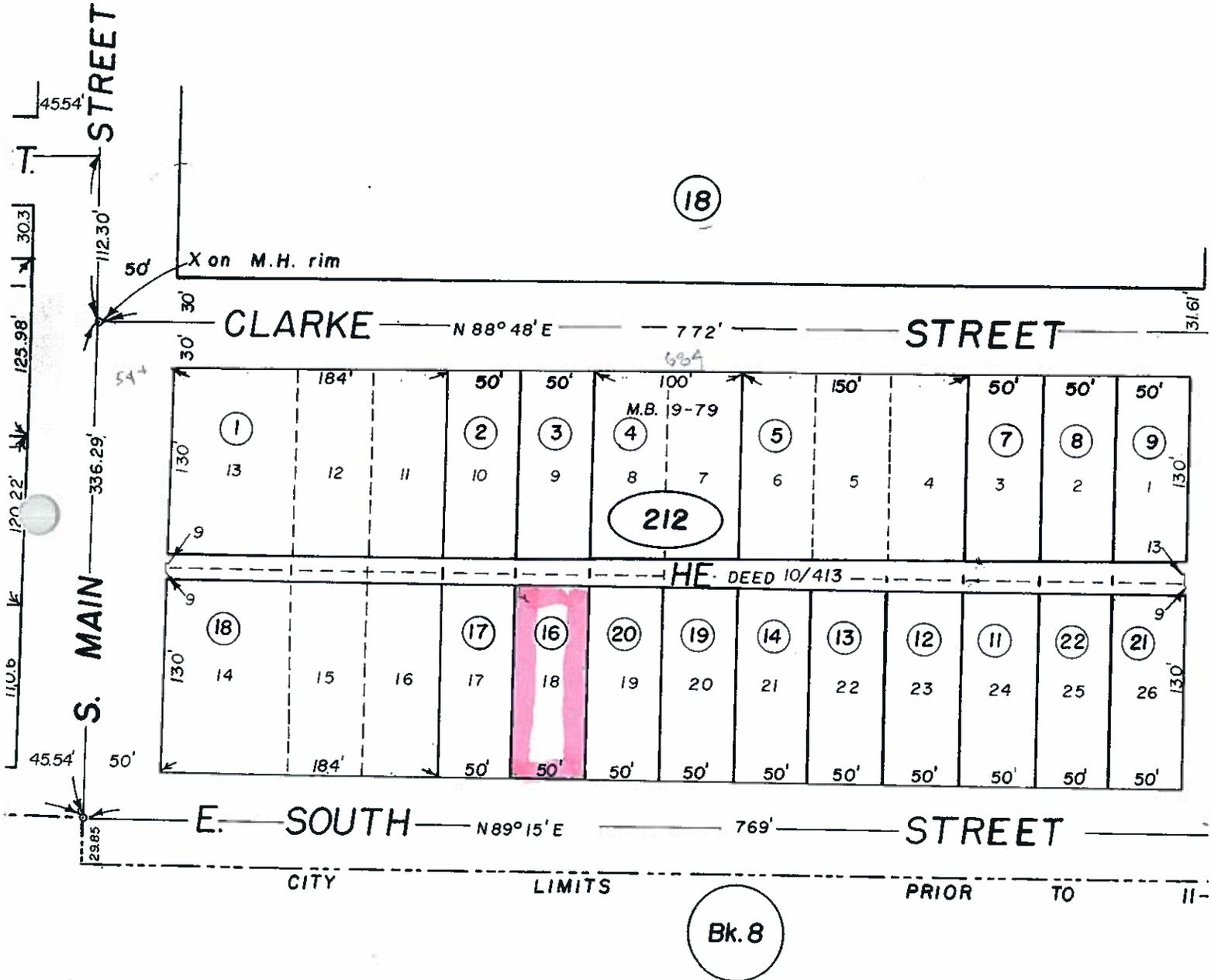
Respectfully,

William Morris

A handwritten signature in black ink, appearing to read 'William Morris', written in a cursive style.

POR. N $\frac{1}{2}$  SEC. 7, T. 7 S., R. 33 E. M. D. B. &

JOHN B. CLARKE ADDITION



John B. Clarke Addition M.O.R. Bk.1-Pg.51  
M.O.R. Bk-8 Pg.8  
M. O.R. Bk. 1-Pg.22



## **Election of Officers – Vice Chairman**

Chairman Huntley will open nominations for election of Vice Chairman

After all nominations have been made, a motion to close the nominations for Vice Chairman will be done. Roll call will be taken to close nominations.

A roll call will then be taken for the nominated person(s).

Newly elected Vice-Chairman will move to the correct seat next to the Chairman.

Both newly elected will serve the remainder of the current one year term.