



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.
Meeting Location: Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

Regular Meeting December 13, 2022

TELECONFERENCE INFORMATION

This meeting will be held both in person and via teleconferencing with some members of the Board possibly attending from separate teleconference and remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

Teleconference locations will be available to the public:

1. First and Second Meetings of Each Month in the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546;
2. Third Meeting of Each Month in the Mono County Courthouse, Second Floor Board Chambers, 278 Main Street, Bridgeport, CA. 93517;
3. Zoom Webinar.
Members of the public may participate via the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer:

Visit <https://monocounty.zoom.us/j/83350211876> or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 833 5021 1876.

To provide public comment, press the "Raise Hand" button on your screen.

To join the meeting by telephone: Dial (669) 900-6833, then enter Zoom Webinar ID 833 5021 1876. To provide public comment, press *9 to raise your hand and *6 to mute/unmute.

If you are unable to join the Zoom Webinar of the Board meeting, you may still view the live stream of the meeting by visiting: http://monocounty.granicus.com/MediaPlayer.php?publish_id=e42e610c-7f06-4b97-b1d6-739b1ff28cf8

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5530 or bos@mono.ca.gov. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to

this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517) and online at <http://monocounty.ca.gov/bos>. Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board and online.

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Opportunity for the public to address the Board on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments
Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

4. DEPARTMENT/COMMISSION REPORTS

Receive brief oral report on emerging issues and/or activities.

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. Review and Declaration of November 8, 2022 General Election Results

Departments: Elections

Presentation of certified election results.

Recommended Action: Accept certified statement of results of the November 8, 2022, General Election, and declare elected or nominated to each office voted on at each election under the jurisdiction of the Mono County Board of Supervisors the person having the highest number of votes for that office, or who was elected or nominated under the exceptions noted in Elections Code Section 15452.

Fiscal Impact: None.

B. FY2022 Homeland Security Grant Program (HSGP) Governing Body Resolution

Departments: Emergency Management

Proposed resolution authorizing the County Administrative Officer, or the Director of Emergency Management as designated by the County Administrative Officer, with approval as to form by County Counsel where written approval is required, to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security through the Homeland Security Grant Program.

Recommended Action: Consider and potentially adopt proposed resolution R22-___, authorizing the County Administrative Officer, or the Director of Emergency Management as designated by the County Administrative Officer, to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security through the Homeland Security Grant Program.

Fiscal Impact: The award for HSGP is in the amount of \$87,762 with no match required. An adjustment will be made with the mid-year budget request.

C. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 10/31/2022.

Recommended Action: Approve the Treasury Transaction Report for the month ending 10/31/2022.

Fiscal Impact: None.

D. FY2021/2022 County Audit Engagement Letter

Departments: Finance

This audit engagement letter between the County of Mono and the audit firm of Price Paige & Company, and subject to an existing contract for services entered into on August 7, 2018, establishes an understanding about the audit services to be performed and the responsibilities of each party.

Recommended Action: Approve Chair of the Board of Supervisors signature on the Fiscal Year 2021 - 2022 audit engagement letter between the County of Mono and the audit firm of Price Paige & Company.

Fiscal Impact: The cost of this audit for FY2021/2022 is \$77,552, which is included in the Finance Department's adopted budget for FY2022/2023.

E. Sale of Tax-Defaulted Property

Departments: Finance

Request for Approval to Sell Tax-Defaulted Property Subject to the Power of Sale.

Recommended Action: Approve Request and Resolution to Sell Tax-Defaulted Property Subject to the Power of Sale.

Fiscal Impact: Total of all minimum bids is \$56,683. Minimum bids include known costs. There could potentially be additional costs not included in the minimum bid, which are unknown at this time.

F. Public Health Position Allocation List Amendment Request

Departments: Public Health

Proposed resolution R22-___ authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to remove one Limited Term COVID Screener Bilingual and add one Fiscal and Technical Specialist II/III in the Department of Public Health.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: Estimated remaining FY2022/23 position cost for the Fiscal and Technical Specialist is salary range of \$3,720 – \$4,991 per month and benefit range of \$2,054 - \$2,488 per month offset by the position savings from the removal of the Limited Term COVID Screener Bilingual, already appropriated in the FY2022/23 budget.

G. Letter of Support for the G.C. Forest Products Wood Pellet Mill Application for the USDA Forest Service WPIA

Departments: Clerk of the Board

Letter of support for the G. C. Forest Products Wood Pellet Mill Application to the Wood Product Infrastructure Assistance Grant Program. If awarded, the funds will be used to construct a wood pellet manufacturing facility in the Mammoth Lakes area.

Recommended Action: Approve letter as presented or amended.

Fiscal Impact: None.

6. CORRESPONDENCE RECEIVED - NONE

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

7. REGULAR AGENDA - MORNING

A. COVID-19 (Coronavirus) Update

Departments: Public Health

10 minutes

(Dr. Caryn Slack, Public Health Officer) - Update on Countywide response and planning related to the COVID-19 pandemic.

Recommended Action: None, informational only.

Fiscal Impact: None.

B. Rural County Representation of California (RCRC) Strategic Plan Presentation

Departments: Board of Supervisors, Sponsored by Supervisor Corless

25 minutes

(Barbara Hayes, Chief Economic Development Officer) - Presentation of Rural County Representation of California (RCRC) strategic plan by Barbara Hayes, Chief Economic Development Officer.

Recommended Action: Informational only.

Fiscal Impact: None.

C. Public Hearing: Small Residential Rooftop Solar Energy Permit Expediting Ordinance

Departments: Community Development Department

PUBLIC HEARING: 9:00 AM (15 minutes)

(Tom Perry, Building Official) - Public Hearing on Small Residential Rooftop Solar Energy Permit Expediting Ordinance.

Recommended Action: Hold Public Hearing, introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

Fiscal Impact: None.

D. Public Hearing: Adoption of the 2022 California Building Code

Departments: Community Development Department

PUBLIC HEARING: 9:05 AM (30 minutes)

(Tom Perry, Building Official) - Public Hearing on the Adoption of the 2022 California Building Code.

Recommended Action: Introduce, read title, and waive further reading of proposed ordinance to adopt a revised Chapter 15.04 of Mono County Code Title 15 with certain local amendments, additions and deletions, and amend the previously adopted California Building Standards Code. Provide any desired

direction to staff.

Fiscal Impact: None.

E. Employment Agreement - Assistant County Counsel

Departments: County Counsel

5 minutes

(Stacey Simon, County Counsel) - Proposed resolution approving a contract with Anne L. Frievalt as Assistant County Counsel, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R22-____, approving a contract with Anne L. Frievalt as Assistant County Counsel, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: The full cost of salary and benefits for an entire fiscal year is approximately \$195,149 of which \$147,081 is salary and \$48,072 is benefits. This is included in the adopted budget.

F. Policy Regarding Public Use of County Facilities and Property

Departments: CAO

15 minutes

(Robert C. Lawton, CAO) - Proposed resolution adopting Policy Regarding Public Use of County Facilities and Real Property and finding that the project is exempt from review under the California Environmental Quality Act under the Class 1 exemption for existing facilities.

Recommended Action:
Adopt proposed resolution.

Fiscal Impact: None.

G. Public Hearing: General Plan Amendment 22-01 Redesignating a Parcel in the Mono Basin from Resource Management (RM) to Industrial (I)

Departments: Community Development

PUBLIC HEARING: 10:00 AM (15 minutes)

(Wendy Sugimura, Community Development Director) - Proposed resolution approving General Plan Amendment (GPA) 22-01, which proposes to change the land use designation from Resource Management (RM) to Industrial (I) at 7937 Highway 167 in the Mono Basin (APN 013-210-028) in order to support a proposed waste transfer facility.

Recommended Action:

1. Hold the public hearing, receive public testimony, deliberate the project including the associated Negative Declaration environmental document, and make any desired changes.
2. Certify the Negative Declaration and make the findings for General Plan Amendment (GPA) 22-01 as contained in this staff report or with any desired modifications.
3. Adopt Resolution R22-__ to change the land use designation from Resource Management (RM) to Industrial (I) at 7937 Highway 167 in the Mono Basin (APN 013-210-028).
4. Direct staff to return to the board within two years with a proposed Specific Plan for the property which memorializes the uses described in the Use Permit and restricts other uses.

Fiscal Impact: None.

8. CLOSED SESSION

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, Patty Francisco, and Oliver Yee. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

B. Closed Session - Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: County lands and rights-of-way containing Digital 395 node sites, community service cabinet sites, anchor sites, and underground fiber optic transmission lines as described on the attachment to this agenda item. Agency Negotiators: Robert C. Lawton and Stacey Simon. Negotiating parties: Mono County and California Broadband Cooperative, Inc. Under negotiation: Price and terms of payment.

C. Closed Session - Public Employee Evaluation

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

9. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

ADJOURN



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Elections

TIME REQUIRED

SUBJECT Review and Declaration of November 8, 2022 General Election Results

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation of certified election results.

RECOMMENDED ACTION:

Accept certified statement of results of the November 8, 2022, General Election, and declare elected or nominated to each office voted on at each election under the jurisdiction of the Mono County Board of Supervisors the person having the highest number of votes for that office, or who was elected or nominated under the exceptions noted in Elections Code Section 15452.

FISCAL IMPACT:

None.

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: 7609325538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Certification

History

Time	Who	Approval
12/7/2022 1:08 PM	County Counsel	Yes

12/9/2022 8:43 AM

Finance

Yes

12/9/2022 11:30 AM

County Administrative Office

Yes



**CLERK – RECORDER – REGISTRAR
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF MONO**

**P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5530 • FAX (760) 932-5531**

Scheereen Dedman
Clerk-Recorder-Registrar
760-932-5538
sdedman@mono.ca.gov

Queenie Barnard
Assistant Clerk-Recorder-Registrar
760-932-5534
qbarbard@mono.ca.gov

To: Honorable Board of Supervisors
From: Scheereen Dedman, Registrar of Voters
Date: December 13, 2022

Subject

Declaration of the County Clerk/Registrar of Voters of the Results of the November 8, 2022 General Election.

Recommended Action

Accept certified statement of results of the November 8, 2022, General Election, and declare elected or nominated to each office voted on at each election under the jurisdiction of the Mono County Board of Supervisors the person having the highest number of votes for that office, or who was elected or nominated under the exceptions noted in Elections Code Section 15452.

Discussion

On November 8, 2022, the General Election was held.

Per Elections Code §15372, *“The elections official shall prepare a certified statement of the results of the election and submit to the governing body within 30 days of the election.”*

Per Elections Code §15400, *“The governing body shall declare elected or nominated to each office voted on at each election under its jurisdiction the person having the highest number of votes for that office, or who was elected or nominated under the exceptions noted in Section 15452. The governing board shall also declare the results of each election under its jurisdiction as to each measure voted on at the election.”*

Following the canvass of the election, the results of each election contest are on the attached Certification of Vote.

Fiscal Impact

None.

**HELP AMERICA VOTE ACT OF 2002
CERTIFICATION OF ELECTIONS OFFICIAL**

STATE OF CALIFORNIA

COUNTY OF _____

} ss.

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) 52 U.S.C. § 21083),

I, _____, County Clerk/Registrar of Voters for the County of _____, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the Federal election held on the 8th day of November 2022, in the County of _____, State of California and all elections consolidated therewith.

I hereby set my hand and official seal this ____ day of _____, 2022, at the County of _____



COUNTY
SEAL

County Clerk/Registrar of Voters
County of _____
State of California

**CERTIFICATION OF
COUNTY CLERK/REGISTRAR OF VOTERS OF THE
RESULTS OF THE CANVASS
OF THE NOVEMBER 8, 2022, GENERAL ELECTION**

STATE OF CALIFORNIA

COUNTY OF _____

} ss.

I, _____, County Clerk/Registrar of Voters of County of _____, do hereby certify that, in pursuance of the provisions of Elections Code section 15300, et seq., I did canvass the results of the votes cast in the General Election held in said County on November 8, 2022, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast, to which this certificate is attached is full, true, and correct.

I hereby set my hand and official seal this ____ day of _____, 2022, at the County of _____



County Clerk/Registrar of Voters
County of _____
State of California



Voting Technology Incident Reporting Form

Use the following form to report any voting technology incident that occurred during use. Voting technology incidents include, but are not limited to, issues such as paper jams, printing errors, or any defect, fault or failure pursuant to Election Code sections 19215 and 19290, and California Code of Regulations section 20161.

A. Election Official:

No Incidents to Report

Jurisdiction

Name

Title

Phone Number

Email

Reported to Vendor

Yes

No

B. Product Description:

Vendor Name

Type of Voting Technology

Ballot Marking Device

Ballot on Demand

Central Scanner/Tabulator

Precinct Tabulator

RAVBM

ePollbook

Other

System Model

Hardware & Software Versions

Unit Serial Numbers

C. Description of Incident(s):

Date of Occurrence

Voting Location

Election Name

Date of Election

Description of Each Incident. Attach Additional Sheets if Necessary.



Remote Accessible Vote by Mail (RAVBM) Reporting Form

For any election that a California jurisdiction uses a remote accessible vote by mail system, the jurisdiction shall provide a report to the Secretary of State, within 30 calendar days of certifying the election results, listing the number of voters that used the system and all technical issues reported (if any), along with any mitigations.

A. Election Official:

Jurisdiction

Name

Title

Contact Phone Number

Contact Email

C. Description of RAVBM Usage:

Election Name

Dates RAVBM was Available

Date of Election

Description of Technical Issues and Mitigations if Any. Attach Additional Sheets if Necessary.

B. Product Description:

RAVBM URL or Online Address

Type of RAVBM

Democracy Live

LA County VSAP ISB

Dominion

Five Cedars Group

RAVBM Technical Assistance Telephone Number

Number of Voters that Registered to use RAVBM

Number of Voters that Voted using the RAVBM

REPORT OF 1% MANUAL TALLY
[Elections Code section 15360]

County: _____

Election: _____

Manual tally method used: ____ One Part [section 15360(a)(1)]

____ Two Part [section 15360(a)(2)]

Date and time notice provided (attach copy of the notice):

--

Internet website where additional information about the manual tally is posted, if applicable:

--

Date and time the manual tally commenced, beginning with the random selection of precincts and batches (must be after the close of the polls on Election Day):

--

Date and time the manual tally finished:

--

Estimated number of members of the public who observed the process:

--

Total number of ballots counted in this election (official canvass numbers):

Polling place / vote center ballots (including provisionals)	
Vote-by-mail ballots	

Total number of ballots manually tallied:

Polling place / vote center ballots (including provisionals)	
Vote-by-mail ballots	

Precincts in the county for this election (attach list describing all precincts with the number of ballots in each, indicating whether ballots are polling place / vote center, vote-by-mail, or provisional):

Total number of precincts in the election	
Total number of precincts selected for the manual tally	

Batches of vote-by-mail or provisional ballots (attach list describing each batch with the number of ballots in each, indicating whether ballots are polling place / vote center, vote-by-mail, or provisional):

Total number of batches in the election	
Total number of batches selected for the manual tally	

Method used to choose precincts and batch of ballots to manually tally (include description of random selection method):

--

attach additional pages if necessary

Description of any discrepancies noted (include details about each discrepancy and how each was resolved; also include anything unusual observed during the manual tally process or anything that may improve the manual tally process):

--

attach additional pages if necessary

This report is submitted pursuant to Elections Code section 15360(f).

Submitted on this date: _____ by:

Elections Official Name: _____ Signature: John Decker



November 8, 2022, GENERAL ELECTION

Pursuant to California Elections Code §15360(a)(2)(e), the elections official is required to provide public notice of the time and place of the manual tally and of the time and place of the selection of the precincts subject to the manual tally before conducting the selection and tally.

MANUAL TALLY PRECINCT SELECTION:

Tuesday, November 15, 2022, at 10 A.M.

MANUAL TALLY:

Begins no earlier than 10 A.M. on Wednesday, November 16, 2022, to 4:00 P.M. daily until completed (excluding weekends and holidays).

Location: Mono County Elections, 74 School St., Annex I, Bridgeport, CA 93517

Elections: 760-932-5537

Main: 760-932-5530

<https://monocounty.ca.gov/elections>



Secretary of State

Elections Division
California Statewide Candidates and Elections System (VoteCal)

County Vote Reporting Form
November 8, 2022, General Election

Voter Nominated and Ballot Measures Official Canvass

Mono County

Total Precincts: 12

Precinct Ballots:			Absentee Ballots:		
Date: _____			Total Ballots Cast: _____		
ID	Party	Candidate	Votes		
Governor					
1722	REP	Brian Dahle			
882	DEM	*Gavin Newsom			
Lieutenant Governor					
878	DEM	*Eleni Kounalakis			
2095	REP	Angela E. Underwood Jacobs			
Secretary of State					
2099	REP	Rob Bernosky			
982	DEM	Shirley N. Weber			
Controller					
1190	REP	Lanhee J. Chen			
1090	DEM	Malia M. Cohen			
Treasurer					
1941	REP	Jack M. Guerrero			
880	DEM	*Fiona Ma			
Attorney General					
1453	DEM	Rob Bonta			
1085	REP	Nathan Hochman			
Insurance Commissioner					
1685	REP	Robert Howell			
942	DEM	*Ricardo Lara			
Superintendent of Public Instruction					
2081	NP	Lance Ray Christensen			
883	NP	*Tony K. Thurmond			
Board of Equalization Member District 1			Precincts Reporting	of 12 with votes cast:	
1739	DEM	Jose S. Altamirano			
891	REP	Ted Gaines			

* Incumbent

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County Vote Reporting Form
November 8, 2022, General Election

Voter Nominated and Ballot Measures Official Canvass

Mono County

Total Precincts: 12

ID	Party	Candidate	Votes	
US Senate - 1				
1406	REP	Mark P. Meuser		
1581	DEM	Alex Padilla		
US Senate - 3 Partial/Unexpired Term				
1477	REP	Mark P. Meuser		
1578	DEM	Alex Padilla		
United States Representative District 3			Precincts Reporting	of 12 with votes cast:
1889	DEM	Kermit Jones		
1868	REP	Kevin Kiley		
State Senate District 4			Precincts Reporting	of 12 with votes cast:
1725	DEM	Marie Alvarado-Gil		
1782	DEM	Tim Robertson		
State Assembly Member District 8			Precincts Reporting	of 12 with votes cast:
2194	LIB	Thomas Edward Nichols		
1781	REP	Jim Patterson		
Supreme Court Chief Justice			Yes	No
2287	NP	Patricia Guerrero		
Supreme Court Associate Justice Seat 1			Yes	No
2240	NP	Martin J. Jenkins		
Supreme Court Associate Justice Seat 3			Yes	No
2241	NP	Goodwin Liu		
Supreme Court Associate Justice Seat 6			Yes	No
2242	NP	Joshua P. Groban		
COA - AJ - District 3 Seat 2			Yes	No
2244	NP	Harry Hull		
COA - AJ - District 3 Seat 4			Yes	No
2275	NP	Laurie M. Earl		
COA - AJ - District 3 Seat 7			Yes	No
2284	NP	Stacy Boulware Eurie		
COA - AJ - District 3 Seat 10			Yes	No
2283	NP	Peter Krause		

* Incumbent



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County Vote Reporting Form
November 8, 2022, General Election

Voter Nominated and Ballot Measures Official Canvass

Mono County

Total Precincts: 12

Ballot Measures		Yes	No
1	Constitutional Right to Reproductive Freedom		
26	Sports Wagering on Tribal Lands		
27	Online Sports Wagering Outside of Tribal Lands		
28	Public School Arts and Music Education Funding		
29	Regulates Kidney Dialysis Clinics		
30	Tax to Fund ZEV/Wildfire Programs		
31	Prohibition on Sale of Certain Tobacco Products		

* Incumbent



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Governor	<u>Votes</u>
Brian Dahle	
<u>Supervisorial Districts</u>	
County Supervisorial 1	
County Supervisorial 2	
County Supervisorial 3	
County Supervisorial 4	
County Supervisorial 5	
<u>Congressional Districts</u>	
US Congressional 3	
<u>State Senate Districts</u>	
State Senate 4	
<u>State Assembly Districts</u>	
State Assembly 8	
<u>BOE Districts</u>	
State Board of Equalization 1	
<u>Municipal Districts</u>	
Mammoth Lakes	
Unincorporated Area	



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Governor	<u>Votes</u>
*Gavin Newsom	
<u>Supervisorial Districts</u>	
County Supervisorial 1	
County Supervisorial 2	
County Supervisorial 3	
County Supervisorial 4	
County Supervisorial 5	
<u>Congressional Districts</u>	
US Congressional 3	
<u>State Senate Districts</u>	
State Senate 4	
<u>State Assembly Districts</u>	
State Assembly 8	
<u>BOE Districts</u>	
State Board of Equalization 1	
<u>Municipal Districts</u>	
Mammoth Lakes	
Unincorporated Area	



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

United States Senate (Full Term)	Votes
Mark P. Meuser	
<u>Supervisorial Districts</u>	
County Supervisorial 1	
County Supervisorial 2	
County Supervisorial 3	
County Supervisorial 4	
County Supervisorial 5	
<u>Congressional Districts</u>	
US Congressional 3	
<u>State Senate Districts</u>	
State Senate 4	
<u>State Assembly Districts</u>	
State Assembly 8	
<u>BOE Districts</u>	
State Board of Equalization 1	
<u>Municipal Districts</u>	
Mammoth Lakes	
Unincorporated Area	



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California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

United States Senate (Full Term)	Votes
Alex Padilla	
<u>Supervisorial Districts</u>	
County Supervisorial 1	
County Supervisorial 2	
County Supervisorial 3	
County Supervisorial 4	
County Supervisorial 5	
<u>Congressional Districts</u>	
US Congressional 3	
<u>State Senate Districts</u>	
State Senate 4	
<u>State Assembly Districts</u>	
State Assembly 8	
<u>BOE Districts</u>	
State Board of Equalization 1	
<u>Municipal Districts</u>	
Mammoth Lakes	
Unincorporated Area	



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

United States Senate (Partial/Unexpired Term)	<u>Votes</u>
Mark P. Meuser	
<u>Supervisorial Districts</u>	
County Supervisorial 1	
County Supervisorial 2	
County Supervisorial 3	
County Supervisorial 4	
County Supervisorial 5	
<u>Congressional Districts</u>	
US Congressional 3	
<u>State Senate Districts</u>	
State Senate 4	
<u>State Assembly Districts</u>	
State Assembly 8	
<u>BOE Districts</u>	
State Board of Equalization 1	
<u>Municipal Districts</u>	
Mammoth Lakes	
Unincorporated Area	



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

United States Senate (Partial/Unexpired Term)	<u>Votes</u>
Alex Padilla	
<u>Supervisorial Districts</u>	
County Supervisorial 1	
County Supervisorial 2	
County Supervisorial 3	
County Supervisorial 4	
County Supervisorial 5	
<u>Congressional Districts</u>	
US Congressional 3	
<u>State Senate Districts</u>	
State Senate 4	
<u>State Assembly Districts</u>	
State Assembly 8	
<u>BOE Districts</u>	
State Board of Equalization 1	
<u>Municipal Districts</u>	
Mammoth Lakes	
Unincorporated Area	



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Ballot Measures	Yes	No
Constitutional Right to Reproductive Freedom		
<u>Supervisorial Districts</u>		
County Supervisorial 1		
County Supervisorial 2		
County Supervisorial 3		
County Supervisorial 4		
County Supervisorial 5		
<u>Congressional Districts</u>		
US Congressional 3		
<u>State Senate Districts</u>		
State Senate 4		
<u>State Assembly Districts</u>		
State Assembly 8		
<u>BOE Districts</u>		
State Board of Equalization 1		
<u>Municipal Districts</u>		
Mammoth Lakes		
Unincorporated Area		



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Ballot Measures	Yes	No
Sports Wagering on Tribal Lands		
<u>Supervisorial Districts</u>		
County Supervisorial 1		
County Supervisorial 2		
County Supervisorial 3		
County Supervisorial 4		
County Supervisorial 5		
<u>Congressional Districts</u>		
US Congressional 3		
<u>State Senate Districts</u>		
State Senate 4		
<u>State Assembly Districts</u>		
State Assembly 8		
<u>BOE Districts</u>		
State Board of Equalization 1		
<u>Municipal Districts</u>		
Mammoth Lakes		
Unincorporated Area		



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Ballot Measures	Yes	No
Online Sports Wagering Outside of Tribal Lands		
<u>Supervisorial Districts</u>		
County Supervisorial 1		
County Supervisorial 2		
County Supervisorial 3		
County Supervisorial 4		
County Supervisorial 5		
<u>Congressional Districts</u>		
US Congressional 3		
<u>State Senate Districts</u>		
State Senate 4		
<u>State Assembly Districts</u>		
State Assembly 8		
<u>BOE Districts</u>		
State Board of Equalization 1		
<u>Municipal Districts</u>		
Mammoth Lakes		
Unincorporated Area		



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Ballot Measures	Yes	No
Public School Arts and Music Education Funding		
<u>Supervisorial Districts</u>		
County Supervisorial 1		
County Supervisorial 2		
County Supervisorial 3		
County Supervisorial 4		
County Supervisorial 5		
<u>Congressional Districts</u>		
US Congressional 3		
<u>State Senate Districts</u>		
State Senate 4		
<u>State Assembly Districts</u>		
State Assembly 8		
<u>BOE Districts</u>		
State Board of Equalization 1		
<u>Municipal Districts</u>		
Mammoth Lakes		
Unincorporated Area		



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Ballot Measures	Yes	No
Regulates Kidney Dialysis Clinics		
<u>Supervisorial Districts</u>		
County Supervisorial 1		
County Supervisorial 2		
County Supervisorial 3		
County Supervisorial 4		
County Supervisorial 5		
<u>Congressional Districts</u>		
US Congressional 3		
<u>State Senate Districts</u>		
State Senate 4		
<u>State Assembly Districts</u>		
State Assembly 8		
<u>BOE Districts</u>		
State Board of Equalization 1		
<u>Municipal Districts</u>		
Mammoth Lakes		
Unincorporated Area		



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Ballot Measures	Yes	No
Tax to Fund ZEV/Wildfire Programs		
<u>Supervisorial Districts</u>		
County Supervisorial 1		
County Supervisorial 2		
County Supervisorial 3		
County Supervisorial 4		
County Supervisorial 5		
<u>Congressional Districts</u>		
US Congressional 3		
<u>State Senate Districts</u>		
State Senate 4		
<u>State Assembly Districts</u>		
State Assembly 8		
<u>BOE Districts</u>		
State Board of Equalization 1		
<u>Municipal Districts</u>		
Mammoth Lakes		
Unincorporated Area		



Secretary of State

Elections Division

California Statewide Candidates and Elections System (VoteCal)

Supplement to the Statement of Vote for the General Election

Voter Nominated and Ballot Measures

Mono County Input Document

Ballot Measures	Yes	No
Prohibition on Sale of Certain Tobacco Products		
<u>Supervisorial Districts</u>		
County Supervisorial 1		
County Supervisorial 2		
County Supervisorial 3		
County Supervisorial 4		
County Supervisorial 5		
<u>Congressional Districts</u>		
US Congressional 3		
<u>State Senate Districts</u>		
State Senate 4		
<u>State Assembly Districts</u>		
State Assembly 8		
<u>BOE Districts</u>		
State Board of Equalization 1		
<u>Municipal Districts</u>		
Mammoth Lakes		
Unincorporated Area		



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Emergency Management

TIME REQUIRED

SUBJECT FY2022 Homeland Security Grant
Program (HSGP) Governing Body
Resolution

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution authorizing the County Administrative Officer, or the Director of Emergency Management as designated by the County Administrative Officer, with approval as to form by County Counsel where written approval is required, to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security through the Homeland Security Grant Program.

RECOMMENDED ACTION:

Consider and potentially adopt proposed resolution R22-____, authorizing the County Administrative Officer, or the Director of Emergency Management as designated by the County Administrative Officer, to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security through the Homeland Security Grant Program.

FISCAL IMPACT:

The award for HSGP is in the amount of \$87,762 with no match required. An adjustment will be made with the mid-year budget request.

CONTACT NAME: Chris Mokracek

PHONE/EMAIL: 760-924-4633 / cmokracek@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
FY2022 HSGP Resolution
FY2022 HSGP Subaward Approval Letter

History

Time	Who	Approval
12/5/2022 5:47 PM	County Counsel	Yes
12/6/2022 9:31 AM	Finance	Yes
12/9/2022 11:30 AM	County Administrative Office	Yes



**OFFICE OF EMERGENCY MANAGEMENT
COUNTY OF MONO**

**Chris Mokracek, Director
(760) 924-4633**

Date: December 13, 2022
To: Honorable Board of Supervisors
From: Chris Mokracek, Director of Emergency Management
Subject: CalOES Governing Body Resolution for purposes of Emergency Management Performance Grant administration

Recommended Action:

Authorize the Board Chair to sign the FY2022 Homeland Security Grant Program (HSGP) - Governing Body Resolution document for CalOES

Discussion:

Mono County is a sub-grantee of the State of California for the Homeland Security Grant Program (HSGP), which is managed by the California Governor's Office of Emergency Services (CalOES). CalOES requires the Board of Supervisors to appoint specific staff to execute for, and on behalf of the County for all actions related to the administration of these grants. The authorization of these specific staff is signified via the Governing Body Resolution (GBR) document which must be approved by the Board of Supervisors.

Fiscal Impact:

The FY2022 HSGP award to Mono County is \$87,762.



R22-__

**A RESOLUTION AUTHORIZING MONO COUNTY TO PARTICIPATE IN THE
FY 2022 HOMELAND SECURITY GRANT PROGRAM (HSGP) AND DESIGNATING
EITHER THE DIRECTOR OF EMERGENCY MANAGEMENT OR COUNTY
ADMINISTRATIVE OFFICER (CAO) AS AUTHORIZED AGENTS TO SIGN FOR
AND ADMINISTER THE GRANT.**

WHEREAS, Mono County is a political subdivision of the State of California, and is a sub-grantee of the State of California for the Homeland Security Grants Program (HSGP), which are managed by the California Governor’s Office of Emergency Services (CalOES); and

WHEREAS, Mono County wishes to participate in the FY2022 HSGP Program; and

WHEREAS, CalOES requires the Board of Supervisors to appoint specific staff to execute documents and act on behalf of the County for all actions related to the administration of these grants therefor;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that:

The County of Mono’s participation in the FY2022 Homeland Security Grants Program (HSGP) is hereby authorized, and the CAO or the Director of Emergency Management are authorized to execute for and on behalf of Mono County and any actions necessary for the purpose of obtaining financial assistance provided by the federal Department of Homeland Security and sub-awarded through the State of California, and to act as the County’s agents with respect thereto.

PASSED, APPROVED and ADOPTED this 13th day of December, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bob Gardner, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



October 24, 2022

Bob Lawton
County Administrative Officer
Mono County
Post Office Box 696
Bridgeport, CA 93546

SUBJECT: **NOTIFICATION OF SUBRECIPIENT SUBAWARD APPROVAL**
Fiscal Year (FY) 2022 Homeland Security Grant Program (HSGP)
Subaward #2022-0043, Cal OES ID#051-00000
Subaward Period of Performance: 09/01/2022-05/31/2025

Dear Mr. Lawton:

We are pleased to announce the approval of your FY 2022 HSGP subaward in the amount of \$87,762.

Once the completed application is received and approved, reimbursement of eligible subaward expenditures may be requested using the California Governor's Office of Emergency Services (Cal OES) Financial Management Forms Workbook. Failure to provide documentation in a timely manner could result in a hold on funding, pursuant to Title 2, Code of Federal Regulations (CFR), Sections 200.338(a) and 200.207(b)(1)-(2).

This subaward is subject to requirements in 2 CFR, Part 200, including the Notice of Funding Opportunity (NOFO), the Preparedness Grants Manual, the California Supplement to the NOFO, and all applicable federal, state, and local requirements. All activities funded with this subaward must be completed within the subaward period of performance.

Subrecipients must obtain additional written approval **prior** to incurring costs for activities such as aviation, watercraft, allowability request logs, noncompetitive procurement, and projects requiring Environmental Planning and Historic Preservation review.



Bob Lawton
October 24, 2022
Page 2 of 2

Your organization will be required to prepare and submit the Biannual Strategy Implementation Report to Cal OES via the Federal Emergency Management Agency Grants Reporting Tool (GRT) semi-annually for the duration of the subaward period of performance or until all activities are completed and the subaward is formally closed. Failure to submit required reports could result in subaward reduction, suspension, or termination. Throughout the subaward cycle, milestones set in the GRT will be used as indicators of project feasibility, performance, and grant management capacity. This information may also be used in assessing proposals in future grant opportunities.

Your dated signature is required on this letter. Please sign and return the original to your Cal OES Program Representative within 20 calendar days upon receipt and keep a copy for your records. For further assistance, please contact your Cal OES Program Representative.

Sincerely,



MARK S. GHILARDUCCI
Director



Bob Lawton
Mono County

Oct 27, 2022

Date




HSGP FY22 Subaward Letter - Mono County

Final Audit Report

2022-10-27

Created:	2022-10-27
By:	Chris Mokracek (cmokracek@mono.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAWZFW_dQLn1qTkJpPsOmprsJrSel6GekQ

"HSGP FY22 Subaward Letter - Mono County" History

-  Document created by Chris Mokracek (cmokracek@mono.ca.gov)
2022-10-27 - 8:22:40 PM GMT- IP address: 162.252.90.163
-  Document emailed to Robert Lawton (rlawton@mono.ca.gov) for signature
2022-10-27 - 8:23:23 PM GMT
-  Email viewed by Robert Lawton (rlawton@mono.ca.gov)
2022-10-27 - 10:06:31 PM GMT- IP address: 24.104.78.30
-  Document e-signed by Robert Lawton (rlawton@mono.ca.gov)
Signature Date: 2022-10-27 - 10:06:45 PM GMT - Time Source: server- IP address: 24.104.78.30
-  Agreement completed.
2022-10-27 - 10:06:45 PM GMT





**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Finance

TIME REQUIRED

SUBJECT Monthly Treasury Transaction Report

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Treasury Transaction Report for the month ending 10/31/2022.

RECOMMENDED ACTION:

Approve the Treasury Transaction Report for the month ending 10/31/2022.

FISCAL IMPACT:

None.

CONTACT NAME: Gerald Frank

PHONE/EMAIL: 7609325483 / gfrank@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Treasury Transaction Report for the month ending 10/31/2022

History

Time	Who	Approval
11/30/2022 10:39 AM	County Counsel	Yes
11/23/2022 9:07 AM	Finance	Yes
12/9/2022 11:31 AM	County Administrative Office	Yes



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2022, End Date: 10/31/2022

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Buy Transactions									
Buy	10/4/2022	3130A0F70	1,000,000.00	FHLB 3.375 12/8/2023	98.96	989,590.00	10,875.00	4.29	1,000,465.00
Buy	10/4/2022	313384AE9	1,000,000.00	FHLB 0 1/5/2023	99.10	990,997.08	0.00	3.52	990,997.08
Buy	10/14/2022	3133ENS50	1,000,000.00	FFCB 4.125 10/14/2027	99.58	995,830.00	0.00	4.22	995,830.00
Buy	10/19/2022	62479MUE1	1,000,000.00	MUFG Bank LTD 0 7/14/2023	96.27	962,703.33	0.00	5.20	962,703.33
Buy	10/19/2022	3133ENU57	1,000,000.00	FFCB 4.5 10/19/2023	99.93	999,320.00	0.00	4.57	999,320.00
Buy	10/24/2022	31422XN32	1,000,000.00	FAMC 4.72 10/24/2023	100.00	1,000,000.00	0.00	4.72	1,000,000.00
Buy	10/25/2022	313384HJ1	1,000,000.00	FHLB 0 6/26/2023	97.03	970,313.33	0.00	4.51	970,313.33
Buy	10/25/2022	3133ENF21	1,000,000.00	FFCB 3.15 8/8/2023-22	98.86	988,630.00	6,737.50	4.63	995,367.50
Subtotal			8,000,000.00			7,897,383.74	17,612.50		7,914,996.24
Deposit	10/5/2022	LAIF6000Q	1,000,000.00	Local Agency Investment Fund LGIP	100.00	1,000,000.00	0.00	0.00	1,000,000.00
Deposit	10/11/2022	LAIF6000Q	1,000,000.00	Local Agency Investment Fund LGIP	100.00	1,000,000.00	0.00	0.00	1,000,000.00
Deposit	10/12/2022	CAMP60481	1,000,000.00	California Asset Management Program LGIP	100.00	1,000,000.00	0.00	0.00	1,000,000.00
Deposit	10/12/2022	CASH	200.00	TTC Drawer Cash	100.00	200.00	0.00	0.00	200.00
Deposit	10/13/2022	CASH	200.00	TTC Drawer Cash	100.00	200.00	0.00	0.00	200.00
Deposit	10/14/2022	LAIF6000Q	26,088.47	Local Agency Investment Fund LGIP	100.00	26,088.47	0.00	0.00	26,088.47
Deposit	10/17/2022	LAIF6000Q	2,000,000.00	Local Agency Investment Fund LGIP	100.00	2,000,000.00	0.00	0.00	2,000,000.00
Deposit	10/18/2022	CAMP60481	500,000.00	California Asset Management Program LGIP	100.00	500,000.00	0.00	0.00	500,000.00
Deposit	10/18/2022	LAIF6000Q	1,000,000.00	Local Agency Investment Fund LGIP	100.00	1,000,000.00	0.00	0.00	1,000,000.00
Deposit	10/25/2022	CAMP60481	500,000.00	California Asset Management Program LGIP	100.00	500,000.00	0.00	0.00	500,000.00
Deposit	10/27/2022	CAMP60481	500,000.00	California Asset Management Program LGIP	100.00	500,000.00	0.00	0.00	500,000.00
Deposit	10/28/2022	LAIF6000Q	2,000,000.00	Local Agency Investment Fund LGIP	100.00	2,000,000.00	0.00	0.00	2,000,000.00
Deposit	10/31/2022	CAMP60481	88,682.56	California Asset Management Program LGIP	100.00	88,682.56	0.00	0.00	88,682.56
Deposit	10/31/2022	31846V534	113.61	First American Funds MM	100.00	113.61	0.00	0.00	113.61
Deposit	10/31/2022	OAKVALLEY0670	6,826.98	Oak Valley Bank Cash	100.00	6,826.98	0.00	0.00	6,826.98
Deposit	10/31/2022	OAKVALLEY0670	29,102,515.86	Oak Valley Bank Cash	100.00	29,102,515.86	0.00	0.00	29,102,515.86



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2022, End Date: 10/31/2022

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Subtotal			38,724,627.48			38,724,627.48	0.00		38,724,627.48
Total Buy Transactions			46,724,627.48			46,622,011.22	17,612.50		46,639,623.72
Interest/Dividends									
Interest	10/1/2022	32022RSG3	0.00	1ST Financial Bank, USA 3.3 8/2/2027		0.00	675.37	0.00	675.37
Interest	10/1/2022	299547AQ2	0.00	Evansville Teachers Federal Credit Union 2.6 6/12/		0.00	532.11	0.00	532.11
Interest	10/1/2022	59161YAP1	0.00	Metro Credit Union 1.7 2/18/2027		0.00	347.92	0.00	347.92
Interest	10/1/2022	538036HP2	0.00	Live Oak Banking Company 1.85 1/20/2025		0.00	378.62	0.00	378.62
Interest	10/1/2022	76124YAB2	0.00	Resource One Credit Union 1.9 11/27/2024		0.00	382.60	0.00	382.60
Interest	10/1/2022	91435LAB3	0.00	University of Iowa Community Credit Union 3 4/28/2		0.00	604.11	0.00	604.11
Interest	10/1/2022	499724AD4	0.00	Knox TVA Employee Credit Union 3.25 8/30/2023		0.00	654.45	0.00	654.45
Interest	10/1/2022	911312BK1	0.00	United Parcel Service 2.5 4/1/2023-23		0.00	6,250.00	0.00	6,250.00
Interest	10/1/2022	13063DLZ9	0.00	State of California 3 4/1/2024		0.00	7,500.00	0.00	7,500.00
Interest	10/1/2022	052392AA5	0.00	Austin Telco FCU 1.8 2/28/2025		0.00	368.38	0.00	368.38
Interest	10/2/2022	15118RUR6	0.00	Celtic Bank 1.35 4/2/2025		0.00	276.29	0.00	276.29
Interest	10/2/2022	3133EJD48	0.00	FFCB 3.05 10/2/2023		0.00	15,250.00	0.00	15,250.00
Interest	10/5/2022	307811EM7	0.00	The Farmers & Merchants Bank 3.2 8/5/2027		0.00	654.90	0.00	654.90
Interest	10/5/2022	3135G0T78	0.00	FNMA 2 10/5/2022		0.00	10,000.00	0.00	10,000.00
Interest	10/5/2022	3133EMVD1	0.00	FFCB 0.33 4/5/2024-22		0.00	1,650.00	0.00	1,650.00
Interest	10/5/2022	32117BCX4	0.00	First National Bank Dama 2.8 5/5/2023		0.00	573.04	0.00	573.04
Interest	10/7/2022	90983WBT7	0.00	United Community Bank 1.65 2/7/2025		0.00	337.68	0.00	337.68
Interest	10/8/2022	29367SJQ8	0.00	Enterprise Bank & Trust 1.8 11/8/2024		0.00	368.38	0.00	368.38
Interest	10/8/2022	89579NCB7	0.00	Triad Bank/Frontenac MO 1.8 11/8/2024		0.00	368.38	0.00	368.38
Interest	10/8/2022	3134GWY26	0.00	FHLMC 0.57 10/8/2025-21		0.00	2,850.00	0.00	2,850.00
Interest	10/9/2022	59452WAE8	0.00	Michigan Legacy Credit Union 3.45 11/9/2023		0.00	706.07	0.00	706.07
Interest	10/10/2022	7954502D6	0.00	Sallie Mae Bank/Salt Lake 2.75 4/10/2024		0.00	3,377.98	0.00	3,377.98
Interest	10/10/2022	25460FCF1	0.00	Direct Federal Credit Union 3.5 9/11/2023		0.00	716.30	0.00	716.30



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2022, End Date: 10/31/2022

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/10/2022	20367GBH1	0.00	Community Commerce Bank 3.3 8/10/2027		0.00	675.37	0.00	675.37
Interest	10/11/2022	3133EJKN8	0.00	FFCB 2.7 4/11/2023		0.00	13,500.00	0.00	13,500.00
Interest	10/11/2022	58404DAP6	0.00	MEDALLION BANK 2.15 10/11/2022		0.00	2,655.40	0.00	2,655.40
Interest	10/11/2022	70320KAX9	0.00	Pathfinder Bank 0.7 3/11/2026		0.00	143.26	0.00	143.26
Interest	10/12/2022	856487AM5	0.00	State Bank of Reeseville 2.6 4/12/2024		0.00	532.11	0.00	532.11
Interest	10/12/2022	3133ENUH1	0.00	FFCB 3.33 4/12/2027-23		0.00	16,650.00	0.00	16,650.00
Interest	10/13/2022	66736ABP3	0.00	Northwest Bank 2.95 2/13/2024		0.00	603.74	0.00	603.74
Interest	10/13/2022	69417ACG2	0.00	Pacific Crest Savings Bank 2.85 3/13/2024		0.00	583.27	0.00	583.27
Interest	10/13/2022	15721UDA4	0.00	CF Bank 2 8/13/2024		0.00	409.32	0.00	409.32
Interest	10/13/2022	25665QAX3	0.00	Dollar BK Fed Savings BK 2.9 4/13/2023		0.00	3,562.23	0.00	3,562.23
Interest	10/14/2022	32114VBT3	0.00	First National Bank of Michigan 1.65 2/14/2025		0.00	337.68	0.00	337.68
Interest	10/14/2022	17801GBX6	0.00	City National Bank of Metropolis 1.65 2/14/2025		0.00	337.68	0.00	337.68
Interest	10/14/2022	3133EMCP5	0.00	FFCB 0.52 10/14/2025-21		0.00	2,600.00	0.00	2,600.00
Interest	10/14/2022	45581EAR2	0.00	Industrial and Commercial Bank of China USA, NA 2.		0.00	533.63	0.00	533.63
Interest	10/15/2022	20143PDV9	0.00	Commercial Bank Harrogate 3.4 11/15/2023		0.00	695.84	0.00	695.84
Interest	10/15/2022	061785DY4	0.00	Bank of Deerfield 2.85 2/15/2024		0.00	583.27	0.00	583.27
Interest	10/15/2022	819866BL7	0.00	Sharonview Federal Credit Union 3.5 8/16/2027		0.00	716.30	0.00	716.30
Interest	10/15/2022	30257JAM7	0.00	FNB Bank Inc/Romney 3 1/16/2024		0.00	613.97	0.00	613.97
Interest	10/15/2022	3130ALU51	0.00	FHLB 1.05 4/15/2026-21		0.00	5,250.00	0.00	5,250.00
Interest	10/15/2022	62384RAF3	0.00	Mountain America Federal Credit Union 3 3/27/2023		0.00	604.11	0.00	604.11
Interest	10/16/2022	3133EK3B0	0.00	FFCB 1.5 10/16/2024		0.00	7,500.00	0.00	7,500.00
Interest	10/16/2022	740367HP5	0.00	Preferred Bank LA Calif 2 8/16/2024		0.00	409.32	0.00	409.32
Interest	10/16/2022	33640VCF3	0.00	First Service Bank 3.3 5/16/2023		0.00	675.37	0.00	675.37
Interest	10/16/2022	17330FUE9	0.00	Citigroup Global Markets 2.75 6/16/2023		0.00	1,145.83	0.00	1,145.83
Interest	10/17/2022	87165FZD9	0.00	Synchrony Bank 1.45 4/17/2025		0.00	1,802.93	0.00	1,802.93
Interest	10/17/2022	219240BY3	0.00	Cornerstone Community Bank 2.6 5/17/2024		0.00	532.11	0.00	532.11



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2022, End Date: 10/31/2022

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/18/2022	08173QBX3	0.00	BENEFICIAL BANK 2.15 10/18/2022		0.00	2,640.97	0.00	2,640.97
Interest	10/18/2022	457731AK3	0.00	Inspire Federal Credit Union 1.15 3/18/2025		0.00	235.36	0.00	235.36
Interest	10/18/2022	00257TBJ4	0.00	Abacus Federal Savings Bank 1.75 10/18/2024		0.00	358.15	0.00	358.15
Interest	10/18/2022	48836LAF9	0.00	Kemba Financial Credit Union 1.75 10/18/2024		0.00	358.15	0.00	358.15
Interest	10/18/2022	202291AG5	0.00	Commercial Savings Bank 1.8 10/18/2024		0.00	2,229.09	0.00	2,229.09
Interest	10/19/2022	560507AJ4	0.00	Maine Savings Federal Credit Union 3.3 5/19/2023		0.00	675.37	0.00	675.37
Interest	10/19/2022	404730DA8	0.00	Haddon Savings Bank 0.35 10/20/2025		0.00	436.94	0.00	436.94
Interest	10/19/2022	474067AQ8	0.00	Jefferson Financial Credit Union 3.35 10/19/2023		0.00	4,114.99	0.00	4,114.99
Interest	10/20/2022	50625LAK9	0.00	Lafayette Federal Credit Union 3.5 11/20/2023		0.00	716.30	0.00	716.30
Interest	10/20/2022	32112UCW9	0.00	First National Bank of McGregor 2.85 2/21/2024		0.00	583.27	0.00	583.27
Interest	10/20/2022	14042RQS3	0.00	Capital One NA 2.8 4/20/2027		0.00	3,453.44	0.00	3,453.44
Interest	10/22/2022	061803AH5	0.00	Bank of Delight 2.85 2/22/2024		0.00	583.27	0.00	583.27
Interest	10/22/2022	92535LCC6	0.00	Verus Bank of Commerce 2.8 2/22/2024		0.00	573.04	0.00	573.04
Interest	10/22/2022	89235MKY6	0.00	Toyota Financial Savings Bank 0.9 4/22/2026		0.00	1,119.06	0.00	1,119.06
Interest	10/22/2022	3133EMEC2	0.00	FFCB 0.53 10/22/2025-21		0.00	2,650.00	0.00	2,650.00
Interest	10/23/2022	938828BJ8	0.00	Washington Federal Bank 2.05 8/23/2024		0.00	419.55	0.00	419.55
Interest	10/23/2022	33766LAJ7	0.00	Firstier Bank 1.95 8/23/2024		0.00	399.08	0.00	399.08
Interest	10/24/2022	03753XBD1	0.00	Apex Bank 3.1 8/24/2023		0.00	624.25	0.00	624.25
Interest	10/24/2022	06406RAL1	0.00	Bank of New York Mellon 2.1 10/24/2024		0.00	5,250.00	0.00	5,250.00
Interest	10/24/2022	90348JEV8	0.00	UBS Bank USA 3.45 10/24/2023		0.00	706.07	0.00	706.07
Interest	10/25/2022	063907AA7	0.00	Bank of Botetourt 1.75 10/25/2024		0.00	358.15	0.00	358.15
Interest	10/25/2022	22230PBY5	0.00	Country Bank New York 3 1/25/2024		0.00	613.97	0.00	613.97
Interest	10/26/2022	208212AR1	0.00	Connex Credit Union 0.5 8/26/2024		0.00	102.33	0.00	102.33
Interest	10/26/2022	3133ENV9	0.00	FFCB 2.875 4/26/2027		0.00	14,375.00	0.00	14,375.00
Interest	10/26/2022	32065TAZ4	0.00	First Kentucky Bank Inc 2.55 4/26/2024		0.00	521.88	0.00	521.88
Interest	10/26/2022	05465DAE8	0.00	AXOS Bank 1.65 3/26/2025		0.00	337.68	0.00	337.68



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2022, End Date: 10/31/2022

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/26/2022	56065GAG3	0.00	Mainstreet Bank 2.6 4/26/2024		0.00	532.11	0.00	532.11
Interest	10/26/2022	90352RCR4	0.00	USAlliance Federal Credit Union 3.45 8/26/2027		0.00	706.07	0.00	706.07
Interest	10/27/2022	39115UBE2	0.00	Great Plains Bank 2.8 2/27/2024		0.00	573.04	0.00	573.04
Interest	10/27/2022	32063KAV4	0.00	First Jackson Bank 1.05 3/27/2025		0.00	214.89	0.00	214.89
Interest	10/27/2022	79772FAF3	0.00	San Francisco FCU 1.1 3/27/2025		0.00	225.12	0.00	225.12
Interest	10/28/2022	080515CH0	0.00	Belmont Savings Bank 2.7 2/28/2023		0.00	543.70	0.00	543.70
Interest	10/28/2022	3130APL78	0.00	FHLB 1.375 10/28/2026-22		0.00	6,875.00	0.00	6,875.00
Interest	10/28/2022	06406RAG2	0.00	Bank of New York Mellon 3.5 4/28/2023		0.00	8,750.00	0.00	8,750.00
Interest	10/28/2022	3134GWYZ3	0.00	FHLMC 0.53 10/28/2025-22		0.00	2,650.00	0.00	2,650.00
Interest	10/29/2022	3130ALXJ8	0.00	FHLB 1.15 4/29/2026-21		0.00	5,750.00	0.00	5,750.00
Interest	10/29/2022	52171MAA3	0.00	Leaders Credit Union 3 6/29/2023		0.00	613.97	0.00	613.97
Interest	10/29/2022	70962LAS1	0.00	Pentagon Federal Credit Union 0.9 9/29/2026		0.00	184.19	0.00	184.19
Interest	10/29/2022	45780PAX3	0.00	Institution for Savings in Newburyport 0.85 7/29/2		0.00	173.96	0.00	173.96
Interest	10/30/2022	06543PDA0	0.00	Bank of the Valley NE 4.1 9/30/2027		0.00	839.10	0.00	839.10
Interest	10/30/2022	22258JAB7	0.00	County Schools FCU 4.4 9/30/2027		0.00	900.49	0.00	900.49
Interest	10/30/2022	15201QDK0	0.00	Centerstate Bank 1 4/30/2025		0.00	1,243.40	0.00	1,243.40
Interest	10/31/2022	710571DS6	0.00	Peoples Bank Newton NC 2 7/31/2024		0.00	422.96	0.00	422.96
Interest	10/31/2022	912828ZN3	0.00	T-Note 0.5 4/30/2027		0.00	2,500.00	0.00	2,500.00
Interest	10/31/2022	694231AC5	0.00	Pacific Enterprise Bank 1.15 3/31/2025		0.00	243.20	0.00	243.20
Interest	10/31/2022	CAMP60481	0.00	California Asset Management Program LGIP		0.00	88,682.56	0.00	88,682.56
Interest	10/31/2022	31846V534	0.00	First American Funds MM		0.00	113.61	0.00	113.61
Interest	10/31/2022	91282CDG3	0.00	T-Note 1.125 10/31/2026		0.00	11,250.00	0.00	11,250.00
Interest	10/31/2022	29278TCP3	0.00	Enerbank USA 3.2 8/30/2023		0.00	644.38	0.00	644.38
Interest	10/31/2022	67054NAM5	0.00	Numerica Credit Union 3.4 10/31/2023		0.00	719.03	0.00	719.03
Interest	10/31/2022	06426KAM0	0.00	Bank of New England 3.2 7/31/2023		0.00	671.30	0.00	671.30
Interest	10/31/2022	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	6,826.98	0.00	6,826.98
Subtotal			0.00			0.00	305,759.74		305,759.74



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2022, End Date: 10/31/2022

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Total Interest/Dividends			0.00			0.00	305,759.74		305,759.74
Sell Transactions									
Matured	10/5/2022	3135G0T78	1,000,000.00	FNMA 2 10/5/2022	0.00	1,000,000.00	0.00	0.00	1,000,000.00
Matured	10/11/2022	58404DAP6	245,000.00	MEDALLION BANK 2.15 10/11/2022	0.00	245,000.00	0.00	0.00	245,000.00
Matured	10/18/2022	08173QBX3	245,000.00	BENEFICIAL BANK 2.15 10/18/2022	0.00	245,000.00	0.00	0.00	245,000.00
Subtotal			1,490,000.00			1,490,000.00	0.00		1,490,000.00
Withdraw	10/3/2022	FIT	1,245,000.00	Funds in Transit Cash	0.00	1,245,000.00	0.00	0.00	1,245,000.00
Withdraw	10/31/2022	31846V534	113.61	First American Funds MM	0.00	113.61	0.00	0.00	113.61
Withdraw	10/31/2022	OAKVALLEY0670	27,393,832.77	Oak Valley Bank Cash	0.00	27,393,832.77	0.00	0.00	27,393,832.77
Subtotal			28,638,946.38			28,638,946.38	0.00		28,638,946.38
Total Sell Transactions			30,128,946.38			30,128,946.38	0.00		30,128,946.38



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Finance

TIME REQUIRED

SUBJECT FY2021/2022 County Audit
Engagement Letter

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

This audit engagement letter between the County of Mono and the audit firm of Price Paige & Company, and subject to an existing contract for services entered into on August 7, 2018, establishes an understanding about the audit services to be performed and the responsibilities of each party.

RECOMMENDED ACTION:

Approve Chair of the Board of Supervisors signature on the Fiscal Year 2021 - 2022 audit engagement letter between the County of Mono and the audit firm of Price Paige & Company.

FISCAL IMPACT:

The cost of this audit for FY2021/2022 is \$77,552, which is included in the Finance Department's adopted budget for FY2022/2023.

CONTACT NAME: Janet Dutcher

PHONE/EMAIL: 760-932-5494 / jdutcher@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Engagement Letter

History

Time

Who

Approval

12/7/2022 9:57 AM	County Counsel	Yes
12/6/2022 9:31 AM	Finance	Yes
12/9/2022 11:32 AM	County Administrative Office	Yes



DEPARTMENT OF FINANCE

AUDITOR-CONTROLLER

COUNTY OF MONO

Kim Bunn
Assistant Finance Director
Auditor-Controller

Janet Dutcher, CPA, CGFM, MPA
Director of Finance

Gerald Frank
Assistant Finance Director
Treasurer - Tax Collector

To: Honorable Board of Supervisors

From: Janet Dutcher, Finance Director

Date: December 13, 2022

Re: FY 2021-2022 audit engagement letter

The purpose of this audit engagement letter is to make clear our professional relationship with the independent audit firm of Price Paige & Company. It sets forth the County's responsibilities and the auditor responsibilities concerning the conduct of the audit engagement, the engagement of which is required by state law and grantor agreements to be conducted each fiscal year.

The audit engagement covers the following:

- Purpose of the audit engagement
- Scope of the audit engagement
- Standards the audit firm will use to conduct the engagement
- What the audit firm will do and will not do
- Instructions to the County and what the County's responsibilities are
- What facts the audit firm are relying upon
- Billing rates and fees

In addition to the above topics, this year's engagement letter also includes the auditors' assessment of specific significant risks of material misstatement. These risks are described as:

- Management override of controls
- Improper revenue recognition due to fraud
- GASB 87 Implementation
- Net pension liability calculation
- OPEB liability calculation
- Closure/Post-Closure liability calculation
- Improper allocation of costs associated with the County's cost allocation plan

Auditing standards advise the audit firm to address the engagement letter to both management and those charged with governance, which is the County Board of Supervisors. This is because (1) auditing standards require the auditor, for each audit engagement, obtain management's agreement that we acknowledge and understand our financial responsibilities, and (2) communicates the auditor's responsibilities concerning the conduct of the audit with those charged with governance of the County.

This engagement letter serves both purposes and our signatures signify we understand our fiscal and compliance responsibilities concerning the auditor's work and we acknowledge the auditor's responsibility for conducting the engagement and the planned scope and timing of the audit.



November 16, 2022

Janet Dutcher, Finance Director
Bob Gardner, Board Chair
County of Mono
25 Bryant Street
Bridgeport, CA 93517

We are pleased to confirm our understanding of the services we are to provide for the County of Mono, California (the County) for the year ended June 30, 2022.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of the County as of and for the year ended June 30, 2022. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the County's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the County's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis
- 2) Schedule of Changes in Net Pension Liability/(Asset) and Related Ratios
- 3) Schedule of Contributions - Pension
- 4) Schedules of Changes in Net OPEB Liability and Related Ratios
- 5) Schedule of Contributions - OPEB
- 6) Budgetary Comparison Schedules

We have also been engaged to report on supplementary information other than RSI that accompanies the County's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole in a separate written report accompanying our auditor's report on the financial statements.

- 1) Schedule of Expenditures of Federal Awards
- 2) Combining and Individual Fund Statements
- 3) Supplemental Schedule of the California Office of Emergency Services (CalOES) and the Department of Corrections and Rehabilitation Grants Expenditures
- 4) Supplemental Schedule of the California Office of Emergency Services (CalOES) and the Board of State and Community Corrections Grants Expenditures

570 N. Magnolia Avenue, Suite 100
Clovis, CA 93611

tel 559.299.9540

fax 559.299.2344

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

- 1) Introductory Section
- 2) Statistical Section

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have identified the following significant risks of material misstatement as part of our audit planning:

- Management override of controls
- Improper revenue recognition due to fraud
- GASB 87 Implementation
- Net pension liability calculation
- OPEB liability calculation
- Closure/Post-Closure Liability calculation
- Improper allocation of costs associated to the cost allocation plan.

Our audit of the financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the County's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the County's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the County's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the schedule of expenditures of federal awards, and related notes of the County in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with all nonaudit services we provide. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor

noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Electronic Data Communication and Storage and Use of Third-Party Service Provider

In the interest of facilitating our services to the government, we may communicate by facsimile transmission, send data over the Internet, store electronic data via computer software applications hosted remotely on the Internet, or allow access to data through third-party vendors' secured portals or clouds. Electronic data that is confidential to the government may be transmitted or stored using these methods. We may use third-party service providers to store or transmit this data, such as providers of tax return preparation and document management software. In using these data communication and storage methods, our firm employs measures designed to maintain data security. We use reasonable efforts to keep such communications and data access secure in accordance with our obligations under applicable laws and professional standards. We also require all of our third-party vendors to do the same.

You recognize and accept that we have no control over the unauthorized interception or breach of any communications or data once it has been sent or has been subject to unauthorized access, notwithstanding all reasonable security measures employed by us or our third-party vendors, and consent to our use of these electronic devices and applications and submission of confidential client information to third-party service providers during this engagement.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If, for whatever reason, your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the County; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Price Paige & Company and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to your cognizant agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Price Paige & Company personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date.

Fausto Hinojosa, CPA, CFE, is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. To ensure that Price Paige & Company's independence is not impaired under the AICPA Code of Professional Conduct, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

Our fees for the 2022 audit for the County are detailed as follows:

County Audit	\$ 57,925
Single Audit	14,853
Out-of-Pocket Expenses (meals, lodging, travel)	<u>4,774</u>
Total:	<u>\$ 77,552</u>

If more than three major federal programs are required to be audited, then additional audit fees may be applied. These fees will be discussed with the Finance Director for approval prior to commencing the work. Our fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you before we incur the additional costs. Our fees for these services will be billed at the hourly billing rates for the individual involved, plus out-of-pocket expenses. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our billing rates are reviewed annually and, where appropriate, adjusted for any increases due to inflation and other factors. We will issue a monthly billing statement for the work completed in that month. Payments for services are due when rendered and interim billings may be submitted as work progresses and expenses are incurred.

If any dispute pertaining to our work product arises among the parties hereto, the parties agree first to try in good faith to settle the dispute by mediation administered by the American Arbitration Association under its Rules for Professional Accounting and Related Services Disputes before resorting to litigation. The costs of any mediation proceeding shall be shared equally by all parties.

All work will be suspended if your account becomes 90 days past due. No work will be resumed until your account is fully paid. You acknowledge and agree that in the event we stop work or withdraw from this engagement as a result of your failure to pay on a timely basis for services rendered as required by this engagement letter, we shall not be liable for any damages that occur as a result of our ceasing to render services. Client and accountant both agree that any dispute over fees charged by the accountant to the client will be submitted for resolution by arbitration in accordance with the Rules for Professional Accounting and Related Services Disputes of the American Arbitration Association. Such arbitration shall be binding and final. IN AGREEING TO ARBITRATION, WE BOTH ACKNOWLEDGE THAT, IN THE EVENT OF A DISPUTE OVER FEES CHARGED BY THE ACCOUNTANT, EACH OF US IS GIVING UP THE RIGHT TO HAVE THE DISPUTE DECIDED IN A COURT OF LAW BEFORE A JUDGE OR JURY AND INSTEAD WE ARE ACCEPTING THE USE OF ARBITRATION FOR RESOLUTION.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Supervisors of the County of Mono. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to the county and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please return a signed copy to us via email or regular mail at your earliest convenience.

Very truly yours,

Fausto Hinojosa, CPA, CFE
Price Paige & Company

RESPONSE:

This letter correctly sets forth the understanding of the **County of Mono, California**.

Management Signature

Title

Date

Governance Signature

Title

Date



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Finance

TIME REQUIRED

SUBJECT Sale of Tax-Defaulted Property

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Request for Approval to Sell Tax-Defaulted Property Subject to the Power of Sale.

RECOMMENDED ACTION:

Approve Request and Resolution to Sell Tax-Defaulted Property Subject to the Power of Sale.

FISCAL IMPACT:

Total of all minimum bids is \$56,683. Minimum bids include known costs. There could potentially be additional costs not included in the minimum bid, which are unknown at this time.

CONTACT NAME: Gerald Frank

PHONE/EMAIL: 7609325483 / gfrank@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Resolution
<input type="checkbox"/> Exhibit A

History

Time	Who	Approval
12/6/2022 9:32 AM	County Counsel	Yes
12/1/2022 4:00 PM	Finance	Yes

12/9/2022 11:32 AM

County Administrative Office

Yes



DEPARTMENT OF FINANCE

COUNTY OF MONO

Gerald A. Frank, CGIP
Assistant Finance Director
Treasurer-Tax Collector

Janet Dutcher, CPA, CGFM, MPA
Finance Director

Kimberly Bunn
Assistant Finance Director
Auditor-Controller

P.O. Box 495
Bridgeport, California 93517
(760) 932-5480
Fax (760) 932-5481

P.O. Box 556
Bridgeport, California 93517
(760) 932-5490
Fax (760) 932-5491

Date: December 13, 2022

To: Honorable Board of Supervisors

From: Janet Dutcher, Gerald Frank

Subject: Sale of Tax-Defaulted Property

Actions Requested:

Approve Resolution for the sale of tax-defaulted property subject to the power to sell.

Discussion:

The Revenue and Taxation Code requires approval from the Board of Supervisors before the Tax Collector may conduct a sale of tax defaulted property. The attached request includes a list of property subject to sale and the minimum bid required.

Fiscal Impact:

Total of all minimum bids is \$ 56,683.
Minimum bids include known costs. There could potentially be additional costs not included in the minimum bid, which are unknown at this time.



R22-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
APPROVING THE SALE OF TAX-DEFAULTED PROPERTY
SUBJECT TO THE POWER OF SALE**

WHEREAS, the Mono County Treasurer-Tax Collector has notified the Board of Supervisors, pursuant to Revenue and Taxation Code section 3698, of the intention to sell certain tax-defaulted property under Chapter 7 of Part 6 of Division 1 of the Revenue and Taxation Code, including a description of the property to be sold and the minimum price at which it is proposed to sell the property; and

WHEREAS, a copy of said notice is attached hereto as Exhibit "A" and incorporated herein by this reference;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that:

SECTION ONE: That approval is hereby granted, and the Treasurer-Tax Collector is hereby authorized, to sell the property described in the notice attached hereto as Exhibit "A" at the minimum price set forth in said notice. Further, the Mono County Board of Supervisors authorizes, in the event any parcel does not sell, the Treasurer- Tax Collector to re-offer that parcel at a reduced minimum price, as authorized by Revenue and Taxation Code 3698.5(c).

SECTION TWO: Any parcel(s) remaining unsold thereafter may be re-offered at a new sale within 90 days of the original sale date, pursuant to Revenue and Taxation Code section 3692(e), with the option to offer the remaining parcels at a reduced minimum price, pursuant to Revenue and Taxation Code 3698.5(c).

PASSED, APPROVED and ADOPTED this ____ day of _____, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

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ABSTAIN:

Bob Gardner, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



DEPARTMENT OF FINANCE COUNTY OF MONO

*Gerald A. Frank, CGIP
Assistant Finance Director
Treasurer-Tax Collector*

*Janet Dutcher, CPA, CGFM, MPA
Finance Director*

*Kimberly Bunn
Assistant Finance Director
Auditor-Controller*

*P.O. Box 495
Bridgeport, California 93517
(760) 932-5480
Fax (760) 932-5481*

*P.O. Box 556
Bridgeport, California 93517
(760) 932-5490
Fax (760) 932-5491*

Exhibit "A"

NOTICE TO BOARD OF SUPERVISORS OF THE INTENTION TO SELL TAX-DEFAULTED PROPERTY

TO: MONO COUNTY BOARD OF SUPERVISORS
FROM: JANET DUTCHER, FINANCE DIRECTOR, TREASURER TAX-COLLECTOR
DATE: DECEMBER 13, 2022
RE: NOTICE OF INTENTION TO SELL TAX-DEFAULTED PROPERTY

IN ACCORDANCE WITH REVENUE AND TAXATION CODE SECTION 3698, THE BOARD OF SUPERVISORS IS HEREBY NOTIFIED OF MY INTENTION TO SELL AT PUBLIC AUCTION VIA INTERNET THE TAX-DEFAULTED PROPERTY DESCRIBED ON THE ATTACHED SCHEDULE (INCORPORATED HEREIN BY THIS REFERENCE), UNDER CHAPTER 7 OF PART 6 OF DIVISION 1 OF THE CALIFORNIA REVENUE AND TAXATION CODE.

2022 Tax Sale List

No.	Asmt No.	Default Num	Default Date	AssesseeName	Description	Minimum Bid
1	002-370-001-000	DEF170000018	6/30/2017	WILLIAM L. PIERCE	All that certain piece or parcel of land situate, lying and being in a portion of the Northeast quarter of the Northwest quarter of Section 29, Township 8 North, Range 23 East, M. D. B. M., in Antelope Valley, Mono County, California, described as follows: Beginning at a point at the Northwest corner of a parcel of land described in Deed to Eugene D. Vaughan, et ux, recorded January 6, 1956 in Book 34 Page 417 Official Records, on the fence line and Southerly line of the Highway (U.S. 395) 80 feet wide, as described in Deed to State of California, recorded in Book 6 Page 475 Official Records, said point being described as bearing South 66° 27' 40" West, a distance of 889.80 feet from the quarter corner common to Sections 20 and 29, Township 8 North, Range 23 East, thence South 65° 03' East, along the fence line and Southerly line of the Highway, a distance of 104.40 feet to a point at the Northeasterly corner of the parcel described in Deed recorded in Book 34 Page 417 Official Records; and the True Point of Beginning of the parcel herein described; thence South 24°30' West, a distance of 417.40 feet, more or less, to the Southeasterly corner of the parcel of land deeded to Eugene D. Vaughan, et ux, recorded January 6, 1956 in Book 34 Page 417 Official Records; thence North 65°30' West, a distance of 104.40 feet, more or less, to a point at the Southwesterly corner of the said parcel described in deed recorded in Book 34 Page 417 Official Records; thence South 23° 27' West, 284.06 feet to the Northerly line of Mule Deer Road; and the Southwest corner of the parcel herein described; thence South 62° 35' East, 307.88 feet to the Southwest corner of the parcel described in deed to Eugene H. Black, et ux, in Deed recorded July 20, 1901, in Book 51 Page 366, Official Records; thence North 23° 27' East, 722.74 feet to the Northwest corner of the parcel described in Deed to Eugene H. Black, et ux, recorded in Book 51 Page 366, Official Records; thence North 66° 35' West, 202.89 feet to the True Point of Beginning.	\$ 8,009.00
2	010-383-002-000	DEF160000033	06/30/2016	BARBARA JEAN PRITCHETT	LOT 10, BLOCK L OF THE SOUTH PORTION OF TWIN LAKES SUBDIVISION, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 47 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.	\$ 1,695.00
3	010-383-003-000	DEF160000034	06/30/2016	BARBARA JEAN PRITCHETT	LOT 11, BLOCK L OF THE SOUTH PORTION OF TWIN LAKES SUBDIVISION, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 47 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.	\$ 1,695.00
4	019-040-017-000	DEF170000057	06/30/2017	DAVID FIELD	Lot 33 in the Virginia Lakes Subdivision # 2 as per map thereof recorded in BOOK 2, PAGE 32 of Maps, in the office of the County Recorder of said MONO COUNTY.	\$ 1,210.00
5	019-163-005-000	DEF160000043	06/30/2016	YVONNE HERRERA	LOT 5 OF BLOCK 4, MONO CITY SUBDIVISION NO. 2, COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7 PAGE 29 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.	\$ 1,378.00
6	031-170-059-000	DEF160000080	06/30/2016	RONALD MATOBA AND CARRIE MATOBA	Lot 128, MAMMOTH SLOPES #4, in the Town of Mammoth Lakes, County of Mono, State of California, as per map recorded in Book 5, pages 111 thru 111D inclusive of Maps, in the Office of the County Recorder of said County. Commonly known as: 590 Lakeview Boulevard, Mammoth Lakes, CA 95346.	\$ 24,354.00
7	033-250-002-000	DEF170000124	06/30/2017	GAIL E. WALKER	PARCEL 1: LOT 2 OF TYROLEAN VILLAGE TRACT NO. 3, IN THE TOWN OF MAMMOTH LAKES, COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5 PAGE 50 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. PARCEL 2: AN UNDIVIDED 1/14TH INTEREST IN LOT 15 OF TYROLEAN VILLAGE TRACT NO. 3, IN THE COUNTY OF MONO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5, PAGE 50 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. PARCEL 3: NON-EXCLUSIVE RIGHT TO USE OF DRIVEWAYS, WALKS, PARKING AREAS, AND INCIDENTALS THERETO, AS SET FORTH ON THE PLOT PLAN ATTACHED TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RECORDED IN BOOK 84, PAGE 179, OFFICIAL RECORDS OF MONO COUNTY, CALIFORNIA.	\$ 18,342.00



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Public Health

TIME REQUIRED

SUBJECT Public Health Position Allocation List
Amendment Request

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution R22-___ authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to remove one Limited Term COVID Screener Bilingual and add one Fiscal and Technical Specialist II/III in the Department of Public Health.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

Estimated remaining FY2022/23 position cost for the Fiscal and Technical Specialist is salary range of \$3,720 – \$4,991 per month and benefit range of \$2,054 - \$2,488 per month offset by the position savings from the removal of the Limited Term COVID Screener Bilingual, already appropriated in the FY2022/23 budget.

CONTACT NAME: Kathy Peterson

PHONE/EMAIL: 760-924-1763 / kpeterson@mono.ca.gov

SEND COPIES TO:

Stephanie Butters, Kathy Peterson

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Resolution

History

Time

Who

Approval

12/7/2022 9:58 AM	County Counsel	Yes
12/7/2022 7:30 AM	Finance	Yes
12/9/2022 11:33 AM	County Administrative Office	Yes



MONO COUNTY HEALTH DEPARTMENT
Public Health

P.O. Box 476, BRIDGEPORT, CA 93517 PHONE (760) 932-5580 • FAX (760) 924-1831

P.O. Box 3329, MAMMOTH LAKES, CA 93546 PHONE (760) 924-1830 • FAX (760) 924-1831

DATE: December 13, 2022

TO: Honorable Board of Supervisors

FROM: Kathy Peterson, Interim Public Health Director

SUBJECT: Position Allocation List Amendment Request for Removal of COVID Screener Bilingual Position and Addition of Fiscal & Technical Specialist Position

Recommendation:

Approve the following actions:

1. Adopt proposed resolution R22-_____, Authorizing the County Administrative Officer to amend the list of allocated positions to remove one (1) limited-term position consisting of COVID Screener Bilingual and add one (1) Fiscal and Technical Specialist II/III in the Public Health Department.

Discussion:

The Public Health Department is requesting to replace the currently allocated and vacant COVID Screener Bilingual position with a Fiscal and Technical Specialist position to better meet the current needs of the department.

For the remainder of Fiscal Year 2022/23, the new Fiscal and Technical Specialist position will be fully funded through an existing COVID workforce grant. After this covid grant funding ends, the position costs will be transferred to the Future of Public Health grant, currently an on-going state funding source.

Fiscal Impact:

There is no impact to the County General Fund.

Estimated remaining 2022-23 position cost for the Fiscal and Technical Specialist is salary range of \$3,720 – \$4,991 per month and benefit range of \$2,054 - \$2,488 per month offset by the position savings from the removal of the Limited Term COVID Screener Bilingual, already appropriated in the 22/23 budget.

Prepared by Stephanie Butters, Fiscal and Administrative Officer

Reviewed by Kathy Peterson, Interim Public Health Director



R22-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER
TO AMEND THE COUNTY OF MONO LIST OF ALLOCATED POSITIONS
TO REMOVE ONE COVID SCREENER BILINGUAL
AND ADD ONE FISCAL AND TECHNICAL SPECIALIST II/III
IN THE DEPARTMENT OF PUBLIC HEALTH**

WHEREAS, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or “Allocation List”); and

WHEREAS, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources and implements collective bargaining agreements related to job classifications and pay rates; and

WHEREAS, the County seeks to provide public services in the most efficient and economical manner possible, which at times requires the modification of job classifications on the Allocation List; and

WHEREAS, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that:

The County Administrative Officer shall be authorized to amend the County of Mono List of Allocated Positions to reflect the following changes:

Decrease the allocation of a full-time limited-term COVID Screener Bilingual in the Department of Public Health by one (1) (new total of zero (0)), and

Increase the allocation of a full-time Fiscal and Technical Specialist II/III in the Department of Public Health by one (1) (new total of one (1)) (salary range of \$3,720 – \$4,991 per month).

1 **PASSED, APPROVED** and **ADOPTED** this 13th day of December 2022, by the
2 following vote, to wit:

3 **AYES:**

4 **NOES:**

5 **ABSENT:**

6 **ABSTAIN:**

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10 _____
11 Chair of the Board
12 Mono County Board of Supervisors

13 ATTEST:

14 APPROVED AS TO FORM:

15
16 _____
17 Clerk of the Board

18 _____
19 County Counsel



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Letter of Support for the G.C. Forest Products Wood Pellet Mill Application for the USDA Forest Service WPIA

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Letter of support for the G. C. Forest Products Wood Pellet Mill Application to the Wood Product Infrastructure Assistance Grant Program. If awarded, the funds will be used to construct a wood pellet manufacturing facility in the Mammoth Lakes area.

RECOMMENDED ACTION:

Approve letter as presented or amended.

FISCAL IMPACT:

None.

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: 7609325538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Letter

History

Time	Who	Approval
12/9/2022 1:13 PM	County Counsel	Yes
12/9/2022 1:14 PM	Finance	Yes

12/9/2022 1:14 PM

County Administrative Office

Yes



Jennifer Kreitz ~ District One Rhonda Duggan ~ District Two Bob Gardner ~ District Three
John Peters ~ District Four Stacy Corless ~ District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5530

BOS@mono.ca.gov

Scheereen Dedman, Clerk of the Board

December 13, 2022

Ms. Helena Murray
Wood and Biomass Utilization Specialist
USDA Forest Service, Pacific SW Region
1323 Club Dr.
Vallejo, CA 94592

Subject: Support for the G. C. Forest Products Wood Pellet Mill Application to the Wood Product Infrastructure Assistance Grant Program

Dear Ms. Murray,

I am writing on behalf of the County of Mono to express support for the G. C. Forest Products Wood Pellet Mill application to the USDA Forest Service Wood Products Infrastructure Assistance (WPIA) Grant Program.

Eastern Sierra Nevada forests are subject to high wildfire risk and the ongoing effects of drought and bark beetle infestation, threatening forest health, local communities, and the region's recreation-based economy. The Inyo National Forest and other forested lands in the region are largely unburned and in urgent need of forest thinning and hazardous fuel reduction to restore forest condition and lower the risk of stand-replacing fires. Implementation of current and impending large-scale forest restoration projects, most notably the Eastern Sierra Climate & Communities Resilience Project located on National Forest System land surrounding the Town of Mammoth Lakes, will help us to achieve this. However, our region is geographically isolated and constrained by the lack of access to a robust wood products market. Without investment in local wood infrastructure to process products generated by restoration and hazardous fuel reduction projects, our ability to fully realize the projected increase in pace and scale is severely limited. Mono County supports projects that convert forest products into usable resources to address the dangerous fire conditions in our region, such as the one proposed in this application.

Mono County appreciates US Forest Service providing a funding opportunity to support wood utilization for forest resilience projects such as the Eastern Sierra Climate and Communities Resilience Project.

Sincerely,

Bob Gardner, Chair
Mono County Board of Supervisors



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Public Health

TIME REQUIRED 10 minutes

PERSONS APPEARING BEFORE THE BOARD Dr. Caryn Slack, Public Health Officer

SUBJECT COVID-19 (Coronavirus) Update

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Update on Countywide response and planning related to the COVID-19 pandemic.

RECOMMENDED ACTION:

None, informational only.

FISCAL IMPACT:

None.

CONTACT NAME: Kathy Peterson

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p>No Attachments Available</p>
--

History

Time	Who	Approval
12/7/2022 9:45 AM	County Counsel	Yes
12/7/2022 7:28 AM	Finance	Yes
12/9/2022 11:34 AM	County Administrative Office	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Board of Supervisors, Sponsored by Supervisor Corless

TIME REQUIRED 25 minutes

PERSONS APPEARING BEFORE THE BOARD

Barbara Hayes, Chief Economic Development Officer

SUBJECT Rural County Representation of California (RCRC) Strategic Plan Presentation

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation of Rural County Representation of California (RCRC) strategic plan by Barbara Hayes, Chief Economic Development Officer.

RECOMMENDED ACTION:

Informational only.

FISCAL IMPACT:

None.

CONTACT NAME: Chris Egan

PHONE/EMAIL: 916-447-4806 / cegan@rcrcnet.org

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Power Point Presentation

History

Time	Who	Approval
11/30/2022 10:36 AM	County Counsel	Yes
12/6/2022 9:24 AM	Finance	Yes

12/9/2022 11:34 AM

County Administrative Office

Yes



RURAL COUNTY REPRESENTATIVES OF CALIFORNIA



BARBARA HAYES
RCRC CHIEF ECONOMIC DEVELOPMENT OFFICER

RCRC STRATEGIC PLAN



Vision

RCRC is the premier advocate and innovative service provider for rural counties in California

STATE & FEDERAL ADVOCACY



State Policy Areas

- Forest Health/Wildfire
- CARE Court
- Water/drought
- Broadband
- Housing
- Energy
- Social Services
- California Public Utilities Commission (CPUC)



Impactful Advocacy

Federal Policy Areas

- Forest Health/Wildfire
- Water/Drought
- Infrastructure
- Farm Bill

Ad Hoc Committees

- Drought and Water Resiliency
- Wildfire and Forest Stewardship
- Cannabis Regulation

GOLDEN STATE FINANCE AUTHORITY (GSFA) &
NATIONAL HOMEBUYERS FUND (NHF)



Equitable Access

SINCE 1993 IN MONO COUNTY



7 individuals or families purchased a home through GSFA and 0 through NHF



Over \$13K in down payment assistance through GSFA and \$0 through NHF

NEW ASSIST-TO-OWN PROGRAM

Date of Activity	County of Employment	Purchase Location	Pending or Closed*
9/30/2022	Santa Barbara	Santa Maria	Pending
9/28/2022	Imperial	Imperial	Pending
9/23/2022	Tulare	Visalia	Closed
9/22/2022	Monterey	Madera	Pending
9/19/2022	Monterey	Soledad	Closed
8/25/2022	Solano	Auburn	Closed
8/19/2022	Glenn	Orland	Closed
8/5/2022	Inyo	Bishop	Closed
7/21/2022	Colusa	Yuba City	Closed
7/14/2022	Tulare	Porterville	Closed
6/14/2022	Mendocino	Willits	Closed
5/31/2022	Mendocino	Willits	Closed
5/10/2022	Imperial	Imperial	Closed

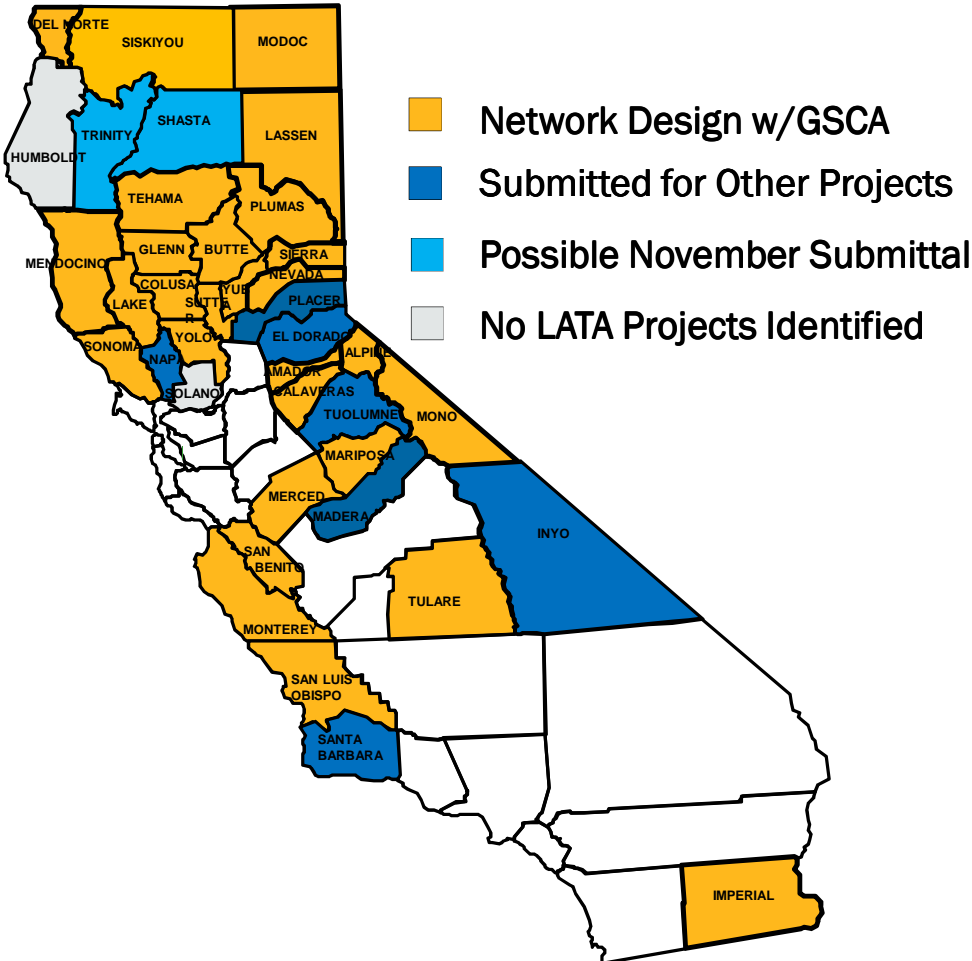
*Pending: Applicant has locked in an interest rate through the program and is awaiting loan closure
Closed: Applicant has successfully completed escrow and purchased or refinanced a home utilizing the



GSCA



Equitable Access



- **84** applications submitted (*Total \$37.0M*)
- More than half of total applications are from GSCA member counties/cities/towns
- **35** applicants will participate w/ GSCA (*Approx. \$17M*)
 - 28 Member Counties
 - 7 Cities/Towns



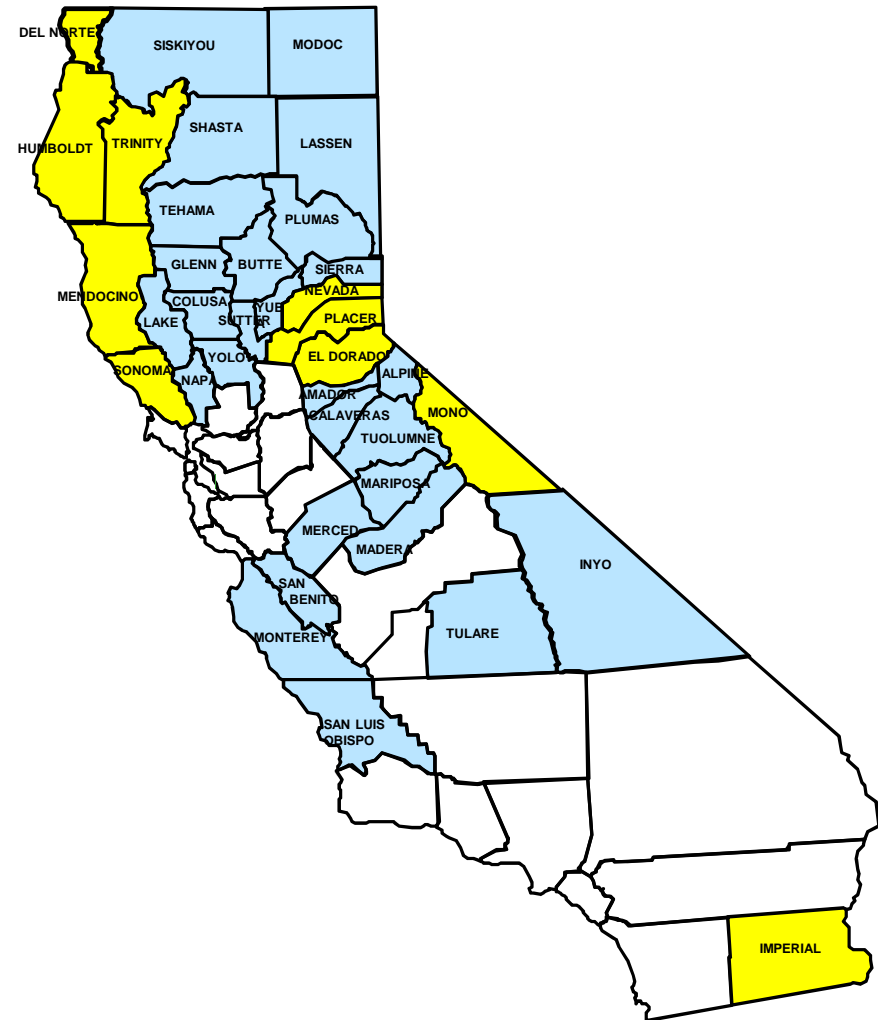
www.goldenstateconnect.org

EDA PLANNING GRANT

PROVIDES FUNDING FOR:
BROADBAND STRATEGIC PLANS &
TWO CEDS (COLUSA &
MONO/INYO/ALPINE)

RCRC MEMBER COUNTIES
PARTICIPATING IN EDA GRANT
(SUBMITTED SEPT 2021)

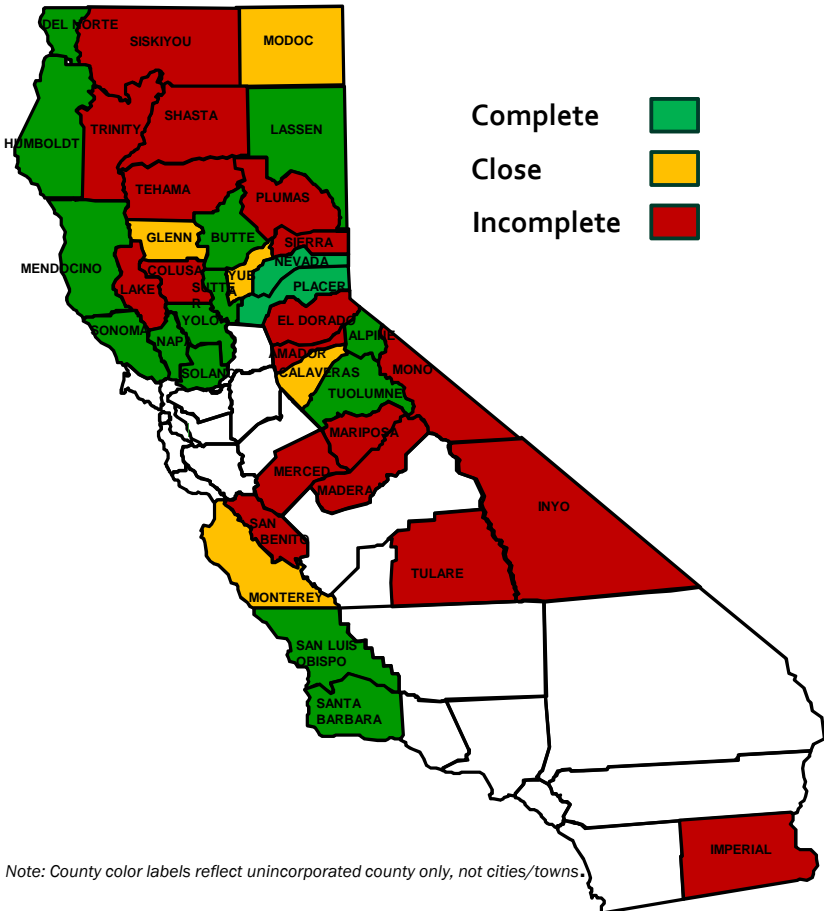
**BROADBAND STRATEGIC PLANS IN
PLACE OR IN PROGRESS**



ZEV INITIATIVE



Healthy Communities



Zero Emission Vehicles (ZEV)

- RCRC assisting counties with ZEV permit streamlining
- Primary Reasons for Yellow or Red
 - No Start in Process
 - Ordinance not Passed
 - “Checklist” not Complete
 - All Complete, but not registered by GoBiz

Three Phases of RCRC’s ZEV effort

1. Streamlining
2. Readiness
3. Implementation

Note: County color labels reflect unincorporated county only, not cities/towns.

RAI



Impactful Advocacy

Rural Alliance, Inc. (RAI)

- RCRC non-profit affiliate entity
- RAI facilitates academic research and educational opportunities that advance understanding of rural California amongst policymakers and the public.
- Currently developing:
 - Business Plan
 - Policy and Priority Areas for 2023 Research and Educational Tours

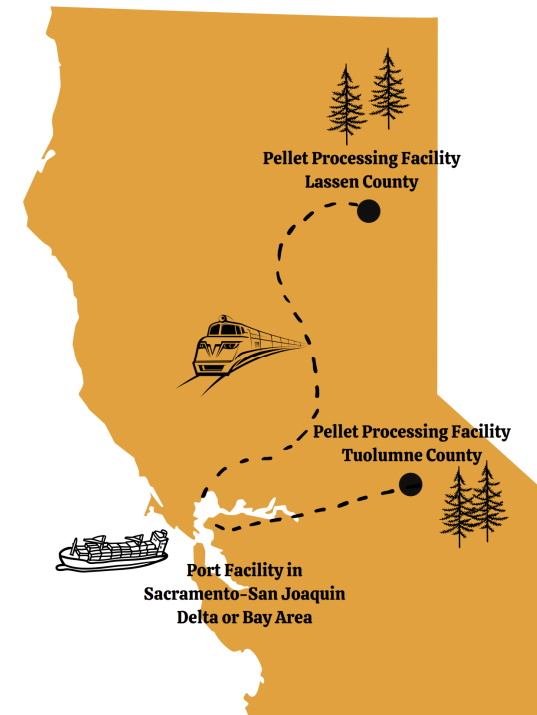


GOLDEN STATE NATURAL RESOURCES

- GSNR is a 501c3 public benefit corp. focused on forest resiliency and rural economic development.



GSNR Timeline



ESJPA

- A local government agency comprised of 26 rural member counties,
- Formed in 1993 to assist members in complying with regulatory requirements and waste diversion goals.
- Provides regulatory advocacy and technical assistance, supports local public education campaigns and administers grants for recycling and hazardous waste management programs.

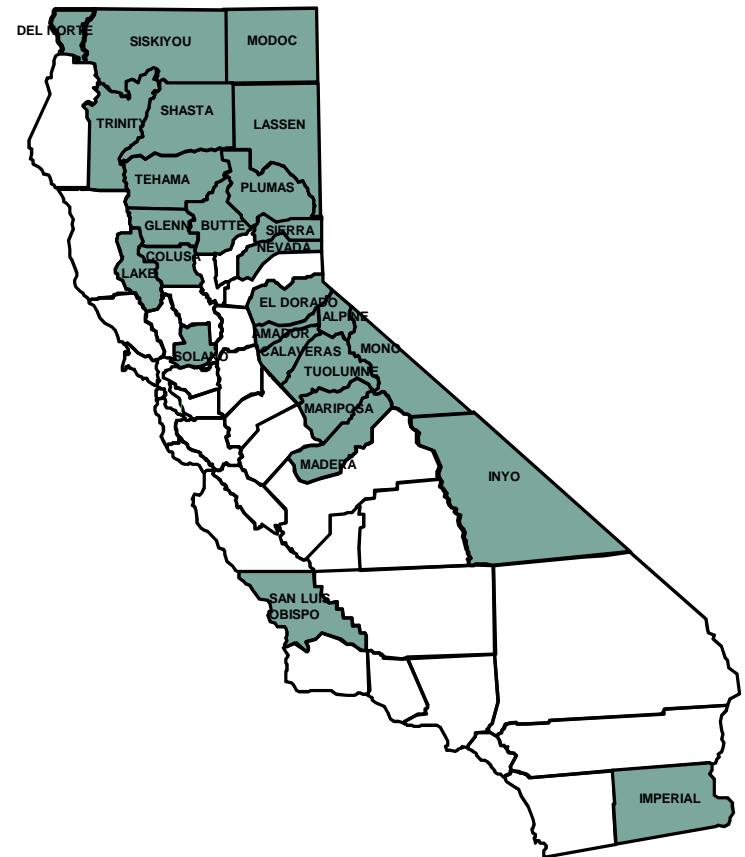


Rural Counties
Environmental Services
Joint Powers Authority

ESJPA



Operational Excellence





RCRC
1215 K St., Suite 1650
Sacramento, CA 95814
(916) 447-4806

QUESTIONS?

KEEP UP WITH RCRC:

- WEBSITE: www.rcrcnet.org
- SIGN UP FOR THE BARBED WIRE NEWSLETTER
- FOLLOW US ON SOCIAL MEDIA:



@ruralcounties



@ca_ruralcounties



@RuralCounties



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Community Development Department

TIME REQUIRED PUBLIC HEARING: 9:00 AM (15
minutes)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Tom Perry, Building Official

SUBJECT Public Hearing: Small Residential
Rooftop Solar Energy Permit
Expediting Ordinance

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Public Hearing on Small Residential Rooftop Solar Energy Permit Expediting Ordinance.

RECOMMENDED ACTION:

Hold Public Hearing, introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Tom Perry

PHONE/EMAIL: (760) 965-3635 / tperry@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Adopting Ordinance
Exhibit A
Checklist
Notice of Public Hearing

History

Time	Who	Approval
12/6/2022 9:35 AM	County Counsel	Yes
12/6/2022 9:34 AM	Finance	Yes
12/9/2022 11:35 AM	County Administrative Office	Yes

Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

BUILDING DIVISION

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

Date: 12/13/2022

To: **Honorable Chair and Members of the Board of Supervisors**

From: **Tom Perry, Building Official**

Re: **Public Hearing on the Adoption of Ordinance ORD22-__ setting forth an expedited, streamlined permitting process for small residential rooftop solar energy systems as required by Government Code Section 65850.5.**

RECOMMENDATION

1. Conduct a public hearing on the adoption of Ordinance ORD22-__
2. Introduce, read title, and waive further reading of a proposed ordinance to adopt an expedited, streamlined permitting process for residential small rooftop solar energy systems as required by Government Code Section
3. Find that the project qualifies as a Categorical Exemption under CEQA guideline section 15061(b)(3) and instruct staff to file a Notice of Exemption.
4. Direct staff to file the modification, if approved, with the California Building Standards Commission; provide further direction to staff.

FISCAL IMPACT

No fiscal impacts are anticipated.

BACKGROUND

Assembly Bill 2188 amended Government Code Section 65850.5 to require jurisdictions to establish procedures for expedited, streamlined processes for permitting of residential small rooftop solar energy systems. The amendments to Section 65850.5 include the requirement that a jurisdiction adopt a checklist of requirements with which a permit application for a solar energy system will be eligible for expedited review. A residential small rooftop solar energy system is considered any photovoltaic production system of 10 kilowatts or less mounted on the roof of a qualifying residential structure.

DISCUSSION

The statute requires the County to establish a checklist containing objective requirements for the installation a residential roof top solar energy system and to create a process for electronic submittal of permit applications. The content of the checklist requires the permit applicant to check the features of the existing electrical service such as rating in amperes, system voltage, grid interconnect ability, system sizing, structural compatibility, and that it complies with County provided prescriptive design or has site specific design generated by California licensed design professional or contractor. Clearances and labeling of the solar energy system equipment must comply with all applicable building and fire safety laws. Section 65850.5 requires that the County's checklist be based on the "California Solar Permitting Guidebook" of the Governor's Office of Planning and Research. The attached proposed ordinance meets these requirements.

Assembly Bill 2188 also clarifies that a jurisdiction shall not condition approval of a permit for a residential small rooftop solar energy system based on the approval of an association as defined in California Civil Code, Section 4080.

For more information on technical code questions, please call Tom Perry at (760) 965-3635.

ATTACHMENTS

1. Draft Ordinance ORD22-____
2. Exhibit A Small Residential Rooftop Solar Energy Expediting Ordinance
3. Checklist for expedited processing for small residential rooftop solar energy systems
4. Public Hearing Notice



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ORDINANCE NO. ORD 22-___

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS
SETTING FORTH PROCEDURES FOR EXPEDITING PERMITTING PROCESSING FOR
SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS**

WHEREAS, as set forth in Government Code Section 65850.5(a) it is the policy of the State of California and local agencies to encourage the installation of solar energy systems by removing obstacles to and minimizing costs of permitting the installation of such systems; and

WHEREAS, as set forth in Government Code Section 65850.5(g), every city or county shall adopt an ordinance that creates an expedited and streamlined permitting process for small residential rooftop solar energy systems; and

WHEREAS, said ordinance must substantially comply with the recommendations set forth in the California Solar Permitting Guidebook, including providing a checklist of all requirements for approval and issuance of permits in an expedited manner.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS as follows:

SECTION 1. TITLE, WORDS AND PHRASES

This Ordinance shall be known as the County of Mono Small Residential Rooftop Solar Energy Systems Permit Expediting Ordinance. The terms, phrases, and words used in this Ordinance shall be construed in compliance with the definitions set forth by California Government Code Section 65850.5.

SECTION 2. Section 15.04.220 of the County of Mono County Code is hereby added to read as follows:

Section 15.04.220 Expedited Small Residential Rooftop Solar Energy System Permitting Solar Energy Systems which qualify for expedited permit processing, pursuant to Government Code Section 65850.5, shall be subject to the administrative permitting procedures set forth in the County's Small Residential Rooftop Solar Energy Systems Permit Expediting Ordinance.

SECTION 3. EXPEDITED REVIEW PROCESS

Consistent with Government Code Section 65850.5, the Building Official shall implement an expedited administrative permit review process for residential small rooftop solar energy systems and adopt a checklist of all requirements with which all residential small rooftop solar energy systems shall comply with in order to be eligible for expedited review. The expedited administrative permit review process and checklist may refer to the recommendations in the checklist prescribed by the most current version of the "California Solar Permitting Guidebook" published by the Governor's Office of Planning and Research. The County's adopted checklist shall be published on the County's website.

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after the date of this Ordinance’s adoption and final passage. If the Clerk fails to so publish this ordinance or a summary thereof within said 15 day-period, then the Ordinance shall not take effect until 30 days after the date of publication.

PASSED, APPROVED and ADOPTED this ____ day of ____, 2022, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Bob Gardner, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel

EXHBIT A

Section 15.04.220 (Small Residential Rooftop Solar Energy Permit Expediting Ordinance) is hereby added as follows (no other changes proposed).

15.04.220 – Small Residential Rooftop Solar Energy Permit Expediting Ordinance

A. Title and Authority.

This Ordinance shall be known as the County of Mono Small Residential Rooftop Energy Permit Expediting Ordinance. The section is enacted pursuant to Government Code section 65850.5 as established by Assembly Bill 2188.

B. Purpose and Intent.

The intent of this section is to create an expedited, streamlined permit process that complies with AB 2188 and Government Code section 65850.5 to achieve timely and cost-effective installation of small residential rooftop solar energy systems. This section encourages installation of small residential rooftop solar energy systems by removing unreasonable obstacles to permitting for solar energy systems so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. This section allows the County to achieve these goals while protecting public health and safety.

C. Applicability.

1. This section applies to the permitting of small residential rooftop solar energy systems in the unincorporated County of Mono.
2. Routine operation and maintenance shall not require a permit.
3. Small residential rooftop solar energy systems legally established or permitted prior to the Building Official's implementation of an expedited permitting process are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small residential rooftop solar energy system in such a way as to require new permitting.

D. Definitions.

1. "Electronic submittal" means the utilization of one or more of the following:
 - (a) Email.
 - (b) The Internet.
 - (c) Facsimile.
2. "Small residential rooftop solar energy system" means a system that meets all of the following criteria:
 - a. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
 - b. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the Town, and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
 - c. A solar energy system that is installed on a single or duplex family dwelling.

EXHIBIT A

- d. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.
 3. “Solar energy system” has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
 4. “A feasible method to satisfactorily mitigate or avoid the specific, adverse impact” includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the County on another similarly situated application in a prior successful application for a permit.
 5. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- E. Small Residential Rooftop Solar Energy System Requirements
1. All small residential rooftop solar energy systems shall meet applicable health and safety standards and requirements of local, state, and federal law.
 2. Small residential rooftop solar energy systems shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
- F. Application Standards
1. The Building Division shall adopt a checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible.
 2. All documents required for submission of a small residential rooftop solar energy system application will be made available on Mono County Building Division’s website.
 3. The County will accept an electronic signature on all forms, applications and other documents in lieu of a wet signature by an applicant.
 4. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the “California Solar Permitting Guidebook” as adopted by the Governor’s Office of Planning and Research. The Building Official may modify the checklists and standards found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.
- G. Expedited Permitting Process and Permit Review
1. A permit application that satisfies the information requirements in the County’s adopted checklist shall be deemed complete and be promptly processed, as set forth in Government Code Section 65850.5(g)(1).

EXHIBIT A

2. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the County adopted checklist, and is consistent with all applicable laws, the Building Official shall, within times set forth in Government Code Section 65850.5(g)(1) and consistent with Government Code Section 65850.5, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or use the small residential rooftop solar energy system until approval is granted by the County following a final inspection.
3. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
4. The Building Official may require an applicant to apply for a conditional use permit if the official makes a written finding, based on substantial evidence, that the proposed small residential rooftop solar energy system could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official may be appealed to the Mono County Planning Commission in accordance with Mono County Code.
5. The County shall not deny an application for a use permit to install a small residential rooftop solar energy system unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
6. Consistent with Government Code Section 65850.5, the Building Official shall not condition the approval for any small residential rooftop solar energy system permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
7. Any conditions imposed on an application to install a small residential rooftop solar energy system shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.
8. This expedited permitting process is intended to apply only to applications for permits for small residential rooftop solar energy systems and will not expedite the review of any other permit applications.

**MONO COUNTY CHECKLIST FOR EXPEDITED PROCESSING OF SMALL
RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM PERMITS**

GENERAL REQUIREMENTS

- A. System size is 10 kW AC CEC rating or less. Y N
- B. The solar array is roof-mounted on one- or two-family dwelling or accessory structure. Y N
- C. The solar panel/module arrays will not exceed the maximum legal building height. Y N
- D. Solar system is utility interactive and without battery storage. Y N
- E. Permit application is completed and attached. Y N

ELECTRICAL REQUIREMENTS

- No more than four photovoltaic module strings are connected to each Maximum PowerPoint Tracking (MPPT) input where source circuit fusing is included in the inverter. Y N
- 1) No more than two strings per MPPT input where source circuit fusing is not included. Y N
 - 2) Fuses (if needed) are rated to the series fuse rating of the PV module. Y N
 - 3) No more than one non-inverter-integrated DC combiner is utilized per inverter. Y N
- A. For central inverter systems: No more than two inverters are utilized. Y N
 - B. The PV system is interconnected to a single-phase AC service panel of nominal 120/220 Vac with a bus bar rating of 225 A or less. Y N
 - C. The PV system is connected to the load side of the utility distribution equipment. Y N
 - D. A Solar PV Standard Plan and supporting documentation is completed and attached. Y N

STRUCTURAL REQUIREMENTS

- A. A completed Structural Criteria and supporting documentation is attached. Y N
- B. The roof has a single roof covering without a roof overlay. Y N

FIRE SAFETY REQUIREMENTS

- A. Clear access pathways provided. Y N
- B. Fire classification solar system is provided. Y N
- C. All required markings and labels are provided showing location of each and the verbiage. Y N
- D. A diagram of the roof layout of all panels, modules, clear access pathways and approximate locations of electrical disconnecting means and roof access points is completed and attached. Y N

AGREEMENT

As the responsible contractor or authorized agent for the project I understand that I am responsible for the accuracy of all information provided in this application. I also understand that revisions to this project will result in a revised application and plan review submitted to the building division which may not be eligible for expedited solar permit issuance.

Contractor/Authorized Agent Name: _____ (Please Print)

Contractor/Authorized Agent Signature: _____ Date: _____

NOTES and OTHER INFORMATION:

- 1. Size of existing service main: 200 amp 125 amp 100 amp other _____
- 2. Will the service main be upgraded and / or replaced? Yes No
- 3. Size of new service main: 200 amp 125 amp 100 amp other _____

Additional Notes:

- *These criteria are intended for an expedited solar permitting process pursuant to MCMC Section 15.04.220 and Government Code Section 65850.5.*
- *If any items are checked NO, revise design to fit within the eligibility checklist, otherwise the permit application may go through the County's standard process.*

**MONO COUNTY
PLANNING COMMISSION**

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

November 28, 2022

To: The Mammoth Times
From: Tom Perry
Re: Legal Notice for the **December 1** edition

Invoice: Heidi Willson, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Board of Supervisors will conduct a public hearing on **December 13, 2022**. As authorized by AB 361, Mono County has declared a state of emergency, local officials have recommended or imposed measures to promote social distancing, and the legislative body has made such findings; therefore the meeting will be accessible remotely by livecast at: <https://monocounty.zoom.us/j/83350211876> or in-person at the Board Chambers, 2nd floor, County Courthouse, Bridgeport, CA, 93517 or via Teleconference Location at the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA, 93546 where members of the public shall have the right to observe and offer public comment, to consider the following: **9:00 am - Public Hearing on the Adoption of Ordinance ORD22-__ setting forth an expedited, streamlined permitting process for small residential rooftop solar energy systems as required by Government Code Section 65850.5**. Pursuant to Assembly Bill 2188 and amended Government Code Section 65850.5, the ordinance establishes procedures for expedited, streamlined processes for permitting of residential small rooftop solar energy systems and includes a checklist of requirements with which a permit application for a solar energy system will be eligible for expedited review. A residential small rooftop solar energy system is considered any photovoltaic production system of 10 kilowatts or less mounted on the roof of a qualifying residential structure. The California Environmental Quality Assessment (CEQA) proposed for the project is that the project qualifies as a Categorical Exemption under CEQA guideline sections 15303 (d) and (e). The agenda packet can be found online: <https://monocounty.ca.gov/bos/page/board-supervisors-170> and hard copies are available for the cost of reproduction by calling 760-924-1800. INTERESTED PERSONS are strongly encouraged to attend the livecast meeting online or to attend in-person; and to **submit comments by 8 am on Tuesday, December 13, 2022, to the Clerk of the Board of Supervisors, PO Box 347, Mammoth Lakes, CA 93546** or by email at cddcomments@mono.ca.gov or via the livecast meeting (technology permitting). If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Clerk of the Board of Supervisors at, or prior to, the public hearing. For additional questions, please contact the Mono County Building Division: Tom Perry, Building Official, PO Box 347, Mammoth Lakes, CA 93546; tperry@mono.ca.gov; 760-924-1809.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Community Development Department

TIME REQUIRED PUBLIC HEARING: 9:05 AM (30 minutes)

PERSONS APPEARING BEFORE THE BOARD

Tom Perry, Building Official

SUBJECT Public Hearing: Adoption of the 2022 California Building Code

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Public Hearing on the Adoption of the 2022 California Building Code.

RECOMMENDED ACTION:

Introduce, read title, and waive further reading of proposed ordinance to adopt a revised Chapter 15.04 of Mono County Code Title 15 with certain local amendments, additions and deletions, and amend the previously adopted California Building Standards Code. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Tom Perry

PHONE/EMAIL: (760) 965-3635 / tperry@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Adopting Ordinance
Exhibit A
Exhibit A with Edits
Public Hearing Notice

History

Time	Who	Approval
12/5/2022 3:48 PM	County Counsel	Yes
12/6/2022 9:34 AM	Finance	Yes
12/9/2022 11:35 AM	County Administrative Office	Yes

Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

BUILDING DIVISION

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

Date: December 13, 2022

To: Honorable Chair and Members of the Board of Supervisors

From: Tom Perry, Building Official

Re: Public Hearing on the Adoption of the 2022 California Building Code

RECOMMENDATION

1. Conduct a public hearing on the adoption of the 2022 California Building Codes;
2. Introduce, read title, and waive further reading of a proposed ordinance to adopt a revised Chapter 15.04 of Mono County Code Title 15 with certain local amendments, additions and deletions and amend the previously adopted California Building Standards Code; and
3. Direct Clerk to schedule ordinance for adoption at the Board's next regular meeting; direct filing of modification, if approved, with the California Building Standards Commission; provide further direction to staff.

FISCAL IMPACT

No fiscal impacts are anticipated. The ordinance updates existing local requirements to apply in conjunction with the 2022 California Building Standards Code that will take effect on January 1, 2023.

BACKGROUND

The California Building Standards Commission is the state body responsible for reviewing, developing, approving, and administering the California Building Standards Code. Every three years, the code is published in its entirety with any changes. Local agencies are required to adopt these codes by reference pursuant to Health and Safety Code Section 17922 and Government Code Sections 50022.2 et seq. The next triennial code cycle for the 2022 California Building Standards Code becomes effective January 1, 2023 and is legally enforceable in Mono County regardless of if or when the County adopts them.

The California Building Standards Code (California Code of Regulations, Title 24) is a compilation of three types of building criteria from three different origins:

- Building standards that have been adopted by state agencies without change from building standards contained in international model codes;
- Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and
- Building standards authorized by the California legislature that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

Notwithstanding, the national model code standards adopted into Title 24 apply to all occupancies in California except for modifications adopted by state agencies and local governing bodies.

State law authorizes cities and counties to make modifications to the building standards contained in the California Code that are deemed necessary due to local topographic, climatic, or geographic conditions. These standards, once adopted by the local jurisdiction, may take effect no sooner than the effective date of the California Code (in this case January 1, 2023) and must be filed with the Building Standards Commission.

DISCUSSION

The attached ordinance adopts the 2022 California Building Code by reference along with certain local amendments, additions, and deletions, and carries forward revisions specific to Mono County that were included in the previous code version in Title 15 of the Mono County Code.

For more information on technical code questions, please call Tom Perry at (760) 965-3635.

ATTACHMENT

Draft Ordinance 22-____

Redline of Changes in Draft Ordinance 22-____

Public Notice



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6 **ORDINANCE NO. ORD 22-____**
7 **AN ORDINANCE OF THE MONO COUNTY BOARD OF**
8 **SUPERVISORS AMENDING TITLE 15 OF**
9 **THE MONO COUNTY CODE PERTAINING TO**
10 **BUILDING REGULATIONS AND UNIFORM CODES**

11 **WHEREAS**, Title 15 of the Mono County Code contains the Mono County Building
12 and Construction ordinances and the Mono County Building Regulations, International
13 Codes, and Uniform Codes; and

14 **WHEREAS**, the California Buildings Standards Code (“State Code”) sets forth the
15 uniform and international building standards by way of adoption of specific uniform and
16 international building codes and standards by the California Building Standards Commission
17 that is binding on the state, other public agencies, and private parties; and

18 **WHEREAS**, the California Building Standards Commission has adopted the 2022
19 California Building Code regulations based on the International Building Code, and has
20 adopted revised codes including the 2022 California Electrical Code, the 2022 California
21 Plumbing Code, the 2022 California Mechanical Code, the 2022 California Energy Code, the
22 2022 California Historical Building Code, the 2022 California Fire Code, the 2022 California
23 Residential Code, the 2022 California Green Building Standards Code, the 2022 California
24 Administrative Code, the 2022 California Referenced Standards Code, the 2022 California
25 Existing Building Code; the 2021 International Property Maintenance Code; and the 2016
26 Edition of the American Concrete Institute 306R Guide to Cold Weather Concreting.
27 Pursuant to state law each of the adopted state codes becomes effective as of January 1, 2023;
28 and further, local agencies are required to adopt such codes by reference pursuant to Health
 and Safety Code Section 17922 and Government Code Sections 50022.2 et seq.; and

WHEREAS, local agencies, including the County of Mono, may modify the provisions
 of the adopted State Building Codes when the local agency determines, and expressly finds,
 that such changes or modifications are reasonably necessary because of local climatic,
 geological or topographical conditions as provided in Health and Safety Code Sections
 17958.5, 17958.7, and 18941.5; and

WHEREAS, the Board of Supervisors has previously made findings, and hereby
 expressly ratifies said findings, that all of Mono County is a snow area requiring specific
 ground snow load requirements, and that due to the climatic, geological, and topographic
 conditions found in Mono County that application of high-rise buildings requirements set
 forth in Section 403 of Chapter 4 of the 2022 California Building Code shall apply to any
 development of structures designed to have occupied floors (such as hotels and

1 condominiums) located more than 50 feet above the lowest levels accessible to fire
2 department vehicles; and

3 **WHEREAS**, the Board of Supervisors finds that local climatic, geological or
4 topographical conditions, including snow loads, high winds, and freezing temperatures,
5 require the addition of the certain specified appendices of the 2022 California Building Code
6 including Appendix C (Agricultural Buildings), and of the 2022 California Residential Code
7 including Appendix AJ (Existing Buildings and Structures) and Appendix AQ (Tiny Houses).

8 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**
9 **MONO ORDAINS** as follows:

10 **SECTION ONE:** That Title 15 of the Mono County Code is amended and Chapter 15
11 entitled Building Regulations and Uniform Codes that will read as set forth in Attachment
12 "A," which is attached hereto and incorporated herein by this reference.

13 **SECTION TWO:** The previous ordinances set forth in Chapter 15 of the Mono
14 County Code are hereby repealed.

15 **SECTION THREE:** That if any section, subsection, sentence, clause or phrase of this
16 ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the
17 validity of the remaining portions of this ordinance. The Mono County Board of Supervisors
18 hereby declares that it would have passed this ordinance, and each section, subsection, clause
19 or phrase thereof, irrespective of the fact that any one or more sections, subsections,
20 sentences, clauses, and phrases be declared unconstitutional.

21 **SECTION FOUR:** This ordinance shall become effective 30 days from the date of its
22 adoption and final passage following a public hearing to be held pursuant to Government
23 Code Sections 50022.2 et seq. The Clerk of the Board of Supervisors shall post this ordinance
24 and also publish the ordinance or a summary thereof in the manner prescribed by
25 Government Code section 25124 no later than 15 days after the date of this ordinance's
26 adoption and final passage. If the Clerk fails to so publish this ordinance or a summary
27 thereof within said 15 day-period, then the ordinance shall not take effect until 30 days after
28 the date of publication.

PASSED, APPROVED and ADOPTED this 13th day of December, 2022 by the
following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

BOB GARDNER, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel

Title 15 BUILDINGS AND CONSTRUCTION

Chapters:

Chapter 15.04 BUILDING REGULATIONS¹

15.04.010 Purpose of chapter.

This chapter is enacted for the purpose of adopting rules and regulations for the protection of the public health, safety and general welfare of the occupants and the public; governing the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, ventilation, and maintenance of any building used for human habitation; provided, however, that nothing in the codes adopted in this chapter shall be construed to prevent any person from performing his own building, mechanical, plumbing, or electrical work when performed with issued County of Mono permits in compliance with this chapter.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.020 Express findings.

The Mono County governing body makes express findings that the listed local modifications, additions, and amendments to the building standards contained in California Building Standards Codes, Title 24 are reasonably necessary because of local climatic, geological or topographical conditions, including snow loads, freezing temperatures, high winds, and remote mountain terrain. These local government amendments also provide a more restrictive building standard than that contained in California Building Standards Codes, Title 24 by including listed appendices and codes detailing requirements specific to the local climatic, geological or topographical conditions of Mono County. To facilitate ease of use by industry and building officials, certain of the amendments, additions and modifications to the regulations adopted by the California Building Standards Commission, Department of Housing and Community Development of the State of California and other agencies of the state of California, are made by reference to the appropriate California code.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

¹Editor's note(s)—Ord. No. 17-01, § 1, adopted 17-01, repealed the former Chapter 15.04, §§ 15.04.010—15.04.210, and § 2 of Ord. No. 17-01 enacted a new Chapter 15.04 as set out herein. The former Chapter 15.04 pertained to similar subject matter and derived from Ord. No. 15-01, adopted February 17, 2015.

15.04.030 California Building Standards Codes, Title 24, Uniform, and International Codes adopted.

The California Building Standards Commission has adopted the following codes, which are applicable within the County of Mono as a matter of state law, subject to the modifications and amendments contained in this chapter:

- A. 2022 California Administrative Code (California Code of Regulations Title 24, Part 1).
- B. 2022 California Building Code, (California Code of Regulations Title 24, Part 2) including the following appendices: Appendix C; (Group U-Agricultural Buildings).
- C. 2022 California Electrical Code, (California Code of Regulations Title 24, Part 3).
- D. 2022 California Mechanical Code, (California Code of Regulations Title 24, Part 4).
- E. 2022 California Plumbing Code, (California Code of Regulations Title 24, Part 5).
- F. 2022 California Energy Code, (California Code of Regulations Title 24, Part 6).
- G. 2022 California Historical Building Code (California Code of Regulations Title 24, Part 8).
- H. 2022 California Fire Code (California Code of Regulations Title 24, Part 9).
- I. 2022 California Existing Building Code Part 10, (California Code of Regulations Title 24, Part 10).
- J. 2022 California Referenced Standards Code (California Code of Regulations Title 24, Part 12).
- K. 2022 California Residential Code (California Code of Regulations Title 24, part 2.5) including the following Appendices: Appendix AJ (Existing Buildings and Structures); Appendix AQ (Tiny Houses).
- L. 2022 California Green Building Standards Code (California Code of Regulations Title 24, Part 11).
- M. 2016 American Concrete Institute (ACI) 306R Guide to Cold Weather Concreting.
- N. 2021 International Property Maintenance Code

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.040 Definitions.

Whenever any of the following names or terms are used in this chapter or in any of the codes set forth above, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section.

- A. “Building division,” “electrical department,” “plumbing department,” “office of administrative authority,” or “housing department” means the building division of Mono County.
- B. “Building official,” “authority having jurisdiction [AHJ]” and similar references to a chief administrative position, mean the chief building inspector of the county; provided, however, that:
 - 1. Where such terms are used in connection with those duties imposed by a statute or ordinance upon the county health officer, said terms shall include the county health officer.
- C. “City” means the County of Mono when referring to a political entity, or an unincorporated area of said county when referring to area, “city clerk” means the county clerk and ex officio clerk of the board of supervisors, and “city council” or “mayor” means the board of supervisors of the County of Mono.

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- D. "Dwelling unit," includes, but is not limited to, each single-family dwelling and each habitation unit of an apartment, duplex, or multiple-dwelling structure designated as a separate place for habitation of family; "dwelling unit" also includes each guest room.
 - E. "Fire chief," means the chief of the fire protection district wherein a particular building is or is to be located or, for any area not within a fire protection district, the same shall mean the county fire marshal designated by the board of supervisors.
 - F. "Person," includes, but is not limited to, every person, firm, entity, or corporation engaging in a construction activity or through the services of any employee, agent, or independent contractor.
 - G. "Trailer space," means each space, area, or building in a trailer park or mobilehome park or other place, designed or intended as a place to accommodate any mobilehome, trailer, van, bus, or other vehicle or mobile structure, at a time when the same is being used as living or sleeping quarters for human beings.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.050 Filing of adopted Title 15 Codes.

The Mono County Building Division shall maintain on file copies of the codes referred to in Section 15.04.030 and the codes shall be open to public inspection.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.060 Building permit expiration.

All building permits and plan checks will expire under the following conditions:

- A. All applications and plans submitted for plan review shall become void after a period 180 days from the time of application. At this time any further application for the project will require a new plan check fee and new application submitted.
- B. All building division permits will become void thirty-six months (three years) after issuance, unless:
 - 1. A written request for a permit extension has been approved by the building official;
 - 2. The construction is progressing at a proponent's best rate; and
 - 3. The construction activity is posing no life-safety threat to the public or to any person.
- C. If the building or work authorized by such permit is not commenced within twelve months from the date of permit issuance, or if the building or work authorized by such permit is suspended or abandoned for a period of twelve months or more after the time the work has commenced, the permit shall expire. For purposes of this section, November 1 through April 1, due to climatic constraints associated with the winter months, will not be considered as part of the twelve month time schedule.
 - 1. Suspension and/or abandonment shall be determined by a lack of progress inspections for a period of more than one year since the last previously documented inspection. If a permit has expired, no work can recommence until a new application is applied for, plan check is completed, all permit fees are paid, and a new permit is issued.
- D. To receive an extension of time on an expired building permit the applicant shall submit a written request detailing the extenuating circumstances that prevented the completion of the project in the allotted time limits of the issued permit.

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1. Upon review and approval by the building official, an extension may be granted for an additional 180 days maximum. Should this additional 180-day time elapse, a new building permit shall be obtained prior to the continuation of work on the project unless another permit extension has been granted by the building official.
 2. The new permit fee will be calculated on the hourly amount of plan check required to reissue the permit, the balance of the work to be completed, and number of inspections estimated to final the issued permit.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.070 Building permit fees.

All permit fees to include building, electrical, plumbing, and mechanical permits shall be paid to the building division in an amount set forth and adopted by resolution of the board of supervisors.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.080 Engineering plan check.

Permit applications containing engineered design submitted to the Mono County Building Division for plan check review exceeding conventional light-frame construction code provisions in order to address seismic design, wind load, ground snow load, or because of unconventional or irregular design, may be subject to engineering plan check review by in-house or contract engineering consultants as determined on a case-by-case basis by the building official. All commercial structures containing engineering design requirements shall be subject to engineering plan check review. The expense for such plan check and design review by qualified engineers shall be paid by the project applicant.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.090 Planning, health, public works and other required approvals prerequisite to building permits issuance.

No building permits shall be issued for any building for which an individual sewage disposal system, a connection to a public sewage collection system, an individual water supply system and/or a connection to a public water supply system must be installed, altered or added to until the building official is satisfied that all required county department application reviews for permits have been completed issued therefor.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.100 Building permit violations.

Violations. Where work for which a permit is required by this code has been started prior to obtaining the required permits, the permit fees shall be assessed at a rate to recoup the time and materials spent by the building division staff to mitigate the violation. The payment of such assessed fees shall not relieve any persons from fully complying with the requirements of this code in execution of the work nor from any other penalties, prescribed herein.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.110 Board of appeals.

The construction board of appeals shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of Mono County Title 15 and provide reasonable determinations of decisions rendered by the officials charged with the responsibility of enforcing the building codes, as amended from time to time including, but not limited to the following:

- A. Qualifications. The construction board of appeals (“board of appeals”) shall consist of at least five voting members, all of whom should be residents of Mono County. Any specific appeal shall be heard by at least a majority of the voting members.
 - 1. The members shall consist of persons with experience in the field of construction and deemed qualified to understand issues relating to this field.
 - 2. No county officer or employee shall serve as a voting member of the construction board of appeals.
 - 3. The members shall serve four years and may be reappointed after that for successive four-year terms. In order to ensure continuity on the board, terms shall be staggered, with two members of the initial board appointed for two-year terms and three members of the initial board appointed for four-year terms. Members of the initial board shall determine, through the drawing of lots, which two members shall serve two-year terms and which three members shall serve four-year terms.
- B. Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, or the provisions of this code do not fully apply, or an equally good or better form of construction has been proposed and denied by the building official.
 - 1. The board of appeals shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the board be empowered to waive requirements of these codes.
 - 2. Any cost for tests or research required by the board to substantiate the claim of the appellant shall be the sole responsibility of the appellant.
- C. Building Official Ex-Officio Member. The building official for Mono County shall be an ex-officio member of the board of appeals and shall act as secretary of said board of appeals but shall have no vote.
- D. Rules, Decisions, Legislative Recommendations. The board of appeals shall adopt reasonable rules and regulations for conducting its investigations and render all decisions and findings in writing to the appellant with a duplicate copy to the building official.
- E. Appeals to Board. Any person aggrieved by an order, decision, or determination of the official charged with the responsibility of enforcing those respective codes may, within twenty working days of the date of the order, decision, or determination was made, appeal to the board of appeals for a hearing.
 - 1. The appeal must be in writing and accompanied by a filing fee which shall be established by resolution of the county board of supervisors.
 - 2. The appeal shall be filed with the county building division and with the building official. A form will be provided at the community development department.
 - 3. All supporting documents shall be submitted with the form at the time of filing the appeal.

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- F. Hearing. The building official, or his or her designee, shall schedule a hearing within twenty working days of receiving the request for hearing and give notice of the time, place, and subject matter of the hearing to the person filing the appeal, and to each member of the board of appeals.
 - 1. The hearing shall be informal.
 - 2. The board of appeals shall announce its decision within five working days after the hearing has concluded.
 - G. Finality of Decision. The decision of the construction board of appeals shall be the final administrative decision, and no provision of any ordinance of the county shall be interpreted as permitting a further administrative appeal to the county board of supervisors or any other county board or commission.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.120 Utility connection.

It is unlawful for any person, including utility companies, to connect electric power lines or liquefied petroleum gas permanently to any building or structure for which a permit is required by this chapter until such structure complies with all applicable ordinances and codes and has been approved by county building division final inspection as required under the California Building Code. This section shall not prohibit the erection and use of temporary power poles when approved by the building official, provided that such temporary electrical connections and facilities are removed prior to connection of permanent lines.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.130 Early connection of utility service.

Where no building is located on a lot or parcel, no permit shall be issued for a septic system or an accessory building prior to issuance of a permit for a main building to be located on the same lot or parcel without the consent of the planning division. All temporary electric power poles shall be installed per requirements found in Article 590 of the California Electrical Code. The purpose of this provision is to furnish the planning division with sufficient information concerning the uses, size, area of coverage, or location of any main building that will or may be constructed thereon, in relation to such septic system, accessory building, or temporary power pole.

- A. Exceptions. Permits for temporary power poles to be used during time of construction may be issued prior to the main use being established, provided the following conditions have been met:
 - 1. All required plans have been submitted.
 - 2. All plan check fees, building permit fees, and any special fees have been paid in full.
- B. As used in this section, certain terms are defined as follows:
 - 1. "Accessory building" means and includes any building or structure the use of which is customarily subordinate or incidental to that of a main building or a main use of a certain kind of lot or parcel, for example, a garage or storage building.
 - 2. "Main building" means and includes a building or structure which is customarily used to carry out the main use of a lot or parcel of a certain kind.
 - 3. "Main use" means and includes the principal or dominant use for which a lot or parcel of a certain kind is customarily used.

- 4. “Temporary power pole” means and includes any pole placed for the conveyance of electrical energy for a limited period of time and is used in preparing for the main use of a certain kind of lot or parcel.
- C. Permanent electrical service may be connected to a building or structure prior to building division final inspection and approval provided that the applicant completes and signs a construction power agreement on a form provided by the Mono County Building Division stating that the project will meet the conditions on the agreement. The construction power agreement also includes a provision for electrical service disconnection, at the applicant’s liability and expense, in the event of unauthorized usage of the electrical power.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.140 Snow loads.

All of Mono County shall be declared a snow area and this declaration pertains to all structures as defined in the California Building Code Section 202. Manufactured homes, factory-built housing (modular homes) and commercial coaches shall be subject to the specific design provisions of California Title 25 and under the jurisdiction of the California State Agency of Housing and Community Development (HCD). The snow loads, and the conditions of their application, shall be revised from time to time based on minimum California Building Code requirements, site specific case studies, and updated information as determined by the Mono County Building Official.

- A. “Structure” (as defined by the California Building Code Section 202): That which is built or constructed.

MONO COUNTY SNOW LOAD DESIGN CRITERIA
California Building Code

SNOW LOADS: Use exposure category D/Flat unobstructed areas ASCE 7-16 Table 7.3-1 $C_e = 0.9$ for high desert area roofs noted with*.
Use exposure category C/Partially Exposed ASCE 7-16 7.3-1 $C_e = 1.0$ for all other roofs.
Use ASCE 7-16 Table 7.3-2 Thermal Factor $C_t = 1.1$ for all roofs.

CLIMATE ZONE: Use Fig. 7.4-1 in ASCE 7-16 for determination of C_s if roof meets criteria for slope reduction. 16
FROST DEPTH: 18” below exterior finished grade minimum

GROUND SNOW LOAD p_g PSF – ROOF SNOW LOAD p_r CONVERSION TABLE			
HIGH DESERT LOCATIONS	ELEVATION	GROUND SNOW LOAD p_g (psf)	FLAT ROOF SNOW LOAD $p_r = (.7)(0.9^* \text{ or } 1.0 = C_e)(1.1 = C_t)(1.0 = I_s)p_g =$ (psf)
Chalfant Valley*	4,200 ft.	55 psf	38 psf
Hammil Valley*	4,500 ft.	55 psf	38 psf
Paradise*	5,000 ft.	55 psf	38 psf
Topaz*	5,000 ft.	55 psf	38 psf
Coleville*	5,100 ft.	55 psf	38 psf
Benton*	5,400 ft.	55 psf	38 psf

Walker*	5,400 ft.	55 psf	38 psf
Bridgeport	6,470 ft.	65 psf	50 psf
Mono City	6,899 ft.	75 psf	58 psf
Long Valley (east of US 395)	7,000 ft.	80 psf	62 psf
Tom's Place	7,000 ft.	80 psf	62 psf

GROUND SNOW LOAD _g PSF – ROOF SNOW LOAD _r CONVERSION TABLE			
MOUNTAIN AREA LOCATIONS	ELEVATION	GROUND SNOW LOAD _g (psf)	FLAT ROOF SNOW LOAD $p_r = (.7)(1.0=C_e)(1.1=C_t)(1.0=I_s)p_g =$ (psf)
Swall Meadows	6,400	100 psf	77 psf
Sonora Junction	6,500	155 psf	119 psf
Rancheria Estates	6,600	105 psf	81 psf
Pickel Meadow	6,800	155 psf	119 psf
Lee Vining	6,800	120 psf	92 psf
Long Valley (west of US 395)	7,000	125 psf	96 psf
Lundy Lake (lower)	7,000	150 psf	116 psf
Crowley Lake	7,000	125 psf	96 psf
Bald Mountain/Arcularius	7,100	150 psf	116 psf
Twin Lakes	7,200	140 psf	109 psf
Devil's Gate	7,400	155 psf	119 psf
Crestview	7,500	150 psf	116 psf
Swauger Creek	7,500	150 psf	116 psf
Convict Lake	7,580	155 psf	119 psf
June Lake	7,600	155 psf	119 psf
Lundy Lake (upper)	8,000	285 psf	220 psf
Virginia Lakes	9,600	285 psf	220 psf

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.150 Defensible space and fire hazards reduction.

Prior to the issuance of a certificate of occupancy or final approval, the building official shall require that, where applicable, the defensible space requirements and other fire hazard reduction requirements have been met pursuant to Chapter 7A of the California Building Code and section R337 of the California Residential Code, and as that code may be amended from time to time. These requirements include, but are not limited to, the following:

Properties shall be maintained in accordance with the defensible space requirements contained in Government Code Section 51182 (unless exempted by Government Code Section 51183 or 51184) and Public Resources Code Section 4291, as applicable.

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- A. The existence or maintenance of any of the following conditions is prohibited:
1. Tree branches within ten feet of a chimney outlet or stovepipe outlet;
 2. Dead or dying tree branches adjacent to or overhanging a building;
 3. Leaves, needles, or other dead vegetative growth on the roof of any structure;
 4. Flammable vegetation or other combustible growth within thirty feet of an occupied dwelling or structure which prevents the creation of a firebreak;
 5. Brush, flammable vegetation, or combustible vegetation located between thirty and one hundred feet of an occupied dwelling or structure which prevents the creation of a reduced fuel zone; or
 6. Brush or other flammable material within ten feet of a propane tank.
- B. For the purposes of this section, the following definitions shall apply:
1. "Firebreak" shall mean an area of land within thirty feet of an occupied dwelling or structure or to the property line, whichever is closer, in which all flammable vegetation or other combustible growth has been removed. The creation of a firebreak shall not require the removal of single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any dwelling or structure.
 2. "Reduced fuel zone" shall mean an area between thirty and one hundred feet of an occupied dwelling or occupied structure or to the property line, whichever is closer, in which all brush, flammable vegetation or combustible growth has been removed. The creation of a reduced fuel zone shall not require the removal of single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure. Grass and other vegetation located more than thirty feet from the dwelling or structure and less than eighteen inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.
- C. No person shall be required to maintain any clearing on any land if that person does not have the legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by another person without the consent of that person.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-0 , § 1(Att. A), 1-21-2020)

15.04.160 Roof projections.

All flues, fireplace chimneys, or other projections through the roof shall be protected from damage by sliding snow or ice. This shall be accomplished by using guys, formed metal guards, saddles, or other methods approved by the building official.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.170 Agricultural storage structures.

Agricultural structures for the storage of field-grown products only, with at least three sides completely open, may utilize slope reduction factors in ASCE 7-16 for "Unobstructed Slippery Surfaces" per 7-2B, as determined by the building official.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.180 Manufactured truss submittal requirements.

- A. All manufactured trusses shall be designed by a California licensed civil or structural engineer.
 - 1. Truss design submittals and calculations may be “deferred submittals” and shall be submitted prior to or at the time of roof sheathing inspection.
 - 2. If the truss design submittals and calculations are not submitted at this time, no further inspections will be conducted until this information has been provided for review and approval.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.190 Environmental air ducts and exhaust ventilation.

Ducts used for domestic kitchen range shall terminate to the exterior and be of metal and have a smooth interior surface. All bathrooms, water closets compartments, laundry rooms, and similar rooms shall be equipped with a mechanical exhaust ventilation system connected directly to the outside capable of providing a minimum ventilation rate of fifty cubic feet per minute for intermittent ventilation or twenty five cubic feet per minute for continuous ventilation specific to seasons of extreme cold and snow where exterior natural ventilation is not practical.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.200 High-rise structure requirements.

Each building having floors used for human occupancy located more than fifty feet above the lowest level of fire department vehicle access shall comply with the standards set forth in Section 403 of Chapter 4 of the California Building Code and any similar requirements from time to time adopted by the California Building Standards Commission pertaining to high-rise buildings designed for human occupancy.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.210 Electric Vehicle Charging Station Permit Expediting Ordinance

A. Title and Authority.

This Ordinance shall be known as the County of Mono Electric Vehicle Charging Station Permit Expediting Ordinance. The section is enacted pursuant to Government Code section 65850.7 as established by Assembly Bill 1236.

B. Purpose and Intent.

The intent of this section is to create an expedited, streamlined permit process that complies with AB 1236 and Government Code section 6550.7 to achieve timely and cost-effective installation of electric vehicle charging stations. This section encourages installation of electric vehicle charging stations by removing unreasonable obstacles to permitting for charging stations so long as the action does not supersede the Building Official’s authority to address higher priority life-safety situations. This section allows the County to achieve these goals while protecting public health and safety.

C. Applicability.

- 1. This section applies to the permitting of electric vehicle charging stations in the unincorporated County of Mono.
- 2. Routine operation and maintenance shall not require a permit.

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3. Electric vehicle charging systems legally established or permitted prior to the Building Official's implementation of an expedited permitting process are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electric vehicle charging station in such a way as to require new permitting.

D. Definitions.

1. "Electronic submittal" means the utilization of one or more of the following:
 - (a) Email.
 - (b) The Internet.
 - (c) Facsimile.
2. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on January 1, 2016, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
3. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the county on another similarly situated application in a prior successful application for a permit.
4. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

E. Electric Vehicle Charging Stations Requirements

1. All electric vehicle charging stations shall meet applicable health and safety standards and requirements of local, state, and federal law.
2. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

F. Application Standards

1. The Building Division shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible.
2. All documents required for submission of an electric vehicle charging station application will be made available on Mono County Building Division's website.
3. The County will accept an electronic signature on all forms, applications and other documents in lieu of a wet signature by an applicant.

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4. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero Emission Vehicles in California: Community Readiness Guidebook” published by the State of California’s Office of Planning and Research. The Building Official may modify the checklists and standards found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.

G. Expedited Permitting Process and Permit Review

1. A permit application that satisfies the information requirements in the County’s adopted checklist shall be deemed complete and be promptly processed, as set forth in Government Code Section 65850.71(b).
2. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the County adopted checklist, and is consistent with all applicable laws, the Building Official shall, within times set forth in Government Code Section 65850.71(c) and consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or use the electric vehicle charging station until approval is granted by the County following a final inspection.
3. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
4. The Building Official may require an applicant to apply for a conditional use permit if the official makes a written finding, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official may be appealed to the Mono County Planning Commission in accordance with Mono County Code.
5. The County shall not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
6. Consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
7. Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.
8. This expedited permitting process is intended to apply only to applications for permits for electric vehicle charging stations and will not expedite the review of any other permit applications.

15.04.220 Small Residential Rooftop Solar Energy Permit Expediting Ordinance

A. Title and Authority.

This Ordinance shall be known as the County of Mono Small Residential Rooftop Energy Permit Expediting Ordinance. The section is enacted pursuant to Government Code section 65850.5 as established by Assembly Bill 2188.

B. Purpose and Intent.

The intent of this section is to create an expedited, streamlined permit process that complies with AB 2188 and Government Code section 65850.5 to achieve timely and cost-effective installation of small residential rooftop solar energy systems. This section encourages installation of small residential rooftop solar energy systems by removing unreasonable obstacles to permitting for solar energy systems so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. This section allows the County to achieve these goals while protecting public health and safety.

C. Applicability.

1. This section applies to the permitting of small residential rooftop solar energy systems in the unincorporated County of Mono.
2. Routine operation and maintenance shall not require a permit.
3. Small residential rooftop solar energy systems legally established or permitted prior to the Building Official's implementation of an expedited permitting process are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small residential rooftop solar energy system in such a way as to require new permitting.

D. Definitions.

1. "Electronic submittal" means the utilization of one or more of the following:
 - (a) Email.
 - (b) The Internet.
 - (c) Facsimile.
2. "Small residential rooftop solar energy system" means a system that meets all of the following criteria:
 - a. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
 - b. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the Town, and paragraph (iii) of subdivision (c) of Section

714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

- c. A solar energy system that is installed on a single or duplex family dwelling.
- d. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

“Solar energy system” has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

- 3. “A feasible method to satisfactorily mitigate or avoid the specific, adverse impact” includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the county on another similarly situated application in a prior successful application for a permit.
- 4. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

E. Small Residential Rooftop Solar Energy System Requirements

- 1. All small residential rooftop solar energy systems shall meet applicable health and safety standards and requirements of local, state, and federal law.
- 2. Small residential rooftop solar energy systems shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

F. Application Standards

- 1. The Building Division shall adopt a checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible.
- 2. All documents required for submission of a small residential rooftop solar energy system application will be made available on Mono County Building Division’s website.
- 3. The County will accept an electronic signature on all forms, applications and other documents in lieu of a wet signature by an applicant.
- 4. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the “California Solar Permitting Guidebook” as adopted by the Governor’s Office of Planning and Research. The Building Official may modify the checklists and standards found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.

G. Expedited Permitting Process and Permit Review

1. A permit application that satisfies the information requirements in the County's adopted checklist shall be deemed complete and be promptly processed, as set forth in Government Code Section 65850.5(g)(1).
2. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the County adopted checklist, and is consistent with all applicable laws, the Building Official shall, within times set forth in Government Code Section 65850.5(g)(1) and consistent with Government Code Section 65850.5, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or use the electric vehicle charging station until approval is granted by the County following a final inspection.
3. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
4. The Building Official may require an applicant to apply for a conditional use permit if the official makes a written finding, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official may be appealed to the Mono County Planning Commission in accordance with Mono County Code.
5. The County shall not deny an application for a use permit to install a small residential rooftop solar energy system unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
6. Consistent with Government Code Section 65850.5, the Building Official shall not condition the approval for any small residential rooftop solar energy system permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
7. Any conditions imposed on an application to install a small residential rooftop solar energy system shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.
8. This expedited permitting process is intended to apply only to applications for permits for small residential rooftop solar energy systems and will not expedite the review of any other permit applications.

15.04.300 Penalties for Chapter 15.04 violations.

- A. Unlawful Acts. It shall be unlawful for any person, firm, vendors, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure, or building service equipment or cause or permit the same to be done in violation of this code and the technical codes as amended and adopted by the county. The use or occupancy of any building in violation of any of the provisions of this code or the technical codes as adopted by the county is declared to be a public nuisance and may be abated in the manner provided by law and subject to enforcement pursuant to the provisions of Chapter 1.12 of the Mono County Code.
- B. Notice of Violation. The building official and his or her deputy inspectors shall be vested with the necessary powers and duties for the exclusive purpose of enforcing provisions of this code. The building official and his or her deputy inspectors may issue warnings or citations for violations, serve a notice of violation or order on the person responsible for the erection, construction, alteration, expansion, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- C. Prosecution of Violation. If a notice of violation is not complied with as directed, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Further, any such violation may be subject to enforcement pursuant to the provisions of Chapter 1.12 of the Mono County Code.
- D. Violation Penalties. Any person who violates any of the provisions of this chapter shall be subject to the penalties set forth in Section 1.04.060 and Chapter 1.12 of the Mono County Code.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

Chapter 15.06 CONSTRUCTION SITE REGULATIONS

Sections:

15.06.010 Scope.

All construction or grading and any work related thereto in the unincorporated areas of Mono County shall comply with this code and the requirements of this chapter.

(Ord. 79-479 § 1 (part), 1979.)

15.06.020 Hours of working.

If operations under a building permit are within five hundred feet of residential or commercial occupancies, this work shall be limited to the hours between seven a.m. and eight p.m. daily, with Sunday operations between nine a.m. and five p.m., except that the concrete pouring work is permitted during daylight hours of sunrise to sunset.

(Ord. 79-479 § 1 (part), 1979.)

15.06.030 Sanitation facilities.

Unless adequate water closets are otherwise provided, a water closet shall be provided when the number of workers on a job site is three or more, at all construction sites, and shall consist of a patented chemical-type privy approved by the local health department. All other requirements shall be according to Section 5416 of the Health and Safety Code.

(Ord. 79-479 § 1 (part), 1979.)

15.06.040 Encroachment.

All materials encroaching on a county public right-of-way without an appropriate permit from the road department are prohibited.

(Ord. 79-479 § 1 (part), 1979.)

15.06.050 Construction site nuisance.

Operations on construction sites shall maintain preventive controls of blowing dust from construction work, protection of drainage diversion from site development, and control of erosion from removal of natural vegetation.

(Ord. 79-479 § 1 (part), 1979.)

Chapter 15.08 CONSTRUCTION FEES

Sections:

15.08.010 Definitions.

As used in this chapter:

- A. "Dwelling unit" includes each single family dwelling and each habitation unit of an apartment duplex or multiple dwelling structure designated as a separate place for habitation of family, as that term is defined in Title 19 of this code. "Dwelling unit" also includes each guest room;
- B. "Guest room" means as the term is defined in Title 19 of this code, when such room is located in a structure other than single family dwelling and is designated for separate use by a family, and also means each bed in a dormitory as the latter is defined in Title 19;
- C. "Person" includes every person, firm or corporation engaging in construction activities itself or through the services of any employee, agent or independent contractor;

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- D. "Trailer space" means each space, area or building in a trailer park or mobilehome park or other place, designed or intended as a place to accommodate any mobilehome, manufactured home or other similar structure, at a time when the same is being used as living or sleeping quarters.

(Ord. 72-422 § 3, 1972.)

15.08.020 New construction fees.

In addition to any other fees prescribed by the county, every person developing land as defined herein, within the county, shall pay to the county a sum appropriately computed as follows:

- A. For each unit in a single-family, condominium, duplex, apartment or multiple dwelling structure, or in a dormitory or hotel, twenty cents per square foot of gross building area under roof, or two hundred dollars per each dwelling unit, whichever is the greater total sum;
- B. For each trailer space, two hundred dollars with no additional sum for any directly accessory structure;
- C. For any other construction not falling within the definition of "dwelling unit" or "trailer space," or within subsections A or B of this section, twenty cents per square foot of gross building area under roof;
- D. For each required parking space in every commercial development in Mammoth Lakes and June Lake, fifty dollars.

(Ord. 83-515 § 1 (part), 1983; Ord. 83-122-B § 1, 1983; Ord. 82-506 § 2, 1982; Ord. 72-422 § 1, 1972.)

15.08.030 Time for payment.

Such fees shall be due and payable upon issuance by the county of a building permit for the construction of any such dwelling unit or building or addition.

(Ord. 72-422 § 2, 1972.)

15.08.040 Specification of budget funding.

All sums collected pursuant to this chapter shall be deposited to the general fund. The building and planning department shall, within the budget process, develop a program or programs to the following aims:

- A. Matching moneys for federal and state planning programs;
- B. Cost attributable to former and future legislative mandated elements in the general plan, precise plans, zoning, environmental studies and requirements;
- C. Cost attributable to joint planning agreements and functions with federal and state agencies;
- D. The acquisition and development of open space lands for recreation purposes. Only those lands identified on the Mono County Open/Space Acquisition Priority List shall be eligible for acquisition with funds collected pursuant to this chapter. The development of open space may include the construction of necessary recreation facilities, trails, parks and appurtenant facilities.

(Ord. 75-422-A § 1, 1975; Ord. 72-422 § 4, 1972.)

Chapter 15.09 CONSTRUCTION IN IMPACTED SCHOOL DISTRICTS

Sections:

15.09.010 Findings.

The board of supervisors of Mono County concurs that conditions of overcrowding may exist in certain schools in Mono County and may make applicable the provisions of Chapter 4.7 (commencing with Section 65970) of Division 1 of Title 7 of the Government Code and thereby necessitate the provision of means of temporarily providing relief from such overcrowding pursuant to such provisions of the Government Code.

(Ord. 79-473 § 1 (part), 1979.)

15.09.020 Applicability.

This chapter shall apply to any ordinance rezoning property to a residential use, the grant of any discretionary permit for a residential use, the approval of any tentative subdivision map for residential purposes and the issuance of any building permit for a dwelling unit, except a permit to replace, repair or alter a previously existing dwelling unit, other than alterations which add a bedroom, or bedrooms, to such dwelling unit.

(Ord. 79-473 § 1 (part), 1979.)

15.09.030 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

- A. "Affected school district" means an impacted school district or a school district in which is located an impacted school.
- B. "Agreement for dedication of land" and "mutual agreement in lieu of dedication of land or payment of fees for interim facilities" means the following:
 1. "Agreement for dedication of land" means mutual agreement between a school district and a developer of a subdivision of over fifty parcels or a multiple dwelling development involving over fifty dwelling units, executed and binding prior to the adoption of any action rezoning property to a residential use, the grant of any discretionary permit for residential use or the approval of any tentative subdivision map for residential purposes, where the total cost of the land to be dedicated is equivalent to the cost of providing temporary building space sufficient in area to accommodate that portion of the estimated enrollment from the proposed development that the parties agree will cause impaction to the district or school as computed and determined when building permits are applied for, calculated on the number applied for.
 2. "Mutual agreement in lieu of dedication of land or payment of fees for interim facilities" means a mutual agreement between a developer and a school district, filed with the Mono County building department by which the developer agrees to contribute land or fees or other assistance, as specified in the agreement, to the school district of a value at least equivalent to the fees otherwise payable under this chapter, for such use as the school district governing board determines to be appropriate, and in consideration of which the school district waives any other

right to demand or receive fees or dedication of land under this chapter with respect to the dwelling units which are the subject of the alternative agreement.

- C. "Building permit" means any permit issued by the Mono County building official for construction of a residential unit, including a permit to construct and install electrical or plumbing equipment to service a mobilehome lot or space, excepting a permit to replace, repair or alter a previously existing dwelling unit.
- D. "Classroom and related facilities" means relocatable school buildings, including necessary appurtenances, and furniture, equipment or necessary apparatus to be used in connection with such buildings.
- E. "Developer" means any person, firm or corporation seeking to construct a dwelling unit, or units, or to develop land for residential purposes.
- F. "Dwelling unit" means a building or portion, planned or designed for use as a residence for one family of persons, and having its own bathroom and housekeeping facilities included in said unit. (e.g., a one-family dwelling, each dwelling unit in a two-family dwelling, and each dwelling unit in a multiple dwelling), and includes a mobilehome.
- G. "Impacted school" means a school, whether or not situated in an impacted school district, the attendance area of which is determined to be overcrowded pursuant to Section 15.09.050.
- H. "Impacted school district" means a school district which is determined to be overcrowded pursuant to Section 15.09.050.

(Ord. 80-473-C § 1, 1980; Ord. 79-473-B § 1 (part), 1979; Ord. 79-473 § 1 (part), 1979.)

15.09.040 Issuance of building permits.

Notwithstanding any provisions of any Mono County ordinance to the contrary, no building permit, except to replace, repair, or alter a previously existing dwelling unit, shall be issued for any dwelling unit within an impacted school district unless the fees prescribed by this chapter have been paid, the land required by agreement to be dedicated has been so dedicated, or there has been filed with the building official by the governing body of an impacted school district, written notice, on a form provided therefor by the county, that such governing body and the developer have entered into a binding agreement providing for a satisfactory alternative to payment of fees or dedication of land under this chapter, or that the board of supervisors has approved of a residential development as authorized in subsection 2 of Section 65972 of the Government Code.

(Ord. 83-515 § 1 (part), 1983; Ord. 80-473-C § 2, 1980; Ord. 79-473-B § 1 (part), 1979; Ord. 79-473-A § 1 (part), 1979; Ord. 79-473 § 1 (part), 1979.)

15.09.050 Procedure.

A school district shall become eligible to collect the fees received by the county, or accept dedication of land under this chapter when all of the following have occurred:

- A. The school district has submitted to the board of supervisors a resolution making the findings prescribed by Section 65971 of the Government Code that a school attendance area or a school district is overcrowded and that all reasonable methods of mitigating the conditions of overcrowding have been evaluated and no feasible method for reducing such conditions exist and has submitted to the board of supervisors clear and convincing evidence in support of such findings.

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- B. The board of supervisors, after hearing at a regular scheduled meeting, has concurred in such findings and has made the following additional findings:
1. That the general plan provides for the location of public schools;
 2. That this chapter has been in effect thirty days prior to the implementation of the fee for dedication requirement;
 3. That the facilities to be constructed from the fees prescribed by this chapter or any land to be dedicated, or both, is consistent with the general plan;
 4. The location and amount of land to be dedicated, or fees to be paid, or both, bear a reasonable relationship, and will be limited to the needs of the community, for elementary or high school facilities, which shall be limited to interim facilities unless otherwise mutually agreed by the developer and the school district and is reasonably related and limited to the needs for schools caused by the development;
 5. The land or fees, or both, transferred to the school district shall, unless otherwise mutually agreed by the developer and the school district, be used only for the purpose of providing interim elementary or high school classrooms and related facilities.

(Ord. 80-473-C § 3, 1980: Ord. 79-473-A § 1 (part), 1979: Ord. 79-473 § 1 (part), 1979.)

15.09.060 Fees.

Before any permit is issued to construct a dwelling unit or dwelling units in an impacted school district, applicant shall pay the fees, dedicate the land, or both, as required by the board of supervisors by resolution after proper justification by an impacted school district or shall enter into an agreement providing for payment of fees, dedication of land or other assistance accepted by the school district in lieu of the fees otherwise payable under this agreement. Evidence of such agreement shall be provided the building official prior to issuance of a building permit in an impacted school district.

(Ord. 83-515 § 1 (part), 1983: Ord. 80-473-C § 4, 1980: Ord. 79-473-A § 1 (part), 1979: Ord. 79-473 § 1 (part), 1979.)

15.09.070 Use of fees and accounting.

- A. Any fees provided an impacted school district pursuant to this chapter shall, unless otherwise agreed by the developer and school district, be used only for the purpose of providing interim elementary or high school classrooms and related facilities. Any school district receiving funds pursuant to this chapter in the absence of an agreement with the developer shall maintain a separate account for any fees paid to the district and shall file a report with the board of supervisors of the balance in the account as of the end of each fiscal year. Such report shall specify which attendance areas will continue, in the opinion of the school district governing board, to be overcrowded when the fall term begins and when conditions of overcrowding will no longer exist.
- B. Such report shall be filed not later than August 1st of each year.
- C. This chapter shall become inoperative in any affected school district as of August 1st of any year in which such report indicates conditions of overcrowding will no longer exist in the ensuing fall term in such district.

(Ord. 80-473-C § 5, 1980: Ord. 79-473 § 1 (part), 1979.)

15.09.080 Enactment.

- A. The ordinance codified in this chapter shall become operative thirty days after it becomes effective.
- B. The ordinance codified in this chapter is an urgency ordinance for the immediate preservation of the public peace, health and safety and shall take effect immediately. The facts constituting the urgency are as follows: For these school districts that are found to be overcrowded the need for temporary facilities to prevent further overcrowding due to new residential construction is immediate. In order to avoid such further overcrowding there is a need to impose the fees that will be provided under this chapter at the earliest possible date prior to the normal building season.

(Ord. 79-473 § 1 (part), 1979.)

Chapter 15.12 PUBLIC BUILDING CONSTRUCTION

Sections:

15.12.010 Definitions.

As used in this chapter:

- A. "Preliminary plans" means any documents, expressions of ideas, concepts, location of improvements, type, style, size, nature of improvement which will indicate nature and extent and location of any proposed improvement;
- B. "Public buildings" means any and all improvements of whatever class or nature proposed to be constructed by a public entity, corporation or body politic;
- C. "Submission" (regulation) means delivery by regular mail, properly addressed and return addressed, postage paid, return receipt, or in person by duly authorized representative.

(Ord. 83-515 § 1 (part), 1983; Ord. 349 §§ 1—3, 1964.)

15.12.020 Preliminary plan submittal—Permit required.

All preliminary plans by any public entity, corporation or body politic of any public buildings shall be submitted to the department of public works or its designee, and permit or other authorization to proceed shall be issued prior to publication of any notice to bidders for the construction of such public buildings.

(Ord. 349 § 4, 1964.)

15.12.030 Work without permit—Action.

Should any public building be so constructed without first having obtained a permit or other authorization to proceed as required in this chapter, the county, by and through its duly authorized agent, representative or assign, shall bring appropriate legal remedy for the stoppage of the construction of the improvement to and including, but not limited to, injunction.

(Ord. 349 § 5, 1964.)

Chapter 15.16 BUILDING MOVING AND DEMOLITION

Sections:

15.16.010 Permits required—Limitations.

- A. No person shall move any building or structure within or into the unincorporated area of the county, without first obtaining from the building department a relocation permit and a building permit. No person shall effect any demolition of any building or structure, or any part thereof, without first obtaining from the building department a demolition permit.
- B. Except as otherwise provided in this section, there shall not be issued a relocation permit for any building or structure which is included within any one or more of the following categories:
 1. So constructed or in such condition as to constitute a danger of injury or death through collapse of the building, fire, defects in electrical wiring or any other substantial hazard, to the persons who will occupy or enter said building after relocation;
 2. Infested with rats or other vermin or the wood members of the building are infested with rot, decay or termites;
 3. So unsanitary or filthy that it would constitute a hazard to the health of the persons who will occupy said building after relocation or, if not intended for occupancy by human beings, would make it unsuitable for its intended use;
 4. In such condition or of a type, character, size or value and is so inharmonious with other buildings in the neighborhood of the relocation site, that placing the building at the proposed relocation site would substantially diminish the value of other property or improvements in the district into which the building is to be relocated;
 5. The proposed use of the building is prohibited at the proposed relocation site under any zoning ordinance or other land use ordinance of the county.
 6. The building, structure, or relocation site does not conform to all applicable provisions of law.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.020 Application for relocation permit.

Every application for a relocation permit shall be in writing upon a form furnished by the building department and shall set forth such information as may reasonably be required in order to carry out the purposes of this chapter. Such information may include:

- A. Photographs of the building or structure to be moved and photographs of the buildings on the properties contiguous with the premises onto which the building or structure is to be moved;
- B. A report from a licensed structural pest control contractor stating the condition of the building or structure as to decay and pest infestation;
- C. A report from a registered engineer or architect stating the structural condition of the building, and clearly indicating steps to be taken to preserve/enhance said condition.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.030 Correction of defects before issuance—Hearing.

- A. If the building or structure to be moved fails to meet any of the standards set forth in Section 15.16.010, but it appears to the building official that the deficiencies can be corrected, the permits shall be issued only on condition that all deficiencies be corrected.
- B. In order to determine any matter regarding relocation of a building or structure, the building official may cause any investigation to be made which he believes necessary.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.040 Terms and conditions of issuance.

In granting a relocation permit, there may be imposed such terms and conditions as are reasonable, including, but not limited to changes, alterations, additions or repairs to the building or structure so that its relocation will not be materially detrimental or injurious to the public safety or welfare or to the property or improvements in the district to which it is to be moved. The terms and conditions upon which each permit is granted shall be in writing upon application and permit or appended thereto.

(Ord. 75-460 § 2 (part), 1975.)

15.16.050 Application fee.

The fee for relocation investigation service shall be twenty-five dollars. In addition, there shall be a travel fee of fifty dollars when a building or structure is located outside this county at a point within twenty miles of the boundaries of this county, plus one dollar for each mile or fraction thereof in excess of twenty miles. In the event a building permit is issued, the fees for building, plumbing, electrical and mechanical permits shall be based upon the total value of the improved building or structure at its relocation site as estimated by the building official.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.060 Debris and excavations.

It shall be the duty of any person to whom any permit is issued for the demolition or for the removal of any building, or any section or portion of any building pursuant to the provisions of this chapter, and of any person leasing, owning, or occupying or controlling any lot or parcel of ground from which a building is removed or demolished, to remove all weeds, concrete or stone foundations, flat concrete, concrete patios, masonry walls, garage floors, driveways, and similar structures and all loose, miscellaneous, and useless material from such lot or parcel of ground, and to properly cap the sanitary sewer house connection, and to properly fill or otherwise protect all basements, cellars, septic tanks, wells, and other excavations.

(Ord. 75-460 § 2 (part), 1975.)

15.16.070 Denial of permit.

If the unlawful, dangerous or defective condition of the building or structure proposed to be relocated is such that remedy or correction cannot practicably and effectively be made, the relocation permit shall be denied.

(Ord. 75-460 § 2 (part), 1975.)

15.16.080 Expiration.

A relocation permit shall expire and become null and void if the moving of the building or structure is not completed within sixty days from the date of the permit.

(Ord. 75-460 § 2 (part), 1975.)

15.16.090 Relocation bond—Required.

No relocation permit required by this chapter shall be issued by the building department unless the applicant therefor first posts a bond executed by the owner of the premises where the building or structure is to be located, as principal, and a surety company authorized to do business in the state, as surety. The bond shall be in form joint and several, shall name the county as obligee and shall be in an amount equal to the cost plus ten percent of the work required to be done in order to comply with all of the conditions of such relocation permit as such cost is estimated by the building official. In lieu of a surety bond the applicant may post a bond executed by the owner, as principal, and which is secured by a deposit in cash in the amount named above and conditioned as required in the case of a surety bond; such a bond as so secured is hereafter called a "cash bond" for the purposes of this section.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.100 Relocation bond—Conditions.

Every bond posted pursuant to this section shall be conditioned as follows:

- A. That each and all of the terms and conditions of the relocation permit shall be complied with to the satisfaction of the building official;
- B. That all of the work required to be done pursuant to the conditions of the relocation permit shall be fully performed and completed within the time limit specified in the relocation permit; or, if no time limit is specified, within ninety days after the date said building is moved to its new location. The time limit herein specified, or the time limit specified in any permit, may be extended for good and sufficient cause by the building official. No such extension of time shall be valid unless written and no such extension shall release any surety upon any bond.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.110 Relocation bond—Default in performance of conditions.

- A. Whenever the building official finds that a default has occurred in the performance of any term or condition of any permit required by this section, written notice thereof shall be given to the principal and to the surety of the bond. Such notice shall state the work to be done, the estimated cost thereof and the period of time deemed by the building official to be reasonably necessary for the completion of such work. After receipt of such notice, the surety must, within the time therein specified, either cause the required work to be performed or, failing therein, must pay over to the director of building the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to ten percent of the estimated cost. Upon receipt of such moneys, the building official shall proceed by such mode as he deems convenient to cause the required work to be performed and completed, but no liability shall be incurred therein other than for the expenditure of the sum in hand therefor. The balance, if any, of such moneys shall, upon completion of the work, be returned to the depositor, or to his successors or assigns, after deducting the cost incurred in obtaining the completion of the work.

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- B. If a cash bond has been posted, notice of default as provided above shall be given to the principal and if compliance is not had within the time specified, the building official shall proceed without delay and without further notice or proceedings whatever to use the cash deposited, or any portion of such deposit, to cause the required work to be done by contract or otherwise in the discretion of the building official.
 - C. When any default has occurred on the part of the principal under the preceding provisions, the surety shall have the option, in lieu of completing the work required, to demolish the building or structure and to clear, clean and restore the site. If the surety defaults, the building official shall have the same option.
 - D. In the event of any default in the performance of any term or condition of the relocation permit, the surety, or any person employed or engaged on its behalf, or the building official, or any person employed or engaged on his behalf, shall have the right to go upon the premises to complete the required work or to remove or to demolish the building or structure.
 - E. No person shall interfere with or obstruct the ingress or egress to or from any such premises by any authorized representative or agent of any surety or of the county engaged in the work of completing, demolishing or removing a building or structure for which a relocation permit has been issued after a default has occurred in the performance of the terms or conditions thereof.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.120 Relocation bond—Termination—Refund of surplus.

The term of each bond posted pursuant to this section shall begin upon the date of the posting thereof and shall end upon completion to the satisfaction of the director of building of the performance of all the terms and conditions of the relocation permit required by this section. Such completion shall be evidenced by a statement thereof signed by the director of building, a copy of which will be sent to any surety or principal upon request. When a cash bond has been posted, the cash shall be returned to the depositor or to his successors or assigns upon the termination of the bond, except any portion thereof that may have been used or deducted as elsewhere in this chapter provided.

(Ord. 75-460 § 2 (part), 1975.)

Chapter 15.20 HOUSE AND PROPERTY NUMBERING²

15.20.010 Purpose.

The purpose of this chapter is to establish a county-wide house and property numbering system that is consistent with Mono County General Plan Chapter 22 (Fire Safe Regulations) and the county 911 emergency response system. The specific objectives of this chapter are as follows:

- A. To provide property owners and the county with a convenient, accurate and systematic means of identifying property.
- B. To name new streets, and rename old streets with conflicting or duplicate names, in order to provide for the efficient provision of emergency services.

²Editor's note(s)—Ord. No. 15-03, § 1(Att. A), adopted May 5, 2015, amended Chapter 15.20 in its entirety to read as herein set out. Former Chapter 15.20, §§ 15.20.010—15.20.060, pertained to similar material, and derived from Ord. No. 73-437 and Ord. No. 93-08, 1993.

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- C. To provide a means for expedient emergency response by all necessary emergency services.
 - D. To establish a property location that will serve as an emergency 911 address.
 - E. To assist in the proper delivery of utility and other services.
 - F. To support the county's move to enhanced 911.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.020 Area affected.

This chapter shall apply to and govern each and every lot, parcel, or tract of land and improvement thereof, within the unincorporated areas of the county, in accordance with the implementation schedule set forth in Section 15.20.130. The structure numbers on all residential, multi-family and commercial buildings existing at the time this chapter is adopted will be checked to ensure conformance with the standards set forth in this chapter. If the existing structure number is found to be non-compliant, the director may assign a new number as set forth herein. All new and future structures will be assigned a primary structure number in compliance with this chapter.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.030 Administration.

The assignment of numbers and the maintenance of the records pertaining thereto are the responsibility of the information technology department. The director of information technology ("director") shall be responsible for the administration of these standards and the maintenance of all maps and data relating to street names and addresses and will also determine if the assignment of names and numbers conforms to the standards set forth in this chapter. The director shall notify property owners of the assignment of property numbers and the effective date of display of the numbers. It shall be the responsibility of the property owner to erect or install occupancy or structure numbers compliant with Section 15.20.090 of this chapter and street naming signage compliant with Section 15.20.110 of this chapter. The director shall further assign numbers to all parcels created by any division of land. The director may assign such additional numbers as are necessary to identify separate occupancies or structures and may consult with the appropriate fire protection district and the Mono County Sheriff's Department to help resolve addressing issues.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.040 Definitions.

As used in this chapter:

- A. "Address" means a combination of a number, a street name and, when necessary, a unit number that is assigned to a parcel, structure, or unit within a structure, and is unique to it, to indicate its location.
- B. "Adjoining" means having a common boundary for at least twenty-five feet.
- C. "Building" means any structure used or intended for sheltering or supporting any use or occupancy.
- D. "Principal building" means a building that is large enough or used in such a way that, in the director's judgment, it requires a separate address. Mobile homes are principal buildings.
- E. "Contrast" with regard to colors used for the numbers, means two dissimilar colors that, when viewed alongside each other, distinctly oppose each other, allowing them to be visible to the naked eye and that stand out against the prevailing background.

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- F. "Driveway" means a vehicle way that provides access, primarily for the occupants, from a street into a lot or complex and that:
 - 1. Has a ramp for its entrance from the street; and
 - 2. Provides access to no more than two separate dwellings or addressed structures or to any number of dwellings or addressed structures within a single complex or development.
 - G. "High rise" means a multi-level building greater than three stories.
 - H. "Internal street" means a street within a multi-family development or complex or other development or complex that provides access to the development or complex from a driveway.
 - I. "Lot" means a parcel of real property.
 - J. "Property owner" means the person, firm, corporation or partnership that the latest county tax assessment rolls shows as the owner or long-term lessee.
 - K. "Primary driveway" means the primary point of access to a lot identified by property owner.
 - L. "Street" means a right-of-way or street easement, whether public or private, that provides vehicular access to abutting property.
 - M. "Structure" means a building, modular or the like, which is assembled or constructed on the ground, or attached to anything with a foundation on the ground. This includes mobile homes and manufactured housing regardless of their method of attachment.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.050 Street naming standards.

This section pertains to the standards which apply when naming streets. Regulations pertaining to the process and procedure for the adoption of street names are set forth in Chapter 13.35 or Subdivision Map Act and Section 17.16.250 of this code.

All Streets that serve three or more properties under different ownership will be named regardless of whether the ownership is public or private.

- A. Driveways shall not be named.
- B. A street name assigned by the county shall not constitute or imply acceptance of the street into the county's road system.
- C. There shall be no duplication of names by sound or spelling (e.g. Pine Road and Pine Lane, or Beach Street and Beech Street).
- D. When a proposed street is in general alignment with an existing street, and the proposed street is to be a continuation of the existing street, the existing name and designation should be maintained.
- E. Each street will have the same name throughout its entire length.
- F. No street name shall be over sixteen characters in length. In counting characters, spaces between words shall be included, but street name suffixes (e.g. road, drive, lane, circle) shall not be included.
- G. Address plans shall be submitted with the tentative map and before submittal of a final map; the subdivider shall submit a street naming and addressing plan to the information technology department. In addition, if any property owner proposes to locate or construct a new road (private or public), the property owner shall submit a street naming and numbering plan to the information technology department. Address plans must be approved prior to map recordation.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.060 Addressing standards for lots with one principal building.

The following standards shall apply when assigning numbers to buildings, dwellings, or other structures when only one principal building is on the property:

- A. Official property numbers shall proceed from a logical point of origin. Each street will have a point of origin as a zero starting point for address numbers.
- B. All dead end streets and culs-de-sac shall begin with ascending numbers at the open end that connects to another street.
- C. Allowances shall be made for vacant lots in order that numbers may be properly assigned for future development.
- D. Numbers will be assigned along both sides of a street. Odd-numbered addresses will be assigned on the north side of east-west streets and on the west side of north-south streets. Even-numbered addresses will be assigned on the south side and east side, respectively.
- E. Numbers shall be established based on the front entrance from the street as designated by the county.
- F. The number shall be displayed upon the front of the building and/or on the side facing the street throughout the year in summer and winter. The number shall be plainly visible from the street. Houses that are set back out of view from the street shall place a sign at the driveway entrance upon which shall be affixed the specified numbers.
- G. For lots that are accessed by multiple driveways, a primary driveway shall be identified, which will be used for address assignment. Such access points are subject to review and approval of the director to ensure they are accessible to emergency service providers.
- H. The assignment of a building number/address is required prior to the issuance of a building permit.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.070 Addressing standards for complexes and developments without internal street networks.

The following standards apply to multi-family residential complexes or developments or any other complex or development that is serviced by a common driveway or driveways and parking area(s), without internal streets (for purposes of this section "complex"):

- A. Each complex must have a county approved name designating it, which shall be made known at the time of permit application. This name shall be preserved, utilized, and prominently displayed at the complex. The address for the complex shall be prominently displayed as well.
- B. For complexes that are accessed by multiple driveways, the county shall designate a primary access point associated with the driveway that most directly accesses the manager's unit or main office; this building will be used for address assignments and shall be known as the "primary driveway." Such access points are subject to review and approval of the county.
- C. A multi-family dwelling structure such as an apartment building will be assigned one street address, and individual numbers for each unit, by the County.
- D. If more than one Building is present in a complex, each building must be assigned a building letter or number per the standards set forth in Section 15.20.050(G).

(Supp. No. 72)

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- E. Each entrance serving a separate occupant, shall be assigned a unique unit number, however, it will maintain the address of the property upon which it is built and the letter of the building it is in. (Example: 24 Public Road, Building A, Unit 103).
 - F. Unit designators shall be as follows: Ground level floor numbers #101, #102, #103, second floor numbers #201, #202, #203. Additionally, all floor levels are to follow this scheme. Underground floor designator shall follow the same scheme with the exception of having "U" for a prefix, for example #U101, #U102, etc.
 - G. Unit numbers shall be at least four inches in height, made of a contrasting color to the background, and placed next to the door.
 - H. Mobile home parks shall be assigned one address based on the location of the primary driveway. Individual numbering of each mobile home space must be determined and provided to the county before an address will be issued to the park. (Example: 24 Public Road, Lot 1).
 - I. In the case of mall or a shopping center, the owner of any business that is located within such mall or shopping center shall display the legally assigned space or unit number at the main entrance to the business. Additionally, the owner of each business shall display the legally assigned number on the rear door to the building in numbers that are not less than four inches in height.
 - J. The assignment of an address is required prior to the issuance of a building permit. The director will approve each address, including building letters and unit numbers.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.080 Addressing standards for complexes and developments with internal street networks.

The following standards apply to multi-family residential complexes or developments or any other complex or development that is serviced by a common driveway or driveways and parking area(s) but which has internal streets (for purposes of this section "complex").

The complex shall use the address assigned to the property during the construction phase of the project only. After the project has been built, the 'parent' address is retired and superseded by the individual unit address. All structures, dwellings, common-area facilities, alarms, and other infrastructure must comply with the following:

- A. Whenever a network of named streets exists within a complex, the street names shall be utilized in the addressing of the structures they service. All street names must comply with Section 15.20.060.
- B. The address shall be displayed upon the front of the building and/or on the side facing the street. The number shall be plainly visible from the street. All numbers shall meet the standards discussed in this chapter.
- C. Each entrance serving a separate occupant within each building shall be assigned a unique address based on the location of the driveway or garage that services said unit. Numbers shall be displayed according to the standards set forth in Section 15.20.090.
- D. The assignment of building numbers and addresses is required prior to the issuance of a building permit.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.090 Specifications for address numbers.

Address numbers shall comply with the following specifications:

- A. Address numbers shall be made of durable material.
- B. Address numbers shall be depicted in Arabic numerals or shall be the English words for such numbers.
- C. Address numbers shall be clearly visible from the street during both summer and winter months but no digit or letter shall be smaller than four inches in height.
- D. Structures located more than fifty feet from the street and/or not clearly visible from the street shall comply with the above standard by maintaining a post at the intersection of the driveway and street. Said post shall be at least three feet in height of durable material with address numbers posted on it. Said numbers shall be at least four inches in height. In all cases, a larger number than the minimum size may be required where the minimum size does not provide adequate identification.
- E. The color of the address numbers shall contrast with the immediate background so as to be easily readable.
- F. It shall be unlawful to cover or conceal, or to permit the obstruction of the address numbers. All numerical identifications must be easily identifiable without obstruction of view.
- G. It shall be unlawful to post numbers other than the primary address.
- H. All old numbers shall be removed when a new address number has been assigned in accordance with this chapter.
- I. The property owner shall maintain numbers in such a manner that they continue to comply with the foregoing specifications.
- J. Structure numbers and unit designators, as viewed from the street, shall not be obstructed from view.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.100 Specifications for building letters.

- A. Each building in a multi-building development or complex shall receive a unique letter, beginning with A. Alternatively, buildings may be given names, but the first letter of the name shall not be used in the name of any other building in that complex or development. (Ex. A, B, C, or Aspen, Birch, Cherry.)
- B. Buildings shall be lettered in alphabetical order as you drive through the complex.
- C. Building letters are to be at least one foot in height, made of contrasting color, and shall be conspicuously located and placed on the side of the building facing the driveway or street at least ten feet off the ground so as to clearly identify the building they relate to year-round.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.110 Street signage standards, procedure, and specifications.

Installation and maintenance of street name signs will be done as follows:

- A. In subdivisions, the property owners' association (or other similar entity) which represents the property owners in the subdivision, or the property owners in said subdivision (if there is no property owners' association or similar entity) shall be responsible for installing and maintaining street name

(Supp. No. 72)

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signs with the approved name of the street and the intersecting street in accordance with the specifications in this chapter. The foregoing shall not apply where a street is county-maintained, or intersects with a county-maintained street at the intersection.

- B. In all other cases, the property owners adjoining the street shall be responsible for installing signs with the approved name of the street and the intersecting street in accordance with the specifications set forth in this chapter. The county will only be responsible for installing street name signs for county-maintained streets.
- C. No occupancy permits for any building or buildings to be erected shall be issued until such time as the street name signs are installed.
- D. Street signs shall meet all state and county standards.
- E. Signage must conform to all applicable state and county standards, including standards set forth in the Manual Uniform Traffic Control Devices:
 - 1. Posts and mountings shall be permanent and durable. Post materials shall consist of a standard four-by-four wood post or alternate materials or construction that meet nationally accepted breakaway standards.
 - 2. Mounting Height:
 - a. Rural Areas: A minimum of five feet, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement.
 - b. Business, commercial or residential areas where parking or pedestrian movements are likely to occur: Seven feet, measured vertically from the bottom of the sign to the elevation of the near edge of the traveled way.
 - 3. Orientation:
 - a. Business or Commercial Areas: Street name signs shall be placed on diagonally opposite corners.
 - b. Residential Areas: At least one street name sign shall be mounted at each intersection. They shall be mounted with their faces parallel to the streets they name.
 - c. At intersection crossroads where the same road has two different street names for each direction of travel: both street names may be displayed on the same sign along with directional arrows.
 - 4. Sign Lettering: Lettering on post-mounted street name signs shall be composed of initial upper-case letters at least six inches in height and lower-case letters at least four and one-half inches in height. On multi-lane streets with speed limits greater than forty mph, the lettering on post-mounted street name signs shall be composed of initial upper-case letters at least eight inches in height and lower-case letters at least six inches in height.

Option: For local roads with speed limits of twenty-five mph or less, the lettering on post-mounted street name signs may be composed of letters at least four inches in height.
 - 5. Retroreflectivity and Illumination: Street name signs and object markers shall be retroreflective or illuminated to show the same shape and similar color by both day and night.
 - 6. Lateral Offset: Street name signs shall be installed in urban areas at all street intersections regardless of other route signs that might be present and should be installed in rural areas to identify important roads that are not otherwise signed. All supports should be located as far as practical from the edge of the shoulder.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.120 How and when to affix numbers.

Numbers shall be affixed within sixty days after assignment and in accordance with this chapter, or as otherwise authorized by the director.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.130 Implementation.

- A. New Streets and Addresses. All streets or lots created following adoption of this chapter shall comply with the standards set forth herein. In situations where such assignment would result in incongruity amongst the existing numbering system, a temporary address may be assigned and later replaced with a permanent, compliant address.
- B. Existing Streets and Addresses. Unless otherwise authorized by the director, streets and structures that are not in compliance with the standards set forth in this chapter will be changed per resolution, adopted with or pursuant to this chapter.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.140 Enforcement and penalties.

In the event that any number assigned to any structure under this chapter or under a resolution adopted pursuant to this chapter, is not affixed thereto in accordance with the requirements of this chapter, the property owner may be subject to administrative citation in accordance with Chapter 1.12.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

Chapter 15.24 CONSTRUCTION OF BRIDGES AND MAJOR THOROUGHFARES

Sections:

15.24.010 Fees or consideration in lieu of fees—May be required as condition of building permit issuance.

The Mono County building department may, as a condition of issuing a building permit, require from the permittee the payment of a fee, or consideration in lieu of fees, for the purposes of defraying the actual or estimated cost of constructing bridges over waterways, railways, freeways and canyons, or constructing major thoroughfares.

(Ord. 79-475 § 1 (part), 1979.)

15.24.020 Fees or consideration in lieu of fees—Required when.

The Mono County building department, as a condition of issuing a building permit, may require the payment of fees, or consideration in lieu of fees, only in the event of compliance with provisions of the following subsections:

(Supp. No. 72)

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- A. In a case on the proposed construction of a bridge, the project for which the fee, or consideration in lieu of fees, is required within the ambit of, and is consistent with, the circulation element of the Mono Plan, or June Lake General Plan, or such other general plan as may be adopted subsequent to the effective date of the ordinance codified in this chapter, and only in the event that the proposed bridge is within the ambit of the transportation or flood control provisions of such general plan which identify railways, freeways, streams or canyons for which bridge crossings are required and only in the event that such proposed bridge construction is consistent with the transportation and flood control provisions of said general plan.
 - B. In the event that the proposed construction project is of a major thoroughfare, the payment of fees, or consideration in lieu of fees, should be required only in the event the proposed major thoroughfare construction project is within the ambit of, and consistent with, the circulation element of the Mono Plan or June Lake General Plan, or such other general plan as may be adopted within the county subsequent to the effective date of the ordinance codified in this chapter, and that the proposed major thoroughfare construction project is within the ambit of, and consistent with, the provisions of the circulation element of such general plans which identify those major thoroughfares whose primary purpose is to carry through traffic and provide a network connecting to the state highway system located within the areas governed by the general plan referenced above.
 - C. In no event shall the payment of fees, or consideration in lieu of fees, be required unless the circulation element of the general plan for the area within which the bridge or major thoroughfare is to be built has been adopted by the local agency at least thirty days prior to the filing of the application for building permit.
 - D. Prior to the payment of any fees, or consideration in lieu of fee, the local legislative body for the area within which the proposed construction project is to take place, shall determine the boundaries of the area which will benefit by the proposed construction project. This area of benefit may include land or improvements in addition to those which are the subject of any building permit application. The local legislative body shall then notice a public hearing to be held by the governing body for the area benefited, and notice of this hearing shall be given pursuant to Section 65905 of the Government Code. In addition to the requirements of Section 65905 of the Government Code, such notice shall contain preliminary information related to the boundaries of the area of benefit, estimated cost of the project, and the method of fee apportionment.
 - E. The fees, or consideration in lieu of fees, shall not be required unless at such public hearing, duly noticed, the local governing board does establish the boundaries of the area of benefit, the cost, whether actual or estimated, and a fair method of allocating costs to the area of benefit and fee apportionment. The method of fee apportionment, in the case of major thoroughfares, shall not provide for higher fees on land which abuts the proposed improvement except where abutting property is provided direct usable access to the major thoroughfare. A description of the boundaries of the area of benefit, the cost, whether actual or estimated, and the method of fee apportionment established at the hearing shall be incorporated in a resolution of the governing body, a certified copy of which shall be recorded by the governing body conducting the hearing with the recorder of the county in which the area of benefit is located. Such apportion fee shall be applicable to all property within the area of benefit and with respect to those lands which may not be subject to the payment of fees pursuant to this section, the governing agency shall either make provision for the payment of the share of improvement costs apportioned to such lands from other sources or impose a reasonable charge on property within the area pursuant to the provisions of Section 66489 of the Government Code.
 - F. Payment of fees, or consideration in lieu of fees, shall not be required unless the major thoroughfares are an addition to, or a reconstruction of, any existing major thoroughfares serving the area at the time of the adoption of the boundaries of the areas of benefit.

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- G. Payment of fees shall not be required unless, in the case of a planned bridge facility, such facility is an original bridge serving the area, or an addition to any existing bridge facility serving the area at the time of the adoption of the boundaries of the area of benefit. Fees shall not be expended to reimburse the cost of existing bridge facility construction.
 - H. Fees, or consideration in lieu of fees, shall not be required if, prior to the date set for hearing there is filed with the clerk of the legislative body, a written protest by the owners of more than one-half of the area of the property to be benefited by the improvement, and such protests are not withdrawn so as to reduce the area represented to less than one-half of that area to be benefited. In the event protests are filed by owners of more than one-half the area of the property to be benefited then the proposed proceedings shall be abandoned and the legislative body shall not, for a period of one year from the date of filing of that written protest, commence or carry on any proceedings for the same improvement or acquisition under the provisions of this section. Should a majority of protest be directed only to a portion of the improvement then all further proceedings under the provisions of this section to construct that portion of the improvement so protested shall be barred for a period of one year but the legislative body shall not be barred from commencing new proceedings, not including any part of the improvement or acquisition so protested. The legislative body may, within such one-year period, commence and carry on new proceedings for the construction of a portion of the improvements so protested against if it finds, by affirmative vote of four-fifths of its members, that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with such portion of the improvement or acquisition.
 - I. Fees paid pursuant to this section shall be deposited in the planned bridge facility or major thoroughfare fund. A fund shall be established for each planned bridge facility or planned major thoroughfare project. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of the improvements serving the area to be benefited and from which the fees comprising the fund were collected, or to reimburse the local agency for the cost of constructing the improvement.
 - J. A local agency imposing fees pursuant to this section may advance money from its general fund or road fund to pay the cost of constructing the improvements and may reimburse the general fund or road fund from such advances from planned bridge facility or major thoroughfare fund established to finance the construction of such improvement.
 - K. A local agency imposing fees pursuant to this section may incur an interest-bearing indebtedness for the construction of bridge facilities or major thoroughfares; provided, that the sole security for repayment of such indebtedness shall be the moneys in planned bridge facility or major thoroughfare funds.
 - L. The legislative body or local agency may accept such considerations, in lieu of fees, if such legislative body or local agency in its discretion believes they are equivalent to fees that would be required.

(Ord. 79-475 § 1 (part), 1979.)

15.24.030 Fees for consideration in lieu of fees—Required upon compliance with Section 15.24.020.

Should the legislative body or local agency comply with all of the conditions set forth in Section 15.24.020, such legislative body or local agency shall require the payment of fees, or consideration in lieu of fees, as a condition of the issuance of building permit for such property or portions thereof.

(Ord. 79-475 § 1 (part), 1979.)

Chapter 15.30 FIRE MITIGATION FEES

Sections:

15.30.000 Title.

This chapter shall be known and may be cited as the "Fire Mitigation Fee Ordinance."

(Ord. 90-533 (part), 1990.)

15.30.001 Purpose.

The purpose of this chapter is to carry out Mono County policies requiring new development within the unincorporated areas of the County to bear its fair share of the costs of facilities and equipment necessitated by such development.

(Ord. 90-533 (part), 1990.)

15.30.002 Definitions.

When the following words are used in this chapter, they shall have the meaning ascribed to them in this section.

- A. "Apartment" means a room or suite of two or more rooms which is designated for, intended for, or occupied by one family, with facilities for cooking therein, such residential unit being one of two or more units in the same building or on the same lot or plot.
- B. "Chief" means the chief of a fire agency serving an unincorporated area of the County.
- C. "County" means the county of Mono.
- D. "Covered space" means floor space enclosed by walls and a ceiling or roof.
- E. "Development" means all construction for which a building permit or other permit is required.
- F. "Director" means the director of public works of the county of Mono.
- G. "District service area" means (1) the geographic area served by a fire agency within the boundaries of such fire agency, and (2) the geographic area served by such fire agency by agreement with owners of private property located outside of the boundaries of such fire agency.
- H. "Facilities and equipment" means any long-term capital facilities and equipment used by agencies for fire suppression or emergency medical services, including station construction, station expansion and fire or emergency medical apparatus.
- I. "Fire agency" and "agency" means any special district providing fire protection services within the unincorporated area of the county. The terms also mean the county when it provides fire protection services through a county service area.
- J. "Low-rise building" means a building or structure, no part of which exceeds three stories in height or exceeds thirty-five feet in height (fifty feet for a residential condominium or apartment building) from

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- (i) any fire agency access as defined by ordinances of an agency or (ii) the average finished grade of such building or structure if it does not have such access.
 - K. "High-rise building" means a building or structure any part of which exceeds the height described in subsection J of this section.
 - L. "Single-family dwelling" means a structure designed and permitted exclusively for the residential occupancy of one family, and not as a part of an apartment or a condominium complex.
 - M. Except as stated in subsections A through L of this section, the definitions of words used in this chapter shall be as defined in any relevant ordinances, or otherwise as defined in the Mono County Zoning Code.

(Ord. 90-533 (part), 1990.)

15.30.003 Findings.

In enacting this chapter, the board of supervisors finds and declares:

- A. Fire agencies provide fire protection services for the purpose of protecting the health and safety of persons and property within their district service areas.
- B. The construction and occupancy of additional residential, commercial and other structures within their district service areas adversely impacts the ability of fire agencies to provide fire protection services and increases fire hazards to persons and property.
- C. In order to protect the health and safety of the occupants of new or reconstructed structures within their district service areas, it is necessary for fire agencies to acquire additional land, facilities and equipment to serve such new development.
- D. It is county policy, by and through the land use element of its general plan and the provisions of this chapter, to assure that necessary additional land and fire protection facilities and equipment required by new development projects are either available or will be made available as a condition of approval of such projects, and that the costs of providing such additional land, facilities and equipment are collected on an equitable basis from the beneficiaries thereof.
- E. The failure to assure that such additional land, facilities and equipment are available may endanger the health and safety of persons affected by new development projects.
- F. The costs of operating fire agencies, including escalating liability and workers' compensation costs, make it extremely difficult or impossible for the agencies to provide, from existing funding sources, the land, facilities and equipment necessary to provide adequate fire protection associated with new development.
- G. The funds collected pursuant to this chapter shall be used only for the financing of the acquisition of land, and fire protection facilities, equipment and accessories. Funds so collected and not used for such purposes shall be refunded or otherwise utilized pursuant to Government Code Sections 66001 (g) and (f).
- H. For the foregoing reasons, fire mitigation fees may be imposed on new development in order to pay the incremental costs for land and fire protection facilities and equipment necessitated by such development.

(Ord. 90-533 (part), 1990.)

15.30.004 Prior agreements and conditions of approval.

- A. Any enforceable agreement existing prior to the operative date of the ordinance codified in this chapter between an applicant for development and a fire agency pertaining to the dedication of land or payment of fees for facilities and equipment to serve the property which is the subject of the application, or any portion thereof, satisfies the requirements of this chapter.
- B. If land, facilities or equipment was dedicated or donated to a fire agency as a condition of approval of a discretionary permit prior to the operative date of this chapter, such dedication or donation shall be considered as satisfying the requirements of this chapter for such discretionary permit.

(Ord. 90-533 (part), 1990.)

15.30.010 Fire agency findings and content of resolution.

This chapter shall become applicable to development within the district service area of a fire agency when the following actions are taken:

- A. The governing body of a fire agency adopts a resolution making substantially the following findings:
 - 1. The agency does not have existing fire protection facilities and equipment which could be used to provide an adequate level of services to all reasonably anticipated new development within the agency's district service area,
 - 2. The agency does not have sufficient funds available to acquire land, construct additional facilities, purchase additional equipment from fund balances, capital facility funds, property tax sources, or other appropriate sources,
 - 3. The lack of fire protection facilities and equipment to serve new development would create a situation perilous to the public health and safety if fire mitigation fees are not collected within the agency's district service area,
 - 4. The fees, if any, charged by the fire protection agency do not include a payment toward the costs of facilities and equipment expansion as a component of the fee;
- B. The resolution so adopted contains substantially the following resolved clauses:
 - 1. The agency requests that the county collect a specified fire mitigation fee on the agency's behalf from applicants for building permits or other permits for development in its district service area,
 - 2. The purpose of collecting fire mitigation fees is to expand the availability of facilities and equipment to provide fire protection services to new development in its district service area,
 - 3. By prior resolution the agency has determined that there is a reasonable relationship between the fee's use and the development projects on which it is to be imposed,
 - 4. If fire mitigation fees are to be used in whole or part to construct a public facility, the agency has determined by prior resolution that there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed,
 - 5. The agency will place all funds received from the county under this program, and all interest subsequently accrued on those funds, in a separate account and budget accounting category to be known as the "fire mitigation fee account,"

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6. The agency will expend funds from the account only for the purpose of acquiring land, facilities and equipment to mitigate the impacts of new development on the agency's fire protection capabilities,
 7. The agency will submit a fire mitigation fee annual report for each fiscal year, no later than October 31st following the close of the fiscal year, to the director. The report shall include the balance in the account at the end of the previous fiscal year, the fee revenue received, the amount and type of expenditures made, and the ending balance in the account;
- C. The governing body of the fire agency shall send a certified copy of the resolution to the clerk of the Mono County board of supervisors. The clerk shall transmit a copy of the resolution to the director. Within thirty days from the date of receipt of the resolution by the clerk, the provisions of this chapter shall be applicable to all building permits and other permits issued for new construction within the district service area of the fire agency.

(Ord. 90-533 (part), 1990.)

15.30.020 Fire mitigation fee established.

- A. The fire mitigation fee amount requested by the agency shall be equal to or less than the ceiling amounts set by this chapter. The ceiling amounts are as follows:
1. Seventy-five cents per square foot for all covered space in the first three floors of all buildings or structures.
 2. Two dollars and twenty-five cents per square foot for all covered space above the third floor of all buildings or structures.
- B. The fire mitigation fee established by the agency shall be based upon the estimated costs for the acquisition of necessary land, facilities and equipment to provide fire protection services to mitigate the impact of new development on existing facilities. The resolution of the agency governing board which sets the fee schedule shall contain findings which justify the fee amounts.
- C. As an alternative to the fee-setting procedure set forth above in subdivisions A and B of this section, the board of supervisors may and does hereby reserve the right to directly set the fee amounts applicable to property within the territorial boundaries of any fire protection district or other defined territory within the County's unincorporated area. Unless otherwise provided by state law, said fee amounts may be set by resolution or ordinance of the board. Said fees shall not be limited by the ceiling amounts specified by subdivision A, nor be required to be set by square footage or any other methodology prescribed by this chapter; rather, they need be consistent only with applicable state law. The board likewise reserves the right to impose lawful fire mitigation measures through conditions of approval as an alternative to the fees set forth by this chapter. In the event of a conflict between an action of the board and an action by a fire protection district related to fire mitigation fees set under this chapter, the board action's shall prevail.

(Ord. 03-05 § 1, 2001; Ord. 90-533 (part), 1990.)

15.30.021 Adjustment of fire mitigation fee amounts.

- A. The ceiling amounts set forth in Section 15.30.020 may be increased or decreased from time to time but not more than once each year, by resolution of the board of supervisors, in proportion to the increase or decrease in the costs of construction as determined by the Engineering News Record, Cost of Construction Index published by the McGraw-Hill Publishing Company, or a similar index accepted by the board by resolution in the event the foregoing index is not available.

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- B. The amount of the fire mitigation fee established by a fire agency may be increased no more than once each year by use of the foregoing index or resolution.

(Ord. 90-533 (part), 1990.)

15.30.022 Fee payment.

- A. Prior to the issuance of any building permit or other permit for development, the applicant shall pay to the director the fees prescribed by the relevant fire agency's resolution, or shall present written evidence that the provisions of this chapter have otherwise been satisfied with respect to the development for which any such permits are sought.
- B. The amount of such fees shall be determined by the fee standard in effect on the date of the payment.
- C. When application is made for a new building permit for the same construction following the expiration of a previously issued building permit for which fire mitigation fees were paid, the fee payment shall not be required.
- D. In the event subsequent development occurs with respect to a permit for which fees have been paid, additional fees shall be required only for additional square footage of development which was not included in computing the prior fee.

(Ord. 90-533 (part), 1990.)

15.30.023 Fees held in trust.

Fees paid under this chapter shall be held in trust by the county. Such fees shall be transferred quarterly to the fire agency serving the area from which the fees were collected. The county shall retain any interest accrued during the period before transfer as reimbursement for its service and handling costs.

(Ord. 90-533 (part), 1990.)

15.30.024 Use of fees.

All fees collected pursuant to this chapter and transferred to a fire agency shall be used by the agency for the purpose of providing for land, facilities and equipment.

(Ord. 90-533 (part), 1990.)

15.30.025 Fee fund records and report.

- A. Any fire agency receiving funds pursuant to this chapter shall maintain a separate budget accounting category for any such fees. The category shall be known as the "fire mitigation fee" account.
- B. The report described in Section 15.30.010(B)(7) of this chapter shall be submitted by the fire agency.

(Ord. 90-533 (part), 1990.)

15.30.026 Termination of fee collection.

If the governing body of a fire agency submits a copy of a resolution to the clerk of the board of supervisors requesting termination of fee collection, the clerk shall promptly notify the director and fee collection shall terminate thirty days after receipt of the resolution by the clerk.

(Ord. 90-533 (part), 1990.)

15.30.040 Exemptions.

- A. The director shall exempt building permits for certain types of development from the requirements of this chapter if he determines that the development does not significantly add to the need for additional fire protection facilities. The director shall establish a list of those building permit types which are exempt from the requirements of this chapter. The list shall include but not be limited to, building permits for pools and fences.
- B. The requirements of this chapter shall not apply to public works projects.
- C. The requirements of this chapter shall not apply to the replacement on the same parcel by the owner of a dwelling or dwellings destroyed by fire or other calamity, provided that the application for a building permit to replace such dwelling is filed with the director within one year after destruction of the dwelling, and the new structure is equal to or of less square footage than the structure destroyed. Regardless of when application is made for a building permit for a replacement structure, the fire mitigation fee shall be computed only on the basis of the square footage in excess of that of the destroyed structure.

(Ord. 90-533 (part), 1990.)

15.30.041 "In-lieu" payment.

Upon written and verified application by all owners of the subject real property, approved by resolution of the governing body of the fire agency, "in-lieu" payment may be credited against the fee required to be paid pursuant to this chapter. "In-lieu" payment may include improved or unimproved real property, improvements to real property, fire protection equipment, motor vehicles, office equipment, fire station accessory equipment, or any combination thereof. The amount of the credit shall not exceed the fair market value of the "in-lieu" property at the time of the adoption of the resolution.

(Ord. 90-533 (part), 1990.)

15.30.042 Penalties and stop orders.

- A. If, at any time after the effective date of the ordinance codified in this chapter, work is commenced on construction or continues to be performed on construction of any project subject to this ordinance without previous full payment of the fire mitigation fee required to be made pursuant to this chapter, the fire mitigation fee payable pursuant to this chapter shall be doubled.
- B. The chief or assistant chief is hereby authorized to issue such orders as may be necessary for the enforcement of the provisions of this chapter and to affix a tag or notice to any building or structure, construction of which has been commenced or continues in progress in violation of any of the provisions of this chapter. When affixed, such tag or notice may be removed only by the written order of the chief or assistant chief and may be removed only after the violation has been remedied. Until so remedied and said removal order issued, all construction on such project shall cease.

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- C. Any order or notice authorized or required by this chapter shall be given or served upon the owner, occupant, or other applicant for building permit for the project involved, or any person performing any work of improvement or construction of a building or other structure which is subject to the provisions of this chapter by verbal notification or personal service, or, if no such person is found on the premises, by affixing a copy thereof in a conspicuous place on said premises and mailing a copy thereof to such person by registered or certified mail to his last known address. Orders or notices which are given verbally shall be confirmed by service in writing as herein provided.
- D. Any construction carried out in violation of the requirements of this chapter is a misdemeanor punishable by up to six months in the county jail and a fine of one thousand dollars.

(Ord. 90-533 (part), 1990.)

Chapter 15.40 HOUSING MITIGATION REQUIREMENTS³

Sections:

15.40.010 Purpose/findings.

The County of Mono ("county") has a shortage of housing that is affordable to many citizens who work and reside in Mono County. The cost of housing has risen sharply over the past several years due to the cost of housing in the county's resort communities, the increase in second-home residences throughout the county, the growth of the vacation rental industry, the scarce and limited amount of private land within the county available for residential development, and the overall increase in the cost of housing throughout the State of California. Wages for workers residing in Mono County have not kept pace with the increase in housing costs. As a result, employees in the lower, moderate, and even upper-moderate income ranges cannot afford to reside in proximity to work centers, have been forced to move greater distances from their places of employment, or have moved from the area entirely. This has decreased the pool of workers necessary to meet the needs of businesses and communities within Mono County. It has also increased commuting time to places of employment and contributes to substandard living conditions for workers and their families that earn low and moderate incomes.

Requiring developers of land to mitigate the impact of development projects on the availability of workforce and affordable housing and contribute to addressing the housing shortage in Mono County, either directly or through the payment of fees, dedication of land, or similar means, is reasonable and necessary to offset the impact of the development and address identified housing shortages, which has resulted in a decrease of land available for workforce housing and for persons earning low and moderate incomes, a demonstrative increase in the price of housing, and an increase in the need for workers within the county. Expecting new employers to contribute to the creation and preservation of affordable housing is likewise reasonable. Despite the availability of state and county incentives, there has been little or no market development of residential housing affordable to households earning very low, low, moderate, and even upper-moderate income levels and no other reasonable means to meet this need for workforce and affordable housing are available.

³Editor's note(s)—Ord. No. 19-08 , § 1(Exh. A), adopted December 10, 2019, amended Chapter 15.40 in its entirety to read as herein set out. Former Chapter 15.40, §§ 15.40.010—15.40.170, pertained to similar subject matter, and derived from Ord. No. 06-06, 2006; Ord. No. 07-11, 2007; Ord. No. 11-07, adopted June 14, 2011; Ord. No. 13-03, adopted June 11, 2013; Ord. No. 14-05, adopted December 6, 2014; Ord. No. 16-05 , adopted July 5,, 2016; Ord. No. 17-16, adopted December 19, 2017; Ord. No. 18-11, adopted July 17, 2018; Ord. No. 19-02, adopted June 11, 2019 and Ord. No. 19-09 , adopted December 10, 2019.

A requirement that new development mitigate these impacts and shortages through the provision of affordable housing units, the payment of fees, or similar means, is reasonable and necessary to improve the health, safety and general welfare of the citizens of Mono County. These requirements will not result in a negative impact on the overall development of housing or impose a barrier that will prevent persons with lower and moderate levels of income from purchasing housing.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.020 Definitions.

For the purposes of this chapter the following definitions shall apply:

- A. "Accessory dwelling unit (ADU)" means residential occupancy of a dwelling unit located on the same parcel as the main residential unit. An ADU provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel on which the main residential unit is situated. An ADU shall meet the minimum regulations for an efficiency dwelling unit in the California Building Code. An ADU shall meet the requirements of Chapter 16 of the Mono County General Plan Land Use Element; in the event of conflict between state law and Chapter 16, state law supersedes.
- B. "Affordable unit" means a dwelling unit which is required to be built, sold, and/or restricted pursuant to the requirements under this chapter.
- C. "Area median income (AMI)" means the median income, adjusted for family size, applicable to Mono County as published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision), as determined periodically by HUD and updated on an annual basis.
- D. "Deed restrictions" are private agreements that restrict the use of the real estate in some way and are listed in the deed. The restrictions travel with the deed, and generally cannot be removed by new owners.
- E. "Developer" means a person or entity who applies for a permit or other approval for the construction, placement, or creation of residential or non-residential development, including the subdivision of land.
- F. "(Residential) dwelling unit" means any structure or portion thereof designed or used as a residence or sleeping quarters of a household, including a caretaker unit.
- G. "Full-time equivalent employee (FTEE)" means a full-time employee or combination of part-time employees whose work constitutes a total of two thousand eighty hours of annual employment generated by residential and non-residential development. In general, a full-time employee employed for an entire year equals one FTEE, a full-time employee employed on a seasonal basis equals one-half FTEE, and a part-time employee employed on an annual basis equals one-half FTEE. When an "employee generation calculation" results in seasonal or part-time employees, those employees shall be combined to form FTEEs.
- H. "Household" means one or more individuals who occupy one dwelling unit, whether related by blood or marriage.
- I. "Housing fund" means the Mono County Affordable Housing Fund established pursuant to this chapter.
- J. "Housing mitigation fee" means any fee established pursuant to this chapter.
- K. "HUD" means the United States Department of Housing and Urban Development.
- L. "Housing mitigation agreement" means an agreement between the County of Mono and a developer governing how the developer shall comply with this chapter.
- M. "Inclusionary unit" means an affordable unit required by this chapter to satisfy a development project's housing mitigation requirement(s).

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- N. "Market-rate unit" means a dwelling unit in a residential development project that is not an affordable unit.
 - O. "Multi-family residential development project" means a project consisting of two or more dwelling units within a single building and may include multiple buildings on a site or parcel. Typical examples include apartments, condominiums and townhomes.
 - P. "Non-residential development project" means a project for the construction, addition, subdivision of land, or placement of a structure which is for a non-residential use and which is proposed to be developed within the following general plan land use designations: Commercial, commercial lodging, service commercial, industrial park, industrial, rural resort, including that portion of any development within a mixed use or combined use designation (e.g. specific plan) which includes the construction, addition, or placement of a structure for non-residential use.
 - Q. "Primary residence" means the main home where one voluntarily establishes oneself and family, not merely for a special or limited purpose, but with a present intention of making it one's true, fixed, permanent home and principal establishment. A principal residence may be declared through voter registration, tax return, or other legal documents.
 - R. "Residential development project" means a project for the construction or placement of any residential dwelling unit in a permanent location, or the subdivision of land which is planned, designed, or used for the development of residential dwelling units within the following general plan land use designations: Rural residential, estate residential, single-family residential, multi-family residential, or any other area where residential dwelling units may be developed.
 - S. "Single-family residential property or unit" means a property which serves the primary purpose of providing a permanent dwelling unit to a single-family.
 - T. "Sleeping area" means any bedroom, loft, or other space that can be equipped with beds, foldout sofas, or other similar sleeping furniture.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.030 Housing fund.

- A. There is hereby established the Mono County Affordable Housing Fund ("Housing Fund"). Any and all fees collected pursuant to this chapter (and established via resolution), together with any other funds received by grant or otherwise for the purpose of furthering the development and preservation of affordable housing within the County of Mono, shall be deposited into the housing fund.
- B. The housing fund shall be administered by the Mono County Board of Supervisors, or designee appointed by resolution, to implement housing programs with a focus on those identified as priorities, as well as other programs that meet housing needs through acquisition, rehabilitation, preservation, or subsidy, and subject to the provisions of this chapter.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.040 Fees and requirements for non-residential and residential development projects.

- A. Affordable housing mitigation requirements and fees shall be imposed on developers of non-residential development projects, residential development projects, and single-family residential units based on in-lieu fee and/or inclusionary unit policies resulting from completed nexus studies that quantify the impacts of development on affordable housing. The policy establishing requirements and fees shall be adopted by resolution of the board of supervisors and reviewed on a periodic basis as needed.

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- B. For non-residential development projects, the development of an affordable unit is the preferred mitigation alternative. However, if a non-residential developer can demonstrate that on- or off-site construction is not feasible and/or would not provide housing units that would adequately meet workforce needs, an alternative housing mitigation agreement may be approved pursuant to Section 15.40.070 and may include payment into the housing fund in-lieu fees (established by resolution pursuant to this chapter) to satisfy the mitigation obligation.
 - C. For residential development projects, the development of a unit on-site (an inclusionary unit) is the preferred mitigation alternative. The size, design, and location of inclusionary units shall be consistent with the Mono County General Plan, applicable specific plans, and all other applicable county ordinances, regulations, and building standards. The construction of the on-site units shall be located within the same subdivision and within the boundaries of the project, shall be compatible in exterior appearance with the market-rate units being developed in the project, and shall be dispersed throughout the residential development to the extent feasible pursuant to the corresponding housing mitigation agreement (see Section 15.40.070). The affordable units must contain a similar number of bedrooms as the market-rate units but may be smaller than market-rate units pursuant to the corresponding housing mitigation agreement. The interior amenities within the affordable unit may differ from the interior amenities in a market-rate unit, and may be required to include EPA II wood stoves, energy efficient amenities, and other cost-efficient amenities as provided for in the corresponding housing mitigation agreement (see Section 15.40.070). The on-site units must be built at the same time as market-rate units and a certificate of occupancy will not be issued to any market-rate unit until any affordable unit is completed and issued a certificate of occupancy.
 - D. Compliance with this section may be accomplished by the developer alone or in combination with others, including without limitation, the Mono County Housing Authority or a nonprofit housing corporation.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.050 Developer incentives.

- A. A developer may apply for incentives from the county to assist in meeting the requirements of this chapter. The granting of any incentive(s) by the county to a developer is discretionary and nothing in this chapter shall be construed to establish, directly or through implication, a right of a developer to receive any assistance or incentive from the county. In granting incentives, the county may require the developer to demonstrate exceptional circumstances that necessitate assistance from the county, as well as provide documentation showing how such incentives will increase the feasibility of providing affordable housing. The following incentives will be considered by the county:
 - 1. Density Bonus. A density bonus incentive pursuant to the California Density Bonus Law (found in California Government Code Sections 65915—65918 and as may be amended or replaced from time to time) will be provided for any project that meets the statutory criteria. The county may consider an additional density bonus upon request by the developer when such request can be accommodated within the parameters of the Mono County General Plan or any applicable specific plan or county ordinance.
 - 2. Fee Waiver or Deferral. The payment of county fees required under this chapter may be deferred until the certificate of occupancy is issued. Further, a developer may apply for a fee reduction or waiver when the developer proposes to substantially exceed the requirements of this chapter. A developer of a residential development project who builds affordable units in amounts that exceed the requirements of this chapter may apply for a waiver of assessments for any applicable county maintained road maintenance and snow removal services that would otherwise be required.
 - 3. Reduced Site Development Standards. A developer may propose, and the county may consider, a reduction in site development standards including a reduction in setback, lot

coverage, and square footage requirements; a reduction in parking requirements; a modification of the requirement that all utility lines must be placed underground; and reduction of open space requirements. To be eligible for such reduced development standards, the developer must provide substantial evidence that the reductions are necessary to allow the developer to meet or exceed the requirements of this chapter, that the reduced requirements will meet all applicable health, safety, snow storage and drainage requirements, and will further the purpose of this chapter.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.060 Exemptions.

The following list of projects are exempt from the provisions of this chapter. Modification(s) made to any previously exempted project which renders the project ineligible for the exemption shall automatically trigger the application of the requirements and payment of the fees in place at the time the modifications are made. Similarly, if an exempted project falls out of compliance with the conditions of the exemption, the county shall initiate any appropriate enforcement action, including but not limited to, enforcing payment of the fees and compliance with the requirements in place at the time of the enforcement action:

- A. Residential development for agriculture workers, including cannabis cultivators, e.g., farm labor housing.
- B. Mobile home park development.
- C. Any building that is replaced or repaired as a result of fire or other catastrophic damage or loss so long as the square footage is not increased by more than five hundred square feet.
- D. Any project that is being developed as an affordable housing project as defined by state law and deed restricted as such.
- E. Any project that is being developed to meet other community housing needs, such as transitional housing or homeless shelters, and is deed restricted as such or governed by some other regulatory agreement ensuring the use.
- F. A multi-family residential development project consisting of the development of fewer than thirty units in duplexes, triplexes or other forms of multi-family residential development projects not developed as a condominium or planned development project where, with the exception of one owner-occupied or on-site manager unit, all units will be leased as long-term rental units and where short-term rentals, as defined in the Mono County General Plan and Mono County Code, will be prohibited. To qualify for this exemption, the project's planning permit must contain conditions to prevent the conversion to condominiums and prohibit short-term rentals and a deed restriction must be recorded against the property to inform future owners of the restrictions. If a planning permit is necessary to document the conditions in this exemption, a director review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.
- G. A multi-family residential development project consisting of the development of fewer than thirty units in duplexes, triplexes or other forms of multi-family residential development projects where units are owned as primary residences and where short-term rentals are prohibited. The project's planning permit must contain conditions requiring the units to be primary residences and prohibiting short-term rentals, and a deed restriction must be recorded against the property to inform future owners of the restrictions. If a planning permit is necessary to document the conditions in this exemption, a director review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, no fee waiver shall be granted, the applicant shall

be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.

- H. Single-family residential (SFR) units less than two thousand square feet in size.
- I. Single-family residential (SFR) units prohibiting short-term rentals. If a planning permit is necessary to document the condition in this exemption, a director review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, including pursuant to Chapter 16 of the Mono County General Plan, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.
- J. Single-family residential (SFR) units where the unit is a primary residence and the owner (or approved tenant pursuant to Section 15.40.080(B)(4)) qualifies as moderate- or below-income according to HUD affordable housing guidelines.
- K. Single-family residential (SFR) units that deed restrict future sales to moderate- or below-income levels.
- L. Single-family residential (SFR) units within a subdivision that previously met the requirements of this chapter during the planning process.
- M. Accessory dwelling units (ADUs) meeting the requirements of state law and General Plan Land Use Element Chapter 16.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.070 Alternatives and procedure.

- A. The county will consider and may approve alternative mitigation proposals through a housing mitigation agreement in circumstances where it can be demonstrated by the developer that the alternative proposal meets the purpose of this chapter and provides a greater housing benefit to the community than would otherwise be attained through the building of affordable dwelling units or the payment of in lieu fees in accordance with this chapter. Developers may submit an alternative plan with the designated processing fee to the community development department. Initial approval of such an alternative proposal as a housing mitigation agreement will be made by the community development department and thereafter approved by the planning commission and will be subject to final review and approval by the board of supervisors. Alternatives that will be considered include, but are not limited to, land dedication, off-site housing, conversion of existing housing, and payment of in lieu fees.
- B. Housing Mitigation Agreement. In the case of alternative proposals, the developer, the holder of any deed of trust or other lien holder on the property, and the community development director or his or her designee shall execute a housing mitigation agreement prior to the recordation of the parcel map or subdivision map in the case of subdivisions, or prior to approval of a director review or use permit, or prior to the issuance of building permits in the case of all other development. The developer's entry into the housing mitigation agreement shall be a condition of approval for any tentative parcel or final map, director review or use permit, or building permit. The executed housing mitigation agreement shall be recorded with the county clerk/recorder at the time of the recording of any final or parcel map or at the time of the issuance of any building permit. The housing mitigation agreement shall include, but not be limited to, the following:
 - 1. A complete description of the development project;
 - 2. The specific method of compliance with the requirements of this chapter;
 - 3. Any such matters as may be determined appropriate by the developer and/or the county.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.080 Occupancy and availability of affordable units.

- A. The occupancy and continuing availability of inclusionary units as required by the resolution establishing fees and requirements shall be provided for in the following manner:
- B. For Sale Affordable Inclusionary Units. Inclusionary units designated for sale shall be subject to the following conditions and restrictions:
 - 1. Eligible Participants. Affordable units shall only be available for purchase by residents intending to use the unit as a primary residence and who qualify as moderate- or below-income according to HUD affordable housing guidelines.
 - 2. Restrictions on Use and Resale. The affordable units shall be subject to deed restrictions memorializing and preserving the required provisions herein and to the conditions of any planning permits approved for the project and property.
 - 3. Sales Price and Transfer. The maximum purchase price shall be set by the applicable HUD affordable housing guidelines for moderate- and below-income housing.
 - 4. Restriction on Use of Unit. The affordable unit must be occupied by the owner of the unit as their primary residence and may not be leased or rented without a written determination by the community development director or designee; or, if the unit is administered by the Mono County Housing Authority, by that entity, that the proposed tenant qualifies as moderate- or below-income and that rents charged conform to applicable HUD affordable housing guidelines for the tenant's income level. In units where short-term rentals are prohibited, no rentals for thirty days or less may occur under any circumstances.
 - 5. Term of Restrictions. The restrictions set forth in this section shall remain in effect in perpetuity. If a circumstance arises in the future where these restrictions are removed or not followed, the fees and requirements of this chapter in place at the time shall be applied.
 - 6. Covenants, Conditions, and Restrictions. Any covenants, conditions, and restrictions (CC&Rs) associated with or required for approval of any subdivision subject to this chapter shall include all of the requirements of this chapter and shall be recorded with the county clerk/recorder. Additional conditions that may be required include provisions that the owner of an affordable unit must pay all property taxes in a timely manner, may not refinance the unit without the express written approval of the community development director and, in the case where a deed of trust is made subordinate to the CC&Rs, that the owner must maintain the property in good condition, and comply with all local land use requirements. In addition to any other enforcement remedies, the CC&Rs shall designate and authorize the county to enforce any county-imposed conditions at the county's sole discretion.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.090 Serial or sequential development prohibited.

Developers may not avoid the requirements of this chapter by developing projects in a serial or sequential manner. Development of any property owned by a developer or his or her successor in interest that is contiguous to any other development subject to this chapter shall be deemed to be one single project for the purposes of this chapter when the subsequent development occurs within ten years of any prior development and when the combined development becomes subject to the requirements of this chapter.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.100 Enforcement.

- A. The Community Development Department/Mono County Housing Authority shall be responsible for monitoring and enforcing the provisions of this chapter. Any violation of this chapter may be enforced in any manner permissible by law including, but not limited to, pursuant to Section 1.04.060 and Chapter 1.12 of the Mono County Code.
- B. Owners and occupants of property subject to the restrictions and requirements of this chapter shall permit county employees to inspect the property upon two business days advance written notice. Owners of property subject to the restrictions pursuant to this chapter shall retain all records related to compliance with the obligations and restrictions of this chapter, the housing mitigation agreement and/or the CC&Rs for a period not less than five years and shall make such records available to county employees for inspection and copying upon five business days advance written notice.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.110 Annual review.

The provisions of this chapter, the affordable housing guidelines, and any resolutions adopted to further the purposes of this chapter shall be reviewed annually by the Mono County Board of Supervisors, Mono County Housing Authority and the community development director or his or her designee. An annual report and accounting shall be provided to the board of supervisors by the community development department evaluating the policies set forth in this chapter and their effects.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.120 Appeal, waiver, and adjustment.

A developer of any project subject to the requirements of this chapter may appeal to the board of supervisors for a reduction, waiver, or adjustment of any of the provisions or requirements contained in this chapter. Any such appeal shall be based upon the misapplication or misinterpretation of this chapter as applied to the project or violation of law. The board of supervisors, in its sole discretion, may adjust or waive any provision or requirement imposed by this chapter based on good cause shown by substantial evidence in the record.

Any appeal must be in writing and filed with the county clerk/recorder and served on the community development director not later than ten days before the first public hearing on any discretionary approval or permit for the development, or if no discretionary permit is required, or if the action complained of occurs after the first public hearing on such permit or approval, then the appeal shall be filed within ten days after payment of the fees objected to. The appeal shall set forth in detail the factual and legal basis for the claim of waiver, reduction, or adjustment. The board of supervisors shall consider the appeal within sixty days after the filing of the appeal. The appellant shall bear the burden of producing substantial evidence to support the appeal, which shall include providing comparable technical information to support appellant's position. The decision of the board of supervisors shall be final.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.130 Severability.

The provisions of this chapter are intended to be severable, and in the event any provision or requirement provided for under this chapter is determined to be invalid or unenforceable, the remainder of the chapter shall remain in effect.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

Chapter 15.50 LIMITED DENSITY OWNER-BUILT RURAL DWELLINGS

15.50.010 Purpose.

The purpose of this chapter is to make Article 8 (commencing with Section 74) of Subchapter 1 of Chapter 1 of Division 1 of Title 25 of the California Code of Regulations, as modified herein, operative on limited density owner-built rural dwellings in Mono County, and to provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of such dwellings.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.020 Intent and application.

The provisions in this chapter shall apply to the lawful construction, enlargement, conversion, alteration, repair, use, maintenance, and occupancy of limited density owner built rural dwellings and detached structures. It is the intent of this chapter that the requirements contained herein shall apply to seasonally or permanently occupied dwellings located in rural areas and solely occupied as the residence of the owner or the owner's family. Such dwellings shall be considered single family dwellings.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.030 Definitions.

As used in this chapter:

- A. "Owner-built" shall mean constructed by any person or family who acts as the general contractor for or the provider of, part or all of the labor necessary to build housing to be occupied as the principal residence of that person or family, and not intended for sale, lease, rental, or employee occupancy. The sale, lease, renting, or employee occupancy of owner-built structures within two years of the issuance of a certificate of occupancy shall be presumptive evidence that the structure was erected for the purpose of sale, lease, rental, or employee occupancy. Any ambiguity regarding the meaning of "owner built" shall be resolved by reference to state law regarding owner-builders. It is not the intention of the county to narrow or expand state law regarding owner-builders who are eligible to build limited density owner-built rural dwellings.
- B. "Limited density owner-built rural dwelling parcel" means a single parcel in-holding that is completely surrounded by federally owned lands, is at no point nearer than one air mile from a paved road and is at least ten acres in size.
- C. "Substandard building" shall be defined as a structure or a portion of a structure in which there exists any condition that endangers the life, health, property, safety, or welfare of the public or the occupants thereof. Except as amended by the provisions of this chapter, the California Health and Safety Code, Section 17920.3, shall be the determining criteria for compliance with the standards of this chapter and the defining of a substandard building. (Note: Any structure or portion thereof which are determined by the enforcing agency to constitute a substandard building may be declared to a public nuisance and may be abated by repair, rehabilitation, or removal in accordance with California Health and Safety Code Sections 17980 through 17995.)

(Ord. No. 12-06, § 1, 12-18-2012)

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(Supp. No. 72)

15.50.040 Building standards; building official authority.

- A. When constructing a residential structure on a limited density owner-built rural dwelling parcel, dwellings constructed pursuant to this section need not necessarily conform with the construction requirements prescribed by the latest applicable edition of the California Residential, Building, Plumbing, Mechanical, Electrical, Energy, Fire or Green Building Standards Codes, or other applicable technical codes; nevertheless, such dwellings shall conform with nationally-accepted technical and scientific principles relating to design, materials, methods of construction, and structural requirements for the erection and construction of dwellings that are contained in the California Building Standards Codes. Such codes shall be a basis for approval.
- B. The construction of a dwelling under this chapter is a privilege, not a right. The building official has full authority in the interpretation and application of the provisions of this chapter, including but not limited to determining eligibility of a dwelling proposed to be constructed under this chapter and applicable building standards for any such proposed dwelling.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.050 Recorded covenants.

As a condition of being permitted to construct a dwelling under this chapter, a declaration of covenants, conditions, and restrictions shall be recorded disclosing the nature of the dwelling and restrictions on its use, in a form acceptable to county counsel, which shall run with the land and be enforceable by the county as an equitable servitude. The declaration shall state that the structure constructed on this property has been permitted under the special regulations codified in Chapter 15 of the Mono County Code applicable to limited density owner built rural dwellings adopted under the authorization of California Health and Safety Code Section 17958.2; that the structure(s) is not in full compliance with the provisions of the technical codes; and that occupancy is limited to the owner and the owner's family.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.060 Permits.

Permits shall be required for the construction of limited density owner-built rural dwellings. The application, plans, and other data filed by an applicant for such permit shall be reviewed by the Mono County building division and other county departments to verify compliance with the provisions of this chapter. When the building official determines that the permit application and other data indicate that the structure will comply with the provisions of this article, the building official may issue a permit therefore to the applicant, as provided for in this chapter.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.070 Application for permit.

To obtain a permit, the applicant shall first file an application therefore with the Mono County building division. Permit applications shall contain the following information:

- A. Scope of work;
- B. Name and address of the applicant;
- C. Address and location of the proposed work;

(Supp. No. 72)

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- D. Use and occupancy for which the proposed work is intended;
 - E. Be accompanied by plans and construction documents;
 - F. Indicate square feet or valuation of proposed new work;
 - G. Initial, sign, and date the owner-builder disclosure form;
 - H. Be signed by the applicant or applicant's authorized agent;
 - I. Give such other data and information as required by the building official.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.080 Plans.

Plans shall consist of a general description of the structure(s), including all necessary information and details to facilitate a reasonable judgment of conformance by the Mono County building division. Due to Mono County having climatic conditions that produce snow loads, and that all of Mono County is known to be in a high seismically active region of the state, buildings shall be designed in accordance with accepted engineering practice.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.090 Permit issuance.

The issuance of a permit shall be contingent upon the approval of the submitted plans and construction documents by the Mono County community development department. Additionally, the Mono County environmental health department shall provide approval for private sewage disposal systems and potable water that will serve the proposed structure(s) prior to the issuance of a permit.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.100 Inspections.

All construction or work for which a permit is required pursuant to this chapter shall be subject to inspection by the building official or his/her agent. It shall be the responsibility of the applicant or his or her agent to notify the Mono County building division to have such work inspected.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.110 Certificate of occupancy.

After the structure(s) is completed for occupancy any inspections which have been conducted, and work approved, the building official shall issue a certificate of occupancy for such dwelling(s) and appurtenant structure(s) which comply with the provisions of this chapter. The certificate of occupancy shall indicate that the structure(s) that it is issued for have been constructed and approved pursuant to the provisions of this chapter.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.120 Fees.

Fees shall be required and collected by the Mono County building division to provide for the cost of administering the provisions of this chapter, in an amount to be duly established and adopted by resolution of the board of supervisors.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.130 Construction requirements.

- A. The dwelling unit shall have a room or space of not less than two hundred twenty square feet of floor area. An additional one hundred square feet of floor area shall be provided for each occupant in excess of two. The unit shall also be provided with a kitchen sink with a clear working space of thirty inches in front. A separate bathroom containing a water closet, lavatory and bathtub or shower shall be provided. The maximum size of dwelling units and detached structures shall be six hundred forty square feet.
- B. Fireplaces, heating and cooking appliances, and gas piping installed in buildings constructed pursuant to the chapter shall be installed and vented in accordance with the requirements contained in the California Mechanical Code.
- C. A heating facility or appliance shall be installed in each dwelling subject to the provisions of this chapter; however, there shall be no specified requirement for heating capacity or temperature maintenance. The use of solid fuel or solar heating devices shall be deemed as complying with the requirements of this chapter.
- D. No dwelling or appurtenant structure constructed pursuant to this chapter shall be required to be connected to a source of electrical power, or wired, or otherwise fitted for electrification. Where electrical wiring or appliances are installed, the installation shall be in accordance with the applicable requirements contained in the California Electrical Code.
- E. Plumbing equipment and installation shall be in accordance with the applicable requirements contained in the California Plumbing Code.
- F. Potable water shall be available to the dwelling site, although such water need not be pressurized. Where water is not piped from a well, spring, cistern, or other approved source, there shall be a minimum reserve of fifty gallons of potable water available. Hot water need not be provided to serve any structure(s). The Mono County environmental health department shall be the health authority having jurisdiction to provide the approval of potable water.
- G. Sanitary facilities shall be connected to an approved private sewage disposal system or an alternate waste disposal system subject to the inspection and approval of the Mono County environmental health department.
- H. All egress systems, including emergency escape rescue exits in any room(s) that could reasonably be used as sleeping room(s), shall be in conformance with the California Residential Code.
- I. Smoke detectors shall be installed in accordance with the California Residential Code. For dwellings that do not have electrical power, battery operated smoke detectors shall be acceptable.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.140 Fire safety regulations.

A limited density owner-built rural dwelling permit application shall be reviewed by CalFire for compliance with Public Resources Code Sections 4290 and 4291, as well as for any other requirements CalFire may have

(Supp. No. 72)

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regarding defensible space. For purposes of this chapter, residential fire sprinklers shall not be required in limited density owner built rural dwellings.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.150 General plan compliance.

Limited density owner-built rural dwelling structures shall comply with all applicable development regulations of the Mono County general plan.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.160 Chapter expiration.

This chapter is a pilot program. This chapter will expire and be of no further force and effect after December 31, 2014, or after five applications for permits under this chapter have been accepted by the county, whichever occurs last. Notwithstanding the foregoing, applications that have been submitted prior to said expiration date may be processed, including but not limited permit issuance, completion of construction, final inspection of said construction, and issuance of a certificate of occupancy.

(Ord. No. 12-06, § 1, 12-18-2012)

Title 15 BUILDINGS AND CONSTRUCTION

Chapters:

Chapter 15.04 BUILDING REGULATIONS¹

15.04.010 Purpose of chapter.

This chapter is enacted for the purpose of adopting rules and regulations for the protection of the public health, safety and general welfare of the occupants and the public; governing the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, ventilation, and maintenance of any building used for human habitation; provided, however, that nothing in the codes adopted in this chapter shall be construed to prevent any person from performing his own building, mechanical, plumbing, or electrical work when performed with issued County of Mono permits in compliance with this chapter.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.020 Express findings.

The Mono County governing body makes express findings that the listed local modifications, additions, and amendments to the building standards contained in California Building Standards Codes, Title 24 are reasonably necessary because of local climatic, geological or topographical conditions, including snow loads, freezing temperatures, high winds, and remote mountain terrain. These local government amendments also provide a more restrictive building standard than that contained in California Building Standards Codes, Title 24 by including listed appendices and codes detailing requirements specific to the local climatic, geological or topographical conditions of Mono County. To facilitate ease of use by industry and building officials, certain of the amendments, additions and modifications to the regulations adopted by the California Building Standards Commission, Department of Housing and Community Development of the State of California and other agencies of the state of California, are made by reference to the appropriate California code.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

¹Editor's note(s)—Ord. No. 17-01, § 1, adopted 17-01, repealed the former Chapter 15.04, §§ 15.04.010—15.04.210, and § 2 of Ord. No. 17-01 enacted a new Chapter 15.04 as set out herein. The former Chapter 15.04 pertained to similar subject matter and derived from Ord. No. 15-01, adopted February 17, 2015.

15.04.030 California Building Standards Codes, Title 24, Uniform, and International Codes adopted.

The California Building Standards Commission has adopted the following codes, which are applicable within the County of Mono as a matter of state law, subject to the modifications and amendments contained in this chapter:

- A. ~~2019~~ 2022 California Administrative Code (California Code of Regulations Title 24, Part 1) ~~specific to administrative regulations of/for California Regulatory Agencies.~~
- B. ~~2019~~ 2022 California Building Code, (California Code of Regulations Title 24, Part 2) including the following appendices: Appendix C; (Group U-Agricultural Buildings).
- C. ~~2019~~ 2022 California Electrical Code, (California Code of Regulations Title 24, Part 3).
- D. ~~2019~~ 2022 California Mechanical Code, (California Code of Regulations Title 24, Part 4).
- E. ~~2019~~ 2022 California Plumbing Code, (California Code of Regulations Title 24, Part 5).
- F. ~~2019~~ 2022 California Energy Code, (California Code of Regulations Title 24, Part 6).
- G. ~~2019~~ 2022 California Historical Building Code (California Code of Regulations Title 24, Part 8).
- H. ~~2019~~ 2022 California Fire Code, ~~Part 9, 2007 Edition~~ (California Code of Regulations Title 24, Part 9).
- I. ~~2019~~ 2022 California Existing Building Code Part 10, ~~2007 Edition~~ (California Code of Regulations Title 24, Part 10).
- J. ~~2019~~ 2022 California Referenced Standards Code (California Code of Regulations Title 24, Part 12).
- K. ~~2019~~ 2022 California Residential Code (California Code of Regulations Title 24, part 2.5) including the following Appendices: Appendix AJ (Existing Buildings and Structures); Appendix AQ (Tiny Houses).
- L. ~~2019~~ 2022 California Green Building Standards Code (California Code of Regulations Title 24, Part 11).
- M. 2016 American Concrete Institute (ACI) Guide to Cold Weather Concreting.
- N. 2021 International Property Maintenance Code

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.040 Definitions.

Whenever any of the following names or terms are used in this chapter or in any of the codes set forth above, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section: .

- A. "Building division," "electrical department," "plumbing department," "office of administrative authority," or "housing department" means the building division of Mono County.
- B. "Building official," "authority having jurisdiction [AHJ]" and similar references to a chief administrative position, mean the chief building inspector of the county; provided, however, that:

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1. Where such terms are used in connection with those duties imposed by a statute or ordinance upon the county health officer, said terms shall include the county health officer.
 - C. "City" means the County of Mono when referring to a political entity, or an unincorporated area of said county when referring to area, "city clerk" means the county clerk and ex officio clerk of the board of supervisors, and "city council" or "mayor" means the board of supervisors of the County of Mono.
 - D. "Dwelling unit," includes, but is not limited to, each single-family dwelling and each habitation unit of an apartment, duplex, or multiple-dwelling structure designated as a separate place for habitation of family; "dwelling unit" also includes each guest room.
 - E. "Fire chief," means the chief of the fire protection district wherein a particular building is or is to be located or, for any area not within a fire protection district, the same shall mean the county fire marshal designated by the board of supervisors.
 - F. "Person," includes, but is not limited to, every person, firm, entity, or corporation engaging in a construction activity or through the services of any employee, agent, or independent contractor.
 - G. "Trailer space," means each space, area, or building in a trailer park or mobilehome park or other place, designed or intended as a place to accommodate any mobilehome, trailer, van, bus, or other vehicle or mobile structure, at a time when the same is being used as living or sleeping quarters for human beings.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.050 Filing of adopted Title 15 Codes.

The Mono County Building Division shall maintain on file copies of the codes referred to in Section 15.04.030 and the codes shall be open to public inspection.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.060 Building permit expiration.

All building permits and plan checks will expire under the following conditions:

- A. All applications and plans submitted for plan review shall become void after a period of ~~twelve months~~ ~~(one year)~~ 180 days from the time of application. At this time any further application for the project will require a new plan check fee and new application submitted.
- B. All building division permits will become void thirty-six months (three years) after issuance, unless:
 1. A written request for a permit extension ~~is submitted~~, has been approved by the building official;
 2. The construction is progressing at a proponent's best rate; and
 3. The construction activity is posing no life-safety threat to the public or to any person.
- C. If the building or work authorized by such permit is not commenced within ~~one year~~ twelve months from the date of permit issuance, or if the building or work authorized by such permit is suspended or abandoned for a period of twelve months or more after the time the work has commenced, ~~at any time after the work is commenced~~, the permit shall expire. For purposes of this section, November 1 through April 1, due to climatic constraints associated with the winter months, will not be considered as part of the twelve month time schedule.

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1. Suspension and/or abandonment shall be determined by a lack of progress inspections for a period of more than one year since the last previously documented inspection. If a permit has expired, no work can recommence until a new application is applied for, plan check is completed, all permit fees are paid, and a new permit is issued.
- D. To receive an extension of time on an expired building permit the applicant shall submit a written request detailing the extenuating circumstances that prevented the completion of the project in the allotted time limits of the issued permit.
1. Upon review and approval by the building official, an extension may be granted for an additional ~~year~~ 180 days maximum. Should this additional ~~twelve months (one year)~~ 180 day time elapse, a new building permit shall be obtained prior to the continuation of work on the project unless another permit extension has been granted by the building official.
 2. The new permit fee will be calculated on the hourly amount of plan check required to reissue the permit, the balance of the work to be completed, and number of inspections estimated to final the issued permit.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.070 Building permit fees.

All permit fees to include building, electrical, plumbing, and mechanical permits shall be paid to the building division in an amount set forth and adopted by resolution of the board of supervisors.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.080 Engineering plan check.

Permit applications containing engineered design submitted to the Mono County Building Division for plan check review exceeding conventional light-frame construction code provisions in order to address seismic design, wind load, ground snow load, or because of unconventional or irregular design, may be subject to engineering plancheck review by in-house or contract engineering consultants as determined on a case-by-case basis by the building official. All commercial structures containing engineering design requirements shall be subject to engineering plan check review. The expense for such plan check and design review by qualified engineers shall be paid by the project applicant.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.090 Planning, health, public works and other required approvals prerequisite to building permits issuance.

No building permits shall be issued for any building for which an individual sewage disposal system, a connection to a public sewage collection system, an individual water supply system and/or a connection to a public water supply system must be installed, altered or added to until the building official is satisfied that all required county department application reviews for permits have been completed issued therefor.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.100 Building permit violations.

Violations. Where work for which a permit is required by this code has been started prior to obtaining the required permits, the permit fees shall be assessed at a rate to recoup the time and materials spent by the building division staff to mitigate the violation. The payment of such assessed fees shall not relieve any persons from fully complying with the requirements of this code in execution of the work nor from any other penalties, prescribed herein.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.110 Board of appeals.

The construction board of appeals shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of Mono County Title 15 and provide reasonable determinations of decisions rendered by the officials charged with the responsibility of enforcing the building codes, as amended from time to time including, but not limited to the following:

- A. Qualifications. The construction board of appeals (“board of appeals”) shall consist of at least five voting members, all of whom should be residents of Mono County. Any specific appeal shall be heard by at least a majority of the voting members.
 - 1. The members shall consist of persons with experience in the field of construction and deemed qualified to understand issues relating to this field.
 - 2. No county officer or employee shall serve as a voting member of the construction board of appeals.
 - 3. The members shall serve four years and may be reappointed after that for successive four-year terms. In order to ensure continuity on the board, terms shall be staggered, with two members of the initial board appointed for two-year terms and three members of the initial board appointed for four-year terms. Members of the initial board shall determine, through the drawing of lots, which two members shall serve two-year terms and which three members shall serve four-year terms.
- B. Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, or the provisions of this code do not fully apply, or an equally good or better form of construction has been proposed and denied by the building official.
 - 1. The board of appeals shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the board be empowered to waive requirements of these codes.
 - 2. Any cost for tests or research required by the board to substantiate the claim of the appellant shall be the sole responsibility of the appellant.
- C. Building Official Ex-Officio Member. The building official for Mono County shall be an ex-officio member of the board of appeals and shall act as secretary of said board of appeals but shall have no vote.
- D. Rules, Decisions, Legislative Recommendations. The board of appeals shall adopt reasonable rules and regulations for conducting its investigations and render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

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- E. Appeals to Board. Any person aggrieved by an order, decision, or determination of the official charged with the responsibility of enforcing those respective codes may, within twenty working days of the date of the order, decision, or determination was made, appeal to the board of appeals for a hearing.
 - 1. The appeal must be in writing and accompanied by a filing fee which shall be established by resolution of the county board of supervisors.
 - 2. The appeal shall be filed with the county building division and with the building official. A form will be provided at the community development department.
 - 3. All supporting documents shall be submitted with the form at the time of filing the appeal.
 - F. Hearing. The building official, or his or her designee, shall schedule a hearing within twenty working days of receiving the request for hearing and give notice of the time, place, and subject matter of the hearing to the person filing the appeal, and to each member of the board of appeals.
 - 1. The hearing shall be informal.
 - 2. The board of appeals shall announce its decision within five working days after the hearing has concluded.
 - G. Finality of Decision. The decision of the construction board of appeals shall be the final administrative decision, and no provision of any ordinance of the county shall be interpreted as permitting a further administrative appeal to the county board of supervisors or any other county board or commission.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.120 Utility connection.

It is unlawful for any person, including utility companies, to connect electric power lines or liquefied petroleum gas permanently to any building or structure for which a permit is required by this chapter until such structure complies with all applicable ordinances and codes and has been approved by county building division final inspection as required under the California Building Code. This section shall not prohibit the erection and use of temporary power poles when approved by the building official, provided that such temporary electrical connections and facilities are removed prior to connection of permanent lines.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.130 Early connection of utility service.

Where no building is located on a lot or parcel, no permit shall be issued for a septic system or an accessory building prior to issuance of a permit for a main building to be located on the same lot or parcel without the consent of the planning division. All temporary electric power poles shall be installed per requirements found in Article 590 of the 2016 California Electrical Code. The purpose of this provision is to furnish the planning division with sufficient information concerning the uses, size, area of coverage, or location of any main building that will or may be constructed thereon, in relation to such septic system, accessory building, or temporary power pole.

- A. Exceptions. Permits for temporary power poles to be used during time of construction may be issued prior to the main use being established, provided the following conditions have been met:
 - 1. All required plans have been submitted.
 - 2. All plan check fees, building permit fees, and any special fees have been paid in full.
- B. As used in this section, certain terms are defined as follows:

1. "Accessory building" means and includes any building or structure the use of which is customarily subordinate or incidental to that of a main building or a main use of a certain kind of lot or parcel, for example, a garage or storage building.
 2. "Main building" means and includes a building or structure which is customarily used to carry out the main use of a lot or parcel of a certain kind.
 3. "Main use" means and includes the principal or dominant use for which a lot or parcel of a certain kind is customarily used.
 4. "Temporary power pole" means and includes any pole placed for the conveyance of electrical energy for a limited period of time and is used in preparing for the main use of a certain kind of lot or parcel.
- C. Permanent electrical service may be connected to a building or structure prior to building division final inspection and approval provided that the applicant completes and signs a construction power agreement on a form provided by the Mono County Building Division stating that the project will meet the conditions on the agreement. The construction power agreement also includes a provision for electrical service disconnection, at the applicant's liability and expense, in the event of unauthorized usage of the electrical power.
- The applicant completes a temporary power agreement, on a form supplied by the Mono County Building Division stating that project is ninety percent complete and meets all requirements of the building division and executes a disconnect order which authorizes the county to disconnect, under the applicants' liability and expense, in the event of unauthorized usage and/or failure to meet the executed schedule.
2. The applicant completes a temporary power agreement and submits a cash bond in the amount of one thousand dollars and executes a disconnect order which authorizes the county to disconnect. Under the applicants' liability and expense, the power will be disconnected and the bond forfeited in the event of unauthorized usage and/or failure to meet schedule.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

15.04.140 Snow loads.

All of Mono County shall be declared a snow area and this declaration pertains to all structures as defined in the 2019 California Building Code Section 202. Mobile Manufactured homes, modular homes, factory-built houses, housing (modular homes) and commercial coaches shall be subject to the specific design provisions of California Title 25 and under the jurisdiction of the California State Agency of Housing and Community Development (HCD). The snow loads, and the conditions of their application, shall be revised from time to time based on minimum California Building Code requirements, site specific case studies, and updated information as determined by the Mono County Building Official.

- A. "Structure" (as defined by the 2016 California Building Code Section 202): That which is built or constructed.

MONO COUNTY SNOW LOAD DESIGN CRITERIA
2019 California Building Code

SNOW LOADS: Use Terrain exposure Category D/Flat unobstructed areas ASCE 7-16 Table 7-27.3-1 $C_e = 0.9$ for high desert area roofs noted with*.
 Use Terrain exposure Category BC/Partially Exposed ASCE 7-16 Table 7-27.3-1 $C_e = 1.0$ for all other roofs.
 Use ASCE 7-16 Table 7-3 7.3-2 Thermal Factor $C_t = 1.1$ for all roofs.
 Use ASCE 7-16 Table 1.5-2 Importance Factor $I_s = 1.0$ for all roofs.
 Use Fig. 7-2b graph 7.4-1 in ASCE 7-16 and All Other Surfaces curve for determination of C_s if roof meets criteria for slope reduction.

CLIMATE ZONE: 16
 FROST DEPTH: 18" below exterior finished grade minimum

GROUND SNOW LOAD p_g PSF – ROOF SNOW LOAD p_r CONVERSION TABLE			
HIGH DESERT LOCATIONS	ELEVATION	GROUND SNOW LOAD p_g (psf)	FLAT ROOF SNOW LOAD $p_r=(.7)(0.9^* \text{ or } 1.0=C_e)(1.1=C_t)(1.0=I_s)p_g=(\text{psf})$
Chalfant Valley*	4,200 ft.	55 psf	38 psf
Hammil Valley*	4,500 ft.	55 psf	38 psf
Paradise*	5,000 ft.	55 psf	38 psf
Topaz*	5,000 ft.	55 psf	38 psf
Coleville*	5,100 ft.	55 psf	38 psf
Benton*	5,400 ft.	55 psf	38 psf
Walker*	5,400 ft.	55 psf	38 psf
Bridgeport	6,470 ft.	65 psf	50 psf
Mono City	6,899 ft.	75 psf	58 psf
Long Valley (east of US 395)	7,000 ft.	80 psf	62 psf
Tom's Place	7,000 ft.	80 psf	62 psf

GROUND SNOW LOAD p_g PSF – ROOF SNOW LOAD p_r CONVERSION TABLE			
MOUNTAIN AREA LOCATIONS	ELEVATION	GROUND SNOW LOAD p_g (psf)	FLAT ROOF SNOW LOAD $p_r=(.7)(1.0=C_e)(1.1=C_t)(1.0=I_s)p_g=(\text{psf})$
Swall Meadows	6,400	100 psf	77 psf
Sonora Junction	6,500	155 psf	119 psf
Rancheria Estates	6,600	105 psf	81 psf
Pickel Meadow	6,800	155 psf	119 psf
Lee Vining	6,800	120 psf	92 psf
Long Valley (west of US 395)	7,000	125 psf	96 psf
Lundy Lake (lower)	7,000	150 psf	116 psf
Crowley Lake	7,000	125 psf	96 psf

Bald Mountain/Arcularius	7,100	150 psf	116 psf
Twin Lakes	7,200	140 psf	109 psf
Devil's Gate	7,400	155 psf	119 psf
Crestview	7,500	150 psf	116 psf
Swauger Creek	7,500	150 psf	116 psf
Convict Lake	7,580	155 psf	119 psf
June Lake	7,600	155 psf	119 psf
Lundy Lake (upper)	8,000	285 psf	220 psf
Virginia Lakes	9,600	285 psf	220 psf

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.150 Defensible space and fire hazards reduction.

Prior to the issuance of a certificate of occupancy or final approval, the building official shall require that, where applicable, the defensible space requirements and other fire hazard reduction requirements have been met pursuant to Chapter 7A of the 2019 California Building Code and section R337 of the California Residential Code , and as that code may be amended from time to time. These requirements include, but are not limited to, the following:

Properties shall be maintained in accordance with the defensible space requirements contained in Government Code Section 51182 (unless exempted by Government Code Section 51183 or 51184) and Public Resources Code Section 4291, as applicable.

- A. The existence or maintenance of any of the following conditions is prohibited:
 1. Tree branches within ten feet of a chimney outlet or stovepipe outlet;
 2. Dead or dying tree branches adjacent to or overhanging a building;
 3. Leaves, needles, or other dead vegetative growth on the roof of any structure;
 4. Flammable vegetation or other combustible growth within thirty feet of an occupied dwelling or structure which prevents the creation of a firebreak;
 5. Brush, flammable vegetation, or combustible vegetation located between thirty and one hundred feet of an occupied dwelling or structure which prevents the creation of a reduced fuel zone; or
 6. Brush or other flammable material within ten feet of a propane tank.
- B. For the purposes of this section, the following definitions shall apply:
 1. "Firebreak" shall mean an area of land within thirty feet of an occupied dwelling or structure or to the property line, whichever is closer, in which all flammable vegetation or other combustible growth has been removed. The creation of a firebreak shall not require the removal of single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any dwelling or structure.
 2. "Reduced fuel zone" shall mean an area between thirty and one hundred feet of an occupied dwelling or occupied structure or to the property line, whichever is closer, in which all brush, flammable vegetation or combustible growth has been removed. The creation of a reduced fuel zone shall not require the removal of single specimens of trees or other vegetation that is well-

pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure. Grass and other vegetation located more than thirty feet from the dwelling or structure and less than eighteen inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.

- C. No person shall be required to maintain any clearing on any land if that person does not have the legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by another person without the consent of that person.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.160 Roof projections.

All flues, fireplace chimneys, or other projections through the roof shall be protected from damage by sliding snow or ice. This shall be accomplished by using guys, formed metal guards, saddles, or other methods approved by the building official.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.170 Agricultural storage structures.

Agricultural structures for the storage of field-grown products only, with at least three sides completely open, may utilize slope reduction factors in ASCE 7-16 for “Unobstructed Slippery Surfaces” per 7-2B, as determined by the building official.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.180 Manufactured truss submittal requirements.

- A. All manufactured trusses shall be designed by a California licensed civil or structural engineer.
 - 1. Truss design submittals and calculations may be “deferred submittals” and shall be submitted prior to or at the time of roof sheathing inspection.
 - 2. If the truss design submittals and calculations are not submitted at this time, no further inspections will be conducted until this information has been provided for review and approval.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.190 Environmental air ducts and exhaust ventilation.

Ducts used for domestic kitchen range shall terminate to the exterior and be of metal and have a smooth interior surface. All bathrooms, water closets compartments, laundry rooms, and similar rooms shall be equipped with a mechanical exhaust ventilation system connected directly to the outside capable of providing a minimum ventilation rate of fifty cubic feet per minute for intermittent ventilation or twenty five cubic feet per minute for continuous ventilation specific to seasons of extreme cold and snow where exterior natural ventilation is not practical.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.200 High-rise structure requirements.

Each building having floors used for human occupancy located more than fifty feet above the lowest level of fire department vehicle access shall comply with the standards set forth in Section 403 of Chapter 4 of the 2007 California Building Code and any similar requirements from time to time adopted by the California Building Standards Commission pertaining to high-rise buildings designed for human occupancy.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01 , § 1(Att. A), 1-21-2020)

15.04.210 Electric Vehicle Charging Station Permit Expediting Ordinance

A. Title and Authority.

This Ordinance shall be known as the County of Mono Electric Vehicle Charging Station Permit Expediting Ordinance.

The section is enacted pursuant to Government Code section 65850.7 as established by Assembly Bill 1236.

B. Purpose and Intent.

The intent of this section is to create an expedited, streamlined permit process that complies with AB 1236 and Government Code section 6550.7 to achieve timely and cost-effective installation of electric vehicle charging stations. This section encourages installation of electric vehicle charging stations by removing unreasonable obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. This section allows the County to achieve these goals while protecting public health and safety.

C. Applicability.

1. This section applies to the permitting of electric vehicle charging stations in the unincorporated County of Mono.
2. Routine operation and maintenance shall not require a permit.
3. Electric vehicle charging systems legally established or permitted prior to the Building Official's implementation of an expedited permitting process are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of an electric vehicle charging station in such a way as to require new permitting.

D. Definitions.

1. "Electronic submittal" means the utilization of one or more of the following:
 - (a) Email.
 - (b) The Internet.
 - (c) Facsimile.
2. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical

Code, as it reads on January 1, 2016, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

3. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the county on another similarly situated application in a prior successful application for a permit.
4. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

E. Electric Vehicle Charging Stations Requirements

1. All electric vehicle charging stations shall meet applicable health and safety standards and requirements of local, state, and federal law.
2. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

F. Application Standards

1. The Building Division shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible.
2. All documents required for submission of an electric vehicle charging station application will be made available on Mono County Building Division's website.
3. The County will accept an electronic signature on all forms, applications and other documents in lieu of a wet signature by an applicant.
4. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero Emission Vehicles in California: Community Readiness Guidebook" published by the State of California's Office of Planning and Research. The Building Official may modify the checklists and standards found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.

G. Expedited Permitting Process and Permit Review

1. A permit application that satisfies the information requirements in the County's adopted checklist shall be deemed complete and be promptly processed, as set forth in Government Code Section 65850.71(b).

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2. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the County adopted checklist, and is consistent with all applicable laws, the Building Official shall, within times set forth in Government Code Section 65850.71(c) and consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or use the electric vehicle charging station until approval is granted by the County following a final inspection.
 3. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
 4. The Building Official may require an applicant to apply for a conditional use permit if the official makes a written finding, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official may be appealed to the Mono County Planning Commission in accordance with Mono County Code.
 5. The County shall not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
 6. Consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
 7. Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.
 8. This expedited permitting process is intended to apply only to applications for permits for electric vehicle charging stations and will not expedite the review of any other permit applications.

15.04.220 Small Residential Rooftop Solar Energy Permit Expediting Ordinance

A. Title and Authority.

This Ordinance shall be known as the County of Mono Small Residential Rooftop Energy Permit Expediting Ordinance. The section is enacted pursuant to Government Code section 65850.5 as established by Assembly Bill 2188.

B. Purpose and Intent.

The intent of this section is to create an expedited, streamlined permit process that complies with AB 2188 and Government Code section 65850.5 to achieve timely and cost-effective installation of small residential rooftop solar energy systems. This section encourages installation of small residential rooftop solar energy systems by removing unreasonable obstacles to permitting for solar energy systems so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. This section allows the County to achieve these goals while protecting public health and safety.

C. Applicability.

1. This section applies to the permitting of small residential rooftop solar energy systems in the unincorporated County of Mono.
2. Routine operation and maintenance shall not require a permit.
3. Small residential rooftop solar energy systems legally established or permitted prior to the Building Official's implementation of an expedited permitting process are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small residential rooftop solar energy system in such a way as to require new permitting.

D. Definitions.

1. "Electronic submittal" means the utilization of one or more of the following:
 - (a) Email.
 - (b) The Internet.
 - (c) Facsimile.
2. "Small residential rooftop solar energy system" means a system that meets all of the following criteria:
 - a. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
 - b. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the Town, and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
 - c. A solar energy system that is installed on a single or duplex family dwelling.
 - d. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

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3. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the county on another similarly situated application in a prior successful application for a permit.
 4. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- E. Small Residential Rooftop Solar Energy System Requirements
1. All small residential rooftop solar energy systems shall meet applicable health and safety standards and requirements of local, state, and federal law.
 2. Small residential rooftop solar energy systems shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
- F. Application Standards
1. The Building Division shall adopt a checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible.
 2. All documents required for submission of a small residential rooftop solar energy system application will be made available on Mono County Building Division's website.
 3. The County will accept an electronic signature on all forms, applications and other documents in lieu of a wet signature by an applicant.
 4. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the "California Solar Permitting Guidebook" as adopted by the Governor's Office of Planning and Research. The Building Official may modify the checklists and standards found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.
- G. Expedited Permitting Process and Permit Review
1. A permit application that satisfies the information requirements in the County's adopted checklist shall be deemed complete and be promptly processed, as set forth in Government Code Section 65850.5(g)(1).
 2. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the County adopted checklist, and is consistent with all applicable laws, the Building Official shall, within times set forth in Government Code Section 65850.5(g)(1) and consistent with Government Code Section 65850.5, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or use the electric vehicle charging station until approval is granted by the County following a final inspection.

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3. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
 4. The Building Official may require an applicant to apply for a conditional use permit if the official makes a written finding, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety and conditions are necessary. The decision of the Building Official may be appealed to the Mono County Planning Commission in accordance with Mono County Code.
 5. The County shall not deny an application for a use permit to install a small residential rooftop solar energy system unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
 6. Consistent with Government Code Section 65850.5, the Building Official shall not condition the approval for any small residential rooftop solar energy system permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
 7. Any conditions imposed on an application to install a small residential rooftop solar energy system shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.
 8. This expedited permitting process is intended to apply only to applications for permits for small residential rooftop solar energy systems and will not expedite the review of any other permit applications.

15.04.210300 Penalties for Chapter 15.04 violations.

- A. Unlawful Acts. It shall be unlawful for any person, firm, vendors, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure, or building service equipment or cause or permit the same to be done in violation of this code and the technical codes as amended and adopted by the county. The use or occupancy of any building in violation of any of the provisions of this code or the technical codes as adopted by the county is declared to be a public nuisance and may be abated in the manner provided by law and subject to enforcement pursuant to the provisions of Chapter 1.12 of the Mono County Code.
- B. Notice of Violation. The building official and his or her deputy inspectors shall be vested with the necessary powers and duties for the exclusive purpose of enforcing provisions of this code. The building official and his or her deputy inspectors may issue warnings or citations for violations, serve a notice of violation or order on the person responsible for the erection, construction, alteration, expansion, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- C. Prosecution of Violation. If a notice of violation is not complied with as directed, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Further, any such violation may be subject to enforcement pursuant to the provisions of Chapter 1.12 of the Mono County Code.
- D. Violation Penalties. Any person who violates any of the provisions of this chapter shall be subject to the penalties set forth in Section 1.04.060 and Chapter 1.12 of the Mono County Code.

(Ord. No. 17-01, § 2, 4-18-2017; Ord. No. 20-01, § 1(Att. A), 1-21-2020)

Chapter 15.06 CONSTRUCTION SITE REGULATIONS

Sections:

15.06.010 Scope.

All construction or grading and any work related thereto in the unincorporated areas of Mono County shall comply with this code and the requirements of this chapter.

(Ord. 79-479 § 1 (part), 1979.)

15.06.020 Hours of working.

If operations under a building permit are within five hundred feet of residential or commercial occupancies, this work shall be limited to the hours between seven a.m. and eight p.m. daily, with Sunday operations between nine a.m. and five p.m., except that the concrete pouring work is permitted during daylight hours of sunrise to sunset.

(Ord. 79-479 § 1 (part), 1979.)

15.06.030 Sanitation facilities.

Unless adequate water closets are otherwise provided, a water closet shall be provided when the number of workers on a job site is three or more, at all construction sites, and shall consist of a patented chemical-type privy approved by the local health department. All other requirements shall be according to Section 5416 of the Health and Safety Code.

(Ord. 79-479 § 1 (part), 1979.)

15.06.040 Encroachment.

All materials encroaching on a county public right-of-way without an appropriate permit from the road department are prohibited.

(Ord. 79-479 § 1 (part), 1979.)

15.06.050 Construction site nuisance.

Operations on construction sites shall maintain preventive controls of blowing dust from construction work, protection of drainage diversion from site development, and control of erosion from removal of natural vegetation.

(Ord. 79-479 § 1 (part), 1979.)

Chapter 15.08 CONSTRUCTION FEES

Sections:

15.08.010 Definitions.

As used in this chapter:

- A. "Dwelling unit" includes each single family dwelling and each habitation unit of an apartment duplex or multiple dwelling structure designated as a separate place for habitation of family, as that term is defined in Title 19 of this code. "Dwelling unit" also includes each guest room;
- B. "Guest room" means as the term is defined in Title 19 of this code, when such room is located in a structure other than single family dwelling and is designated for separate use by a family, and also means each bed in a dormitory as the latter is defined in Title 19;
- C. "Person" includes every person, firm or corporation engaging in construction activities itself or through the services of any employee, agent or independent contractor;
- D. "Trailer space" means each space, area or building in a trailer park or mobilehome park or other place, designed or intended as a place to accommodate any mobilehome, **manufactured home trailer, van, bus** or other **vehicle or mobile** similar structure, at a time when the same is being used as living or sleeping quarters **for human beings.**

(Ord. 72-422 § 3, 1972.)

15.08.020 New construction fees.

In addition to any other fees prescribed by the county, every person developing land as defined herein, within the county, shall pay to the county a sum appropriately computed as follows:

- A. For each unit in a single-family, condominium, duplex, apartment or multiple dwelling structure, or in a dormitory or hotel, twenty cents per square foot of gross building area under roof, or two hundred dollars per each dwelling unit, whichever is the greater total sum;
- B. For each mobilehome trailer space, two hundred dollars with no additional sum for any directly accessory structure;
- C. For any other construction not falling within the definition of "dwelling unit" or "mobilehome trailer space," or within subsections A or B of this section, twenty cents per square foot of gross building area under roof;
- D. For each required parking space in every commercial development in Mammoth Lakes and June Lake, fifty dollars.

(Ord. 83-515 § 1 (part), 1983; Ord. 83-122-B § 1, 1983; Ord. 82-506 § 2, 1982; Ord. 72-422 § 1, 1972.)

15.08.030 Time for payment.

Such fees shall be due and payable upon issuance by the county of a building permit for the construction of any such dwelling unit or building or addition.

(Ord. 72-422 § 2, 1972.)

15.08.040 Specification of budget funding.

All sums collected pursuant to this chapter shall be deposited to the general fund. The building and planning department shall, within the budget process, develop a program or programs to the following aims:

- A. Matching moneys for federal and state planning programs;
- B. Cost attributable to former and future legislative mandated elements in the general plan, precise plans, zoning, environmental studies and requirements;
- C. Cost attributable to joint planning agreements and functions with federal and state agencies;
- D. The acquisition and development of open space lands for recreation purposes. Only those lands identified on the Mono County Open/Space Acquisition Priority List shall be eligible for acquisition with funds collected pursuant to this chapter. The development of open space may include the construction of necessary recreation facilities, trails, parks and appurtenant facilities.

(Ord. 75-422-A § 1, 1975; Ord. 72-422 § 4, 1972.)

Chapter 15.09 CONSTRUCTION IN IMPACTED SCHOOL DISTRICTS

Sections:

15.09.010 Findings.

The board of supervisors of Mono County concurs that conditions of overcrowding may exist in certain schools in Mono County and may make applicable the provisions of Chapter 4.7 (commencing with Section 65970) of Division 1 of Title 7 of the Government Code and thereby necessitate the provision of means of temporarily providing relief from such overcrowding pursuant to such provisions of the Government Code.

(Ord. 79-473 § 1 (part), 1979.)

15.09.020 Applicability.

This chapter shall apply to any ordinance rezoning property to a residential use, the grant of any discretionary permit for a residential use, the approval of any tentative subdivision map for residential purposes and the issuance of any building permit for a dwelling unit, except a permit to replace, repair or alter a previously existing dwelling unit, other than alterations which add a bedroom, or bedrooms, to such dwelling unit.

(Ord. 79-473 § 1 (part), 1979.)

15.09.030 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

- A. "Affected school district" means an impacted school district or a school district in which is located an impacted school.
- B. "Agreement for dedication of land" and "mutual agreement in lieu of dedication of land or payment of fees for interim facilities" means the following:
 - 1. "Agreement for dedication of land" means mutual agreement between a school district and a developer of a subdivision of over fifty parcels or a multiple dwelling development involving over fifty dwelling units, executed and binding prior to the adoption of any action rezoning property to a residential use, the grant of any discretionary permit for residential use or the approval of any tentative subdivision map for residential purposes, where the total cost of the land to be dedicated is equivalent to the cost of providing temporary building space sufficient in area to accommodate that portion of the estimated enrollment from the proposed development that the parties agree will cause impaction to the district or school as computed and determined when building permits are applied for, calculated on the number applied for.
 - 2. "Mutual agreement in lieu of dedication of land or payment of fees for interim facilities" means a mutual agreement between a developer and a school district, filed with the Mono County building department by which the developer agrees to contribute land or fees or other assistance, as specified in the agreement, to the school district of a value at least equivalent to the fees otherwise payable under this chapter, for such use as the school district governing board determines to be appropriate, and in consideration of which the school district waives any other right to demand or receive fees or dedication of land under this chapter with respect to the dwelling units which are the subject of the alternative agreement.
- C. "Building permit" means any permit issued by the Mono County building official for construction of a residential unit, including a permit to construct and install electrical or plumbing equipment to service a mobilehome lot or space, excepting a permit to replace, repair or alter a previously existing dwelling unit.

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- D. "Classroom and related facilities" means relocatable school buildings, including necessary appurtenances, and furniture, equipment or necessary apparatus to be used in connection with such buildings.
 - E. "Developer" means any person, firm or corporation seeking to construct a dwelling unit, or units, or to develop land for residential purposes.
 - F. "Dwelling unit" means a building or portion, planned or designed for use as a residence for one family of persons, and having its own bathroom and housekeeping facilities included in said unit. (e.g., a one-family dwelling, each dwelling unit in a two-family dwelling, and each dwelling unit in a multiple dwelling), and includes a mobilehome.
 - G. "Impacted school" means a school, whether or not situated in an impacted school district, the attendance area of which is determined to be overcrowded pursuant to Section 15.09.050.
 - H. "Impacted school district" means a school district which is determined to be overcrowded pursuant to Section 15.09.050.

(Ord. 80-473-C § 1, 1980; Ord. 79-473-B § 1 (part), 1979; Ord. 79-473 § 1 (part), 1979.)

15.09.040 Issuance of building permits.

Notwithstanding any provisions of any Mono County ordinance to the contrary, no building permit, except to replace, repair, or alter a previously existing dwelling unit, shall be issued for any dwelling unit within an impacted school district unless the fees prescribed by this chapter have been paid, the land required by agreement to be dedicated has been so dedicated, or there has been filed with the building official by the governing body of an impacted school district, written notice, on a form provided therefor by the county, that such governing body and the developer have entered into a binding agreement providing for a satisfactory alternative to payment of fees or dedication of land under this chapter, or that the board of supervisors has approved of a residential development as authorized in subsection 2 of Section 65972 of the Government Code.

(Ord. 83-515 § 1 (part), 1983; Ord. 80-473-C § 2, 1980; Ord. 79-473-B § 1 (part), 1979; Ord. 79-473-A § 1 (part), 1979; Ord. 79-473 § 1 (part), 1979.)

15.09.050 Procedure.

A school district shall become eligible to collect the fees received by the county, or accept dedication of land under this chapter when all of the following have occurred:

- A. The school district has submitted to the board of supervisors a resolution making the findings prescribed by Section 65971 of the Government Code that a school attendance area or a school district is overcrowded and that all reasonable methods of mitigating the conditions of overcrowding have been evaluated and no feasible method for reducing such conditions exist and has submitted to the board of supervisors clear and convincing evidence in support of such findings.
- B. The board of supervisors, after hearing at a regular scheduled meeting, has concurred in such findings and has made the following additional findings:
 - 1. That the general plan provides for the location of public schools;
 - 2. That this chapter has been in effect thirty days prior to the implementation of the fee for dedication requirement;
 - 3. That the facilities to be constructed from the fees prescribed by this chapter or any land to be dedicated, or both, is consistent with the general plan;

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4. The location and amount of land to be dedicated, or fees to be paid, or both, bear a reasonable relationship, and will be limited to the needs of the community, for elementary or high school facilities, which shall be limited to interim facilities unless otherwise mutually agreed by the developer and the school district and is reasonably related and limited to the needs for schools caused by the development;
 5. The land or fees, or both, transferred to the school district shall, unless otherwise mutually agreed by the developer and the school district, be used only for the purpose of providing interim elementary or high school classrooms and related facilities.

(Ord. 80-473-C § 3, 1980: Ord. 79-473-A § 1 (part), 1979: Ord. 79-473 § 1 (part), 1979.)

15.09.060 Fees.

Before any permit is issued to construct a dwelling unit or dwelling units in an impacted school district, applicant shall pay the fees, dedicate the land, or both, as required by the board of supervisors by resolution after proper justification by an impacted school district or shall enter into an agreement providing for payment of fees, dedication of land or other assistance accepted by the school district in lieu of the fees otherwise payable under this agreement. Evidence of such agreement shall be provided the building official prior to issuance of a building permit in an impacted school district.

(Ord. 83-515 § 1 (part), 1983: Ord. 80-473-C § 4, 1980: Ord. 79-473-A § 1 (part), 1979: Ord. 79-473 § 1 (part), 1979.)

15.09.070 Use of fees and accounting.

- A. Any fees provided an impacted school district pursuant to this chapter shall, unless otherwise agreed by the developer and school district, be used only for the purpose of providing interim elementary or high school classrooms and related facilities. Any school district receiving funds pursuant to this chapter in the absence of an agreement with the developer shall maintain a separate account for any fees paid to the district and shall file a report with the board of supervisors of the balance in the account as of the end of each fiscal year. Such report shall specify which attendance areas will continue, in the opinion of the school district governing board, to be overcrowded when the fall term begins and when conditions of overcrowding will no longer exist.
- B. Such report shall be filed not later than August 1st of each year.
- C. This chapter shall become inoperative in any affected school district as of August 1st of any year in which such report indicates conditions of overcrowding will no longer exist in the ensuing fall term in such district.

(Ord. 80-473-C § 5, 1980: Ord. 79-473 § 1 (part), 1979.)

15.09.080 Enactment.

- A. The ordinance codified in this chapter shall become operative thirty days after it becomes effective.
- B. The ordinance codified in this chapter is an urgency ordinance for the immediate preservation of the public peace, health and safety and shall take effect immediately. The facts constituting the urgency are as follows: For these school districts that are found to be overcrowded the need for temporary facilities to prevent further overcrowding due to new residential construction is immediate. In order to avoid such further overcrowding there is a need to impose the fees that will be provided under this chapter at the earliest possible date prior to the normal building season.

(Ord. 79-473 § 1 (part), 1979.)

Chapter 15.12 PUBLIC BUILDING CONSTRUCTION

Sections:

15.12.010 Definitions.

As used in this chapter:

- A. "Preliminary plans" means any documents, expressions of ideas, concepts, location of improvements, type, style, size, nature of improvement which will indicate nature and extent and location of any proposed improvement;
- B. "Public buildings" means any and all improvements of whatever class or nature proposed to be constructed by a public entity, corporation or body politic;
- C. "Submission" (regulation) means delivery by regular mail, properly addressed and return addressed, postage paid, return receipt, or in person by duly authorized representative.

(Ord. 83-515 § 1 (part), 1983; Ord. 349 §§ 1—3, 1964.)

15.12.020 Preliminary plan submittal—Permit required.

All preliminary plans by any public entity, corporation or body politic of any public buildings shall be submitted to the department of public works or its designee, and permit or other authorization to proceed shall be issued prior to publication of any notice to bidders for the construction of such public buildings.

(Ord. 349 § 4, 1964.)

15.12.030 Work without permit—Action.

Should any public building be so constructed without first having obtained a permit or other authorization to proceed as required in this chapter, the county, by and through its duly authorized agent, representative or assign, shall bring appropriate legal remedy for the stoppage of the construction of the improvement to and including, but not limited to, injunction.

(Ord. 349 § 5, 1964.)

Chapter 15.16 BUILDING MOVING AND DEMOLITION

Sections:

15.16.010 Permits required—Limitations.

- A. No person shall move any building or structure within or into the unincorporated area of the county, without first obtaining from the building department a relocation permit and a building permit. No person shall effect any demolition of any building or structure, or any part thereof, without first obtaining from the building department a demolition permit.

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- B. Except as otherwise provided in this section, there shall not be issued a relocation permit for any building or structure which is included within any one or more of the following categories:
1. So constructed or in such condition as to constitute a danger of injury or death through collapse of the building, fire, defects in electrical wiring or any other substantial hazard, to the persons who will occupy or enter said building after relocation;
 2. Infested with rats or other vermin or the wood members of the building are infested with rot, decay or termites;
 3. So unsanitary or filthy that it would constitute a hazard to the health of the persons who will occupy said building after relocation or, if not intended for occupancy by human beings, would make it unsuitable for its intended use;
 4. In such condition or of a type, character, size or value and is so inharmonious with other buildings in the neighborhood of the relocation site, that placing the building at the proposed relocation site would substantially diminish the value of other property or improvements in the district into which the building is to be relocated;
 5. The proposed use of the building is prohibited at the proposed relocation site under any zoning ordinance or other land use ordinance of the county.
 6. The building, structure, or relocation site does not conform to all applicable provisions of law.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.020 Application for relocation permit.

Every application for a relocation permit shall be in writing upon a form furnished by the building department and shall set forth such information as may reasonably be required in order to carry out the purposes of this chapter. Such information may include:

- A. Photographs of the building or structure to be moved and photographs of the buildings on the properties contiguous with the premises onto which the building or structure is to be moved;
- B. A report from a licensed structural pest control contractor stating the condition of the building or structure as to decay and pest infestation;
- C. A report from a registered engineer or architect stating the structural condition of the building, and clearly indicating steps to be taken to preserve/enhance said condition.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.030 Correction of defects before issuance—Hearing.

- A. If the building or structure to be moved fails to meet any of the standards set forth in Section 15.16.010, but it appears to the building official that the deficiencies can be corrected, the permits shall be issued only on condition that all deficiencies be corrected.
- B. In order to determine any matter regarding relocation of a building or structure, the building official may cause any investigation to be made which he believes necessary.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.040 Terms and conditions of issuance.

In granting a relocation permit, there may be imposed such terms and conditions as are reasonable, including, but not limited to changes, alterations, additions or repairs to the building or structure so that its relocation will not be materially detrimental or injurious to the public safety or welfare or to the property or improvements in the district to which it is to be moved. The terms and conditions upon which each permit is granted shall be in writing upon application and permit or appended thereto.

(Ord. 75-460 § 2 (part), 1975.)

15.16.050 Application fee.

The fee for relocation investigation service shall be twenty-five dollars. In addition, there shall be a travel fee of fifty dollars when a building or structure is located outside this county at a point within twenty miles of the boundaries of this county, plus one dollar for each mile or fraction thereof in excess of twenty miles. In the event a building permit is issued, the fees for building, plumbing, electrical and mechanical permits shall be based upon the total value of the improved building or structure at its relocation site as estimated by the building official.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.060 Debris and excavations.

It shall be the duty of any person to whom any permit is issued for the demolition or for the removal of any building, or any section or portion of any building pursuant to the provisions of this chapter, and of any person leasing, owning, or occupying or controlling any lot or parcel of ground from which a building is removed or demolished, to remove all weeds, concrete or stone foundations, flat concrete, concrete patios, masonry walls, garage floors, driveways, and similar structures and all loose, miscellaneous, and useless material from such lot or parcel of ground, and to properly cap the sanitary sewer house connection, and to properly fill or otherwise protect all basements, cellars, septic tanks, wells, and other excavations.

(Ord. 75-460 § 2 (part), 1975.)

15.16.070 Denial of permit.

If the unlawful, dangerous or defective condition of the building or structure proposed to be relocated is such that remedy or correction cannot practicably and effectively be made, the relocation permit shall be denied.

(Ord. 75-460 § 2 (part), 1975.)

15.16.080 Expiration.

A relocation permit shall expire and become null and void if the moving of the building or structure is not completed within sixty days from the date of the permit.

(Ord. 75-460 § 2 (part), 1975.)

15.16.090 Relocation bond—Required.

No relocation permit required by this chapter shall be issued by the building department unless the applicant therefor first posts a bond executed by the owner of the premises where the building or structure is to be located, as principal, and a surety company authorized to do business in the state, as surety. The bond shall be in form joint and several, shall name the county as obligee and shall be in an amount equal to the cost plus ten percent of the work required to be done in order to comply with all of the conditions of such relocation permit as such cost is estimated by the building official. In lieu of a surety bond the applicant may post a bond executed by the owner, as principal, and which is secured by a deposit in cash in the amount named above and conditioned as required in the case of a surety bond; such a bond as so secured is hereafter called a "cash bond" for the purposes of this section.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.100 Relocation bond—Conditions.

Every bond posted pursuant to this section shall be conditioned as follows:

- A. That each and all of the terms and conditions of the relocation permit shall be complied with to the satisfaction of the building official;
- B. That all of the work required to be done pursuant to the conditions of the relocation permit shall be fully performed and completed within the time limit specified in the relocation permit; or, if no time limit is specified, within ninety days after the date said building is moved to its new location. The time limit herein specified, or the time limit specified in any permit, may be extended for good and sufficient cause by the building official. No such extension of time shall be valid unless written and no such extension shall release any surety upon any bond.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.110 Relocation bond—Default in performance of conditions.

- A. Whenever the building official finds that a default has occurred in the performance of any term or condition of any permit required by this section, written notice thereof shall be given to the principal and to the surety of the bond. Such notice shall state the work to be done, the estimated cost thereof and the period of time deemed by the building official to be reasonably necessary for the completion of such work. After receipt of such notice, the surety must, within the time therein specified, either cause the required work to be performed or, failing therein, must pay over to the director of building the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to ten percent of the estimated cost. Upon receipt of such moneys, the building official shall proceed by such mode as he deems convenient to cause the required work to be performed and completed, but no liability shall be incurred therein other than for the expenditure of the sum in hand therefor. The balance, if any, of such moneys shall, upon completion of the work, be returned to the depositor, or to his successors or assigns, after deducting the cost incurred in obtaining the completion of the work.
- B. If a cash bond has been posted, notice of default as provided above shall be given to the principal and if compliance is not had within the time specified, the building official shall proceed without delay and without further notice or proceedings whatever to use the cash deposited, or any portion of such deposit, to cause the required work to be done by contract or otherwise in the discretion of the building official.
- C. When any default has occurred on the part of the principal under the preceding provisions, the surety shall have the option, in lieu of completing the work required, to demolish the building or structure and to clear, clean and restore the site. If the surety defaults, the building official shall have the same option.

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- D. In the event of any default in the performance of any term or condition of the relocation permit, the surety, or any person employed or engaged on its behalf, or the building official, or any person employed or engaged on his behalf, shall have the right to go upon the premises to complete the required work or to remove or to demolish the building or structure.
 - E. No person shall interfere with or obstruct the ingress or egress to or from any such premises by any authorized representative or agent of any surety or of the county engaged in the work of completing, demolishing or removing a building or structure for which a relocation permit has been issued after a default has occurred in the performance of the terms or conditions thereof.

(Ord. 83-515 § 1 (part), 1983; Ord. 75-460 § 2 (part), 1975.)

15.16.120 Relocation bond—Termination—Refund of surplus.

The term of each bond posted pursuant to this section shall begin upon the date of the posting thereof and shall end upon completion to the satisfaction of the director of building of the performance of all the terms and conditions of the relocation permit required by this section. Such completion shall be evidenced by a statement thereof signed by the director of building, a copy of which will be sent to any surety or principal upon request. When a cash bond has been posted, the cash shall be returned to the depositor or to his successors or assigns upon the termination of the bond, except any portion thereof that may have been used or deducted as elsewhere in this chapter provided.

(Ord. 75-460 § 2 (part), 1975.)

Chapter 15.20 HOUSE AND PROPERTY NUMBERING²

15.20.010 Purpose.

The purpose of this chapter is to establish a county-wide house and property numbering system that is consistent with Mono County General Plan Chapter 22 (Fire Safe Regulations) and the county 911 emergency response system. The specific objectives of this chapter are as follows:

- A. To provide property owners and the county with a convenient, accurate and systematic means of identifying property.
- B. To name new streets, and rename old streets with conflicting or duplicate names, in order to provide for the efficient provision of emergency services.
- C. To provide a means for expedient emergency response by all necessary emergency services.
- D. To establish a property location that will serve as an emergency 911 address.
- E. To assist in the proper delivery of utility and other services.
- F. To support the county's move to enhanced 911.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

²Editor's note(s)—Ord. No. 15-03, § 1(Att. A), adopted May 5, 2015, amended Chapter 15.20 in its entirety to read as herein set out. Former Chapter 15.20, §§ 15.20.010—15.20.060, pertained to similar material, and derived from Ord. No. 73-437 and Ord. No. 93-08, 1993.

15.20.020 Area affected.

This chapter shall apply to and govern each and every lot, parcel, or tract of land and improvement thereof, within the unincorporated areas of the county, in accordance with the implementation schedule set forth in Section 15.20.130. The structure numbers on all residential, multi-family and commercial buildings existing at the time this chapter is adopted will be checked to ensure conformance with the standards set forth in this chapter. If the existing structure number is found to be non-compliant, the director may assign a new number as set forth herein. All new and future structures will be assigned a primary structure number in compliance with this chapter.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.030 Administration.

The assignment of numbers and the maintenance of the records pertaining thereto are the responsibility of the information technology department. The director of information technology ("director") shall be responsible for the administration of these standards and the maintenance of all maps and data relating to street names and addresses and will also determine if the assignment of names and numbers conforms to the standards set forth in this chapter. The director shall notify property owners of the assignment of property numbers and the effective date of display of the numbers. It shall be the responsibility of the property owner to erect or install occupancy or structure numbers compliant with Section 15.20.090 of this chapter and street naming signage compliant with Section 15.20.110 of this chapter. The director shall further assign numbers to all parcels created by any division of land. The director may assign such additional numbers as are necessary to identify separate occupancies or structures and may consult with the appropriate fire protection district and the Mono County Sheriff's Department to help resolve addressing issues.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.040 Definitions.

As used in this chapter:

- A. "Address" means a combination of a number, a street name and, when necessary, a unit number that is assigned to a parcel, structure, or unit within a structure, and is unique to it, to indicate its location.
- B. "Adjoining" means having a common boundary for at least twenty-five feet.
- C. "Building" means any structure used or intended for sheltering or supporting any use or occupancy.
- D. "Principal building" means a building that is large enough or used in such a way that, in the director's judgment, it requires a separate address. Mobile homes are principal buildings.
- E. "Contrast" with regard to colors used for the numbers, means two dissimilar colors that, when viewed alongside each other, distinctly oppose each other, allowing them to be visible to the naked eye and that stand out against the prevailing background.
- F. "Driveway" means a vehicle way that provides access, primarily for the occupants, from a street into a lot or complex and that:
 - 1. Has a ramp for its entrance from the street; and
 - 2. Provides access to no more than two separate dwellings or addressed structures or to any number of dwellings or addressed structures within a single complex or development.
- G. "High rise" means a multi-level building greater than three stories.

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- H. "Internal street" means a street within a multi-family development or complex or other development or complex that provides access to the development or complex from a driveway.
 - I. "Lot" means a parcel of real property.
 - J. "Property owner" means the person, firm, corporation or partnership that the latest county tax assessment rolls shows as the owner or long-term lessee.
 - K. "Primary driveway" means the primary point of access to a lot identified by property owner.
 - L. "Street" means a right-of-way or street easement, whether public or private, that provides vehicular access to abutting property.
 - M. "Structure" means a building, modular or the like, which is assembled or constructed on the ground, or attached to anything with a foundation on the ground. This includes mobile homes and manufactured housing regardless of their method of attachment.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.050 Street naming standards.

This section pertains to the standards which apply when naming streets. Regulations pertaining to the process and procedure for the adoption of street names are set forth in Chapter 13.35 or Subdivision Map Act and Section 17.16.250 of this code.

All Streets that serve three or more properties under different ownership will be named regardless of whether the ownership is public or private.

- A. Driveways shall not be named.
- B. A street name assigned by the county shall not constitute or imply acceptance of the street into the county's road system.
- C. There shall be no duplication of names by sound or spelling (e.g. Pine Road and Pine Lane, or Beach Street and Beech Street).
- D. When a proposed street is in general alignment with an existing street, and the proposed street is to be a continuation of the existing street, the existing name and designation should be maintained.
- E. Each street will have the same name throughout its entire length.
- F. No street name shall be over sixteen characters in length. In counting characters, spaces between words shall be included, but street name suffixes (e.g. road, drive, lane, circle) shall not be included.
- G. Address plans shall be submitted with the tentative map and before submittal of a final map; the subdivider shall submit a street naming and addressing plan to the information technology department. In addition, if any property owner proposes to locate or construct a new road (private or public), the property owner shall submit a street naming and numbering plan to the information technology department. Address plans must be approved prior to map recordation.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.060 Addressing standards for lots with one principal building.

The following standards shall apply when assigning numbers to buildings, dwellings, or other structures when only one principal building is on the property:

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- A. Official property numbers shall proceed from a logical point of origin. Each street will have a point of origin as a zero starting point for address numbers.
 - B. All dead end streets and culs-de-sac shall begin with ascending numbers at the open end that connects to another street.
 - C. Allowances shall be made for vacant lots in order that numbers may be properly assigned for future development.
 - D. Numbers will be assigned along both sides of a street. Odd-numbered addresses will be assigned on the north side of east-west streets and on the west side of north-south streets. Even-numbered addresses will be assigned on the south side and east side, respectively.
 - E. Numbers shall be established based on the front entrance from the street as designated by the county.
 - F. The number shall be displayed upon the front of the building and/or on the side facing the street throughout the year in summer and winter. The number shall be plainly visible from the street. Houses that are set back out of view from the street shall place a sign at the driveway entrance upon which shall be affixed the specified numbers.
 - G. For lots that are accessed by multiple driveways, a primary driveway shall be identified, which will be used for address assignment. Such access points are subject to review and approval of the director to ensure they are accessible to emergency service providers.
 - H. The assignment of a building number/address is required prior to the issuance of a building permit.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.070 Addressing standards for complexes and developments without internal street networks.

The following standards apply to multi-family residential complexes or developments or any other complex or development that is serviced by a common driveway or driveways and parking area(s), without internal streets (for purposes of this section "complex"):

- A. Each complex must have a county approved name designating it, which shall be made known at the time of permit application. This name shall be preserved, utilized, and prominently displayed at the complex. The address for the complex shall be prominently displayed as well.
- B. For complexes that are accessed by multiple driveways, the county shall designate a primary access point associated with the driveway that most directly accesses the manager's unit or main office; this building will be used for address assignments and shall be known as the "primary driveway." Such access points are subject to review and approval of the county.
- C. A multi-family dwelling structure such as an apartment building will be assigned one street address, and individual numbers for each unit, by the County.
- D. If more than one Building is present in a complex, each building must be assigned a building letter or number per the standards set forth in Section 15.20.050(G).
- E. Each entrance serving a separate occupant, shall be assigned a unique unit number, however, it will maintain the address of the property upon which it is built and the letter of the building it is in. (Example: 24 Public Road, Building A, Unit 103).
- F. Unit designators shall be as follows: Ground level floor numbers #101, #102, #103, second floor numbers #201, #202, #203. Additionally, all floor levels are to follow this scheme. Underground floor

designator shall follow the same scheme with the exception of having "U" for a prefix, for example #U101, #U102, etc.

- G. Unit numbers shall be at least four inches in height, made of a contrasting color to the background, and placed next to the door.
- H. Mobile home parks shall be assigned one address based on the location of the primary driveway. Individual numbering of each mobile home space must be determined and provided to the county before an address will be issued to the park. (Example: 24 Public Road, Lot 1).
- I. In the case of mall or a shopping center, the owner of any business that is located within such mall or shopping center shall display the legally assigned space or unit number at the main entrance to the business. Additionally, the owner of each business shall display the legally assigned number on the rear door to the building in numbers that are not less than four inches in height.
- J. The assignment of an address is required prior to the issuance of a building permit. The director will approve each address, including building letters and unit numbers.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.080 Addressing standards for complexes and developments with internal street networks.

The following standards apply to multi-family residential complexes or developments or any other complex or development that is serviced by a common driveway or driveways and parking area(s) but which has internal streets (for purposes of this section "complex").

The complex shall use the address assigned to the property during the construction phase of the project only. After the project has been built, the 'parent' address is retired and superseded by the individual unit address. All structures, dwellings, common-area facilities, alarms, and other infrastructure must comply with the following:

- A. Whenever a network of named streets exists within a complex, the street names shall be utilized in the addressing of the structures they service. All street names must comply with Section 15.20.060.
- B. The address shall be displayed upon the front of the building and/or on the side facing the street. The number shall be plainly visible from the street. All numbers shall meet the standards discussed in this chapter.
- C. Each entrance serving a separate occupant within each building shall be assigned a unique address based on the location of the driveway or garage that services said unit. Numbers shall be displayed according to the standards set forth in Section 15.20.090.
- D. The assignment of building numbers and addresses is required prior to the issuance of a building permit.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.090 Specifications for address numbers.

Address numbers shall comply with the following specifications:

- A. Address numbers shall be made of durable material.
- B. Address numbers shall be depicted in Arabic numerals or shall be the English words for such numbers.

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- C. Address numbers shall be clearly visible from the street during both summer and winter months but no digit or letter shall be smaller than four inches in height.
 - D. Structures located more than fifty feet from the street and/or not clearly visible from the street shall comply with the above standard by maintaining a post at the intersection of the driveway and street. Said post shall be at least three feet in height of durable material with address numbers posted on it. Said numbers shall be at least four inches in height. In all cases, a larger number than the minimum size may be required where the minimum size does not provide adequate identification.
 - E. The color of the address numbers shall contrast with the immediate background so as to be easily readable.
 - F. It shall be unlawful to cover or conceal, or to permit the obstruction of the address numbers. All numerical identifications must be easily identifiable without obstruction of view.
 - G. It shall be unlawful to post numbers other than the primary address.
 - H. All old numbers shall be removed when a new address number has been assigned in accordance with this chapter.
 - I. The property owner shall maintain numbers in such a manner that they continue to comply with the foregoing specifications.
 - J. Structure numbers and unit designators, as viewed from the street, shall not be obstructed from view.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.100 Specifications for building letters.

- A. Each building in a multi-building development or complex shall receive a unique letter, beginning with A. Alternatively, buildings may be given names, but the first letter of the name shall not be used in the name of any other building in that complex or development. (Ex. A, B, C, or Aspen, Birch, Cherry.)
- B. Buildings shall be lettered in alphabetical order as you drive through the complex.
- C. Building letters are to be at least one foot in height, made of contrasting color, and shall be conspicuously located and placed on the side of the building facing the driveway or street at least ten feet off the ground so as to clearly identify the building they relate to year-round.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.110 Street signage standards, procedure, and specifications.

Installation and maintenance of street name signs will be done as follows:

- A. In subdivisions, the property owners' association (or other similar entity) which represents the property owners in the subdivision, or the property owners in said subdivision (if there is no property owners' association or similar entity) shall be responsible for installing and maintaining street name signs with the approved name of the street and the intersecting street in accordance with the specifications in this chapter. The foregoing shall not apply where a street is county-maintained, or intersects with a county-maintained street at the intersection.
- B. In all other cases, the property owners adjoining the street shall be responsible for installing signs with the approved name of the street and the intersecting street in accordance with the specifications set forth in this chapter. The county will only be responsible for installing street name signs for county-maintained streets.

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- C. No occupancy permits for any building or buildings to be erected shall be issued until such time as the street name signs are installed.
 - D. Street signs shall meet all state and county standards.
 - E. Signage must conform to all applicable state and county standards, including standards set forth in the Manual Uniform Traffic Control Devices:
 - 1. Posts and mountings shall be permanent and durable. Post materials shall consist of a standard four-by-four wood post or alternate materials or construction that meet nationally accepted breakaway standards.
 - 2. Mounting Height:
 - a. Rural Areas: A minimum of five feet, measured vertically from the bottom of the sign to the elevation of the near edge of the pavement.
 - b. Business, commercial or residential areas where parking or pedestrian movements are likely to occur: Seven feet, measured vertically from the bottom of the sign to the elevation of the near edge of the traveled way.
 - 3. Orientation:
 - a. Business or Commercial Areas: Street name signs shall be placed on diagonally opposite corners.
 - b. Residential Areas: At least one street name sign shall be mounted at each intersection. They shall be mounted with their faces parallel to the streets they name.
 - c. At intersection crossroads where the same road has two different street names for each direction of travel: both street names may be displayed on the same sign along with directional arrows.
 - 4. Sign Lettering: Lettering on post-mounted street name signs shall be composed of initial upper-case letters at least six inches in height and lower-case letters at least four and one-half inches in height. On multi-lane streets with speed limits greater than forty mph, the lettering on post-mounted street name signs shall be composed of initial upper-case letters at least eight inches in height and lower-case letters at least six inches in height.

Option: For local roads with speed limits of twenty-five mph or less, the lettering on post-mounted street name signs may be composed of letters at least four inches in height.
 - 5. Retroreflectivity and Illumination: Street name signs and object markers shall be retroreflective or illuminated to show the same shape and similar color by both day and night.
 - 6. Lateral Offset: Street name signs shall be installed in urban areas at all street intersections regardless of other route signs that might be present and should be installed in rural areas to identify important roads that are not otherwise signed. All supports should be located as far as practical from the edge of the shoulder.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.120 How and when to affix numbers.

Numbers shall be affixed within sixty days after assignment and in accordance with this chapter, or as otherwise authorized by the director.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.130 Implementation.

- A. **New Streets and Addresses.** All streets or lots created following adoption of this chapter shall comply with the standards set forth herein. In situations where such assignment would result in incongruity amongst the existing numbering system, a temporary address may be assigned and later replaced with a permanent, compliant address.
- B. **Existing Streets and Addresses.** Unless otherwise authorized by the director, streets and structures that are not in compliance with the standards set forth in this chapter will be changed per resolution, adopted with or pursuant to this chapter.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

15.20.140 Enforcement and penalties.

In the event that any number assigned to any structure under this chapter or under a resolution adopted pursuant to this chapter, is not affixed thereto in accordance with the requirements of this chapter, the property owner may be subject to administrative citation in accordance with Chapter 1.12.

(Ord. No. 15-03, § 1(Att. A), 5-15-2015)

Chapter 15.24 CONSTRUCTION OF BRIDGES AND MAJOR THOROUGHFARES

Sections:

15.24.010 Fees or consideration in lieu of fees—May be required as condition of building permit issuance.

The Mono County building department may, as a condition of issuing a building permit, require from the permittee the payment of a fee, or consideration in lieu of fees, for the purposes of defraying the actual or estimated cost of constructing bridges over waterways, railways, freeways and canyons, or constructing major thoroughfares.

(Ord. 79-475 § 1 (part), 1979.)

15.24.020 Fees or consideration in lieu of fees—Required when.

The Mono County building department, as a condition of issuing a building permit, may require the payment of fees, or consideration in lieu of fees, only in the event of compliance with provisions of the following subsections:

- A. In a case on the proposed construction of a bridge, the project for which the fee, or consideration in lieu of fees, is required within the ambit of, and is consistent with, the circulation element of the Mono Plan, or June Lake General Plan, or such other general plan as may be adopted subsequent to the effective date of the ordinance codified in this chapter, and only in the event that the proposed bridge is within the ambit of the transportation or flood control provisions of such general plan which identify railways, freeways, streams or canyons for which bridge crossings are required and only in the event that such proposed bridge construction is consistent with the transportation and flood control provisions of said general plan.

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- B. In the event that the proposed construction project is of a major thoroughfare, the payment of fees, or consideration in lieu of fees, should be required only in the event the proposed major thoroughfare construction project is within the ambit of, and consistent with, the circulation element of the Mono Plan or June Lake General Plan, or such other general plan as may be adopted within the county subsequent to the effective date of the ordinance codified in this chapter, and that the proposed major thoroughfare construction project is within the ambit of, and consistent with, the provisions of the circulation element of such general plans which identify those major thoroughfares whose primary purpose is to carry through traffic and provide a network connecting to the state highway system located within the areas governed by the general plan referenced above.
 - C. In no event shall the payment of fees, or consideration in lieu of fees, be required unless the circulation element of the general plan for the area within which the bridge or major thoroughfare is to be built has been adopted by the local agency at least thirty days prior to the filing of the application for building permit.
 - D. Prior to the payment of any fees, or consideration in lieu of fee, the local legislative body for the area within which the proposed construction project is to take place, shall determine the boundaries of the area which will benefit by the proposed construction project. This area of benefit may include land or improvements in addition to those which are the subject of any building permit application. The local legislative body shall then notice a public hearing to be held by the governing body for the area benefited, and notice of this hearing shall be given pursuant to Section 65905 of the Government Code. In addition to the requirements of Section 65905 of the Government Code, such notice shall contain preliminary information related to the boundaries of the area of benefit, estimated cost of the project, and the method of fee apportionment.
 - E. The fees, or consideration in lieu of fees, shall not be required unless at such public hearing, duly noticed, the local governing board does establish the boundaries of the area of benefit, the cost, whether actual or estimated, and a fair method of allocating costs to the area of benefit and fee apportionment. The method of fee apportionment, in the case of major thoroughfares, shall not provide for higher fees on land which abuts the proposed improvement except where abutting property is provided direct usable access to the major thoroughfare. A description of the boundaries of the area of benefit, the cost, whether actual or estimated, and the method of fee apportionment established at the hearing shall be incorporated in a resolution of the governing body, a certified copy of which shall be recorded by the governing body conducting the hearing with the recorder of the county in which the area of benefit is located. Such apportion fee shall be applicable to all property within the area of benefit and with respect to those lands which may not be subject to the payment of fees pursuant to this section, the governing agency shall either make provision for the payment of the share of improvement costs apportioned to such lands from other sources or impose a reasonable charge on property within the area pursuant to the provisions of Section 66489 of the Government Code.
 - F. Payment of fees, or consideration in lieu of fees, shall not be required unless the major thoroughfares are an addition to, or a reconstruction of, any existing major thoroughfares serving the area at the time of the adoption of the boundaries of the areas of benefit.
 - G. Payment of fees shall not be required unless, in the case of a planned bridge facility, such facility is an original bridge serving the area, or an addition to any existing bridge facility serving the area at the time of the adoption of the boundaries of the area of benefit. Fees shall not be expended to reimburse the cost of existing bridge facility construction.
 - H. Fees, or consideration in lieu of fees, shall not be required if, prior to the date set for hearing there is filed with the clerk of the legislative body, a written protest by the owners of more than one-half of the area of the property to be benefited by the improvement, and such protests are not withdrawn so as to reduce the area represented to less than one-half of that area to be benefited. In the event protests

are filed by owners of more than one-half the area of the property to be benefited then the proposed proceedings shall be abandoned and the legislative body shall not, for a period of one year from the date of filing of that written protest, commence or carry on any proceedings for the same improvement or acquisition under the provisions of this section. Should a majority of protest be directed only to a portion of the improvement then all further proceedings under the provisions of this section to construct that portion of the improvement so protested shall be barred for a period of one year but the legislative body shall not be barred from commencing new proceedings, not including any part of the improvement or acquisition so protested. The legislative body may, within such one-year period, commence and carry on new proceedings for the construction of a portion of the improvements so protested against if it finds, by affirmative vote of four-fifths of its members, that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with such portion of the improvement or acquisition.

- I. Fees paid pursuant to this section shall be deposited in the planned bridge facility or major thoroughfare fund. A fund shall be established for each planned bridge facility or planned major thoroughfare project. Moneys in such fund shall be expended solely for the construction or reimbursement for construction of the improvements serving the area to be benefited and from which the fees comprising the fund were collected, or to reimburse the local agency for the cost of constructing the improvement.
- J. A local agency imposing fees pursuant to this section may advance money from its general fund or road fund to pay the cost of constructing the improvements and may reimburse the general fund or road fund from such advances from planned bridge facility or major thoroughfare fund established to finance the construction of such improvement.
- K. A local agency imposing fees pursuant to this section may incur an interest-bearing indebtedness for the construction of bridge facilities or major thoroughfares; provided, that the sole security for repayment of such indebtedness shall be the moneys in planned bridge facility or major thoroughfare funds.
- L. The legislative body or local agency may accept such considerations, in lieu of fees, if such legislative body or local agency in its discretion believes they are equivalent to fees that would be required.

(Ord. 79-475 § 1 (part), 1979.)

15.24.030 Fees for consideration in lieu of fees—Required upon compliance with Section 15.24.020.

Should the legislative body or local agency comply with all of the conditions set forth in Section 15.24.020, such legislative body or local agency shall require the payment of fees, or consideration in lieu of fees, as a condition of the issuance of building permit for such property or portions thereof.

(Ord. 79-475 § 1 (part), 1979.)

Chapter 15.30 FIRE MITIGATION FEES

Sections:

15.30.000 Title.

This chapter shall be known and may be cited as the "Fire Mitigation Fee Ordinance."

(Ord. 90-533 (part), 1990.)

15.30.001 Purpose.

The purpose of this chapter is to carry out Mono County policies requiring new development within the unincorporated areas of the County to bear its fair share of the costs of facilities and equipment necessitated by such development.

(Ord. 90-533 (part), 1990.)

15.30.002 Definitions.

When the following words are used in this chapter, they shall have the meaning ascribed to them in this section.

- A. "Apartment" means a room or suite of two or more rooms which is designated for, intended for, or occupied by one family, with facilities for cooking therein, such residential unit being one of two or more units in the same building or on the same lot or plot.
- B. "Chief" means the chief of a fire agency serving an unincorporated area of the County.
- C. "County" means the county of Mono.
- D. "Covered space" means floor space enclosed by walls and a ceiling or roof.
- E. "Development" means all construction for which a building permit or other permit is required.
- F. "Director" means the director of public works of the county of Mono.
- G. "District service area" means (1) the geographic area served by a fire agency within the boundaries of such fire agency, and (2) the geographic area served by such fire agency by agreement with owners of private property located outside of the boundaries of such fire agency.
- H. "Facilities and equipment" means any long-term capital facilities and equipment used by agencies for fire suppression or emergency medical services, including station construction, station expansion and fire or emergency medical apparatus.
- I. "Fire agency" and "agency" means any special district providing fire protection services within the unincorporated area of the county. The terms also mean the county when it provides fire protection services through a county service area.
- J. "Low-rise building" means a building or structure, no part of which exceeds three stories in height or exceeds thirty-five feet in height (fifty feet for a residential condominium or apartment building) from (i) any fire agency access as defined by ordinances of an agency or (ii) the average finished grade of such building or structure if it does not have such access.
- K. "High-rise building" means a building or structure any part of which exceeds the height described in subsection J of this section.
- L. "Single-family dwelling" means a structure designed and permitted exclusively for the residential occupancy of one family, and not as a part of an apartment or a condominium complex.
- M. Except as stated in subsections A through L of this section, the definitions of words used in this chapter shall be as defined in any relevant ordinances, or otherwise as defined in the Mono County Zoning Code.

(Ord. 90-533 (part), 1990.)

15.30.003 Findings.

In enacting this chapter, the board of supervisors finds and declares:

- A. Fire agencies provide fire protection services for the purpose of protecting the health and safety of persons and property within their district service areas.
- B. The construction and occupancy of additional residential, commercial and other structures within their district service areas adversely impacts the ability of fire agencies to provide fire protection services and increases fire hazards to persons and property.
- C. In order to protect the health and safety of the occupants of new or reconstructed structures within their district service areas, it is necessary for fire agencies to acquire additional land, facilities and equipment to serve such new development.
- D. It is county policy, by and through the land use element of its general plan and the provisions of this chapter, to assure that necessary additional land and fire protection facilities and equipment required by new development projects are either available or will be made available as a condition of approval of such projects, and that the costs of providing such additional land, facilities and equipment are collected on an equitable basis from the beneficiaries thereof.
- E. The failure to assure that such additional land, facilities and equipment are available may endanger the health and safety of persons affected by new development projects.
- F. The costs of operating fire agencies, including escalating liability and workers' compensation costs, make it extremely difficult or impossible for the agencies to provide, from existing funding sources, the land, facilities and equipment necessary to provide adequate fire protection associated with new development.
- G. The funds collected pursuant to this chapter shall be used only for the financing of the acquisition of land, and fire protection facilities, equipment and accessories. Funds so collected and not used for such purposes shall be refunded or otherwise utilized pursuant to Government Code Sections 66001 (g) and (f).
- H. For the foregoing reasons, fire mitigation fees may be imposed on new development in order to pay the incremental costs for land and fire protection facilities and equipment necessitated by such development.

(Ord. 90-533 (part), 1990.)

15.30.004 Prior agreements and conditions of approval.

- A. Any enforceable agreement existing prior to the operative date of the ordinance codified in this chapter between an applicant for development and a fire agency pertaining to the dedication of land or payment of fees for facilities and equipment to serve the property which is the subject of the application, or any portion thereof, satisfies the requirements of this chapter.
- B. If land, facilities or equipment was dedicated or donated to a fire agency as a condition of approval of a discretionary permit prior to the operative date of this chapter, such dedication or donation shall be considered as satisfying the requirements of this chapter for such discretionary permit.

(Ord. 90-533 (part), 1990.)

15.30.010 Fire agency findings and content of resolution.

This chapter shall become applicable to development within the district service area of a fire agency when the following actions are taken:

- A. The governing body of a fire agency adopts a resolution making substantially the following findings:
 - 1. The agency does not have existing fire protection facilities and equipment which could be used to provide an adequate level of services to all reasonably anticipated new development within the agency's district service area,
 - 2. The agency does not have sufficient funds available to acquire land, construct additional facilities, purchase additional equipment from fund balances, capital facility funds, property tax sources, or other appropriate sources,
 - 3. The lack of fire protection facilities and equipment to serve new development would create a situation perilous to the public health and safety if fire mitigation fees are not collected within the agency's district service area,
 - 4. The fees, if any, charged by the fire protection agency do not include a payment toward the costs of facilities and equipment expansion as a component of the fee;
- B. The resolution so adopted contains substantially the following resolved clauses:
 - 1. The agency requests that the county collect a specified fire mitigation fee on the agency's behalf from applicants for building permits or other permits for development in its district service area,
 - 2. The purpose of collecting fire mitigation fees is to expand the availability of facilities and equipment to provide fire protection services to new development in its district service area,
 - 3. By prior resolution the agency has determined that there is a reasonable relationship between the fee's use and the development projects on which it is to be imposed,
 - 4. If fire mitigation fees are to be used in whole or part to construct a public facility, the agency has determined by prior resolution that there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed,
 - 5. The agency will place all funds received from the county under this program, and all interest subsequently accrued on those funds, in a separate account and budget accounting category to be known as the "fire mitigation fee account,"
 - 6. The agency will expend funds from the account only for the purpose of acquiring land, facilities and equipment to mitigate the impacts of new development on the agency's fire protection capabilities,
 - 7. The agency will submit a fire mitigation fee annual report for each fiscal year, no later than October 31st following the close of the fiscal year, to the director. The report shall include the balance in the account at the end of the previous fiscal year, the fee revenue received, the amount and type of expenditures made, and the ending balance in the account;
- C. The governing body of the fire agency shall send a certified copy of the resolution to the clerk of the Mono County board of supervisors. The clerk shall transmit a copy of the resolution to the director. Within thirty days from the date of receipt of the resolution by the clerk, the provisions of this chapter shall be applicable to all building permits and other permits issued for new construction within the district service area of the fire agency.

(Ord. 90-533 (part), 1990.)

15.30.020 Fire mitigation fee established.

- A. The fire mitigation fee amount requested by the agency shall be equal to or less than the ceiling amounts set by this chapter. The ceiling amounts are as follows:
 - 1. Seventy-five cents per square foot for all covered space in the first three floors of all buildings or structures.
 - 2. Two dollars and twenty-five cents per square foot for all covered space above the third floor of all buildings or structures.
- B. The fire mitigation fee established by the agency shall be based upon the estimated costs for the acquisition of necessary land, facilities and equipment to provide fire protection services to mitigate the impact of new development on existing facilities. The resolution of the agency governing board which sets the fee schedule shall contain findings which justify the fee amounts.
- C. As an alternative to the fee-setting procedure set forth above in subdivisions A and B of this section, the board of supervisors may and does hereby reserve the right to directly set the fee amounts applicable to property within the territorial boundaries of any fire protection district or other defined territory within the County's unincorporated area. Unless otherwise provided by state law, said fee amounts may be set by resolution or ordinance of the board. Said fees shall not be limited by the ceiling amounts specified by subdivision A, nor be required to be set by square footage or any other methodology prescribed by this chapter; rather, they need be consistent only with applicable state law. The board likewise reserves the right to impose lawful fire mitigation measures through conditions of approval as an alternative to the fees set forth by this chapter. In the event of a conflict between an action of the board and an action by a fire protection district related to fire mitigation fees set under this chapter, the board action's shall prevail.

(Ord. 03-05 § 1, 2001; Ord. 90-533 (part), 1990.)

15.30.021 Adjustment of fire mitigation fee amounts.

- A. The ceiling amounts set forth in Section 15.30.020 may be increased or decreased from time to time but not more than once each year, by resolution of the board of supervisors, in proportion to the increase or decrease in the costs of construction as determined by the Engineering News Record, Cost of Construction Index published by the McGraw-Hill Publishing Company, or a similar index accepted by the board by resolution in the event the foregoing index is not available.
- B. The amount of the fire mitigation fee established by a fire agency may be increased no more than once each year by use of the foregoing index or resolution.

(Ord. 90-533 (part), 1990.)

15.30.022 Fee payment.

- A. Prior to the issuance of any building permit or other permit for development, the applicant shall pay to the director the fees prescribed by the relevant fire agency's resolution, or shall present written evidence that the provisions of this chapter have otherwise been satisfied with respect to the development for which any such permits are sought.
- B. The amount of such fees shall be determined by the fee standard in effect on the date of the payment.

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- C. When application is made for a new building permit for the same construction following the expiration of a previously issued building permit for which fire mitigation fees were paid, the fee payment shall not be required.
 - D. In the event subsequent development occurs with respect to a permit for which fees have been paid, additional fees shall be required only for additional square footage of development which was not included in computing the prior fee.

(Ord. 90-533 (part), 1990.)

15.30.023 Fees held in trust.

Fees paid under this chapter shall be held in trust by the county. Such fees shall be transferred quarterly to the fire agency serving the area from which the fees were collected. The county shall retain any interest accrued during the period before transfer as reimbursement for its service and handling costs.

(Ord. 90-533 (part), 1990.)

15.30.024 Use of fees.

All fees collected pursuant to this chapter and transferred to a fire agency shall be used by the agency for the purpose of providing for land, facilities and equipment.

(Ord. 90-533 (part), 1990.)

15.30.025 Fee fund records and report.

- A. Any fire agency receiving funds pursuant to this chapter shall maintain a separate budget accounting category for any such fees. The category shall be known as the "fire mitigation fee" account.
- B. The report described in Section 15.30.010(B)(7) of this chapter shall be submitted by the fire agency.

(Ord. 90-533 (part), 1990.)

15.30.026 Termination of fee collection.

If the governing body of a fire agency submits a copy of a resolution to the clerk of the board of supervisors requesting termination of fee collection, the clerk shall promptly notify the director and fee collection shall terminate thirty days after receipt of the resolution by the clerk.

(Ord. 90-533 (part), 1990.)

15.30.040 Exemptions.

- A. The director shall exempt building permits for certain types of development from the requirements of this chapter if he determines that the development does not significantly add to the need for additional fire protection facilities. The director shall establish a list of those building permit types which are exempt from the requirements of this chapter. The list shall include but not be limited to, building permits for pools and fences.
- B. The requirements of this chapter shall not apply to public works projects.

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- C. The requirements of this chapter shall not apply to the replacement on the same parcel by the owner of a dwelling or dwellings destroyed by fire or other calamity, provided that the application for a building permit to replace such dwelling is filed with the director within one year after destruction of the dwelling, and the new structure is equal to or of less square footage than the structure destroyed. Regardless of when application is made for a building permit for a replacement structure, the fire mitigation fee shall be computed only on the basis of the square footage in excess of that of the destroyed structure.

(Ord. 90-533 (part), 1990.)

15.30.041 "In-lieu" payment.

Upon written and verified application by all owners of the subject real property, approved by resolution of the governing body of the fire agency, "in-lieu" payment may be credited against the fee required to be paid pursuant to this chapter. "In-lieu" payment may include improved or unimproved real property, improvements to real property, fire protection equipment, motor vehicles, office equipment, fire station accessory equipment, or any combination thereof. The amount of the credit shall not exceed the fair market value of the "in-lieu" property at the time of the adoption of the resolution.

(Ord. 90-533 (part), 1990.)

15.30.042 Penalties and stop orders.

- A. If, at any time after the effective date of the ordinance codified in this chapter, work is commenced on construction or continues to be performed on construction of any project subject to this ordinance without previous full payment of the fire mitigation fee required to be made pursuant to this chapter, the fire mitigation fee payable pursuant to this chapter shall be doubled.
- B. The chief or assistant chief is hereby authorized to issue such orders as may be necessary for the enforcement of the provisions of this chapter and to affix a tag or notice to any building or structure, construction of which has been commenced or continues in progress in violation of any of the provisions of this chapter. When affixed, such tag or notice may be removed only by the written order of the chief or assistant chief and may be removed only after the violation has been remedied. Until so remedied and said removal order issued, all construction on such project shall cease.
- C. Any order or notice authorized or required by this chapter shall be given or served upon the owner, occupant, or other applicant for building permit for the project involved, or any person performing any work of improvement or construction of a building or other structure which is subject to the provisions of this chapter by verbal notification or personal service, or, if no such person is found on the premises, by affixing a copy thereof in a conspicuous place on said premises and mailing a copy thereof to such person by registered or certified mail to his last known address. Orders or notices which are given verbally shall be confirmed by service in writing as herein provided.
- D. Any construction carried out in violation of the requirements of this chapter is a misdemeanor punishable by up to six months in the county jail and a fine of one thousand dollars.

(Ord. 90-533 (part), 1990.)

Chapter 15.40 HOUSING MITIGATION REQUIREMENTS³

Sections:

15.40.010 Purpose/findings.

The County of Mono ("county") has a shortage of housing that is affordable to many citizens who work and reside in Mono County. The cost of housing has risen sharply over the past several years due to the cost of housing in the county's resort communities, the increase in second-home residences throughout the county, the growth of the vacation rental industry, the scarce and limited amount of private land within the county available for residential development, and the overall increase in the cost of housing throughout the State of California. Wages for workers residing in Mono County have not kept pace with the increase in housing costs. As a result, employees in the lower, moderate, and even upper-moderate income ranges cannot afford to reside in proximity to work centers, have been forced to move greater distances from their places of employment, or have moved from the area entirely. This has decreased the pool of workers necessary to meet the needs of businesses and communities within Mono County. It has also increased commuting time to places of employment and contributes to substandard living conditions for workers and their families that earn low and moderate incomes.

Requiring developers of land to mitigate the impact of development projects on the availability of workforce and affordable housing and contribute to addressing the housing shortage in Mono County, either directly or through the payment of fees, dedication of land, or similar means, is reasonable and necessary to offset the impact of the development and address identified housing shortages, which has resulted in a decrease of land available for workforce housing and for persons earning low and moderate incomes, a demonstrative increase in the price of housing, and an increase in the need for workers within the county. Expecting new employers to contribute to the creation and preservation of affordable housing is likewise reasonable. Despite the availability of state and county incentives, there has been little or no market development of residential housing affordable to households earning very low, low, moderate, and even upper-moderate income levels and no other reasonable means to meet this need for workforce and affordable housing are available.

A requirement that new development mitigate these impacts and shortages through the provision of affordable housing units, the payment of fees, or similar means, is reasonable and necessary to improve the health, safety and general welfare of the citizens of Mono County. These requirements will not result in a negative impact on the overall development of housing or impose a barrier that will prevent persons with lower and moderate levels of income from purchasing housing.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.020 Definitions.

For the purposes of this chapter the following definitions shall apply:

³Editor's note(s)—Ord. No. 19-08 , § 1(Exh. A), adopted December 10, 2019, amended Chapter 15.40 in its entirety to read as herein set out. Former Chapter 15.40, §§ 15.40.010—15.40.170, pertained to similar subject matter, and derived from Ord. No. 06-06, 2006; Ord. No. 07-11, 2007; Ord. No. 11-07, adopted June 14, 2011; Ord. No. 13-03, adopted June 11, 2013; Ord. No. 14-05, adopted December 6, 2014; Ord. No. 16-05 , adopted July 5,, 2016; Ord. No. 17-16, adopted December 19, 2017; Ord. No. 18-11, adopted July 17, 2018; Ord. No. 19-02, adopted June 11, 2019 and Ord. No. 19-09 , adopted December 10, 2019.

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- A. "Accessory dwelling unit (ADU)" means residential occupancy of a dwelling unit located on the same parcel as the main residential unit. An ADU provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel on which the main residential unit is situated. An ADU shall meet the minimum regulations for an efficiency dwelling unit in the California Building Code. An ADU shall meet the requirements of Chapter 16 of the Mono County General Plan Land Use Element; in the event of conflict between state law and Chapter 16, state law supersedes.
 - B. "Affordable unit" means a dwelling unit which is required to be built, sold, and/or restricted pursuant to the requirements under this chapter.
 - C. "Area median income (AMI)" means the median income, adjusted for family size, applicable to Mono County as published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision), as determined periodically by HUD and updated on an annual basis.
 - D. "Deed restrictions" are private agreements that restrict the use of the real estate in some way and are listed in the deed. The restrictions travel with the deed, and generally cannot be removed by new owners.
 - E. "Developer" means a person or entity who applies for a permit or other approval for the construction, placement, or creation of residential or non-residential development, including the subdivision of land.
 - F. "(Residential) dwelling unit" means any structure or portion thereof designed or used as a residence or sleeping quarters of a household, including a caretaker unit.
 - G. "Full-time equivalent employee (FTEE)" means a full-time employee or combination of part-time employees whose work constitutes a total of two thousand eighty hours of annual employment generated by residential and non-residential development. In general, a full-time employee employed for an entire year equals one FTEE, a full-time employee employed on a seasonal basis equals one-half FTEE, and a part-time employee employed on an annual basis equals one-half FTEE. When an "employee generation calculation" results in seasonal or part-time employees, those employees shall be combined to form FTEEs.
 - H. "Household" means one or more individuals who occupy one dwelling unit, whether related by blood or marriage.
 - I. "Housing fund" means the Mono County Affordable Housing Fund established pursuant to this chapter.
 - J. "Housing mitigation fee" means any fee established pursuant to this chapter.
 - K. "HUD" means the United States Department of Housing and Urban Development.
 - L. "Housing mitigation agreement" means an agreement between the County of Mono and a developer governing how the developer shall comply with this chapter.
 - M. "Inclusionary unit" means an affordable unit required by this chapter to satisfy a development project's housing mitigation requirement(s).
 - N. "Market-rate unit" means a dwelling unit in a residential development project that is not an affordable unit.
 - O. "Multi-family residential development project" means a project consisting of two or more dwelling units within a single building and may include multiple buildings on a site or parcel. Typical examples include apartments, condominiums and townhomes.
 - P. "Non-residential development project" means a project for the construction, addition, subdivision of land, or placement of a structure which is for a non-residential use and which is proposed to be developed within the following general plan land use designations: Commercial, commercial lodging, service commercial, industrial park, industrial, rural resort, including that portion of any development within a mixed use or combined use designation (e.g. specific plan) which includes the construction, addition, or placement of a structure for non-residential use.

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- Q. "Primary residence" means the main home where one voluntarily establishes oneself and family, not merely for a special or limited purpose, but with a present intention of making it one's true, fixed, permanent home and principal establishment. A principal residence may be declared through voter registration, tax return, or other legal documents.
 - R. "Residential development project" means a project for the construction or placement of any residential dwelling unit in a permanent location, or the subdivision of land which is planned, designed, or used for the development of residential dwelling units within the following general plan land use designations: Rural residential, estate residential, single-family residential, multi-family residential, or any other area where residential dwelling units may be developed.
 - S. "Single-family residential property or unit" means a property which serves the primary purpose of providing a permanent dwelling unit to a single-family.
 - T. "Sleeping area" means any bedroom, loft, or other space that can be equipped with beds, foldout sofas, or other similar sleeping furniture.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.030 Housing fund.

- A. There is hereby established the Mono County Affordable Housing Fund ("Housing Fund"). Any and all fees collected pursuant to this chapter (and established via resolution), together with any other funds received by grant or otherwise for the purpose of furthering the development and preservation of affordable housing within the County of Mono, shall be deposited into the housing fund.
- B. The housing fund shall be administered by the Mono County Board of Supervisors, or designee appointed by resolution, to implement housing programs with a focus on those identified as priorities, as well as other programs that meet housing needs through acquisition, rehabilitation, preservation, or subsidy, and subject to the provisions of this chapter.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.040 Fees and requirements for non-residential and residential development projects.

- A. Affordable housing mitigation requirements and fees shall be imposed on developers of non-residential development projects, residential development projects, and single-family residential units based on in-lieu fee and/or inclusionary unit policies resulting from completed nexus studies that quantify the impacts of development on affordable housing. The policy establishing requirements and fees shall be adopted by resolution of the board of supervisors and reviewed on a periodic basis as needed.
- B. For non-residential development projects, the development of an affordable unit is the preferred mitigation alternative. However, if a non-residential developer can demonstrate that on- or off-site construction is not feasible and/or would not provide housing units that would adequately meet workforce needs, an alternative housing mitigation agreement may be approved pursuant to Section 15.40.070 and may include payment into the housing fund in-lieu fees (established by resolution pursuant to this chapter) to satisfy the mitigation obligation.
- C. For residential development projects, the development of a unit on-site (an inclusionary unit) is the preferred mitigation alternative. The size, design, and location of inclusionary units shall be consistent with the Mono County General Plan, applicable specific plans, and all other applicable county ordinances, regulations, and building standards. The construction of the on-site units shall be located within the same subdivision and within the boundaries of the project, shall be compatible in exterior appearance with the

market-rate units being developed in the project, and shall be dispersed throughout the residential development to the extent feasible pursuant to the corresponding housing mitigation agreement (see Section 15.40.070). The affordable units must contain a similar number of bedrooms as the market-rate units but may be smaller than market-rate units pursuant to the corresponding housing mitigation agreement. The interior amenities within the affordable unit may differ from the interior amenities in a market-rate unit, and may be required to include EPA II wood stoves, energy efficient amenities, and other cost-efficient amenities as provided for in the corresponding housing mitigation agreement (see Section 15.40.070). The on-site units must be built at the same time as market-rate units and a certificate of occupancy will not be issued to any market-rate unit until any affordable unit is completed and issued a certificate of occupancy.

- D. Compliance with this section may be accomplished by the developer alone or in combination with others, including without limitation, the Mono County Housing Authority or a nonprofit housing corporation.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.050 Developer incentives.

- A. A developer may apply for incentives from the county to assist in meeting the requirements of this chapter. The granting of any incentive(s) by the county to a developer is discretionary and nothing in this chapter shall be construed to establish, directly or through implication, a right of a developer to receive any assistance or incentive from the county. In granting incentives, the county may require the developer to demonstrate exceptional circumstances that necessitate assistance from the county, as well as provide documentation showing how such incentives will increase the feasibility of providing affordable housing. The following incentives will be considered by the county:

1. **Density Bonus.** A density bonus incentive pursuant to the California Density Bonus Law (found in California Government Code Sections 65915—65918 and as may be amended or replaced from time to time) will be provided for any project that meets the statutory criteria. The county may consider an additional density bonus upon request by the developer when such request can be accommodated within the parameters of the Mono County General Plan or any applicable specific plan or county ordinance.
2. **Fee Waiver or Deferral.** The payment of county fees required under this chapter may be deferred until the certificate of occupancy is issued. Further, a developer may apply for a fee reduction or waiver when the developer proposes to substantially exceed the requirements of this chapter. A developer of a residential development project who builds affordable units in amounts that exceed the requirements of this chapter may apply for a waiver of assessments for any applicable county maintained road maintenance and snow removal services that would otherwise be required.
3. **Reduced Site Development Standards.** A developer may propose, and the county may consider, a reduction in site development standards including a reduction in setback, lot coverage, and square footage requirements; a reduction in parking requirements; a modification of the requirement that all utility lines must be placed underground; and reduction of open space requirements. To be eligible for such reduced development standards, the developer must provide substantial evidence that the reductions are necessary to allow the developer to meet or exceed the requirements of this chapter, that the reduced requirements will meet all applicable health, safety, snow storage and drainage requirements, and will further the purpose of this chapter.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.060 Exemptions.

The following list of projects are exempt from the provisions of this chapter. Modification(s) made to any previously exempted project which renders the project ineligible for the exemption shall automatically trigger the application of the requirements and payment of the fees in place at the time the modifications are made. Similarly, if an exempted project falls out of compliance with the conditions of the exemption, the county shall initiate any appropriate enforcement action, including but not limited to, enforcing payment of the fees and compliance with the requirements in place at the time of the enforcement action:

- A. Residential development for agriculture workers, including cannabis cultivators, e.g., farm labor housing.
- B. Mobile home park development.
- C. Any building that is replaced or repaired as a result of fire or other catastrophic damage or loss so long as the square footage is not increased by more than five hundred square feet.
- D. Any project that is being developed as an affordable housing project as defined by state law and deed restricted as such.
- E. Any project that is being developed to meet other community housing needs, such as transitional housing or homeless shelters, and is deed restricted as such or governed by some other regulatory agreement ensuring the use.
- F. A multi-family residential development project consisting of the development of fewer than thirty units in duplexes, triplexes or other forms of multi-family residential development projects not developed as a condominium or planned development project where, with the exception of one owner-occupied or on-site manager unit, all units will be leased as long-term rental units and where short-term rentals, as defined in the Mono County General Plan and Mono County Code, will be prohibited. To qualify for this exemption, the project's planning permit must contain conditions to prevent the conversion to condominiums and prohibit short-term rentals and a deed restriction must be recorded against the property to inform future owners of the restrictions. If a planning permit is necessary to document the conditions in this exemption, a director review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.
- G. A multi-family residential development project consisting of the development of fewer than thirty units in duplexes, triplexes or other forms of multi-family residential development projects where units are owned as primary residences and where short-term rentals are prohibited. The project's planning permit must contain conditions requiring the units to be primary residences and prohibiting short-term rentals, and a deed restriction must be recorded against the property to inform future owners of the restrictions. If a planning permit is necessary to document the conditions in this exemption, a director review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.
- H. Single-family residential (SFR) units less than two thousand square feet in size.
- I. Single-family residential (SFR) units prohibiting short-term rentals. If a planning permit is necessary to document the condition in this exemption, a director review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, including pursuant to Chapter 16 of the Mono County General Plan, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the

provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.

- J. Single-family residential (SFR) units where the unit is a primary residence and the owner (or approved tenant pursuant to Section 15.40.080(B)(4)) qualifies as moderate- or below-income according to HUD affordable housing guidelines.
- K. Single-family residential (SFR) units that deed restrict future sales to moderate- or below-income levels.
- L. Single-family residential (SFR) units within a subdivision that previously met the requirements of this chapter during the planning process.
- M. Accessory dwelling units (ADUs) meeting the requirements of state law and General Plan Land Use Element Chapter 16.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.070 Alternatives and procedure.

- A. The county will consider and may approve alternative mitigation proposals through a housing mitigation agreement in circumstances where it can be demonstrated by the developer that the alternative proposal meets the purpose of this chapter and provides a greater housing benefit to the community than would otherwise be attained through the building of affordable dwelling units or the payment of in lieu fees in accordance with this chapter. Developers may submit an alternative plan with the designated processing fee to the community development department. Initial approval of such an alternative proposal as a housing mitigation agreement will be made by the community development department and thereafter approved by the planning commission and will be subject to final review and approval by the board of supervisors. Alternatives that will be considered include, but are not limited to, land dedication, off-site housing, conversion of existing housing, and payment of in lieu fees.
- B. Housing Mitigation Agreement. In the case of alternative proposals, the developer, the holder of any deed of trust or other lien holder on the property, and the community development director or his or her designee shall execute a housing mitigation agreement prior to the recordation of the parcel map or subdivision map in the case of subdivisions, or prior to approval of a director review or use permit, or prior to the issuance of building permits in the case of all other development. The developer's entry into the housing mitigation agreement shall be a condition of approval for any tentative parcel or final map, director review or use permit, or building permit. The executed housing mitigation agreement shall be recorded with the county clerk/recorder at the time of the recording of any final or parcel map or at the time of the issuance of any building permit. The housing mitigation agreement shall include, but not be limited to, the following:
 - 1. A complete description of the development project;
 - 2. The specific method of compliance with the requirements of this chapter;
 - 3. Any such matters as may be determined appropriate by the developer and/or the county.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.080 Occupancy and availability of affordable units.

- A. The occupancy and continuing availability of inclusionary units as required by the resolution establishing fees and requirements shall be provided for in the following manner:
- B. For Sale Affordable Inclusionary Units. Inclusionary units designated for sale shall be subject to the following conditions and restrictions:

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1. Eligible Participants. Affordable units shall only be available for purchase by residents intending to use the unit as a primary residence and who qualify as moderate- or below-income according to HUD affordable housing guidelines.
 2. Restrictions on Use and Resale. The affordable units shall be subject to deed restrictions memorializing and preserving the required provisions herein and to the conditions of any planning permits approved for the project and property.
 3. Sales Price and Transfer. The maximum purchase price shall be set by the applicable HUD affordable housing guidelines for moderate- and below-income housing.
 4. Restriction on Use of Unit. The affordable unit must be occupied by the owner of the unit as their primary residence and may not be leased or rented without a written determination by the community development director or designee; or, if the unit is administered by the Mono County Housing Authority, by that entity, that the proposed tenant qualifies as moderate- or below-income and that rents charged conform to applicable HUD affordable housing guidelines for the tenant's income level. In units where short-term rentals are prohibited, no rentals for thirty days or less may occur under any circumstances.
 5. Term of Restrictions. The restrictions set forth in this section shall remain in effect in perpetuity. If a circumstance arises in the future where these restrictions are removed or not followed, the fees and requirements of this chapter in place at the time shall be applied.
 6. Covenants, Conditions, and Restrictions. Any covenants, conditions, and restrictions (CC&Rs) associated with or required for approval of any subdivision subject to this chapter shall include all of the requirements of this chapter and shall be recorded with the county clerk/recorder. Additional conditions that may be required include provisions that the owner of an affordable unit must pay all property taxes in a timely manner, may not refinance the unit without the express written approval of the community development director and, in the case where a deed of trust is made subordinate to the CC&Rs, that the owner must maintain the property in good condition, and comply with all local land use requirements. In addition to any other enforcement remedies, the CC&Rs shall designate and authorize the county to enforce any county-imposed conditions at the county's sole discretion.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.090 Serial or sequential development prohibited.

Developers may not avoid the requirements of this chapter by developing projects in a serial or sequential manner. Development of any property owned by a developer or his or her successor in interest that is contiguous to any other development subject to this chapter shall be deemed to be one single project for the purposes of this chapter when the subsequent development occurs within ten years of any prior development and when the combined development becomes subject to the requirements of this chapter.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.100 Enforcement.

- A. The Community Development Department/Mono County Housing Authority shall be responsible for monitoring and enforcing the provisions of this chapter. Any violation of this chapter may be enforced in any manner permissible by law including, but not limited to, pursuant to Section 1.04.060 and Chapter 1.12 of the Mono County Code.

B. Owners and occupants of property subject to the restrictions and requirements of this chapter shall permit county employees to inspect the property upon two business days advance written notice. Owners of property subject to the restrictions pursuant to this chapter shall retain all records related to compliance with the obligations and restrictions of this chapter, the housing mitigation agreement and/or the CC&Rs for a period not less than five years and shall make such records available to county employees for inspection and copying upon five business days advance written notice.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.110 Annual review.

The provisions of this chapter, the affordable housing guidelines, and any resolutions adopted to further the purposes of this chapter shall be reviewed annually by the Mono County Board of Supervisors, Mono County Housing Authority and the community development director or his or her designee. An annual report and accounting shall be provided to the board of supervisors by the community development department evaluating the policies set forth in this chapter and their effects.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.120 Appeal, waiver, and adjustment.

A developer of any project subject to the requirements of this chapter may appeal to the board of supervisors for a reduction, waiver, or adjustment of any of the provisions or requirements contained in this chapter. Any such appeal shall be based upon the misapplication or misinterpretation of this chapter as applied to the project or violation of law. The board of supervisors, in its sole discretion, may adjust or waive any provision or requirement imposed by this chapter based on good cause shown by substantial evidence in the record.

Any appeal must be in writing and filed with the county clerk/recorder and served on the community development director not later than ten days before the first public hearing on any discretionary approval or permit for the development, or if no discretionary permit is required, or if the action complained of occurs after the first public hearing on such permit or approval, then the appeal shall be filed within ten days after payment of the fees objected to. The appeal shall set forth in detail the factual and legal basis for the claim of waiver, reduction, or adjustment. The board of supervisors shall consider the appeal within sixty days after the filing of the appeal. The appellant shall bear the burden of producing substantial evidence to support the appeal, which shall include providing comparable technical information to support appellant's position. The decision of the board of supervisors shall be final.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

15.40.130 Severability.

The provisions of this chapter are intended to be severable, and in the event any provision or requirement provided for under this chapter is determined to be invalid or unenforceable, the remainder of the chapter shall remain in effect.

(Ord. No. 19-08 , § 1(Exh. A), 12-10-2019)

Chapter 15.50 LIMITED DENSITY OWNER-BUILT RURAL DWELLINGS

15.50.010 Purpose.

The purpose of this chapter is to make Article 8 (commencing with Section 74) of Subchapter 1 of Chapter 1 of Division 1 of Title 25 of the California Code of Regulations, as modified herein, operative on limited density owner-built rural dwellings in Mono County, and to provide minimum requirements for the protection of life, limb, health, property, safety, and welfare of the general public and the owners and occupants of such dwellings.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.020 Intent and application.

The provisions in this chapter shall apply to the lawful construction, enlargement, conversion, alteration, repair, use, maintenance, and occupancy of limited density owner built rural dwellings and detached structures. It is the intent of this chapter that the requirements contained herein shall apply to seasonally or permanently occupied dwellings located in rural areas and solely occupied as the residence of the owner or the owner's family. Such dwellings shall be considered single family dwellings.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.030 Definitions.

As used in this chapter:

- A. "Owner-built" shall mean constructed by any person or family who acts as the general contractor for or the provider of, part or all of the labor necessary to build housing to be occupied as the principal residence of that person or family, and not intended for sale, lease, rental, or employee occupancy. The sale, lease, renting, or employee occupancy of owner-built structures within two years of the issuance of a certificate of occupancy shall be presumptive evidence that the structure was erected for the purpose of sale, lease, rental, or employee occupancy. Any ambiguity regarding the meaning of "owner built" shall be resolved by reference to state law regarding owner-builders. It is not the intention of the county to narrow or expand state law regarding owner-builders who are eligible to build limited density owner-built rural dwellings.
- B. "Limited density owner-built rural dwelling parcel" means a single parcel in-holding that is completely surrounded by federally owned lands, is at no point nearer than one air mile from a paved road and is at least ten acres in size.
- C. "Substandard building" shall be defined as a structure or a portion of a structure in which there exists any condition that endangers the life, health, property, safety, or welfare of the public or the occupants thereof. Except as amended by the provisions of this chapter, the California Health and Safety Code, Section 17920.3, shall be the determining criteria for compliance with the standards of this chapter and the defining of a substandard building. (Note: Any structure or portion thereof which are determined by the enforcing agency to constitute a substandard building may be declared to a public nuisance and may be abated by repair, rehabilitation, or removal in accordance with California Health and Safety Code Sections 17980 through 17995.)

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.040 Building standards; building official authority.

- A. When constructing a residential structure on a limited density owner-built rural dwelling parcel, dwellings constructed pursuant to this section need not necessarily conform with the construction requirements prescribed by the latest applicable edition of the California Residential, Building, Plumbing, Mechanical, Electrical, Energy, Fire or Green Building Standards Codes, or other applicable technical codes; nevertheless, such dwellings shall conform with nationally-accepted technical and scientific principles relating to design, materials, methods of construction, and structural requirements for the erection and construction of dwellings that are contained in the California Building Standards Codes. Such codes shall be a basis for approval.
- B. The construction of a dwelling under this chapter is a privilege, not a right. The building official has full authority in the interpretation and application of the provisions of this chapter, including but not limited to determining eligibility of a dwelling proposed to be constructed under this chapter and applicable building standards for any such proposed dwelling.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.050 Recorded covenants.

As a condition of being permitted to construct a dwelling under this chapter, a declaration of covenants, conditions, and restrictions shall be recorded disclosing the nature of the dwelling and restrictions on its use, in a form acceptable to county counsel, which shall run with the land and be enforceable by the county as an equitable servitude. The declaration shall state that the structure constructed on this property has been permitted under the special regulations codified in Chapter 15 of the Mono County Code applicable to limited density owner built rural dwellings adopted under the authorization of California Health and Safety Code Section 17958.2; that the structure(s) is not in full compliance with the provisions of the technical codes; and that occupancy is limited to the owner and the owner's family.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.060 Permits.

Permits shall be required for the construction of limited density owner-built rural dwellings. The application, plans, and other data filed by an applicant for such permit shall be reviewed by the Mono County building division and other county departments to verify compliance with the provisions of this chapter. When the building official determines that the permit application and other data indicate that the structure will comply with the provisions of this article, the building official may issue a permit therefore to the applicant, as provided for in this chapter.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.070 Application for permit.

To obtain a permit, the applicant shall first file an application therefore with the Mono County building division. Permit applications shall contain the following information:

- A. Scope of work;
- B. Name and address of the applicant;
- C. Address and location of the proposed work;

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- D. Use and occupancy for which the proposed work is intended;
 - E. Be accompanied by plans and construction documents;
 - F. Indicate square feet or valuation of proposed new work;
 - G. Initial, sign, and date the owner-builder disclosure form;
 - H. Be signed by the applicant or applicant's authorized agent;
 - I. Give such other data and information as required by the building official.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.080 Plans.

Plans shall consist of a general description of the structure(s), including all necessary information and details to facilitate a reasonable judgment of conformance by the Mono County building division. Due to Mono County having climatic conditions that produce snow loads, and that all of Mono County is known to be in a high seismically active region of the state, buildings shall be designed in accordance with accepted engineering practice.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.090 Permit issuance.

The issuance of a permit shall be contingent upon the approval of the submitted plans and construction documents by the Mono County community development department. Additionally, the Mono County environmental health department shall provide approval for private sewage disposal systems and potable water that will serve the proposed structure(s) prior to the issuance of a permit.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.100 Inspections.

All construction or work for which a permit is required pursuant to this chapter shall be subject to inspection by the building official or his/her agent. It shall be the responsibility of the applicant or his or her agent to notify the Mono County building division to have such work inspected.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.110 Certificate of occupancy.

After the structure(s) is completed for occupancy any inspections which have been conducted, and work approved, the building official shall issue a certificate of occupancy for such dwelling(s) and appurtenant structure(s) which comply with the provisions of this chapter. The certificate of occupancy shall indicate that the structure(s) that it is issued for have been constructed and approved pursuant to the provisions of this chapter.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.120 Fees.

Fees shall be required and collected by the Mono County building division to provide for the cost of administering the provisions of this chapter, in an amount to be duly established and adopted by resolution of the board of supervisors.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.130 Construction requirements.

- A. The dwelling unit shall have a room or space of not less than two hundred twenty square feet of floor area. An additional one hundred square feet of floor area shall be provided for each occupant in excess of two. The unit shall also be provided with a kitchen sink with a clear working space of thirty inches in front. A separate bathroom containing a water closet, lavatory and bathtub or shower shall be provided. The maximum size of dwelling units and detached structures shall be six hundred forty square feet.
- B. Fireplaces, heating and cooking appliances, and gas piping installed in buildings constructed pursuant to the chapter shall be installed and vented in accordance with the requirements contained in the California Mechanical Code.
- C. A heating facility or appliance shall be installed in each dwelling subject to the provisions of this chapter; however, there shall be no specified requirement for heating capacity or temperature maintenance. The use of solid fuel or solar heating devices shall be deemed as complying with the requirements of this chapter.
- D. No dwelling or appurtenant structure constructed pursuant to this chapter shall be required to be connected to a source of electrical power, or wired, or otherwise fitted for electrification. Where electrical wiring or appliances are installed, the installation shall be in accordance with the applicable requirements contained in the California Electrical Code.
- E. Plumbing equipment and installation shall be in accordance with the applicable requirements contained in the California Plumbing Code.
- F. Potable water shall be available to the dwelling site, although such water need not be pressurized. Where water is not piped from a well, spring, cistern, or other approved source, there shall be a minimum reserve of fifty gallons of potable water available. Hot water need not be provided to serve any structure(s). The Mono County environmental health department shall be the health authority having jurisdiction to provide the approval of potable water.
- G. Sanitary facilities shall be connected to an approved private sewage disposal system or an alternate waste disposal system subject to the inspection and approval of the Mono County environmental health department.
- H. All egress systems, including emergency escape rescue exits in any room(s) that could reasonably be used as sleeping room(s), shall be in conformance with the California Residential Code.
- I. Smoke detectors shall be installed in accordance with the California Residential Code. For dwellings that do not have electrical power, battery operated smoke detectors shall be acceptable.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.140 Fire safety regulations.

A limited density owner-built rural dwelling permit application shall be reviewed by CalFire for compliance with Public Resources Code Sections 4290 and 4291, as well as for any other requirements CalFire may have

(Supp. No. 72)

Created: 2022-07-12 20:15:20 [EST]

regarding defensible space. For purposes of this chapter, residential fire sprinklers shall not be required in limited density owner built rural dwellings.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.150 General plan compliance.

Limited density owner-built rural dwelling structures shall comply with all applicable development regulations of the Mono County general plan.

(Ord. No. 12-06, § 1, 12-18-2012)

15.50.160 Chapter expiration.

This chapter is a pilot program. This chapter will expire and be of no further force and effect after December 31, 2014, or after five applications for permits under this chapter have been accepted by the county, whichever occurs last. Notwithstanding the foregoing, applications that have been submitted prior to said expiration date may be processed, including but not limited permit issuance, completion of construction, final inspection of said construction, and issuance of a certificate of occupancy.

(Ord. No. 12-06, § 1, 12-18-2012)

**MONO COUNTY
PLANNING COMMISSION**

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

November 28, 2022

To: The Mammoth Times
From: Tom Perry
Re: Legal Notice for the **December 1** edition

Invoice: Heidi Willson, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Board of Supervisors will conduct a public hearing on **December 13, 2022**. As authorized by AB 361, Mono County has declared a state of emergency, local officials have recommended or imposed measures to promote social distancing, and the legislative body has made such findings; therefore the meeting will be accessible remotely by livecast at: <https://monocounty.zoom.us/j/83350211876> or in-person at the Board Chambers, 2nd floor, County Courthouse, Bridgeport, CA, 93517 or via Teleconference Location at the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA, 93546 where members of the public shall have the right to observe and offer public comment, to consider the following: **9:05 am – Adoption of the California Building Code 2022**. The ordinance will more specifically adopt by reference the 2022 Edition of the California Building Standards Code, incorporating the 2022 California Building Code (Incorporating and Amending the 2021 International Building Code), the 2022 California Administrative Code, the 2022 California Electrical Code (Incorporating and Amending the 2020 National Electric Code), the 2022 California Mechanical Code (Incorporating and Amending the 2021 Uniform Mechanical Code), the 2022 California Plumbing Code (Incorporating and Amending the 2021 Uniform Plumbing Code), the 2022 California Residential Code (Incorporating and Amending the 2021 International Residential Code), the 2022 California Green Building Standards Code, the 2022 California Historical Building Code, the 2022 California Existing Building Code, the 2022 California Energy Code, the 2022 California Reference Standards Code, and the 2016 American Concrete Institute 306R Guide to Cold Weather Concreting together with local amendments to the codes. CEQA Determination: Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The agenda packet can be found online: <https://monocounty.ca.gov/bos/page/board-supervisors-170> and hard copies are available for the cost of reproduction by calling 760-924-1800. INTERESTED PERSONS are strongly encouraged to attend the livecast meeting online or to attend in-person; and to **submit comments by 8 am on Tuesday, December 13, 2022, to the Clerk of the Board of Supervisors, PO Box 347, Mammoth Lakes, CA 93546** or by email at cddcomments@mono.ca.gov or via the livecast meeting (technology permitting). If you

challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Clerk of the Board of Supervisors at, or prior to, the public hearing. For additional questions, please contact the Mono County Building Division: Tom Perry, Building Official, PO Box 347, Mammoth Lakes, CA 93546; tperry@mono.ca.gov; 760-924-1809.



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: County Counsel

TIME REQUIRED 5 minutes

PERSONS APPEARING BEFORE THE BOARD Stacey Simon, County Counsel

SUBJECT Employment Agreement - Assistant County Counsel

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution approving a contract with Anne L. Frievalt as Assistant County Counsel, and prescribing the compensation, appointment and conditions of said employment.

RECOMMENDED ACTION:

Announce Fiscal Impact. Approve Resolution R22-____, approving a contract with Anne L. Frievalt as Assistant County Counsel, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

FISCAL IMPACT:

The full cost of salary and benefits for an entire fiscal year is approximately \$195,149 of which \$147,081 is salary and \$48,072 is benefits. This is included in the adopted budget.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: 17606483270 / ssimon@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff report
Resolution
Employment Agreement

History

Time	Who	Approval
12/7/2022 11:25 AM	County Counsel	Yes
11/29/2022 10:28 AM	Finance	Yes
12/9/2022 11:35 AM	County Administrative Office	Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christopher L. Beck
Anne L. Frievalt

Deputy County Counsel
Emily R. Fox

**OFFICE OF THE
COUNTY COUNSEL**

Mono County

South County Offices
P.O. BOX 2415
MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700

Risk Manager
Jay Sloane

Paralegal
Kevin Moss

To: Board of Supervisors

From: Stacey Simon

Date: December 13, 2022

Re: Employment Agreement of Anne L. Frievalt as Assistant County Counsel

Recommended Action

Announce Fiscal Impact. Approve Resolution #R22-____, approving a contract with Anne L. Frievalt as Assistant County Counsel, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Strategic Plan Focus Areas Met

A Thriving Economy Safe and Healthy Communities
 Sustainable Public Lands Workforce & Operational Excellence

Discussion

Anne L. Frievalt has served as Assistant County Counsel for Mono County since December of 2019. Previously, she had served as Deputy County Counsel for Mono County since 2016. Ms. Frievalt is an integral part of the County Counsel team and provides outstanding legal services to the various County clients she represents. Her current employment agreement expires on December 31, 2022.

It is my pleasure to recommend that the Board enter into a new, evergreen employment agreement with Ms. Frievalt, to take effect January 1, 2023.

If you have any questions regarding this item prior to your meeting, please call me at 760-924-1704.



RESOLUTION NO. R22-

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS APPROVING AN
EMPLOYMENT AGREEMENT WITH ANNE L. FRIEVALT
AND PRESCRIBING THE COMPENSATION, APPOINTMENT,
AND CONDITIONS OF SAID EMPLOYMENT**

WHEREAS, the Mono County Board of Supervisors has the authority under Section 25300 of the Government Code to prescribe the compensation, appointment, and conditions of employment of County employees;

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors, that the Agreement Regarding Employment of Anne L. Frievalt, a copy of which is attached hereto as an exhibit and incorporated herein by this reference as though fully set forth, is hereby approved and the compensation, appointment, and other terms and conditions of employment set forth in that Agreement are hereby prescribed and shall govern the employment of Anne L. Frievalt. The Chair of the Board of Supervisors shall execute said Agreement on behalf of the County.

PASSED and **ADOPTED** this 13th day of December, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
Clerk of the Board

Bob Gardner, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL

**EMPLOYMENT AGREEMENT OF ANNE L. FRIEVALT
AS ASSISTANT COUNTY COUNSEL FOR MONO COUNTY**

This Agreement is entered into by and between Anne L. Frievalt and the County of Mono (hereinafter "County").

I. RECITALS

Anne L. Frievalt (hereinafter "Ms. Frievalt") is currently employed by County as its Assistant County Counsel. The County wishes to continue to employ Ms. Frievalt as its Assistant County Counsel in accordance with the terms and conditions set forth in this Agreement. Ms. Frievalt wishes to accept continued employment with the County on said terms and conditions.

II. AGREEMENT

1. This Agreement shall commence January 1, 2023 ("Effective Date"), and shall remain in effect unless or until terminated by either party in accordance with this Agreement.
2. As of the Effective Date, Ms. Frievalt shall continue to be employed by Mono County as its Assistant County Counsel, serving at the will and pleasure of the County Counsel. Ms. Frievalt accepts such continued employment. The County Counsel shall be deemed the "appointing authority" for all purposes with respect to Ms. Frievalt's employment. The County Counsel and Ms. Frievalt will work together to establish specific, measurable, achievable and realistic performance goals for Ms. Frievalt's work. Ms. Frievalt's job performance and progress towards achieving the agreed-upon goals shall be evaluated by the County Counsel in accordance with the "Policy Regarding Compensation of At-Will and Elected Management Level Officers and Employees" adopted by Resolution R21-44 on June 15, 2021, and as the same may be amended or updated from time to time and unilaterally implemented by the County (hereinafter the "***Management Compensation Policy***").
3. Ms. Frievalt's salary shall continue to be Range 18, Step E as set forth in the "Resolution Adopting and Implementing a Salary Matrix applicable to At-Will Employee and Elected Department Head Positions" (Resolution R21-45 adopted on June 15, 2021, hereinafter the "***Salary Matrix***") and shall be modified as provided in the Management Compensation Policy and the Salary Matrix , and as the same may be amended or updated from time to time and unilaterally implemented by the County.
4. Ms. Frievalt understands that she is responsible for paying the employee's share of any retirement contributions owed to the Public Employees Retirement System (PERS) with respect to her employment for the County as determined by the County's contract with PERS and/or County policy, and also any employee share of the "normal cost" of her retirement benefits that may be mandated by the Public Employees' Pension Reform Act of 2013 (PEPRA).

5. Ms. Frievalt shall continue to earn and accrue vacation and sick leave in accordance with the "Policy Regarding Benefits of Management-level Officers and Employees," updated most recently by Resolution R20-56 of the Mono County Board of Supervisors and as the same may be further amended from time to time and unilaterally implemented by the County (hereinafter the "**Management Benefits Policy**") and in accordance with any applicable County Code provisions not in conflict with said Policy. Also, pursuant to said Policy, in recognition of the fact that her employment will be exempt from the payment of overtime or compensatory time-off under the Fair Labor Standards Act, she shall be entitled to 80 hours of merit leave (aka administrative leave) during each calendar year of service. Ms. Frievalt understands that said merit leave does not accrue from one calendar year to the next; rather, it must be used by December 31st of each calendar year in which it is provided, or it is lost. Consistent with Ms. Frievalt's uninterrupted employment status, this Agreement shall have no effect on any sick leave or vacation time that Ms. Frievalt may have accrued as of the effective date of this Agreement nor on her original date of hire or total years of service as a County employee, to the extent the same may be relevant in determining such accruals or Ms. Frievalt's date of eligibility for or vesting of any non-salary benefits or for any other purpose.
6. The County shall pay the professional dues, subscriptions, and other educational expenses necessary for Ms. Frievalt's full participation in applicable professional associations, for her continued professional growth and for the good of the County, as determined to be appropriate, and as approved by the County Counsel.
7. To the extent not inconsistent with the foregoing or any other provision of this Agreement, Ms. Frievalt shall be entitled to the same general benefits provided by the County to other management-level employees, as described more fully in the Management Benefits Policy. Such benefits include but are not limited to CalPERS retirement benefits at the tier applicable to Ms. Frievalt's employment, CalPERS medical insurance, County dental and vision coverage, and life insurance.
8. Ms. Frievalt understands and agrees that her receipt of compensation or benefits of any kind under this Agreement or under any applicable County Code provision or policy - including but not limited to salary, insurance coverage, and paid holidays or leaves - is expressly contingent on her actual and regular rendering of full-time personal services to the County or, in the event of any absence, upon her proper use of any accrued leave. Should Ms. Frievalt cease rendering such services during this Agreement and be absent from work without any accrued leave to cover said absence, then she shall cease earning or receiving any additional compensation or benefits until such time as she returns to work and resumes rendering personal services; provided, however, that the County shall provide any compensation or benefits mandated by state or federal law. Furthermore, should Ms. Frievalt's regular schedule ever be reduced to less than full-time employment, on a temporary or permanent basis, then all compensation and benefits provided by this Agreement or any applicable County policies shall be reduced on a pro-rata basis, except for those benefits that the County does not generally pro-rate for its other part-time employees.

9. Consistent with the "at will" nature of Ms. Frievalt's employment, the County Counsel may terminate Ms. Frievalt's employment at any time during this Agreement, without cause. In such event, this Agreement shall automatically terminate concurrently with the effective date of the termination. Ms. Frievalt understands and acknowledges that as an "at will" employee, she will not have permanent status nor will her employment be governed by the County Personnel System (Mono County Personnel Rules) except to the extent that System is ever modified to apply expressly to at-will employees. Among other things, she will have no property interest in her employment, no right to be terminated or disciplined only for just cause, and no right to appeal, challenge, or otherwise be heard regarding any such termination or other disciplinary action the County Administrative Officer may, in her or her discretion, take during Ms. Frievalt's employment.
10. In the event of a termination without cause under paragraph 9, Ms. Frievalt shall receive as severance pay a lump sum equal to six (6) months' salary. For purposes of severance pay, "salary" refers only to base compensation. Ms. Frievalt shall not be entitled to any severance pay in the event that the County Counsel has grounds to discipline her on or about the time he or she gives notice of termination. For purposes of this provision, grounds for discipline include but are not limited to those specified in section 520 of the Mono County Personnel Rules, as the same may be amended from time to time. Ms. Frievalt shall also not be entitled to any severance pay in the event that she becomes unable to perform the essential functions of her position (with or without reasonable accommodations) and her employment is duly terminated for such non-disciplinary reasons.
11. Ms. Frievalt may resign her employment with the County at any time. Her resignation shall be deemed effective when tendered, and this agreement shall automatically terminate on that same date, unless otherwise mutually agreed to in writing by the parties. Ms. Frievalt shall not be entitled to any severance pay or to earn or accrue additional compensation of any kind after the effective date of such resignation.
12. This Agreement constitutes the entire agreement of the parties with respect to the employment of Ms. Frievalt.
13. The parties agree that the Board of Supervisors' approval of this Agreement on behalf of the County is a legislative act and that through this agreement, the Board of Supervisors is carrying out its responsibility and authority under Section 25300 of the Government Code to set the terms and conditions of County employment. It is not the parties' intent to alter in any way the fundamental statutory (non-contractual) nature of Ms. Frievalt's employment with the County nor to give rise to any future contractual remedies for breach of this Agreement or of an implied covenant of good faith and fair dealing. Rather, the parties intend that Ms. Frievalt's sole remedy in response to any failure by the County to comply with this Agreement shall be traditional mandamus. Pursuant to Government Code sections 53243. Ms. Frievalt shall reimburse the County for any paid

leave pending an investigation, legal criminal defense, or cash settlement related to termination by the County if Ms. Frievalt is convicted of a crime involving abuse of office or position.

14. Ms. Frievalt acknowledges that this Agreement is executed voluntarily by her, without duress or undue influence on the part or on behalf of the County. Ms. Frievalt further acknowledges that she has participated in the negotiation and preparation of this Agreement and has had the opportunity to be represented by counsel with respect to such negotiation and preparation or does hereby knowingly waive her right to do so, and that she is fully aware of the contents of this Agreement and of its legal effect. Thus, any ambiguities in this Agreement shall not be resolved in favor of or against either party.

III. EXECUTION:

This Agreement is executed by the parties this 13th day of December, 2022.

EMPLOYEE

THE COUNTY OF MONO

Anne Frievalt

Anne L. Frievalt

By: Bob Gardner, Chair
Board of Supervisors

APPROVED AS TO FORM:

Sta-10001000 2022-12-13 17:29 PST

COUNTY COUNSEL



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: CAO

TIME REQUIRED 15 minutes

PERSONS APPEARING BEFORE THE BOARD Robert C. Lawton, CAO

SUBJECT Policy Regarding Public Use of County Facilities and Property

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution adopting Policy Regarding Public Use of County Facilities and Real Property and finding that the project is exempt from review under the California Environmental Quality Act under the Class 1 exemption for existing facilities.

RECOMMENDED ACTION:

Adopt proposed resolution.

FISCAL IMPACT:

None.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: 17606483270 / ssimon@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff report
Resolution
Exhibit A

History

Time	Who	Approval
12/9/2022 9:04 AM	County Counsel	Yes

12/6/2022 9:33 AM

Finance

Yes

12/9/2022 11:41 AM

County Administrative Office

Yes



COUNTY ADMINISTRATIVE OFFICER
COUNTY OF MONO
Robert C. Lawton
PO Box 696
Bridgeport, CA 93517-0696
(760) 932-5410
rlawton@mono.ca.gov
www.mono.ca.gov

December 13, 2022

BOARD OF SUPERVISORS

CHAIR

Bob Gardner / District 3

VICE CHAIR

Rhonda Duggan / District 2

Stacy Corless / District 5

Jennifer Kreitz / District 1

John Peters / District 4

COUNTY DEPARTMENTS

ASSESSOR

Hon. Barry Beck

DISTRICT ATTORNEY

Hon. Tim Kendall

SHERIFF / CORONER

Hon. Ingrid Braun

ANIMAL SERVICES

Malinda Huggans

BEHAVIORAL HEALTH

Robin Roberts

COMMUNITY DEVELOPMENT

Wendy Sugimura

COUNTY CLERK-RECORDER

Scheereen Dedman

COUNTY COUNSEL

Stacey Simon, Esq.

ECONOMIC DEVELOPMENT

Jeff Simpson

EMERGENCY MEDICAL SERVICES

Bryan Bullock

FINANCE

Janet Dutcher

CPA, CGFM, MPA

INFORMATION TECHNOLOGY

Interim Milan Salva

PROBATION

Karin Humiston

PUBLIC HEALTH

Interim Kathy Peterson

PUBLIC WORKS

Paul Roten

SOCIAL SERVICES

Kathy Peterson

To: Board of Supervisors

Fm: Robert C. Lawton, County Administrator

Re: Policy Regarding Public Access to County Facilities and Property

Recommended Action

Adopt proposed resolution adopting Policy Regarding Public Use of County Facilities and Real Property and finding that the project is exempt from review under the California Environmental Quality Act under the Class 1 exemption for existing facilities.

Discussion

The County owns or operates numerous facilities and properties -- from cemeteries, parks and road shops to community centers, mechanical rooms and office buildings, to name a few -- but does not currently have a written policy setting forth when and under what conditions these areas are accessible to members of the public or are restricted for other uses.

Proposed for your consideration is a comprehensive policy memorializing current practices and understandings with respect to public access to and use of the various County-owned or operated facilities and properties. Adoption of the policy will help to inform County staff and the public of the accessibility of, and restrictions on access to, the various types of properties and facilities which the County owns or operates.

Adoption of the Policy is exempt from review under the California Environmental Quality Act (CEQA) under 14 CCR 15301, existing facilities because it merely memorializes current uses of existing facilities and properties.



R22-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
ADOPTING POLICY REGARDING PUBLIC USE OF COUNTY FACILITIES
AND REAL PROPERTY**

WHEREAS, the County of Mono owns or operates numerous facilities and properties throughout Mono County, from cemeteries and road shops to community centers and staff offices; and

WHEREAS, the County does not currently have a written policy outlining uses of those facilities and properties – in particular when and under what conditions they are accessible to members of the public; and

WHEREAS, the Board of Supervisors now wishes to adopt a single, comprehensive policy memorializing current practice and understanding regarding public use of the various County-owned or operated facilities and properties through adoption of a single “Policy Regarding Public Use of County Facilities and Real Property” (the “Policy”); and

WHEREAS, adoption of the Policy is exempt from review under the California Environmental Quality Act (CEQA) under 14 CCR 15301, existing facilities;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that:

SECTION ONE: The recitals above are hereby adopted as findings of the Board.

SECTION TWO: Exhibit A, which is attached hereto and incorporated by this reference, setting forth Mono County’s “Policy Regarding Public Use of County Facilities and Real Property” is hereby adopted.

PASSED, APPROVED and ADOPTED this 13th day of December, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

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ABSTAIN:

Bob Gardner, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel

EXHIBIT A

POLICY REGARDING PUBLIC USE OF COUNTY FACILITIES AND REAL PROPERTY

- I. Any room or space in actual use for the purpose of holding a meeting subject to the Ralph M. Brown Act (the “Brown Act”) is open to the public during such use, except as otherwise authorized by the Brown Act.**

- II. The Board Chambers in the Bridgeport Courthouse and the Mono County Civic Center in Mammoth Lakes (the Mono Lake Room) shall be managed by the Clerk of the Board in accordance with a policy developed by the Clerk which authorizes the following uses, when such Board Chambers are not in use by the Board of Supervisors:**
 - A. County departments, committees, advisory groups or commissions conducting county business.
 - B. State or federal agencies conducting public business.
 - C. Local government agencies (e.g., cities or special districts) conducting public business.

- III. The following areas are open to persons actively engaged in the receipt of services or conduct of business with the County; if such persons are invited into the space by the department head or by an employee in control of the facility or area. These spaces are not open to the general public.**
 - A. Private offices of County employees (“private offices”).
 - B. Shared office spaces containing private or shared workspaces for County employees, whether separated by cubicles, desks or other features (“shared workspaces”).
 - C. The Antelope Valley Senior Center.
 - D. Paramedic stations and garages.
 - E. County Wellness Centers.
 - F. Client interview or treatment rooms.
 - G. County conference or meeting rooms.
 - H. The County jail in Bridgeport.

- IV. The following areas are open to persons actively engaged in the receipt of services or conduct of business with the County. These spaces are not open to the general public.**
 - A. Hallways or corridors leading to department waiting areas, private offices or shared workspaces where services are to be provided or business is to be conducted.
 - B. Designated waiting areas associated with the service to be provided or business to be conducted.

- V. The following areas are open to the public upon application for and entry into an agreement with the County, or receipt of a permit from the County, authorizing such use. All use shall be governed by and subject to the terms of the agreement or permit.**

These areas are not open to the general public, unless the approved or permitted use includes access by the general public.

- A. County Community Centers. Please refer to the County Community Center Use Agreement and Policy for more information regarding the use of Community Centers for non-County events.
- B. Residential units (e.g., workforce, affordable, transitional or supportive housing).

VI. The following areas are open for public use unless locked and/or posted as “closed to the public” in one of the following circumstances: (1) for emergency or special purposes as determined by the County Administrator, Sheriff or Public Works Director; (2) for maintenance or custodial activities; (3) during special events or activities hosted or authorized by the County where attendance is limited to those participating in the event or activity; or (4) during regular closure hours (e.g., from 5:00 pm to 8:00 am daily). Such closures may extend to the entire area, or to a portion of the area if so posted.

- A. County parks; including the lawn areas surrounding the Bridgeport Courthouse
- B. County cemeteries.
- C. County landfills and transfer stations.
- D. The historic County jail in Bridgeport.
- E. County animal shelters.
- F. The lobbies and/or interior entranceways to County office buildings including, without limitation, the Bridgeport Courthouse, the Bridgeport Annex buildings (Annex I, II and III) the Sheriff’s station in Bridgeport, any Sheriff’s substation, the Mono County Civic Center in Mammoth Lakes and the Department of Social Services Office in Walker.

VII. The following areas are closed to the public at all times.

- A. Mechanical rooms.
- B. Storage rooms, custodial closets and similar areas.
- C. IT server rooms.
- D. County road and facility shops and similar areas.
- E. Vacant or unoccupied County buildings.

VIII. The County-owned Conway Ranch is open to the public as provided in Mono County Code Chapter 13.40.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

Departments: Community Development

TIME REQUIRED PUBLIC HEARING: 10:00 AM (15 minutes)

PERSONS APPEARING BEFORE THE BOARD

Wendy Sugimura, Community Development Director

SUBJECT Public Hearing: General Plan Amendment 22-01 Redesignating a Parcel in the Mono Basin from Resource Management (RM) to Industrial (I)

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution approving General Plan Amendment (GPA) 22-01, which proposes to change the land use designation from Resource Management (RM) to Industrial (I) at 7937 Highway 167 in the Mono Basin (APN 013-210-028) in order to support a proposed waste transfer facility.

RECOMMENDED ACTION:

1. Hold the public hearing, receive public testimony, deliberate the project including the associated Negative Declaration environmental document, and make any desired changes.
2. Certify the Negative Declaration and make the findings for General Plan Amendment (GPA) 22-01 as contained in this staff report or with any desired modifications.
3. Adopt Resolution R22-__ to change the land use designation from Resource Management (RM) to Industrial (I) at 7937 Highway 167 in the Mono Basin (APN 013-210-028).
4. Direct staff to return to the board within two years with a proposed Specific Plan for the property which memorializes the uses described in the Use Permit and restricts other uses.

FISCAL IMPACT:

None.

CONTACT NAME: Wendy Sugimura

PHONE/EMAIL: 7609241814 / wsugimura@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
staff report
Resolution
2 UP 21-007
Attachment
4 Comment letters
4 CEQA response to comment
Public Hearing Notice

History

Time	Who	Approval
12/6/2022 10:31 AM	County Counsel	Yes
12/6/2022 9:27 AM	Finance	Yes
12/9/2022 11:42 AM	County Administrative Office	Yes

Mono County Community Development

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www.monocounty.ca.gov

December 13, 2022

To: Mono County Board of Supervisors

From: Wendy Sugimura, Director
Bentley Regehr, former Planning Analyst

Re: GENERAL PLAN AMENDMENT 22-01

RECOMMENDATION

1. Hold the public hearing, receive public testimony, deliberate the project including the associated Negative Declaration environmental document, and make any desired changes.
2. Certify the Negative Declaration and make the findings for General Plan Amendment (GPA) 22-01 as contained in this staff report or with any desired modifications.
3. Adopt Resolution R22-__ to change the land use designation from Resource Management (RM) to Industrial (I) at 7937 Highway 167 in the Mono Basin (APN 013-210-028).
4. Direct staff to initiate a Specific Plan for the property which memorializes the uses described in the Use Permit and restricts other uses within two years, as stated in the Use Permit conditions.

BACKGROUND

General Plan Amendment (GPA) 22-01 proposes to change the land use designation from Resource Management (RM) to Industrial (I) at 7937 Highway 167 in the Mono Basin (APN 013-210-028) in order to support a proposed waste transfer facility. The site is located approximately eight miles northeast of Mono City, as shown in Figure 1.

Figure 1: Location of APN 013-210-028



APN 013-210-028 is designated Resource Management (RM). The “RM” designation is intended to recognize and maintain a wide variety of values in the lands outside existing communities. The RM designation indicates the land may be valuable for uses including but not limited to recreation, surface water conservation, groundwater conservation and recharge, wetlands conservation, habitat protection for special-status species, wildlife habitat, visual resources, cultural resources, and geothermal or mineral resources. GPA 22-01 proposes to change the land use designation to Industrial (I), which is intended to provide for heavy industrial uses.

The land use designations adjacent to the site are described below:

East:	National Forest – Resource Management (RM)
West:	Private Land – Resource Management (RM)
South:	National Forest/BLM – Resource Management (RM)
North:	National Forest – Resource Management (RM)

The property located to the west of the site contains a residence. All other adjacent parcels are vacant. Other residences are located along Cottonwood Canyon Road approximately one mile away.

Since 1974, the site has been used for waste management equipment storage. D & S Waste acquired the property in 2007, maintaining its current land use. In 2010, a metal storage building was built in the northeastern section of the parcel. Municipal solid waste collected by D & S Waste Removal Inc. is currently disposed of at the existing Benton Crossing Landfill, located on Benton Crossing Road approximately five miles east of US 395. In 2019, the Benton Crossing Landfill was accepting an average of 75 tons of waste per day. Benton Crossing Landfill is expected to close on December 31, 2022.

Existing features on the site include:

- 2,400 (40' x 60') square-foot (sf) metal warehouse
- Two (2) fuel tanks (1,800-gallon, 500-gallon)
- Generator
- Water well
- Three (3) 500-gallon propane tanks
- Solar panels and solar panel control boxes
- A one-room 10' x 15' office building with bathroom
- Septic tank & leach field area
- Gravel road

Use Permit 21-007

Use Permit 21-007 was approved at the November 17, 2022, Planning Commission meeting (see Attachment 2) and is contingent up on the approval of this GPA. The approved project includes:

- Permitting the site as a transfer facility to temporarily house municipal solid waste (MSW) for up to 48 hours.
- Construction of an 8,000-sf metal waste storage & management warehouse (80' x 100' x 30') to temporarily house MSW, equipment and vehicles.
- Installation of a 12 'x 70' subterranean truck scale.
- Developing gravel approaches to the new building
- Construction of berms shielding both the existing and new project features

The proposed D & S Waste Transfer Station would be used to transfer MSW. The waste will remain on-site for up to 48 hours before transfer, with no permanent waste remaining on-site and no septic waste. Waste brought to the site will originate in Mono County and be transferred to Lockwood, Fallon, and Hawthorne, Nevada. The facility will not be open to the public and will solely be used by D & S Waste employees. The project will operate in conjunction with the Pumice Valley Landfill.

The Planning Commission generally expressed support for the project as proposed but was concerned about the potential for heavier industrial uses under the I land use designation that may not be appropriate for this relatively pristine area. The Planning Commission therefore added a Condition of Approval requiring the County to initiate a General Plan Amendment to change the land use designation of the parcel to Specific Plan (SP) and craft a specific plan limiting the uses to those proposed in the subject Use Permit within two years.

Enactment of the Use Permit is contingent upon approval of GPA 22-01. The Planning Commission passed Resolution 22-12 (see Attachment 3) recommending approval of GPA 22-01 by the Board.

GENERAL PLAN AMENDMENT 22-01

A GPA to change the land use designation from RM to I is required to allow for the waste transfer facility proposed under Use Permit 21-007. The change from RM to I will increase the allowable maximum lot coverage from 5% to 80%. RM has setbacks of 50' front, 30' side, and 30' rear. I does not have setback standards. Minimum parcel size is 40 acres for RM and 10,000 sf for I.

Permitted uses under the current land use designation (RM) are as follows:

- Single-family dwelling
- Accessory buildings and uses
- Animals and pets
- Home occupations
- Resource exploratory activities that do not involve excavation, de-vegetation, or other potentially significant environmental effects
- Agricultural uses, provided that such uses are proposed in conjunction with a bona fide agricultural operation, except those requiring a use permit
- Small-scale agriculture

- Accessory Dwelling Unit
- Non-commercial composting facilities where the operation does not create a nuisance problem and has less than 100 cubic yards of material on site at any given time
Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act.

Permitted uses under the proposed land use designation are as follows:

- Any proposed change of use when conducted within an existing, conforming, legally developed structure for those uses subject to a Director Review or Use Permit
- Caretaker unit – one per district
- Heavy-vehicle storage and maintenance
- Adult-oriented businesses conducted in compliance with the locational requirements of Chapter 19 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with the permit and other operational requirements of Chapter 5.45 of the Mono County Code

Note: Waste transfer facilities are subject to a Use Permit.

CEQA

The project was analyzed as a negative declaration (PRC Section 21064), which is available at <https://monocounty.ca.gov/planning/page/ds-waste-transfer-facility>. A negative declaration is a written statement describing the reasons that a proposed project will not have a significant effect on the environment, and does not require the preparation of an Environmental Impact Report (EIR). The draft Initial Study (IS) was released for a 30-day public comment period, ending October 3, 2022. There were two public comment letters received: one in support and one in opposition.

Noise

The opposition letter stated a concern about noise impacting nearby residences on Cottonwood Canyon Road.

Beeping from truck reversals will not be a regular source of noise. The dump trucks operate in a forward direction and reverse only during refueling and parking. Transfer trucks operate once a day in the summer and once every two days in the winter. The transfer trucks will reverse for approximately 100' feet with a maximum 5 minute duration per truck visit, in compliance with the federal Occupational Health & Safety Administration (OSHA)-required back-up beeper. The back-up beeper, also known as back-up alarm or vehicle motion alarm, is required by OSHA regulation 29 CFR Part 1926.601(b)(4). Transfer truck operation (i.e., the source of the beeping noise) will be confined to daytime business hours.

General noise levels were also calculated for the project in relation to property boundaries and nearby sensitive receptors. The noise generated will not exceed the allowable levels under the Mono County Noise Ordinance. The generator will be placed inside a structure to further reduce sound dispersion.

Visual Impacts

Although not raised through public comment, the project takes several measures to reduce impacts to the viewshed. The viewshed will be protected by constructing berms shielding both the existing and new project features as a design-element with local native vegetation. The 4' to 12' tall and 57' wide berms screen the project from view along the western, southern, and eastern parcel boundaries. The berms are landscaped with native botanicals to create continuity with the natural landscape. The facility will be set back 0.15 miles from SR-167. The new metal building will be painted in dark earth tone colors and all surfaces will be non-reflective.

No significant impacts were determined for the aforementioned subjects or other areas. Please see the Use Permit Conditions of Approval (Attachment 1) for a full list of implementation measures to prevent potential impacts.

GENERAL PLAN AMENDMENT FINDINGS

According to Chapter 48.020 of the Land Use Element, prior to taking an action to approve or recommend approval of a change in district designation classification, the Board shall find as follows:

- A. *The proposed change in land use designation is consistent with the text and maps of this General Plan;*

The proposed Amendment to change the land use designation from Resource Management (RM) to Industrial (I) is consistent with General Plan policies. Waste transfer facilities are not permitted under RM, but are permitted subject to Use Permit under I. The project has been analyzed for potential impacts and no significant impacts were identified due to the change from RM to I. The proposed project is consistent with the standards set forth by the I land use designation.

- B. *The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan;*

The project supports County and Mono Basin objectives to support economic development and provide a variety of services. Approval of the General Plan Amendment and Use Permit will provide public services, while maintaining the rural nature of the Mono Basin.

MONO COUNTY LAND USE ELEMENT

Objective 1.C.

Provide a balanced and functional mix of land uses.

Policy 1.C.1. *Designate adequate sites for a variety of land uses in order to provide for the land use needs of community areas.*

Objective 1.E.

Provide for commercial development to serve both residents and visitors.

MONO COUNTY LAND USE ELEMENT, Mono Basin Area Plan Policies

Policy 10.C.3. *Preserve the dark night sky of the Mono Basin.*

Action 10.C.3.a. *Require compliance with and enforce Dark Sky Regulations.*

Objective 11.A. *Plan for a diversified, sustainable economy.*

Policy 11.A.1. *Achieve a more-diversified economy and employment base consistent with the small-town, rural nature of the Mono Basin.*

- C. *The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation;*

The proposed Amendment and Use Permit will not increase density and will provide public services that are consistent with the rural nature of the area. The parcel and surrounding parcels are all at least 40-acres in size, allowing for space between uses.

- D. *The proposed change in land use designation is reasonable and beneficial at this time.*

The proposed uses provide a public benefit while implementing conditions to be consistent with the rural setting of the neighborhood. There will be no significant impacts, including to visuals, noise, and biological resources.

- E. The proposed change in land use designation will not have a substantial adverse effect on surrounding properties.*

As analyzed under the Negative Declaration document, the change in land use designation will have no significant impacts. The site is not located in a State Scenic Highway corridor, or the Mono Basin Scenic Area and development would not have a significant adverse effect on a scenic vista. The project has no significant impacts to dark skies, given that any new exterior lighting will be subject to General Plan Land Use Element Chapter 23, Dark Sky Regulations. New lighting will be fully shielded and downward directed, with LED lighting temperature not to exceed 3000K. The project shall not use any reflective materials and shall use only dark, earth-tone colors. All development shall also be subject to the Mono County Noise Ordinance.

Attachments

1. Resolution R22-__
2. Use Permit 21-007, approved by the Planning Commission
3. Planning Commission recommendation, Resolution 22-12
4. Public comment on the CEQA Negative Declaration and response to public comment. The Negative Declaration is available at <https://monocounty.ca.gov/planning/page/ds-waste-transfer-facility>.
5. Public Hearing Notice



RESOLUTION R22-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
ADOPTING GENERAL PLAN AMENDMENT 22-01 TO CHANGE THE LAND USE
DESIGNATION FOR APN 013-210-028 FROM RESOURCE MANAGEMENT (RM) TO
INDUSTRIAL (I)**

WHEREAS, Community Development received a complete application for a General Plan Amendment (GPA) to change the land use designation at 7937 Hwy 167 (APN 013-210-028) from Resource Management (RM) to Industrial (I); and

WHEREAS, the GPA proposal was noticed to surrounding property owners on November 3, 2022, and to tribes consistent with the provisions of SB-18 and AB-52 on February 25, 2022; and

WHEREAS, the Mono County Board of Supervisors held a duly noticed and advertised public hearing on December 13, 2022 to hear all testimony relevant to the proposed GPA; and

WHEREAS, on November 17, 2022, the Mono County Planning Commission found that the proposed uses under Use Permit 21-007 are suitable for the I land use designation subject to the conditions in Use Permit 21-007 and direction to develop a Specific Plan for the site; and

WHEREAS, the Planning Commission passed Resolution 22-12, recommending the Board of Supervisors approve GPA 22-02 redesignating APN 013-210-028 from RM to I and certify the Negative Declaration; and

WHEREAS, having reviewed and considered all the information and evidence presented to it, including public testimony, written comments, staff reports and presentations, the Board of Supervisors makes the required findings and adopts GPA 22-01 to change the land use designation from RM to I on APN 013-210-028.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO FINDS AND RESOLVES AS FOLLOWS:

SECTION ONE: The Board of Supervisors certifies the Negative Declaration for GPA 22-01 available at <https://monocounty.ca.gov/planning/page/ds-waste-transfer-facility>, which represents the best judgement of the County as lead agency and is hereby incorporated by reference.

SECTION TWO: The Board of Supervisors makes the following findings for General Plan Amendment 22-01, changing the land use designation at 7937 Hwy 167 (APN 013-210-028) from Resource Management (RM) to Industrial (I):

1
2 A. *The proposed change in land use designation is consistent with the text and maps of*
3 *this General Plan;*

4 The proposed Amendment to change the land use designation from Resource
5 Management (RM) to Industrial (I) is consistent with General Plan policies. Waste
6 transfer facilities are not permitted under RM, but are permitted subject to Use Permit
7 under I. The project has been analyzed for potential impacts and no significant impacts
8 were identified due to the change from RM to I. The proposed project is consistent with
9 the standards set forth by the I land use designation.

10 B. *The proposed change in land use designation is consistent with the goals and*
11 *policies contained within any applicable area plan;*

12 The project supports County and Mono Basin objectives to support economic
13 development and provide a variety of services. Approval of the General Plan
14 Amendment and Use Permit will provide public services, while maintaining the rural
15 nature of the Mono Basin.

16 **MONO COUNTY LAND USE ELEMENT**

17 ***Objective 1.C.***

18 *Provide a balanced and functional mix of land uses.*

19 ***Policy 1.C.1.*** *Designate adequate sites for a variety of land uses in order to provide for*
20 *the land use needs of community areas.*

21 ***Objective 1.E.***

22 *Provide for commercial development to serve both residents and*
23 *visitors.*

24 **MONO COUNTY LAND USE ELEMENT, Mono Basin Area Plan Policies**

25 ***Policy 10.C.3.*** *Preserve the dark night sky of the Mono Basin.*

26 ***Action 10.C.3.a.*** *Require compliance with and enforce Dark Sky Regulations.*

27 ***Objective 11.A.*** *Plan for a diversified, sustainable economy.*

28 ***Policy 11.A.1.*** *Achieve a more-diversified economy and employment base consistent*
29 *with the small-town, rural nature of the Mono Basin.*

30 C. *The site of the proposed change in land use designation is suitable for any of the*
31 *land uses permitted within that proposed land use designation;*

32 The proposed Amendment and Use Permit will not increase density and will provide
public services that are consistent with the rural nature of the area. The parcel and
surrounding parcels are all at least 40-acres in size, allowing for space between

1 uses. A specific plan is to be developed limiting the uses to those proposed in Use
2 Permit 21-007.

3 *D. The proposed change in land use designation is reasonable and beneficial at this*
4 *time.*

5 The proposed uses provide a public benefit while implementing conditions to be
6 consistent with the rural setting of the neighborhood. There will be no significant
7 impacts, including to visuals, noise, and biological resources.

8 *E. The proposed change in land use designation will not have a substantial adverse*
9 *effect on surrounding properties.*

10 As analyzed under the Negative Declaration document, the change in land use
11 designation will have no significant impacts. The site is not located in a State Scenic
12 Highway corridor, or the Mono Basin Scenic Area and development would not have a
13 significant adverse effect on a scenic vista. The project has no significant impacts to
14 dark skies, given that any new exterior lighting will be subject to General Plan Land Use
15 Element Chapter 23, Dark Sky Regulations. New lighting will be fully shielded and
16 downward directed, with LED lighting temperature not to exceed 3000K. The project
17 shall not use any reflective materials and shall use only dark, earth-tone colors. All
18 development shall also be subject to the Mono County Noise Ordinance.

19 **PASSED AND ADOPTED** this 13th day of December 2022, by the following vote:

20 AYES:

21 NOES:

22 ABSENT:

23 ABSTAIN:

24 _____
25 Bob Gardner, Chair

26 Attest:

26 Approved as to form:

27 _____
28 Clerk of the Board

27 _____
28 County Counsel

Mono County Community Development Department

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Planning Division

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Bridgeport, CA 93517
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www.monocounty.ca.gov

Redline changes reflect modifications during the Planning Commission hearing.

November 17, 2022

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst

Re: General Plan Amendment 22-02 and Use Permit 21-007/D&S Waste Transfer Facility

Recommendation

It is recommended the Planning Commission take the following actions:

1. Hold the public hearing, receive public testimony, deliberate the project including the associated Negative Declaration environmental document, and make any desired changes.
2. For General Plan Amendment (GPA) 22-02, certify the Negative Declaration and make the findings as contained in the Resolution or with any desired modifications, and adopt Resolution R22-12 recommending the Mono County Board of Supervisors approve the GPA and certify the Negative Declaration.
3. For Use Permit 21-007, make the findings in the staff report or with any desired modifications, certify the Negative Declaration, and approve Use Permit 21-007 subject to Conditions of Approval, which requires the approval of GPA 22-02 by the Board of Supervisors.

Background

The project requires approval of the following: (1) General Plan Amendment (GPA) 22-02 to change the land use designation from Resource Management (RM) to Industrial (I); and (2) Use Permit 21-007. GPA 22-02 will be heard by the Mono County Board of Supervisors after a recommendation by the Planning Commission. Enactment of Use Permit 21-007 will be contingent upon approval of GPA 22-02 as stated in the Use Permit conditions of approval.

Project documents are available at 1290 Tavern Road, Mammoth Lakes, California or online at:

<https://monocounty.ca.gov/planning/page/ds-transfer-station>.

The project is located at 7937 Highway 167 in the Mono Basin (APN 013-210-028), approximately eight miles northeast of Mono City, as shown in Figure 1.

Figure 1: Project location



APN 013-210-028 is designated Resource Management (RM). The “RM” designation is intended to recognize and maintain a wide variety of values in the lands outside existing communities. The RM designation indicates

the land may be valuable for uses including but not limited to recreation, surface water conservation, groundwater conservation and recharge, wetlands conservation, habitat protection for special-status species, wildlife habitat, visual resources, cultural resources, and geothermal or mineral resources. GPA 22-02 proposes to change the land use designation to Industrial (I), which is intended to provide for heavy industrial uses.

The land use designations adjacent to the site are described below:

East:	National Forest – Resource Management (RM)
West:	Private Land – Resource Management (RM)
South:	National Forest/BLM – Resource Management (RM)
North:	National Forest – Resource Management (RM)

The property located to the west of the site contains a residence. All other adjacent parcels are vacant. Other residences are located along Cottonwood Canyon Road approximately one mile away.

Since 1974, the site has been used for waste management equipment storage. D & S Waste acquired the property in 2007, maintaining its current land use. In 2010, a metal storage building was built in the northeastern section of the parcel. Municipal solid waste collected by D & S Waste Removal Inc. is currently disposed of at the existing Benton Crossing Landfill, located on Benton Crossing Road approximately five miles east of US 395. In 2019, the Benton Crossing Landfill was accepting an average of 75 tons of waste per day. Benton Crossing Landfill is expected to close on December 31, 2022.

Existing features on the site include:

- 2,400 square-foot (40' x 60') metal warehouse
- Two (2) fuel tanks (1,800-gallon, 500-gallon)
- Generator
- Water well
- Three (3) 500-gallon propane tanks
- Solar panels and solar panel control boxes
- A one-room 10' x 15' office building with bathroom
- Septic tank & leach field area
- Gravel road

Figure 2: Existing site conditions



The proposed project includes:

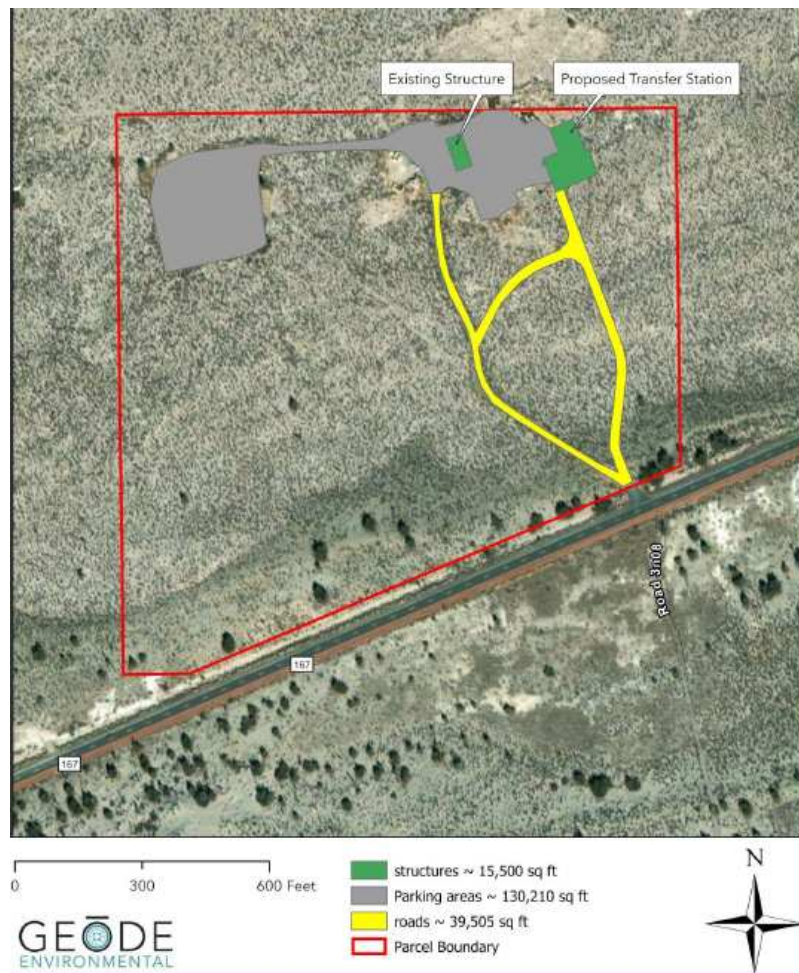
- Permitting the site as a transfer facility to temporarily house municipal solid waste (MSW) for up to 48 hours.
- Construction of an 8,000-s.f. metal waste storage & management warehouse (80' x 100' x 30')

temporarily house MSW, equipment and vehicles.

- Installation of a 12 'x 70' subterranean truck scale.
- Developing gravel approaches to the new building
- Construction of berms shielding both the existing and new project features

The proposed D & S Waste Transfer Station would be used to transfer MSW. The waste will remain on-site for up to 48 hours before transfer, with no permanent waste remaining on-site and no septic waste. Waste brought to the site will originate in Mono County and be transferred to Lockwood, Fallon, and Hawthorne, Nevada. The facility will not be open to the public and will solely be used by D & S Waste employees. The project will operate in conjunction with the Pumice Valley Landfill. Figure 3 below shows the general location of the proposed features. Please see Attachment 1 for a detailed site plan.

Figure 3: Location of proposed transfer station



General Plan Amendment (GPA)

A GPA to change the land use designation from RM to I is required to allow for the proposed waste transfer facility. The change from RM to I will increase the allowable maximum lot coverage from 5% to 80%. RM has setbacks of 50' front, 30' side, and 30' rear. I does not have setback standards. Minimum parcel size is 40 acres for RM and 10,000 s.f. for I.

Noticing & Public Comments

The application was accepted at the November 15, 2021, Land Development Technical Advisory Committee (LDTAC) meeting. The project was noticed under SB-18 and AB-52 on February 25, 2022, with no comments received. The Planning Commission hearing was noticed in the November 5, 2022, edition of The Sheet and was noticed to property owners within 300' on November 1, 2022. Conditions of Approval were reviewed at the November 7, 2022, LDTAC meeting. No comments were received at the time of the agenda being published.

CEQA

The project was analyzed as a negative declaration (PRC Section 21064). A negative declaration is a written statement describing the reasons that a proposed project will not have a significant effect on the environment, and does not require the preparation of an Environmental Impact Report (EIR). The draft Initial Study (IS) was released for a 30-day public comment period, ending October 3, 2022. There were two public comment letters received: one in support and one in opposition.

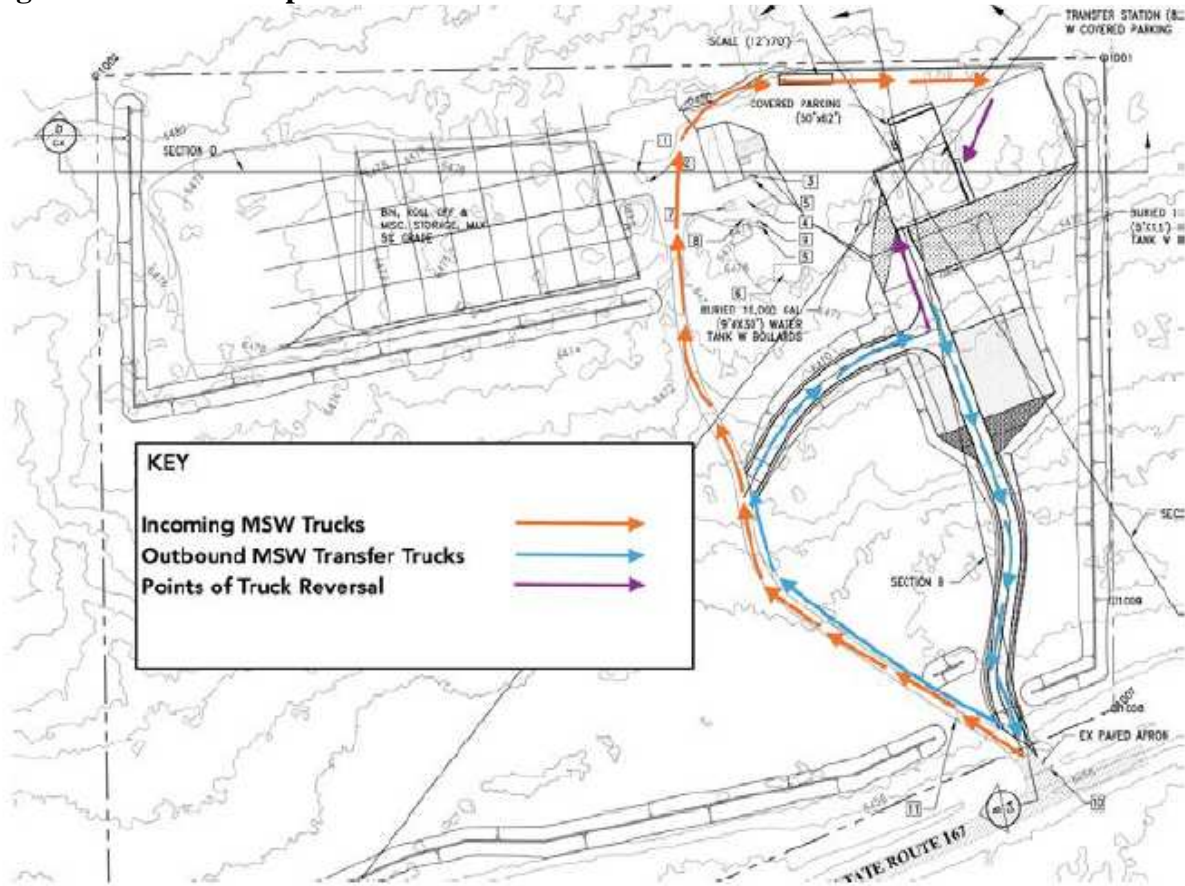
Noise

The opposition letter stated a concern about noise impacting nearby residences on Cottonwood Canyon Road.

Beeping from truck reversals will not be a regular source of noise. The dump trucks operate in a forward direction and reverse only during refueling and parking. Transfer trucks operate once a day in the summer and once every two days in the winter. The transfer trucks will reverse for approximately 100' feet with a maximum 5 minute duration per truck visit, in compliance with the federal Occupational Health & Safety Administration (OSHA)-required back-up beeper. The back-up beeper, also known as back-up alarm or vehicle motion alarm, is required by OSHA regulation 29 CFR Part 1926.601(b)(4). Transfer truck operation (i.e., the source of the beeping noise) will be confined to daytime business hours. Please see Figure 4 below, depicting the area of beeping in purple.

General noise levels were also calculated for the project in relation to property boundaries and nearby sensitive receptors. The noise generated will not exceed the allowable levels under the Mono County Noise Ordinance. The generator will be placed inside a structure to further reduce sound dispersion. Please see Attachment 2 for a full analysis of noise and response to comments.

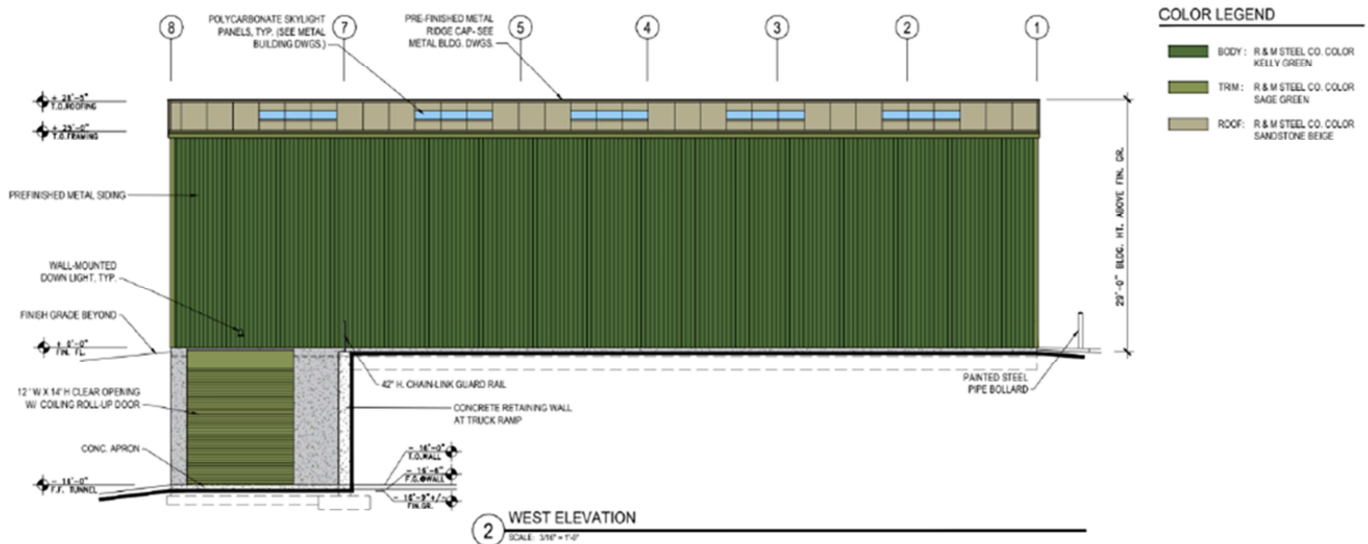
Figure 4: Circulation patterns for the site



Visual Impacts

Although not raised through public comment, the project takes several measures to reduce impacts to the viewshed. The viewshed will be protected by constructing berms shielding both the existing and new project features as a design-element with local native vegetation. The 4' to 12' tall and 57' wide berms screen the project from view along the western, southern, and eastern parcel boundaries. The berms are landscaped with native botanicals to create continuity with the natural landscape. The facility will be set back 0.15 miles from SR-167. The new metal building will be painted in dark earth tone colors and all surfaces will be non-reflective. The proposed colors are indicated in Figure 5 below.

Figure 5: Proposed colors for the facility



No significant impacts were determined for the aforementioned subjects or other areas.

General Plan Amendment Findings

According to Chapter 48.020 of the Land Use Element, prior to taking an action to approve or recommend approval of a change in district designation classification, the following findings shall be made:

- A. *The proposed change in land use designation is consistent with the text and maps of this General Plan;*
- B. *The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan;*
- C. *The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation;*
- D. *The proposed change in land use designation is reasonable and beneficial at this time; and*
- E. *The proposed change in land use designation will not have a substantial adverse effect on surrounding properties.*

Findings for General Plan Amendment 22-02 are contained in Exhibit A of the attached Resolution R22-12.

Use Permit Findings

In accordance with Mono County General Plan, Chapter 32, Processing Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping, and other required features because:*

The project meets all requirements under the Industrial land use designation, including lot coverage, site disturbance, setbacks, and parking. The site and proposed configuration are adequate to accommodate required circulation for vehicles.

2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*

The site is accessed from SR 167. The amount of truck traffic generated will not create a significant impact on the highway. No local or “neighborhood” roads will be used in accessing the site.

3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*

The proposed use will not be detrimental to the public welfare or injurious to property. The Negative Declaration indicates there will be no significant impacts to visuals, noise, biological resources, or any other impact category analyzed under CEQA. Measures are proposed in the Conditions of Approval to address public concern and to issues, particularly in regard to sound, visuals, biological resources, and archeological resources. The project is subject to Chapter 23, Dark Sky Regulations, and the Mono County Noise Ordinance.

4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*

The proposed use is consistent with the Industrial land use designation, once GPA 22-02 is approved. Waste transfer facilities are permitted under Industrial, subject to Use Permit. Approval of the Use Permit is contingent upon approval of the General Plan Amendment to change the land use designation from Resource Management (RM) to Industrial (I).

This report has been reviewed by the Community Development Director.

Attachments:

1. Site Plan
2. Resolution 22-12 certifying the Addendum and making the findings for GPA 22-02
3. Final Negative Declaration, comprised of the following: A) Response to Comments, B) Draft Initial Study/Negative Declaration.
4. Noticing

Conditions of Approval/UP 21-007

1. Preconstruction surveys shall be conducted by a qualified biologist, approved by the County, and funded by the developer, to determine potential presence of special status wildlife and/or habitat (including dens, burrows, nests, and other suitable habitat). The surveys shall be conducted within the appropriate survey windows, no more than seven days prior to ground disturbing activities, and again no more than 24 hours prior to initiating ground disturbing activities. Transect distances shall be no more than 25-meters. The final report shall clearly identify which species were looked for and the survey methods used, and all references to other survey findings shall clearly specify the dates, authors, locations and boundaries of the referenced work.
2. The project shall comply with all applicable requirements of the Migratory Bird Treaty Act. To avoid impacts to nesting birds, the removal of any trees and vegetation from the project site from March 15 to September 15 shall require that a qualified biologist, approved by the County and funded by the developer, conduct Nesting Bird Surveys of the site, within the appropriate survey windows, to determine the location of any nesting birds prior to project activities (including site preparation). The nesting bird surveys shall be conducted no more than seven days, and again no more than 24 hours, prior to initiating ground disturbing activities. Transect distances shall be no more than 25-meters. The final report shall clearly identify which species were looked for, and the survey methods used, and all references to other survey findings shall clearly specify the dates, authors, locations, and boundaries of the referenced work. Should nesting birds be identified, a qualified biologist will mark those areas with Environmentally Sensitive Area (ESA) fencing, and monitor the nesting sites throughout project activities, until the young have fledged.
3. The following housekeeping measures shall be implemented throughout the construction process: (a) raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to wildlife resources shall be removed from the site immediately; (b) all construction equipment shall be checked for leaks daily prior to initiating work. Leaking equipment shall be taken offsite to be maintained. If equipment is leaking while onsite, a construction diaper (i.e. tarp and wattles) shall be placed underneath the leak until the equipment can be maintained; and (c) construction crew shall limit disturbance to necessary work areas only so as to limit potential impacts to flora and fauna.
4. Weed control shall be practiced in all temporarily disturbed habitats. Prior to issuance of an occupancy permit, invasive plant species shall be removed from the screening berms. If an herbicide is used, it will be done by a licensed applicator, approved by the County and funded by the developer. Weed controls will be monitored by the County-approved biologist, and repeated annually until the native landscape plantings are established as described in Condition 5 below.
5. Landscaping on the new berms shall consist of plant materials that are native to the Mono Basin. The berms shall be hydroseeded with a locally-sourced native seed mix, covered with paper mulch to retain moisture, and irrigated 3-6 times a day for a period of no less than 6 months. The landscape plantings shall be monitored over a period of 5 years by a qualified County-approved biologist. The progress of revegetation will be evaluated by the biologist at the end of each growing season and reported with regard to attainment of success criteria: 1) after 5 years, at least six live native shrubs per 4 square meters or 10% total living shrub canopy cover will be present, and 2) weeds will together establish less than 10% canopy cover in sampled 4 square meter quadrats. If it appears at the time of annual monitoring that either of these success criteria may not be met after 5 years, recommendations for

specific remediations including re-planting or additional weed control will be provided in the annual monitoring report.

6. In the event of the discovery of archaeological resources during construction, ground disturbance shall be suspended within a 200-foot radius of the location of such discovery until the area can be evaluated by a qualified archaeologist approved by the County and funded by the developer. Work shall not resume in the defined area until the archaeologist conducts sufficient research and data collection to make a determination as to the significance of the resource. If the resource is determined to be significant and mitigation is required, the first priority shall be avoidance and preservation of the resource. All feasible recommendations of the archaeologist shall be implemented. Mitigation may include, but is not limited to, in-field documentation and recovery of specimens, laboratory analysis, preparation of a report detailing the methods and findings of the investigation, and curation at an appropriate collection facility.

In the event that human remains are encountered, State Health and Safety Code § 7050.5 requires that no further disturbance shall occur until the County Coroner has been notified and has made a determination of the origin and disposition of the remains. If the remains are determined to be of prehistoric or protohistoric Native American origin, the coroner will notify the Native American Heritage Commission (NAHC), pursuant to PRC §5097.98. The NAHC shall determine and notify a Most Likely Descendant (MLD) individual or group that will consult with the landowner or their authorized representative and recommend the manner of treatment for any human remains and associated burial materials. All associated costs shall be borne by the developer.

7. All project construction shall be conducted in compliance with permit conditions of approval and current building code requirements.
8. The project shall be required to obtain a permit from the State Water Resources Control Board, including a stormwater Pollution Prevention Plan for drainage and control of onsite spills. The project operator shall be required to comply with all applicable requirements and practices therein through the life of the project.
9. The development footprint and project construction shall substantially comply with the project description and site plan as described in the adopted Initial Study.
10. The project warehouse shall comply with the following standards:
 - a. Setbacks: The metal warehouse shall be set back from SR-167 no less than 80-feet.
 - b. Building Height: The building height shall not exceed 30-feet.
 - c. Lot Coverage: Lot coverage shall not exceed 15% of the parcel area.
 - d. Color Palette: The onsite warehouse structure shall be painted consistent with the approved color palette including Kelly Green (for the main building); Sage Green (for the trim, main doors, and vehicle doors); and Sandstone Beige (on the roof and along the edges of siding).
11. All truck travel on the gravel approach leading into and exiting the weigh scale shall be limited to the movement described in the noise analysis of the Negative Declaration, in order to reduce noise caused by reversing.
12. Operations on the property shall be limited to daylight hours year-round.

13. Noise levels at the property boundary during daytime hours (7 am to 10 pm) shall not at any time exceed 65 decibels, and during evening hours (10 pm to 7 am) shall not exceed 60 decibels. Noise levels at the boundary of the closest nearby residential property shall not at any time exceed 55 decibels during daytime hours (7 am to 10 pm), and shall not at any time exceed 50 decibels during evening hours (10 pm to 7 am).
14. The generator shall be placed inside and comply with the Mono County Noise Ordinance.
15. The project shall at all times be in full compliance with applicable dust and PM-10 mitigation requirements of the Great Basin Unified Air Pollution Control District, including requirements adopted specifically for the Mono Basin PM10 Statement Implementation Plan.
16. Wastes from any single delivery shall not be stored on the property for more than 48 hours, and all waste storage shall be confined to the metal warehouse.
17. The existing onsite solar system has a 1.8 kilowatt hour power capacity on a 30-ampere system to charge batteries daily. Prior to issuance of the Certificate of Occupancy, capacity of the existing 30-ampere solar panel system shall be doubled to a minimum of 60-amperes.
18. A formal fire risk assessment and a formal fire plan shall be provided to set forth proper protocols and procedures for the unanticipated receipt of burning wastes. A 10,000-gallon fire suppression tank, supplied by the on-site well, shall be made available onsite for fire suppression. As required by CalFire, all staff will be trained in fire safety protocols. The formal fire risk assessment and fire plan shall be maintained onsite and accessible to all staff at all times. Fire safety equipment shall be available on-site for all staff. No open burning will be allowed.
19. Water use on the project site shall be provided from the existing onsite well, and limited to one onsite bathroom and ~~dust mitigation during construction the misters used inside the warehouse for odor control.~~ Onsite use of process water shall at all times be prohibited. The project shall be in full compliance with all requirements of the Mono County Environmental Health Department.
20. Odor control systems shall be maintained, and if complaints are received, the systems shall be modified or enhanced.
21. All leachate water that has percolated through the solid MSW shall be hauled offsite with the solid waste and remediated. Additionally, leachate from the existing septic system holding tank shall be pumped and hauled offsite and remediated. The applicant shall work with Mono County's Environmental Health Department to ensure that the wastewater holding tank and septic system are in full compliance with Title 14 of the County Code, which regulates water and sewer issues.
22. The project shall comply with all applicable requirements of the California Integrated Waste Management Act of 1989, which requires that at least 50 percent of waste produced on the site be recycled, reduced, or composted.
23. The project shall be permitted to receive no more than 150 tons of municipal solid waste per day, and waste materials shall not be held on the site in excess of 48 hours.

24. The project shall be required to obtain an approved Full Solid Waste Facilities Permit from the Mono County Environmental Health Department prior to commencement of operations on the project site. The project shall comply with all applicable state and federal solid waste requirements.
25. Project lighting shall fully comply with lighting requirements of Mono County General Plan Land Use Element Chapter 23. Additionally, inasmuch as the southern project boundary adjoins SR-167, a County-designated Scenic Highway, project lighting shall fully comply with lighting requirements of the Mono County Scenic Combining Element, including provisions that prohibit glare, require proper maintenance, minimize allowed contrast in lighting levels, require full cut-off luminaires with the light source downcast and fully shielded and prohibit light trespass onto neighboring properties or the public right of way. Light intensity should aim for an intensity of ~~2700K~~ ~~2400K~~, and in no event shall exceed 3000K.
26. Reflective materials and windows shall not be permitted on the project site or structures.
27. Berms constructed around the west, south and east site perimeter shall comply with the following standards:
 - a. Dimensions: All onsite berms shall be within the range of 4' to 12' in height, and approximately 57' in width. Total berm length on the 3 perimeters shall not exceed 3,500-feet.
 - b. Native Landscaping: Berms shall be landscaped exclusively with sourced native plant materials grown from locally sourced seeds.
28. The project shall obtain and comply with the applicable permit requirements of all trustee and responsible agencies.
29. Approval of Use Permit 21-007 is contingent upon approval of the General Plan Amendment to change the land use designation to Industrial (I).
30. Within two years of issuance of the use permit, the County shall initiate a General Plan Amendment to change the land use designation of the parcel to Specific Plan and craft a Specific Plan limiting the uses to those proposed in the subject Use Permit for consideration of approval.
31. Termination: Per section 32.060 of the Land Use Element, a use permit shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - o There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof or as specified in the conditions. If applicable, time shall be tolled during litigation. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the use permit;
 - o There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted; and
 - o No extension is granted as provided in Section 32.070.
32. Extension: If there is a failure to exercise the rights of the use permit within two years (or as specified in the conditions) of the date of approval, the applicant may apply for an extension for an additional one year. Only one extension may be granted. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary

and schedule it for public hearing. Conditions of approval for the use permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension.

33. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

MONO COUNTY

Planning Division

DRAFT NOTICE OF DECISION & USE PERMIT

USE PERMIT: 21-007 **APPLICANT:** D&S Waste

APN: 013-210-028

PROJECT TITLE: D&S Waste Transfer Facility

PROJECT LOCATION: 7937 Hwy 167, Mono Basin

CONDITIONS OF APPROVAL

See attached Conditions of Approval

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN TEN (10) DAYS OF THE EFFECTIVE DATE OF THE DECISION, SUBMIT AN APPEAL IN WRITING TO THE MONO COUNTY BOARD OF SUPERVISORS.

THE APPEAL SHALL INCLUDE THE APPELLANT'S INTEREST IN THE SUBJECT PROPERTY, THE DECISION OR ACTION APPEALED, SPECIFIC REASONS WHY THE APPELLANT BELIEVES THE DECISION APPEALED SHOULD NOT BE UPHeld AND SHALL BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

DATE OF DECISION/USE PERMIT APPROVAL: Nov. 17, 2022

EFFECTIVE DATE USE PERMIT: Nov. 27, 2022

This Use Permit shall become null and void in the event of failure to exercise the rights of the permit within one (1) year from the date of approval unless an extension is applied for at least 60 days prior to the expiration date.

Ongoing compliance with the above conditions is mandatory. Failure to comply constitutes grounds for revocation and the institution of proceedings to enjoin the subject use.

Notice is hereby given pursuant to Code of Civil Procedure Section 1094.6 that the time within which to bring an action challenging the County's decision is 90 days from the date the decision becomes final. If no appeal is made to the Board of Supervisors, the Planning Commission decision shall become final on the expiration of the time to bring an appeal. Notice is also hereby given that failure to exhaust administrative remedies by filing an appeal to the Board of Supervisors may bar any action challenging the Planning Commission's decision.

MONO COUNTY PLANNING COMMISSION

DATED: November 17, 2022

cc:

X Applicant
X Public Works
X Building
X Compliance

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RESOLUTION NO. 22-12

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
RECOMMENDING THE MONO COUNTY BOARD OF SUPERVISORS
ADOPT GENERAL PLAN AMENDMENT 22-02 TO CHANGE THE LAND USE
DESIGNATION FOR APN 013-210-028 FROM RESOURCE MANAGEMENT (RM) TO
INDUSTRIAL (I)**

WHEREAS, Community Development received a complete application for a General Plan Amendment (GPA) to change the land use designation at 7937 Hwy 167 (APN 013-210-028) from Resource Management (RM) to Industrial (I); and

WHEREAS, the GPA proposal was noticed to surrounding property owners on November 3, 2022, and relevant to tribes consistent with the provisions of SB-18 and AB-52 on February 25, 2022, and published in The Sheet on November 5, 2022; and

WHEREAS, the Mono County Planning Commission held a duly noticed and advertised public hearing on November 17, 2022 to hear all testimony relevant to the proposed GPA; and

WHEREAS, the Mono County Planning Commission found that the proposed uses under Use Permit 21-007 are suitable for the I land use designation; and

WHEREAS, following the public hearing the Mono County Planning Commission considered this Resolution 22-12, recommending the Board of Supervisors approve GPA 22-02 redesignating APN 013-210-028 from RM to I and certification of the Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Mono County Planning Commission hereby finds, resolves, and recommends as follows:

SECTION ONE: The Planning Commission initiates General Plan Amendment 22-02.

SECTION TWO: Having reviewed and considered the analysis in the staff report, comments received during the public review process and testimony provided in the public hearing, the Planning Commission certifies the Negative Declaration, finding that on the basis of the whole record, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that the Addendum reflects the lead agency's independent judgement and analysis.

From: [Jake Suppa](#)
To: [CDD Comments](#)
Subject: D&S Waste NegDec proposal IS
Date: Monday, October 3, 2022 8:28:48 AM

You don't often get email from shantico13@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL]

I support a negative declaration for the LUD change from RM to Industrial, and the CEQA analysis is comprehensive to the needed findings from the impact study for processing the general plan amendment.

All aspects of the initial study checklist provided satisfactory responses, both from consultant's and applicants expertise and practical understandings of operations.

All accessible modules for analysis via CalEE Mod, CDFW's CNDDDB, and ITE trip generator provides a transparent data set that provides a reliable statistic that there is no significant impact.

Consultants' data sets from archeological, biological, and geological give accurate ground truth of the project site and surrounding ecosystem and cultural resources that there would be no impact from the project.

There are community benefits for a reliable transfer station in Mono County for waste and recycling services, reducing the burden for residents.

The project is in a remote area that is off grid energy independent with conservation as an economic incentive. Increased battery and P/V will offset diesel generator emissions. Noise reduction from building insulation and proposed berm.

Berms will enhance bioregional connectivity with habitat enhancement of native species planting, and will also reduce visual and noise concerns.

A 10,000 gallon water tank and landscaping will insulate WUI, and availability provides further access to water for CAL Fire or BLM in events of fire. .

VMT reduction is implicit by the nature of the project, providing a transfer station that gives the ability to be more efficient and reduce needed travel to Nevada for transfer of waste. Data supports limited VMT to base operations.

Based on analysis, and personal understanding of the project area as a neighbor, within visual proximity of the project site, there are no significant impacts that should deny the negative declaration

Best,

Jake Suppa

October 2, 2022

Mono County Community Development Department
Bentley Regehr, CDD Planning Analyst
bregehr@mono.ca.gov
cddcomments@mono.ca.gov

**RE: Comment on CEQA INITIAL STUDY NEGATIVE DECLARATION D&S WASTE REMOVAL
MONO WASTE TRANSFER STATION Public Review Draft**

Dear Bentley, Mono CDD, and D&S Waste, and anyone It May Concern:

I have owned a residential property at 508 Cottonwood Canyon Road, 1.03 miles from the proposed transfer station, since 2004.

Thank you for the opportunity to comment on this relatively early document prepared by D&S's consultants and submitted to the County; no doubt this evaluation and approval process will be a long and intricate one. It's clear that large, County-wide forces and infrastructural needs are at play here, what with the approaching scheduled closing of the Benton Crossing landfill, and that these issues go well beyond those that would attend to a private property owner applying to develop their property for personal economic gain. While D&S is a private entity, its contract with the County makes it -- and the situation of the expanded waste facility in the North Mono Basin, more like a public utility.

Reading these long and detailed documents, it's clear that I as a private citizen do not have the professional or legal expertise to definitively say whether this project should have a CEQA NEGATIVE DECLARATION, A MITIGATED NEGATIVE DECLARATION, or require a full ENVIRONMENTAL IMPACT REPORT (EIR), but I can say that the present documents arguing for a Negative Declaration, not surprisingly all work in an expectedly biased way towards describing the expansion of the property's current use, for example on **Page 123**, as something that ***“does not have the potential to significantly impact the environment or human beings, either directly or indirectly”*** – an assertion which is clearly false. This project has many real impacts to the environment, and to the many humans which make their homes in the immediate vicinity.

It's true that the property is currently being used, and has been used for some time, in a way that establishes a baseline of daily trash trucking activity on Highway 167 and that points to incremental industrial expansion of an existing use – not one wrested from absolutely pristine landscape.

It's also true that D&S has thoughtfully responded to concerns of preserving the scenic view by proposing natively-landscaped berms on the West, South and East of the property. This is a much-appreciated and the best possible solution towards preserving the untrammled and unparalleled wide-open visual feel of the North Mono Basin. Highway 167 is one of the most

iconic drives in modern California, and key to its uniqueness is absence of perceived habitation and alteration.

Psychologically and visually, the North Basin offers what might be called “The Big Empty,” or a sense of “Deep Space,” but in actuality -- and contrary to the assertions of D&S’s documents at hand – it’s anything **but** empty. There **IS** a community that lives here, comprised of people that have deliberately chosen, at some cost and difficulty, to make a stand out in a sublime and vast spot, where cows (now back in the Basin with Hunewill’s acquisition of Flying M Ranch) outnumber people. But there **are** people! No, it’s not Mono City or Lee Vining, but we do exist. We are here in the North Basin, and we treasure the peace of the natural surroundings, and work to live lightly amidst them. We do not wish to be effectively erased, as Mono County considers how to best solve its solid waste problems and moves towards a fairly significant increase in the industrialization of the North Mono Basin.

Page 29 of the initial document asserts that “Only one residential/commercial property [Rea] is affected” by the expansion of use. **Page 40** states that “The closest residential community is Mono City, approximately 8 miles to the West.” Both these statements are patently false. The Rea property is only the nearest one to the project, but the larger residential community in the area begins only a half mile more to the West, and just less than a mile to the East. It’s comprised of no less than twenty residences, eighteen of which are within 2.5 miles of the site, see list below.

Here below are the residential household distances to D&S Waste proposed industrial municipal solid waste transfer facility:

John Rea, 7967 Highway 167:	0.41 miles RM
George Swiggum, 228 Cottonwood Canyon Road:	1.02 miles RR20
Suppa Family, 100 North Bodie Hills Drive:	1.02 miles AG20
Michael Light, 508 Cottonwood Canyon Road:	1.03 miles RR20
Wright/McCoy, 220 North Bodie Hills Drive:	1.04 miles RR20
Dave Williamson, 351 Cottonwood Canyon Road:	1.23 miles AG20
Jim and Kathi Richards, 1046 Cottonwood Canyon Road:	1.25 miles AG20
Jack Cochrane, 192 South Bodie Hills Drive:	1.31 miles RR20
Cole and Priscilla Hawkins, 9500 Highway 167:	1.35 miles RM
Grace Anderson, 376 South Bodie Hills Drive:	1.37 miles RR20
Steve and Sharyn Connett, 593 Cottonwood Canyon Road:	1.38 miles RR20
John and Maryanne Denney, 9515 Highway 167:	1.41 miles RM
David Buuck and Yedda Morrison, 9510 Highway 167:	1.60 miles RM
Tom Crowe, 9772 Highway 167:	1.70 miles RM
Stockwell Family, 6344 Highway 167:	1.78 miles RR20
Glenda Bayless, 1882 Dobie Meadows Road:	2.01 miles RM
Garland Family, 2935 Cottonwood Canyon Road:	2.05 miles ER40
Hansen Estate, 3011 Cottonwood Canyon Road:	2.57 miles ER40
Moore Family, 3645 Dobie Meadows Road:	3.86 miles RM

Owenna Dunstone, 70752 Highway 167:

5.03 miles RM

Aside from pointing out the substantial number of people who have made homes in the area, I want to emphasize that my primary concern about this report is its undue minimization of an issue that will affect every single one of those homeowners: NOISE. Noise travels exceedingly far in this open and exceptionally quiet area of the Mono Basin. We are far from the din of Highway 395, and enjoy the peace. Some of the noise related to the transfer station is unavoidable, like trucks coming and going on Highway 167, and some of that noise is already in place. However, in an area wholly without utility electric power, all power is either lightly generated by solar panels with marginal battery backups, or more serious usage much be generated by diesel or propane generators.

Setting aside the carbon emissions of such power generation, the noise of generators running carries literally for miles in the area and is noticed by all. We are all on primary solar in the area, with auxiliary backup generators. We all know when one or another of the community is running their generator for residential use. There is no hiding, and it's a residential necessity.

I fear profoundly however that the Transfer Station will have commercial/industrial levels of power usage, far beyond residential that can mostly be covered by solar, and thus that it will need to run its generator(s) a great deal, creating substantial and real noise to the larger community. I believe the present document both understates the real noise that would be generated, as well as the need for it to be generated. The situation is radically different than if there were utility power at the site. I urge the County as well as D&S Waste at this early juncture to dive deeply and honestly into this matter of power usage as well as how it is to be created – and come up with a series of noise mitigation measures that, should a diesel generator have to run, would truly muffle sound and disturbance in this open vast Basin – not just boilerplate lip service to County noise minimums and so forth. It's a real issue, and the area is not unpopulated. The best thing would be for the County to run a power line from the Bodie line down to D&S, but barring that, there are real noise mitigation strategies that can and must be employed.

Last but not least is the terrible BEEPING that we all know too well as people living in modern times when any big truck has to go in reverse. If D&S Trucks are going to regularly go in reverse on the property, outside, with beepers on, it will be a true nightmare for the neighborhood and shatter the special nature of the space that brought us here to settle. Hopefully all truck and loader beeping can either be wholly avoided, or only happen in the covered space where the sound will be contained?

Thanks Much for this Early Opportunity to Comment,

Mike Light

508 Cottonwood Canyon Road, Lee Vining, CA 93541



RE: D&S Waste Mono MSW Transfer Station Initial Study Public Comments from Michael Light

Format: The response to the comment letter will proceed by stating the numbered *substantive comment*, followed by a response that explains the rationale for arriving at a conclusion of No impacts.

1. Comment Letter, Paragraph 3:

"...not surprisingly all work in an expectedly biased way towards describing the expansion of the property's current use, for example on Page 123, as something that "does not have the potential to significantly impact the environment or human beings, either directly or indirectly" – an assertion which is clearly false. This project has many real impacts to the environment, and to the many humans which make their homes in the immediate vicinity..."

Response to comment:

The proposed additions to the project site were designed to occur primarily in pre-disturbed and graded areas in the northeast of the property, to minimize environmental impacts. The proposed easterly gravel access road is on both disturbed and undisturbed areas. The purpose of this CEQA Initial Study is to analyze the impacts resulting from the proposed project that go *beyond the current baseline level*. Per CEQA, the proposed changes from baseline-use and operations, are the following:

- A metal waste storage & management warehouse (80' x 100' x 30') to temporarily house MSW, equipment and vehicles (empty dump trucks & septic trucks); located in a pre-disturbed area.
- A 12'x70' subterranean truck scale; located in a pre-disturbed area.
- A new gravel approach to the new building with a bridge to the former gravel road; located on both disturbed and undisturbed areas.
- Berms ranging from 4' to 12' tall and 57' wide, screening the western, southern and eastern parcel boundaries, landscaped with native botanicals for continuity with the natural landscape.
- Reduced vehicle miles traveled (VMT) for dump trucks to deposit MSW.

As determined in the Initial Study, the project does not meet the CEQA, Section XXI requirements for Mandatory Findings of Significance:

The project [does not] have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. [Nor does] the project have impacts that are individually limited, but cumulatively considerable; meaning that the incremental effects of the project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The project has been designed to reduce all impacts below a level of significance. [Nor does] the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

2. [Comment Letter, Paragraph 7](#)

“Page 29 of the [Initial Study] document asserts that “Only one residential/commercial property [Rea] is affected” by the expansion of use. Page 40 states that “The closest residential community is Mono City, approximately 8 miles to the West.” Both these statements are patently false.”

Response to comment:

Page 29 discusses that visual effects are primarily assessed against the nearest residential property (Rea Ranch), as this is the viewer group and sensitive receptor most likely to experience significant effects, if any. The analysis focused on the nearest residential property, as a first screening analysis, to determine if any significant effects would occur as a result of the project. Based upon the noise attenuation analysis completed for effects on Rea Ranch, the Initial Study concluded that impacts to residences further from the source would experience less noise from the project. To further clarify this point, Figure 1, on page 5, has been added to the Initial Study. Page 40, was referring to the nearest higher-density residential development, with consideration that Mono City is a census-designated place and a named community in proximity to the project.

Under CEQA, a noise assessment entails analyzing the baseline noise and how perceptible any noise increase would be in a given area. Key considerations include: the setting, noise receptors, magnitude of increase, affected residences, and the absolute noise level. The Mono County General Plan Noise Element, as seen in Table 1 here, allows for Industrial Land Uses to have a maximum allowable 65 Community Noise Equivalent Level (CNEL). CNEL is an average sound level during a 24-hour day and a noise measurement scale, which accounts for source, distance, frequency, and time of day. From 10pm to 7am, humans perceive sound to be 10 dBA higher due to the lower background level. Therefore the CNEL is obtained by adding an additional five decibels to sound levels in the evening from 7pm to 10pm, and 10 dBA to sound levels in the night before 7am and after 10pm. Because CNEL accounts for human sensitivity to sound, the CNEL 24-hour figure is always a higher number than the actual 24-hour average.

TABLE 1: MAXIMUM ALLOWABLE NOISE EXPOSURE BY LAND USE EXTERIOR NOISE LEVELS

Land Use	Noise Level (CNEL)						
	45-50	51-55	56-60	61-65	66-70	71-75	76+
Residential — Low-Density Single Family, Duplex							
Residential — Multiple Family, Mixed Use							
Transient Lodging							
Public Uses — Schools, Libraries, Hospitals, Community Centers, Senior Centers							
Passive Recreational Areas, Cultural Resource Areas, Natural Habitat Areas							
Community Parks and Athletic Fields							
Commercial Uses, Offices, Retail							
Light Industrial Uses							
Industrial Uses, Utilities, Mining, Ranching, Agriculture							

	ACCEPTABLE — Specified land use is satisfactory, based on the assumption that any structures involved are of normal, conventional construction, without special noise-insulation requirements.
	CONDITIONALLY ACCEPTABLE — New construction or development should be undertaken only after a detailed noise analysis is conducted to determine if noise reduction measures are necessary and, if so, those measures have been included in the project design.
	UNACCEPTABLE — New construction or development should not be undertaken.

The existing noise environment of the project area and its vicinity is characterized by vehicular traffic, animals (birds), and weather (wind). Vehicular traffic is the primary source of noise in the project vicinity and is the largest consistent noise source in the project vicinity. Rea Ranch, to the west of the proposed project area, a wood mill and ATV rental, also contributes to ambient noise emissions. Using the distances noted in Mr. Light’s comment letter, there is one residence located within a one-mile radius of the project, Rea Ranch which is located 0.41 miles to the west (see Figure 1). An additional four residences are located approximately one-mile west of the point-source of noise generation (Figure 2).

Noise attenuation—or the gradual reduction and loss of strength of sound waves—was calculated and documented in the following Figures 1 & 2.

Calculations were performed conservatively to ensure maximum disclosure of potential impacts. Noise calculations assume an EPA Tier 4 diesel generator, operating at 60 Hz, with a noise level of 70 dBA at a distance of 10 feet. The model also assumes that the generator will be in the open, when in fact the generator will be housed inside the metal warehouse of the transfer station to dampen and avoid noise impacts, as noted on page 89 of the Initial Study. Clarification will be made in the Initial Study. Figures 1, 2, and 3 note the following:

- For Rea Ranch, the attenuated noise level, at a distance of 0.41 miles from the point-source generation to the neighboring residence, is approximately 8 dBA.
- For Mr. Light's property (508 Cottonwood Canyon Road), the attenuated noise level, at a distance of 1.03 miles from the point-source generation, is approximately 1 dBA.
- The attenuated noise level, from the point-source generation on the project-property to the property's western boundary is between 10-11 dBA.
- The four residences within the approximate one-mile radius (1.02-1.04 miles from point-source generation), can expect noise levels that are comparable to Mr. Light's property or below (0-3 dBA), as shown in Figures 1 & 2 on the following pages.
- The green noise contour lines are in 10 dBA increments. Color contours are no longer visible beyond the area of the warehouse/generator, as they are below 30 dBA, the extent of the color contours noted in the key in each figure.

FIGURE 1- CLOSEST SENSITIVE RECEPTOR TO NOISE SOURCE

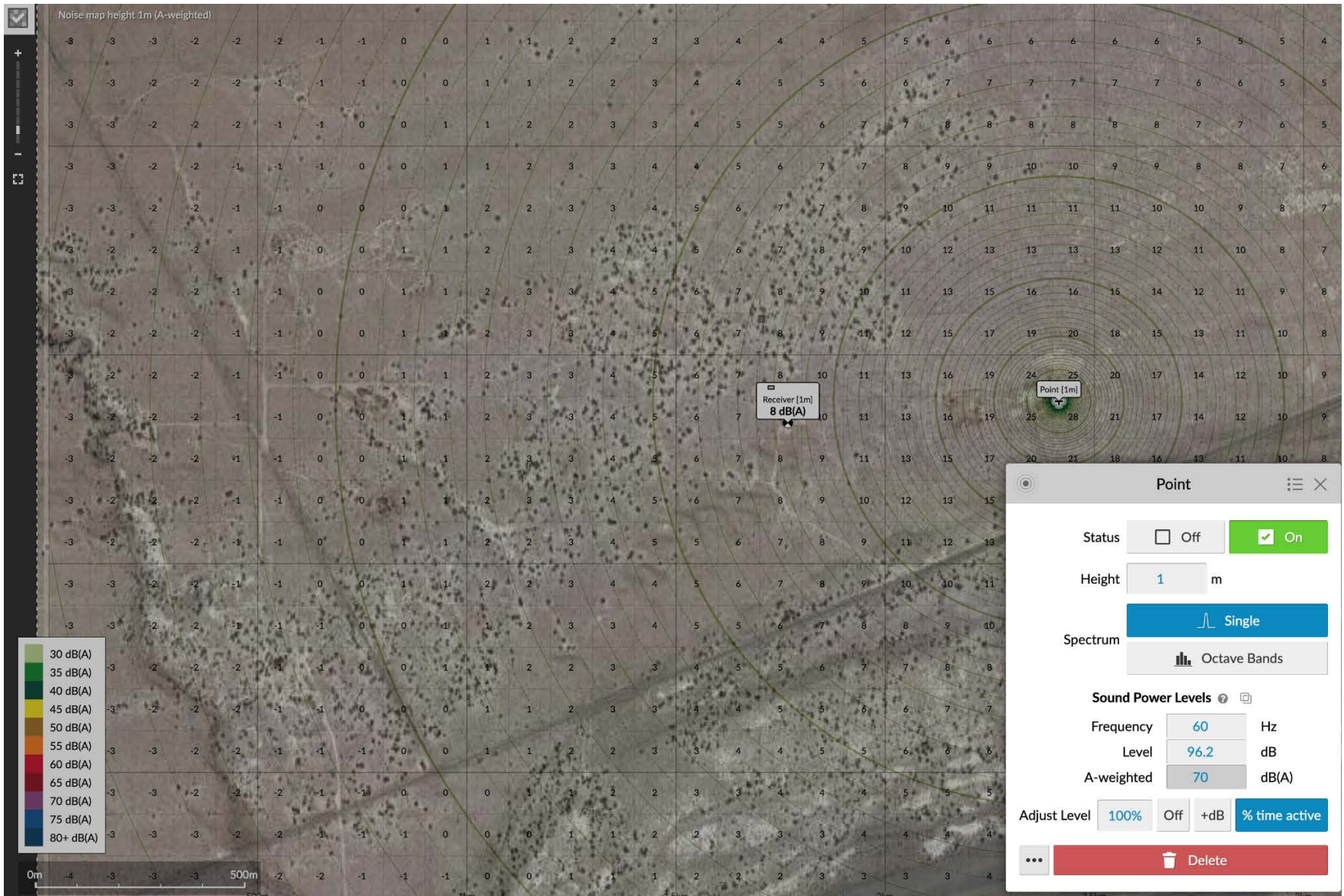


FIGURE 2- MICHAEL LIGHT'S RESIDENCE (SENSITIVE RECEPTOR) TO NOISE SOURCE

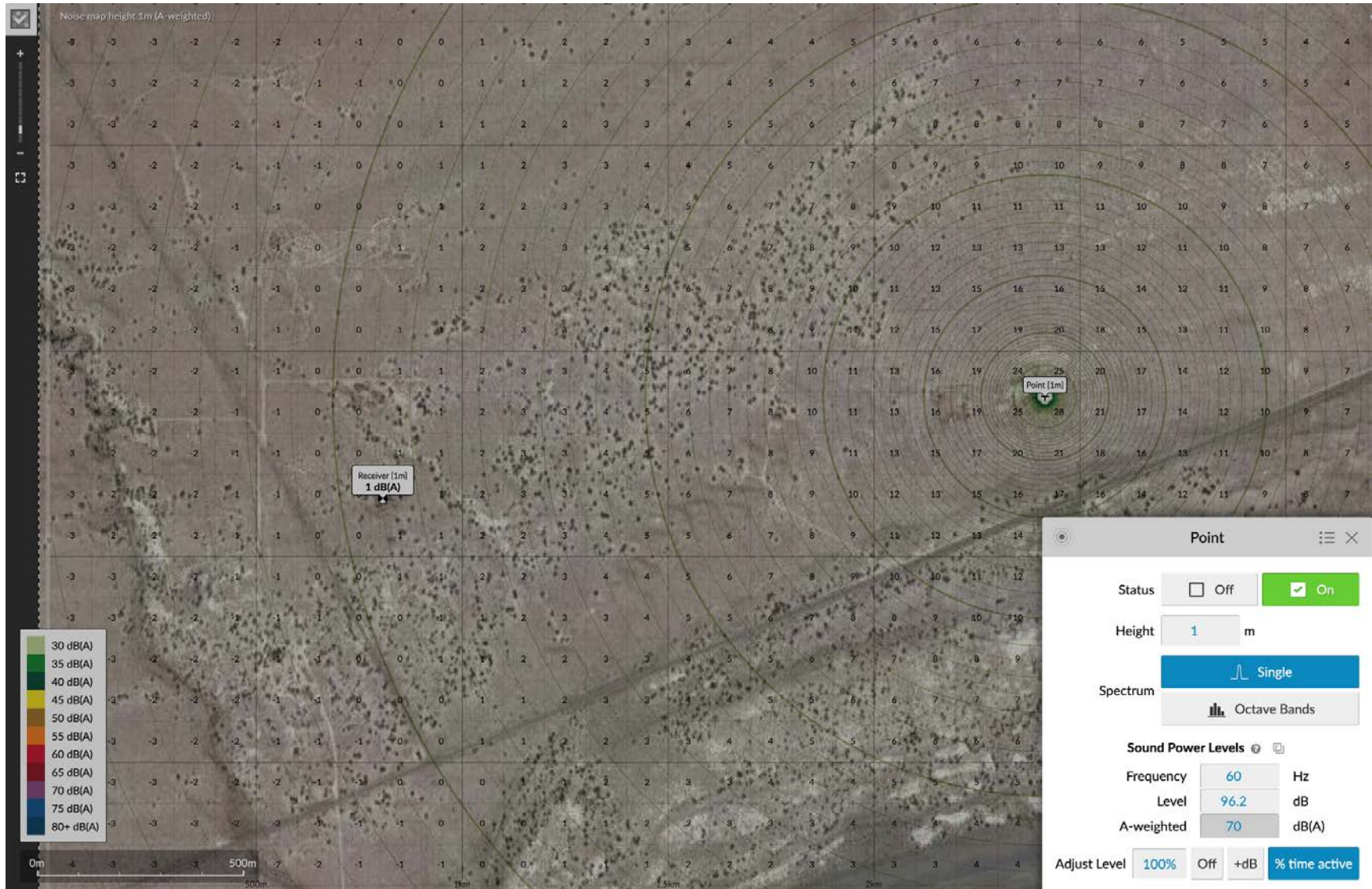


FIGURE 3- NOISE CONTOUR DEPICTING dBA LEVEL AT THE PROJECT'S WESTERN PARCEL BOUNDARY (SIDE WITH THE CLOSEST SENSITIVE RECEPTOR)



3. [Comment Letter, paragraph 11 \(Electrical Use & Noise\)](#)

"I fear profoundly however that the Transfer Station will have commercial/industrial levels of power usage, far beyond residential that can mostly be covered by solar, and thus that it will need to run its generator(s) a great deal, creating substantial and real noise to the larger community. I believe the present document both understates the real noise that would be generated, as well as the need for it to be generated."

Response to comment:

Facility's power usage: The proposed project has minimal electrical need that is sufficiently met by ground-mounted solar paneling (page 110 of the Initial Study, Section 19-Utilities & Service Systems). The proposed project will generate 8,000 to 10,000 watts of power, which exceeds daily power usage. Moreover, surplus energy will be stored in batteries with a state-of-the-art inverter. The generator will only be used for backup purposes and housed inside the metal warehouse, as noted on page 89 of the Initial Study. There will not be an increase in the facility's electrical load that exceeds the capacity of either the photovoltaic solar panels or the diesel generator.

Facility's noise generation: As mentioned in the Initial Study page 52, the generator will be used sparingly in winter months when solar output is reduced. The 15-kW (20 hp) generator will be located inside the metal building, and noise levels will not exceed the allowable noise thresholds set by Mono County. All noise attenuation models depict noise levels below the allowable thresholds established in Mono County's General Plan Noise Ordinance for Industrial land uses. Noise will further be attenuated by the berms that flank the project on the west, south, and east sides of the parcel. For further noise analysis, see comment 2. Notations will be made in the Initial Study to clarify this point.

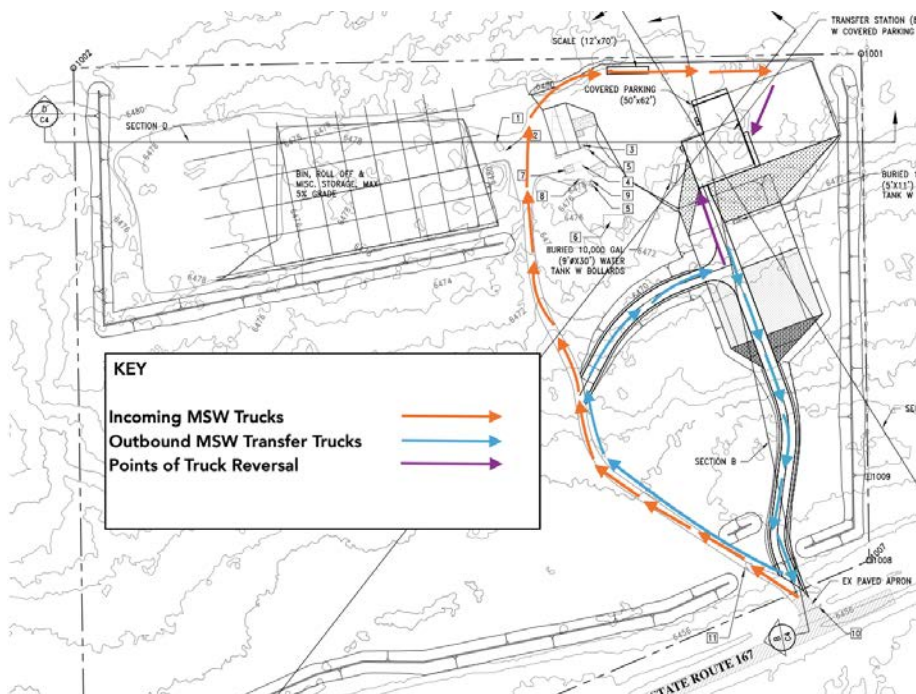
4. [Comment Letter, paragraph 12 \(Noise\)](#)

“If D&S Trucks are going to regularly go in reverse on the property, outside, with beepers on, it will be a true nightmare for the neighborhood and shatter the special nature of the space that brought us here to settle. Hopefully all truck and loader beeping can either be wholly avoided, or only happen in the covered space where the sound will be contained?”

Response to comment:

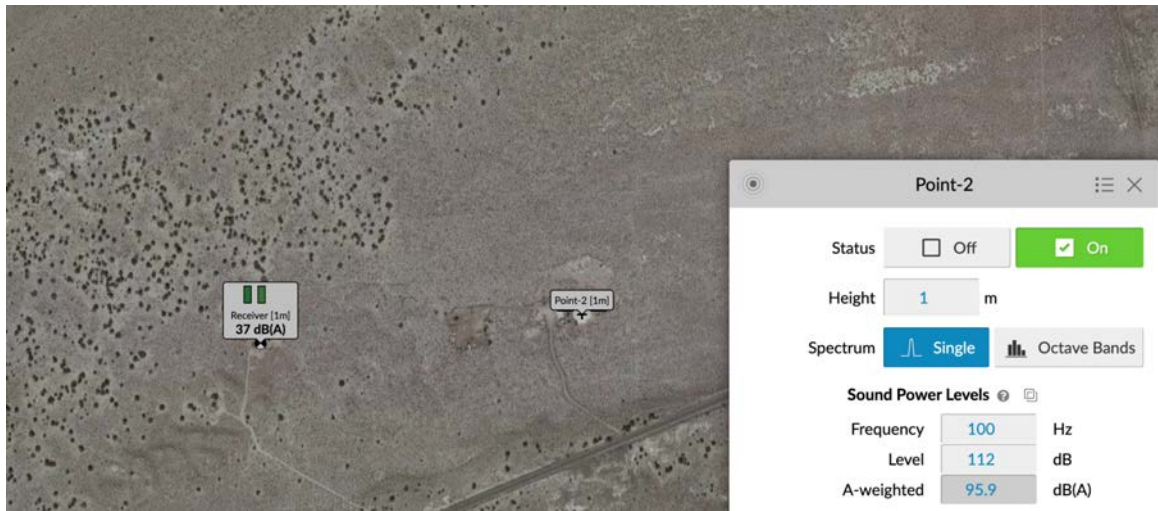
There is a current circulation concept on page 20 of the Initial Study. The graphic will be updated to note the area of truck reversal. Beeping from truck reversals will not be a regular source of noise. The dump trucks operate in a forward direction and reverse only during refueling and parking. Transfer trucks operate once a day in the summer and once every two days in the winter. The transfer trucks will reverse for approximately 100' feet with a maximum 5 minute duration per truck visit, in compliance with the federal Occupational Health & Safety Administration (OSHA)-required back-up beeper. The back-up beeper, also known as back-up alarm or vehicle motion alarm, is required by OSHA regulation 29 CFR Part 1926.601(b)(4). This regulation states that "a reverse signal alarm audible above surrounding noise level" is required when the motor vehicle has "an obstructed view to the rear." For further noise analysis, see comment 2. Transfer truck operation (i.e., the source of the beeping noise) will be confined to daytime business hours. Please see Figure 3 below, depicting the area of beeping in purple.

FIGURE 3- CIRCULATION CONCEPT *UPDATED* WITH AREA OF REVERSAL



No impacts from noise are anticipated given the distance of 0.41 miles to the nearest residential “sensitive noise receptor,” and the attenuation resulting from the elevated berms. A truck back-up alarm is typically 90-112 dBA, at the 97 dbA range. Noise attenuation models have shown that noise levels will be below the allowable thresholds established in Mono County’s Noise Ordinance. Assuming maximum dBA in our noise attenuation model, at the nearest sensitive receptor, 0.41 miles to the west, the dBA is 37. Please see Figure 4 below.

FIGURE 4- 37 DBA OF BEEPING TRUCKS TO NEAREST NOISE RECEPTOR



The Mono County General Plan Noise Element for Industrial land uses, as referenced in the Initial Study, provides the threshold of significance for noise impacts on this project (see Table 1, in response to Comment 2, for allowable noise exposure thresholds). A dBA of 37 at the closest receptor is well below the allowable noise level of 65 dBA.

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

November 28, 2022

To: The Mammoth Times

From: Heidi Willson

Re: Legal Notice for **December 1** edition

Invoice: Heidi Willson, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Board of Supervisors will conduct a public hearing on **December 13, 2022**. The meeting will be accessible in person at the Board Chambers, 2nd floor of the County Courthouse, 278 Main Street, Bridgeport, CA 93517 with a teleconference location at the Mono County Civic Center, Mono Lake Room, 1290 Tavern Road, Mammoth Lakes, or remotely by livecast at: <https://monocounty.zoom.us/j/83350211876> and by telephone at: 669-900-6833 (Meeting ID# is 833 5021 1876) where members of the public shall have the right to observe and offer public comment, to consider the following: **10:00 a.m. General Plan Amendment 22-01/D&S Waste**. The project proposes a General Plan Amendment (GPA) to redesignate the parcel from Resource Management (RM) to Industrial (I) in support of a use permit authorizing a waste transfer station at 7937 Hwy 167 in the Mono Basin (APN 013-210-028). The waste transfer station includes a new metal waste storage and management warehouse to temporarily house municipal solid waste before it is transported to a landfill, a truck scale, new interior vehicle circulation, and berms to screen the project features. The Planning Commission recommended the Board approve the GPA and certify the Negative Declaration pursuant to the California Environmental Quality Act (CEQA), and approved the use permit which becomes effective only after the GPA is adopted. Project materials are available for public review online at <https://monocounty.ca.gov/bos/page/board-supervisors-170> and hard copies are available for the cost of reproduction by calling 760-924-1800. INTERESTED PERSONS are strongly encouraged to attend in person or in the livecast meeting by phone or online, and to submit comments to the Mono County Community Development, PO Box 347, Mammoth Lakes, CA, 93546, by **8 am on Monday, December 13**, to ensure timely receipt, by email at cddcomments@mono.ca.gov, or via the livecast meeting (technology permitting). If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

###



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

TIME REQUIRED

SUBJECT Closed Session - Labor Negotiations

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, Patty Francisco, and Oliver Yee. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p>No Attachments Available</p>
--

History

Time	Who	Approval
12/7/2022 9:29 AM	County Counsel	Yes
12/7/2022 7:31 AM	Finance	Yes
12/9/2022 11:43 AM	County Administrative Office	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

TIME REQUIRED

SUBJECT Closed Session - Real Property
 Negotiations

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: County lands and rights-of-way containing Digital 395 node sites, community service cabinet sites, anchor sites, and underground fiber optic transmission lines as described on the attachment to this agenda item. Agency Negotiators: Robert C. Lawton and Stacey Simon. Negotiating parties: Mono County and California Broadband Cooperative, Inc. Under negotiation: Price and terms of payment.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Description of property</p>
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History

Time	Who	Approval
12/7/2022 3:06 PM	County Counsel	Yes
12/7/2022 7:31 AM	Finance	Yes
12/9/2022 11:43 AM	County Administrative Office	Yes

Exhibit "A"

General Description of Node Sites

Node Summary

Block ID and Site Type	Project Name / Description	Landowner	Project Address	Lat / Long	
M-105	N001	Bridgeport Node	Mono County	221 Twin Lakes Road	38-15-10.89
Node	Shelter	Mono County Hospital	Bridgeport CA 93517	119-13-52.39	

Exhibit "A-1"

General Description of CSC Sites

CSC Summary

Block ID and Site Type	Project Name / Description	Landowner	Project Address	Lat / Long
M-113 Node	N001 June Lake Node June Lake Community Building and Library	Mono County	90 W. Granite Ave June Lake CA 93529	37-46-42.47 119-4-49
M-119 Node	N001 Crowley Lake Node Crowley Lake Community Center	Mono County	58 Pearson Road Crowley Lake CA 93546	37-33-59.37 118-44-28.30
M-130 Node	N001 Benton Node Benton Community Center	Mono County	58869 Highway 120 Benton CA 93514	37.818578 118.478747

Exhibit "B -1"

Site Maps Showing CSC Sites

CSC: M-113-N001

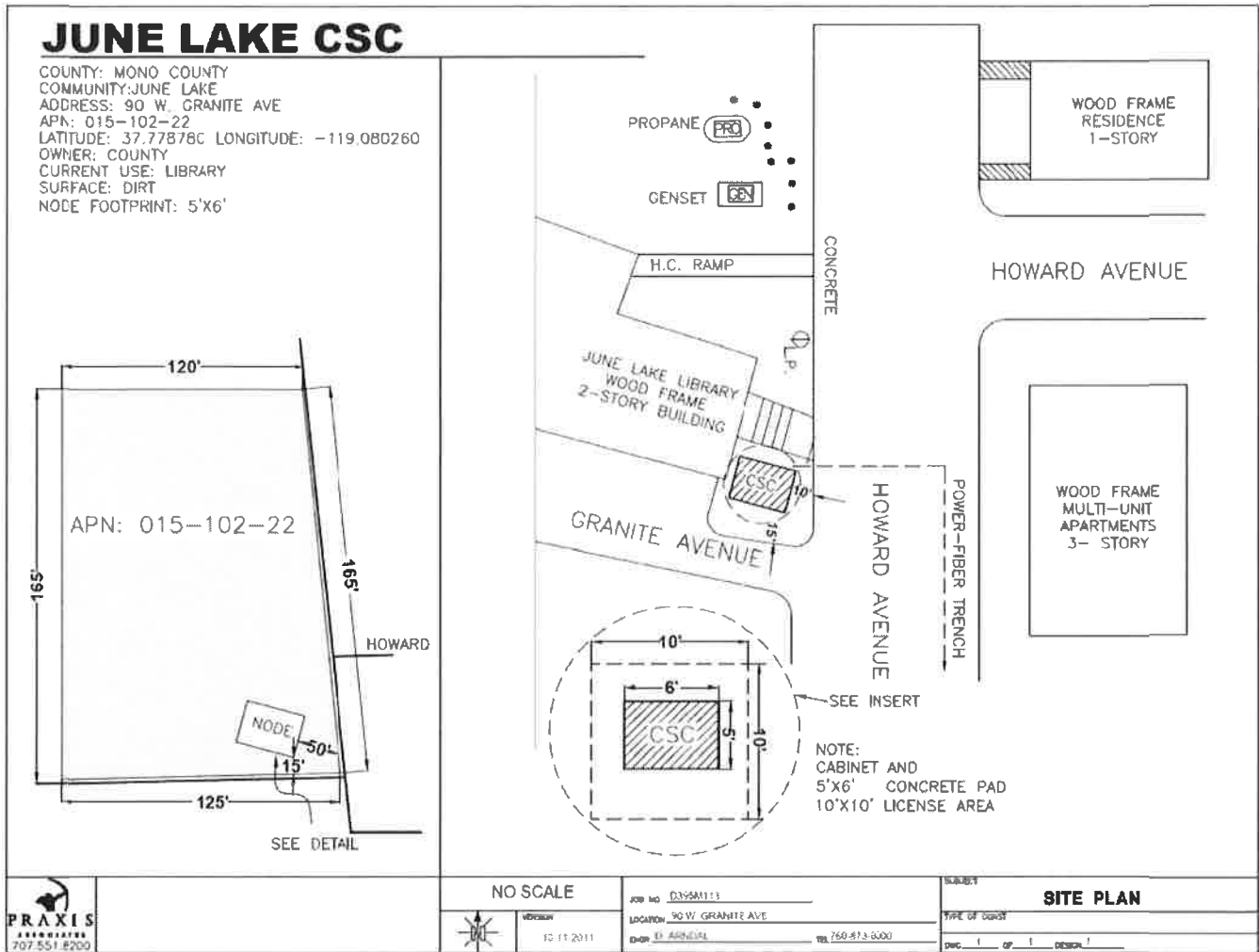


Exhibit "B-2"

Site Maps Showing CSC Sites

CSC: M-119-N001

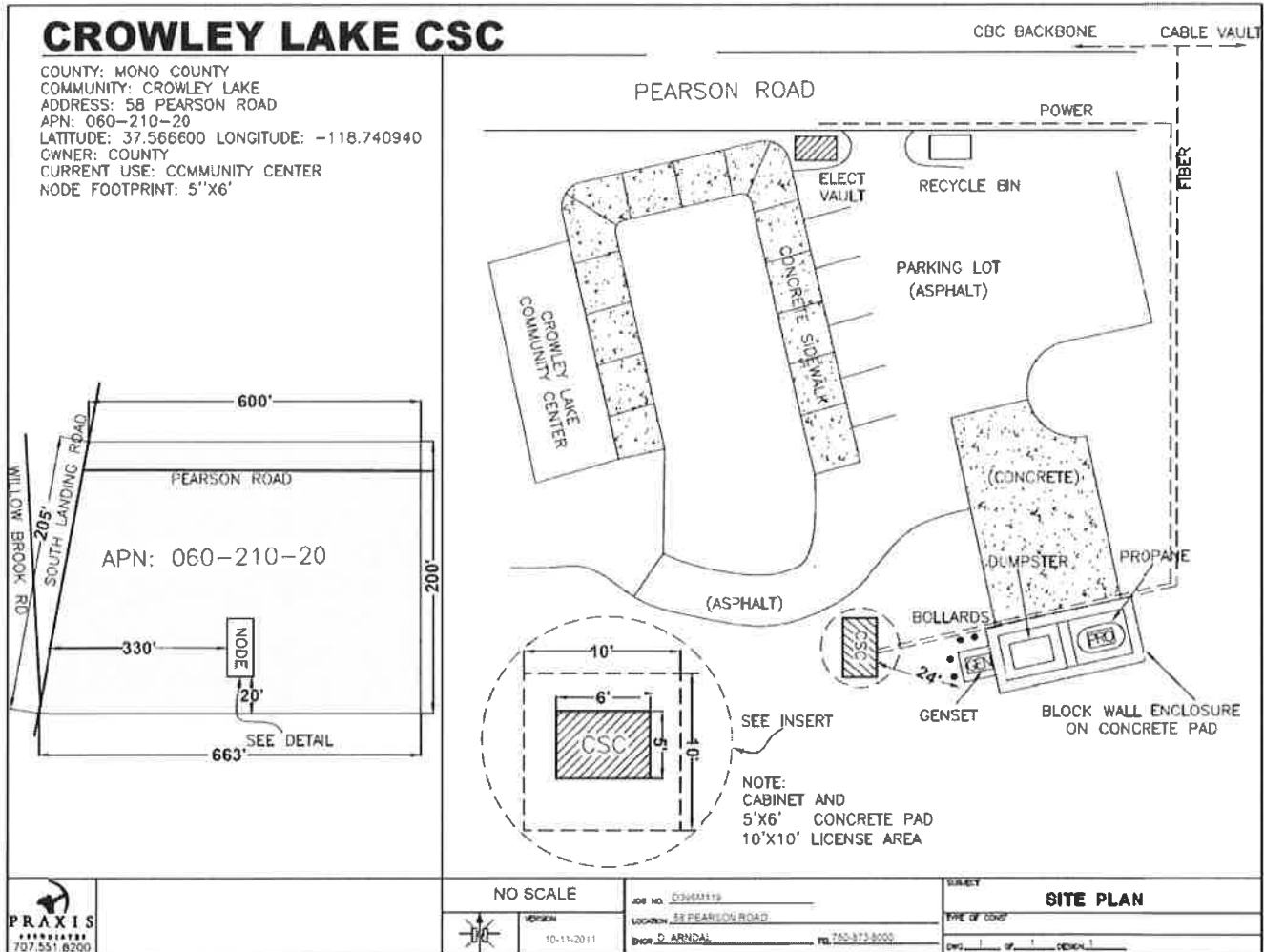


Exhibit "B-3"

Site Maps Showing CSC Sites

CSC: M-130-N001

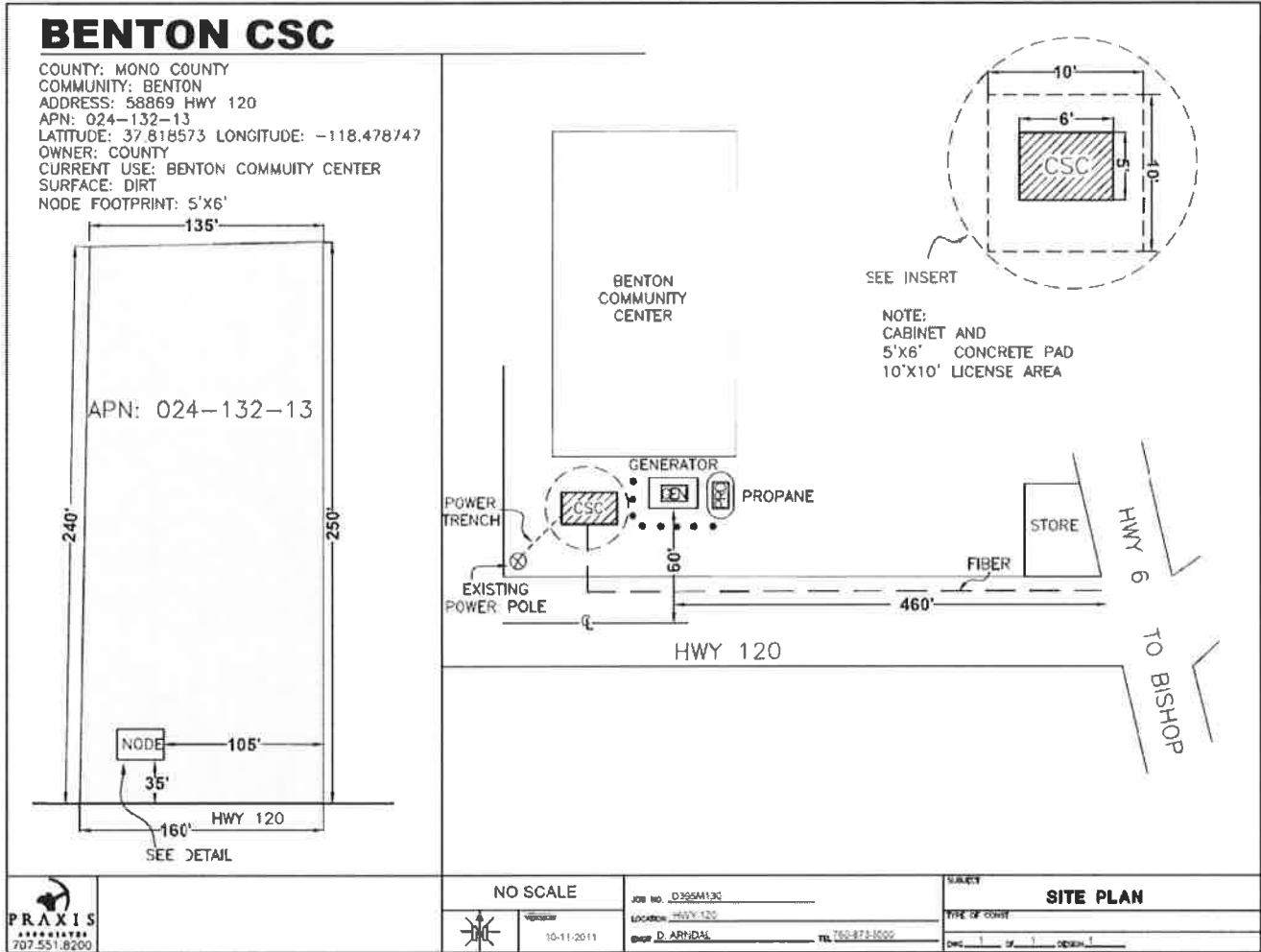


Exhibit "C"

Typical Node Site Layout

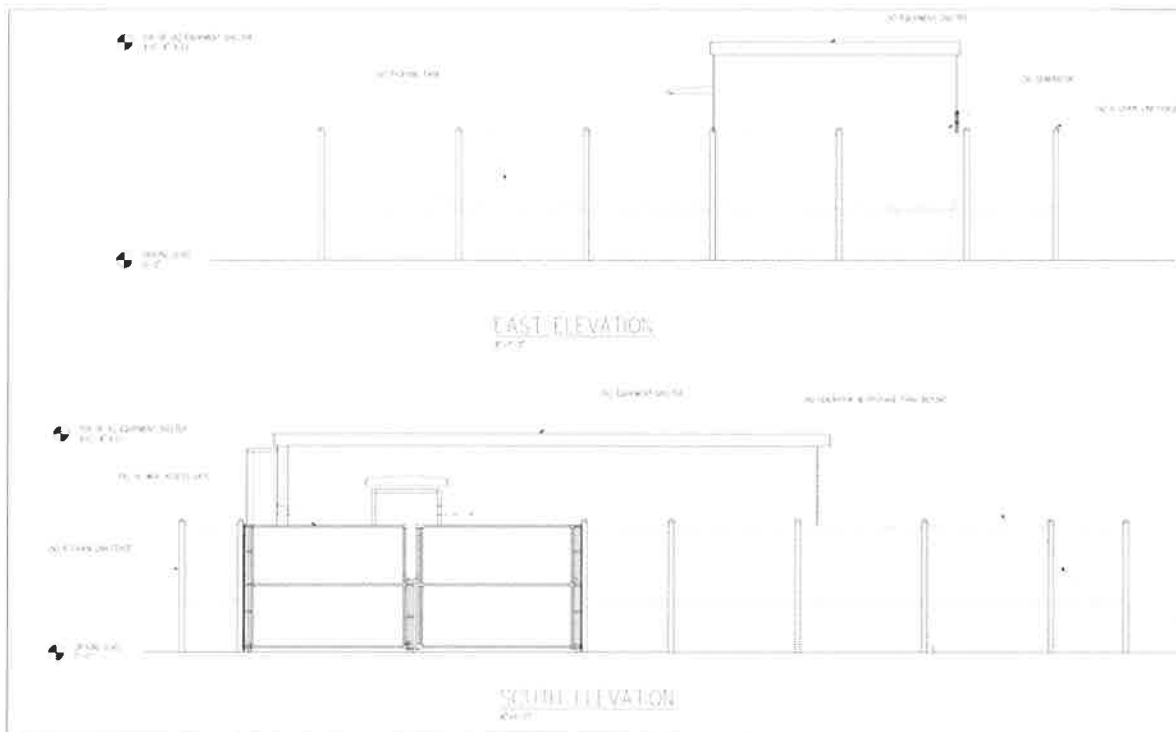
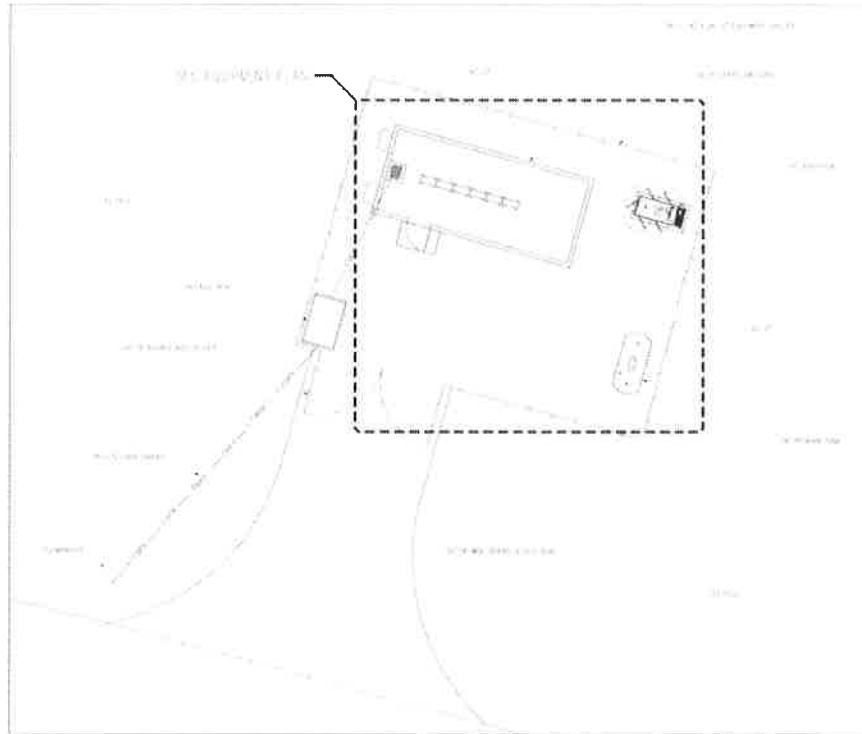


Exhibit "C-1"

Typical CDC Site Layout

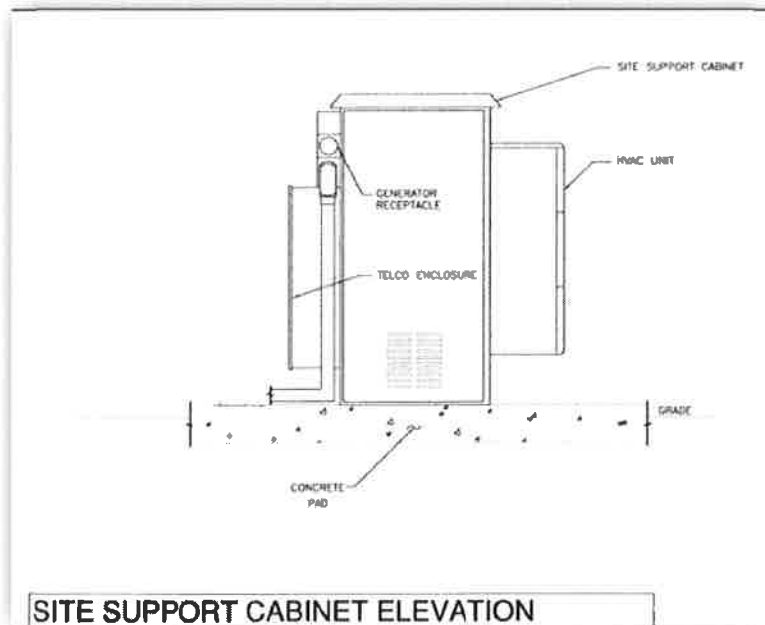
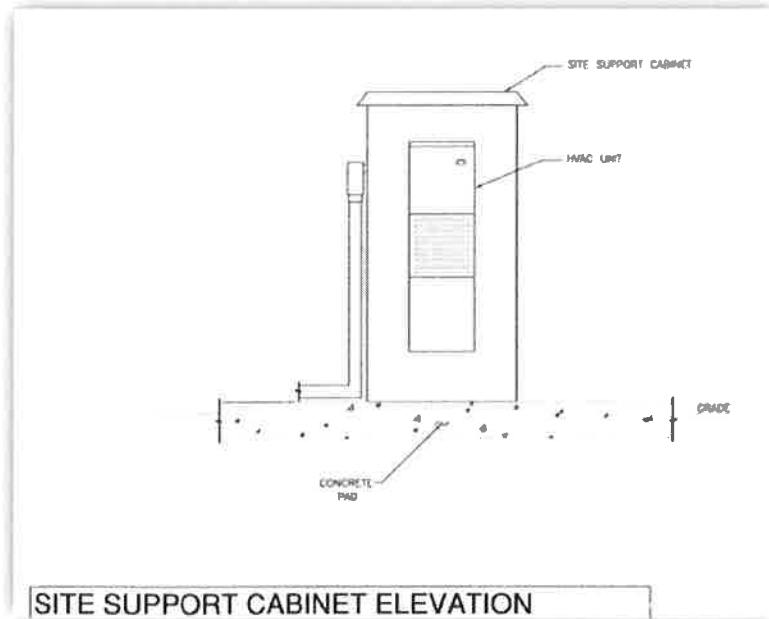


Exhibit "D"

General Description of Anchor Sites

(See Attached)

Anchor Tenant Query

Tenant Owner / Description	Address	Tenant Category
Kern Community College District	101 College Parkway	Community College
Cerro Coso Community College-Mammoth Campus	Mammoth Lakes	
Mono County Office of Education Bridgeport Library	94 N School St. Bridgeport	Library
Mono County Office of Education Coeville Library	111591 Highway 395 Coeville	Library
Mono County Office of Education Crowley Lake Library	3627 Crowley Lake Dr. Crowley Lake	Library
Mono County Office of Education Edna Beaman Library	25542 Highway 6 Benton	Library
Mono County Office of Education June Lake Library	90 W. Granite Ave. June Lake	Library
Mono County Free Library Lee Vining Library	51710 Highway 395 Lee Vining	Library
Mono County Office of Education Mammoth Lakes Library	400 Sierra Park Rd. Mammoth Lakes	Library
Southern Mono Healthcare District Mammoth Hospital	85 Sierra Park Rd. Mammoth Lakes	Medical or Healthcare Provider
City of June Lake Community Building	90 W. Granite Ave. June Lake	Other Community Support Organization
City of Mammoth Lakes Mammoth Airport	1300 Airport Rd. Mammoth Lakes	Other Community Support Organization
Mono County Office of Education Sierra Early Intervention	111527 Highway 395 Coeville	Other Community Support Organization
Mono County Annex I	25 Bryant St. Bridgeport	Other Government Facility
Mono County Annex II	75 N School St. Bridgeport	Other Government Facility
Benton Paiute Tribal Office	555 Yellow Jacket Rd. Benton	Other Government Facility
Us Forest Service Bridgeport Ranger Station	Highway 395 Bridgeport	Other Government Facility
CA Department of Food & Agriculture CA Dept. Food & Ag. Inspection Station	120117 Highway 395 Topaz	Other Government Facility
CA Department of Food & Agriculture CA Dept. Food & Ag. Inspection Station	HWY 6 Benton	Other Government Facility
CalTrans CalTrans Mtce Station - Sonora Pass	Highway 395 Bridgeport	Other Government Facility

Tenant/Owner / Description	Address	Tenant Category
Mono County	452 Old Mammoth Rd.	Other Government Facility
County Paramedic Fire Rescue Admin. Offices	Mammoth Lakes	
CalTrans	Highway 395	Other Government Facility
Crestview CalTrans Mtce Yard	Crestview	
	231 Kingsley St	Other Government Facility
Eastern Sierra Unified School District	Bridgeport	
Mono County	365 Sierra Park Rd.	Other Government Facility
First 5 Mono County	Mammoth Lakes	
CalTrans	Highway 395	Other Government Facility
Lee Vining CalTrans Mtce Yard	Lee Vining	
Mammoth Community Water District	1315 Meridian Blvd.	Other Government Facility
Mammoth Community Water District	Mammoth Lakes	
Mammoth Unified School District	400 Sierra Park Rd.	Other Government Facility
Mammoth Unified District Office	Mammoth Lakes	
City of Mammoth Lakes	437 Old Mammoth Rd	Other Government Facility
Minaret Government Complex	Mammoth Lakes	
Mono County	100 Main St	Other Government Facility
Mono County Courthouse	Bridgeport	
Mono County	47 N School St	Other Government Facility
Mono County Dept of Public Works	Bridgeport	
	37 Emigrant St.	Other Government Facility
Mono County Office of Education	Bridgeport	
Mono County	451 Sierra Park Rd.	Other Government Facility
Mono County Office of Education	Mammoth Lakes	
Mono County	452 Old Mammoth Rd.	Other Government Facility
Sierra Government Complex	Mammoth Lakes	
City of Mammoth Lakes	2520 Main St.	Other Government Facility
Tourism Offices	Mammoth Lakes	
City of Mammoth Lakes	299 Commerce Dr.	Other Government Facility
Town Yard	Mammoth Lakes	
U.S. Forest Service	Highway 395	Other Government Facility
U.S. Forest Service - Topaz Station	Topaz	
USMC	Highway 108	Other Government Facility
USMC - Mountain Warfare Training Center	Pickle Meadow	
City of Mammoth Lakes	2510 Main St.	Other Government Facility
Welcome Center	Mammoth Lakes	
University of California Santa Barbara	1016 Mt. Morrison Rd.	Other Institution of Higher Education
Sierra Nevada Aquatic Research Lab - SNARL	Crowley Lake	
Mono County	1166 Larson Rd	Public Safety Entity
Antelope Valley Fire Dept.	Coleville	

Tenant Owner / Description	Address	Tenant Category
Mono County Antelope Valley Fire Protection District	51 Shop Rd Walker	Public Safety Entity
Mono County Benton Fire Station	25470 Highway 6 Benton	Public Safety Entity
Mono County Chalfant Valley Fire Dept.	215 Valley Rd. Chalfant	Public Safety Entity
Sheriff's Department Crowley Lake Sub-Station	3605 Crowley Lake Dr. Crowley Lake	Public Safety Entity
State of California Highway Patrol	125 Main St. Bridgeport	Public Safety Entity
June Lake Sub-Station	W. Granite Ave June Lake	Public Safety Entity
Mono County Lee Vining Fire Dept.	55 Mattly Ave. Lee Vining	Public Safety Entity
Mono County Long Valley Fire Station	3605 Crowley Lake Dr. Crowley Lake	Public Safety Entity
Mono County Medic 1 Paramedic Station	466 Mule Deer Rd. Walker	Public Safety Entity
Mono County Paramedic & Fire Rescue Medic 2 Paramedic Station/Fire Department	2380 Highway 158 June Lake	Public Safety Entity
Mono County Medic 3 Paramedic Station/Fire Department	3150 Main St. Mammoth Lakes	Public Safety Entity
Mono County Paramedic & Fire Rescue Medic 7 Paramedic Station	193 Twin Lakes Rd Bridgeport	Public Safety Entity
Mono County Mono County Jail	25 Emigrant St Bridgeport	Public Safety Entity
Mono County Mono County Sheriff	100 Bryant St. Bridgeport	Public Safety Entity
City of Mammoth Lakes Police Station	568 Old Mammoth Rd. Mammoth Lakes	Public Safety Entity
Eastern Sierra Unified School District Antelope Elementary School	111527 Highway 395 Coleville	School (k-12)
Eastern Sierra Unified School District Benton Community Day School	25541 Highway 6 Benton	School (k-12)
Eastern Sierra Unified School District Bridgeport Elementary School	209 Kingsley St. Bridgeport	School (k-12)
Eastern Sierra Unified School District Coleville High School	111591 Highway 395 Coleville	School (k-12)
Eastern Sierra Unified School District Eastern Sierra Academy	231 Kingsley St Bridgeport	School (k-12)

Tenant Owner / Description	Address	Tenant Category
Eastern Sierra Unified School District Edna Beaman Elementary	25553 Highway 6 Benton	School (k-12)
Eastern Sierra Unified School District High Desert Academy	25541 Highway 6 Benton	School (k-12)
Mono County Office of Education District Jan Work Community School	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
Eastern Sierra Unified School District Lee Vining Community Day School	51710 Highway 395 Lee Vining	School (k-12)
Eastern Sierra Unified School District Lee Vining Elementary	132 Lee Vining Ave. Lee Vining	School (k-12)
Eastern Sierra Unified School District Lee Vining High School	51711 Highway 395 Lee Vining	School (k-12)
Mono County Office of Education District Mammoth Community Day School	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
Mammoth Unified School District Mammoth Elementary School	1500 Meridian Blvd Mammoth Lakes	School (k-12)
Mammoth Unified School District Mammoth High School	365 Sierra Park Rd. Mammoth Lakes	School (k-12)
Mammoth Unified School District Mammoth Middle School	1600 Meridian Blvd Mammoth Lakes	School (k-12)
Mammoth Unified School District Mammoth Olympic Academy	365 Sierra Park Rd. Mammoth Lakes	School (k-12)
Mammoth Unified School District Mono County Adult School	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
Mono County Office of Education District Mono County Opportunity School	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
Mono County Office of Education District Sawtooth Ridge Community Day School	46 S Sinclair St. Bridgeport	School (k-12)
Eastern Sierra Unified School District Walker River High School	111591 Highway 395 Coleville	School (k-12)

Exhibit "E"

Site Maps Showing Anchor Sites

To be supplied by Licensee for County approval at a later date.

Exhibit "F"

General Description of Transmission Line Corridors

ROW Block Sections - Mono County

BLOCK	Section	Mileage Owned	Specific Roads Owned
M-102	R001	3.71	Larson Lane; Eastside Lane
M-103	R001	14.93	Eastside Lane; Lone County Rd; Eastside Rd; Burcham Flat Rd
M-106	R001	0.70	Kirkwood St; Emigrant St.; Stocks Dr; Court St.
M-108	R001	11.92	Green Lakes Rd; Dunderburg Meadows Rd
M-109	R001	4.35	Virginia Lakes Rd
M-100	R001	0.78	Mill Creek Powerhouse Rd
M-111	R001	0.54	Mattlay Ave
M-113	R001	0.39	Granite Ave
M-114	R001	0.30	Obsidian Dome Rd
M-118	R001	4.41	Crowley Lakes Dr
M-119	R001	4.09	So. Landing Rd; Pearson Rd; Crowley Lakes Drive
M-120	R001	3.73	Tuff Campground Rd
M-121	R001	0.10	Crowley Lakes Rd (duct)
M-122	R001	9.80	OwenGorge Rd;Round Mt. Rd;Casa Diablo Mine Cutoff Rd;Casa Diablo Mine Rd
M-123	R001	11.28	Casa Diablo Mine Rd
M-126	R001	0.97	Eastside Ln
M-129	R001	0.50	Yellow Jacket Road

Exhibit "G"

Site Maps Showing Transmission Line Corridors

(See Attached)

Exhibit "H"
Staging Areas

Staging Areas - Mono County

BLOCK	Staging Area ID	Staging Type	Location Dimensions	Latitude / Longitude	Proposed Use
M-111	S001B	Laydown	Airport Road at Lee Vining Airport 40 x 300	37.954048 -119.10694	Equipment and Material



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 13, 2022

TIME REQUIRED

SUBJECT Closed Session - Public Employee
Evaluation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
12/7/2022 9:29 AM	County Counsel	Yes
12/7/2022 7:30 AM	Finance	Yes
12/9/2022 11:44 AM	County Administrative Office	Yes