

# MONO COUNTY PLANNING COMMISSION

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PO Box 8  
Bridgeport, CA 93517  
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## AGENDA

May 21, 2020 – 10 a.m.

**As authorized by Gov. Newsom’s Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by live cast with Commissioners attending from separate remote locations.**

**There is no physical meeting location. This altered format is in observance of recent recommendations by local officials that certain precautions be taken, including social distancing, to address the threat of COVID-19.**

The meeting may be observed (no commenting) at  
[http://monocounty.granicus.com/MediaPlayer.php?publish\\_id=aa6532d4-b0ad-4841-bc0b-81fd86eb6651](http://monocounty.granicus.com/MediaPlayer.php?publish_id=aa6532d4-b0ad-4841-bc0b-81fd86eb6651)

The meeting may be joined by video at <https://monocounty.zoom.us/j/95667783915> and by telephone at 669-900-6833 (Meeting ID# is 956 6778 3915) where members of the public shall have the right to observe and offer public comment. If you are unable to join the Zoom webinar and wish to make a public comment prior to the meeting, please submit your comment, limited to 250 words or less, to [cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov) by 5:00 PM on Wednesday May 20, 2020. Comments longer than 250 words may be summarized, due to time limitations. All comments will be made a part of the record.

An alternate method to access the video meeting is <https://zoom.us/join>  
and enter Meeting ID: 956 6778 3915.

*\*Agenda sequence (see note following agenda).*

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**2. REVIEW OF MEETING MANAGEMENT & PROTOCOLS – p. 1**

**3. PUBLIC COMMENT:** Opportunity to address the Planning Commission on items not on the agenda

**4. MEETING MINUTES:**

- A. Review and adopt minutes of January 16, 2020 – *p. 2*
- B. Review and adopt minutes of April 16, 2020 – *p. 7*

*(continued on next page)*

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DISTRICT #1  
COMMISSIONER  
Patricia Robertson

DISTRICT #2  
COMMISSIONER  
Roberta Lagomarsini

DISTRICT #3  
COMMISSIONER  
Daniel Roberts

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris I. Lizza

## 5. PUBLIC HEARING

### 10:05 A.M.

**A. CONDITIONAL USE PERMIT 20-001/BARTER** for an owner-occupied short-term rental use of two bedrooms within an existing three-bedroom residence located at 320 Mountain View Dr. (APN 064-150-004) in Swall Meadows. The land use designation is Estate Residential (ER). Maximum occupancy is five people and two vehicles. *Staff: Kelly Karl - p. 19*

### 10:25 A.M.

**B. JUNE LAKE HIGHLANDS SPECIFIC PLAN AMENDMENT** to amend the 2001 June Lake Highlands Specific Plan in order to allow owner-occupied and non-owner-occupied transient rental (less than 30 days) on the following 20 parcels: 015-290-001, -011, -012, -014, -027, -031, -032, -033; 015-300-001, -002, -003, -004; and 015-310-011, -022, -023, -024, -025, -026, -028, -029. If approved, only these properties will be allowed to obtain a Vacation Home Rental Permit, which is a ministerial permit approved at the staff level and is not subject to further public input, to conduct transient rental. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Michael Draper - p. 52*

### 10:55 A.M.

**C. JUNE LAKE HIGHLANDS TENTATIVE TRACT MAP AMENDMENT 34-26.** Proposal to amend Tract Map No. 34-26, removing Condition of Approval #44 that prohibits transient rentals (less than 30 days). In accordance with the California Environmental Quality Act, an exemption is proposed. *Staff: Michael Draper - p. 52*

## 6. APPEAL:

**A. APPEAL 20-001/WE ARE EVERYWHERE RV PARK.** Appeal of an LDTAC denial for a Director Review application for installation of an LED sign, interpreted as inconsistent with the Mono County General Plan. The sign is located at 110437 HWY 395 (APN 002-060-042) in Coleville/Walker. The land use designation is Mixed Designation – Rural Resort & Rural Residential. *Staff: Jake Suppa - p. 121*

## 7. REPORTS

### A. DIRECTOR

### B. COMMISSIONERS

## 8. INFORMATIONAL

## 9. ADJOURN to regular meeting June 18, 2020

**\*NOTE:** Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

Agenda packets are posted online at [www.monocounty.ca.gov](http://www.monocounty.ca.gov) / Planning Commission under the "Government, Boards and Committees" menu / Agendas and Minutes. For inclusion on the e-mail distribution list, send request to [mbell@mono.ca.gov](mailto:mbell@mono.ca.gov)

Interested persons may appear before the Commission in the remote meeting to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing.

# Mono County Community Development Department

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## Remote Meeting Procedures

**Instructions for observing the meeting only (no commenting):** 1) Click on the “live video” link found on the email/calendar posting for the meeting or 2) search “Mono County Granicus” and click on that link or [here](#) which will bring up the webpage with all live stream County meetings, find the appropriate meeting under “Upcoming Events” and click on “View Event”.

**Instructions for joining the videoconference meeting with option to comment:** Click the weblink provided in the agenda or go to <https://zoom.us/join> and input the *Meeting ID* posted on the agenda. Audio conferencing options will pop up; join through your computer speaker and microphone, or by phone by dialing (669) 900-6833 and entering the same *Meeting ID* that is posted on the agenda.

**Instructions for joining the meeting by phone only (not video) with option to comment:** Dial (669) 900-6833 and enter same *Meeting ID* posted on the agenda.

### Upon Meeting Entry

- All participants will be muted and video will be off. *Please remain muted and keep your video off until asked to speak by the meeting moderator.*
- Participants may only chat with the host.

### To comment

- **Time Limits:** Please limit comments to the time specified by the Chair. Do not restate points that have already been made; instead, state your agreement with previous speakers.
- **On the Zoom videoconference meeting:** When the Chair calls for public comment, please select “Participants” at the bottom of the screen and then select “Raise Hand.” Wait for the meeting moderator to call your name and unmute you. At that time, you may turn on your video if you wish. Once you have finished speaking, please turn off your video and mute yourself.
- **On the phone:** When the Chair calls for public comment, please dial \*91 to raise your hand and be placed in the comment queue. Wait for the meeting moderator to ask you to speak and unmute you. Once you have finished speaking, please mute yourself.
- **Written comments:** Please limit comments to 250 words or less and email to [cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov). **Written comments received by 3 pm the day before the meeting** will be posted to the meeting website on the Mono County calendar and sent to the email distribution list.
- Comments received after 3 pm the Wednesday before the meeting and before the close of the public hearing shall be read orally by staff into the record. Written comments longer than 250 words will be summarized by staff.
- Planning Commissioners will not respond to comments in the Chat Room. The chat for participants with each other is disabled.

### Meeting Decorum and Ground Rules

- Verbal comments and video must remain respectful and appropriate with the same expectations as a physical meeting.
- Participants shall remain muted and with video off until asked to speak by the meeting moderator.
- The connection will be terminated immediately with no warning for egregiously disrespectful behavior.
- Other disruptive behavior will receive one warning before the connection is terminated.

**Technical Support:** For technical support during the meeting, email [cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov), post a comment to the host in the Zoom chat room, or call (760) 924-1800.

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## DRAFT SPECIAL MEETING MINUTES

January 16, 2020 – 10 a.m.

**COMMISSIONERS:** Scott Bush, Roberta Lagomarsini, Chris I. Lizza (from Bridgeport), Dan Roberts & Patricia Robertson

**STAFF:** Wendy Sugimura, director; Gerry Le Francois, principal planner; Nick Criss, compliance officer; Jake Suppa, compliance analyst; Michael Draper, planning analyst; Christy Milovich, deputy county counsel; CD Ritter, PC clerk

**PUBLIC:** Justin & Sarah Campbell

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Scott Bush called the meeting to order at 10:04 a.m. at the Town/County Conference Room in Mammoth Lakes, and attendees recited the pledge of allegiance to the flag.

**2. PUBLIC COMMENT:** None

### 3. MEETING MINUTES

**MOTION:** Adopt minutes of Dec. 19, 2019, as submitted (*Lagomarsini/Roberts*. Roll call: *Ayes: Lizza, Bush, Lagomarsini, Roberts. Abstain due to absence: Robertson.*)

### 4. PUBLIC HEARING

**A. CONDITIONAL USE PERMIT 19-013/LAMPSON** would allow off-site snow storage in compliance with General Plan Chapter 4.300. The site, located at 206 S. Crawford Ave. (APN 015-112-015) in June Lake with a land use designation of Mixed Use (MU), currently does not meet snow-storage requirements and is considered an existing non-conforming use. The project proposes to construct an additional structure, further decreasing the available snow storage area. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Michael Draper*

Michael Draper presented background, noting applicant is Mono employee and owner is former Mono employee. Above-ground pool with enclosure above. Would increase lot coverage and snow storage requirement. Additional walkways created. Snow storage = 65%. Need 568 sf. Lot coverage = 59.2% including walkways. MU max = 60%. General Plan has conflicting notions of lot coverage. One includes all impervious surface, other just vehicular traffic and walkway areas. Snow storage is existing nonconforming. Applicant proposes off-site snow storage, which needs use permit. PC would need to make findings on snow storage. Lot coverage would exceed 60%. Pool only for residents, not commercial or public. Contracting for on-site snow removal would bring into conformance. Mixed Use allows accessory structures, but this would increase to exceed allowable lot coverage. Project noticed in newspaper and to surrounding property owners. Comment letter from adjacent property owner, who wanted it known that drainage issues exist. Conditions of Approval mostly standard but first five specific.

How large is pool? *Draper: 7' x 14' (10' x 20' enclosure).*

If drain pool, where does water go?

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Robertson: Clarify how it came to be existing nonconforming. *Draper: Original site plan from 1980 shows driveway 20'x20'. Additional walkway added, so measured added linear 4'. Created more impervious surface.*

Robertson: Three new snow-storage areas still less than required. *Draper: Snow storage areas have no dimensions now, likely wouldn't be sufficient so off-site snow removal proposed.*

Lagomarsini: Inconsistent code section. *Draper: Walkways raise to 59.2%. requirement of 10' between structures could be modified.*

Sugimura: Trigger for CUP is off-site snow storage. Also structure triggers lot coverage issue.

Secondary approval process? *Sugimura: Analyzing setbacks. If PC approves, structure OK. Requires building permit.*

Sugimura: Walkways not shown on original site plan. Clarify lot coverage in future GPA.

Snow storage areas gone? *Sugimura: Intent is to accumulate for immediate plowing. Store somewhere on property till removed*

Authorized parking places? *Sugimura: Part of challenge. Success of project hinges on daily use. Parking in garages, outside garages. Could add condition that vehicles park only in parking areas.*

Bush: Not snow storage because it's parking. *Sugimura: Feasible to remove as go.*

Crummy winter? *Sugimura: Still need contract in place.*

Lagomarsini: Not lot of snow piled up anywhere.

Bush: End of winter in June Lake seems early. Sometimes thick, heavy snow in springtime. *Sugimura: Use Safety Element dates Nov. 1 to April 1.*

Get flooded out after April 1? *Sugimura: PC could require more detail on snow removal contract. Focused on results.*

Lizza: Driveway encroached on street. Nonconforming as well? *Draper: Actually approved.*

Sugimura: Not drawn to scale. *Lizza: driveway only 18' nonconforming?* *Draper: Garages primary parking for vehicles. Driveway areas to access garages.*

Structure near rear fence? Side door access to what? Dumpster has to be on property but not counted as lot coverage? *Draper: Dumpsters not incorporated into lot coverage. Just impervious ground surfaces.* *Sugimura: Older project not identified trash.*

What about snow last year? *Draper: On site.*

**OPEN PUBLIC COMMENT:** Rebecca Buccowich, apartment tenant, June Lake resident for 30 years. Swim spot is hot tub where can swim against current. Never needed snow removal except once last year. South side of building melts very quickly, grass appears. Neighbor with flooding issue is in meadow part of June Lake, lot slopes down, building poorly planned. Puts snow on vacant lot next to his property. Side door accesses tenant hallway. Parks in garage for access. Structure by fence temporary. If approved, materials for project or for buyer if project denied. Snow removal so not so icy.

Applicant's contract? *Buccowich: Just for herself. Tenants work together. Owner wanted to attend but had frustrating meeting with Draper. Thought just a temporary spa.*

Sugimura: CUP runs with property. Situation today could change if discontinuation would expire use. Property owner submitted CUP on her behalf. Contract for entire property. **CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Robertson: Lot coverage includes impervious, unsure of one nonconformity for another.

Lagomarsini: Interpretation of walkways as impervious is appropriate. Concerns about tenant running snow removal contract for whole property, but landowner instead? Could set bad legal precedent. Inclined to move forward.

Roberts: Familiar with property structures when built. Thought to be well done with covered parking. Extra walkways inadvertent, not intended to increase lot coverage. No problem with proposal. Familiar with owner and tenants.

Lizza: Lot's super constrained, storage in front of garages, dumpster in front makes space only area for snow storage on property. Pile it up, take it elsewhere. Snow removal operations fairly stressed. Snow-load capabilities a concern. Conditions: Call out off-site snow removal. Dates Nov 15-April 15.

Milovich: If CUP terminated, what action would not take place: snow removal. *Sugimura: Off-site not conducted in two years.*

Milovich: If off-site not used? *Sugimura: Contract in place.*

Robertson: Another use in footprint, another snow removal contract? *Sugimura: Yes.* Milovich: Setting precedent with impervious

Bush: Pool is a want not a need. Nonconforming to nonconforming. One tenant speaking for whole building. If vehicles there, not storage. Need building owner present. Not support, not want to set precedence.

***MOTION:*** Find that CUP 19-013 does not meet findings, therefore deny. *(Roll-call vote: Ayes: Bush, Lagomarsini, Lizza, Robertson. Nay: Roberts.)*

**B. EXPANDED HOME OCCUPATION PERMIT 19-001/CAMPBELL** would allow welding fabrication including, but not limited to, equestrian panels, corral gates, and accessories with outdoor storage of materials and finished products at 646 Valley Road (APN 026-291-002) in Chalfant. The property is approximately 0.77 acres with a land use designation of Rural Mobile Home. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Jake Suppa*

Jake Suppa introduced project. Approving business licenses is part of job, caught at that stage. Many of criteria met. Notice of 300' to owners. Two opposition, five support letters. Past compliance case brought up on inoperative vehicle storage. He showed location of commenters. DMV documentation provided for all vehicles and trailers, so compliance case in 2017 was closed. Proposed storage area 40' x 40'. Privacy fence shields storage area. General Plan consistency findings were met. Alternate findings not met. Based on findings, Conditions of Approval met.

Proposal to allow welding of "accessories?" Permit to store or have business? Could become auto repair shop? *Suppa: Specific to corrals, panels, etc. Would be totally different project. Outdoor storage triggers this process. No outdoor fabrication proposed. Open garage door would affect fire separation. Window for ventilation.*

Would open up to other areas of welding? Milovich: PC could put restrictions but not so many as to limit type of business to conduct.

Sugimura: If change welding business to remain within scope, would be consistent with this permit. If bring in vehicles, store on site would be outside scope.

Milovich: PC can't say what can or cannot weld.

How would working on vehicle be? *Criss: Storage area limited to materials of finished/unfinished product. Vehicles in area would not fit.*

Milovich: Car is finished product.

Allowing corrals, not anything else. If other, violating? Sugimura: Activity is welding and business, but also outdoor storage. Rest of project falls within regular home occupation.

Milovich: Can't limit what's in storage space.

Storage relate to business license? *Suppa: Business license funneled through finance office. Only inconsistency was outdoor storage.*

Lagomarsini: Vaguely knows applicant. Concern about storage is vermin, so many critters out there. Find fun place to hang out. Way to address issue like bunch of cats? Anything piled up attracts animals. *Suppa: Firewood storage could attract rodents but metal piping not attractive nuisance.*

Store raw materials? *Suppa: From Ridgecrest. Applicant will deliver to buyers, so vehicle trips remain consistent.*

What storage is permitted besides wood? *Suppa: Depends on definition; e.g., as long as lot is developed, allowed registered vehicles. If inoperative, have 200' threshold.* Criss: Scrap building materials OK.

Storage area not enclosed? *Suppa: True. Future ability.*

Bush: Home occupations graduated into shop (not live there). Could run businesses. *Suppa: As long as meets occupancy rating.* Criss: Criteria like extra traffic for neighborhood. Extra vehicles, customers coming. *Robertson: Changes to commercial use. People not coming there for guy stuff.*

Sugimura: Evaluate whether odors, noise, traffic beyond normal use. Welding in structure on residential property. Not need to be in home dwelling. *Suppa: No customer interaction, store front, signage.*

How deliver product? *Suppa: allowed two vehicles up to one ton.* Sugimura: Allows ancillary structures to be part of 'home occupation. *Criss: Home occupation revised a few years back.*

Milovich: If PC isn't comfortable, could limit type of business on land-use basis. Has to be tied to land use.

Bush: Creep of land use designations. OK with stated purpose, but if expanded, protect neighbors who might not want something different. Pay attention to descriptions.

Lagomarsini: Add condition that maintains fencing for visual screening. *Suppa: Maintain agriculture component.*

Robertson: Storage not higher than fence.

Lizza: No problem with outdoor storage that's not visible. Item G. *Suppa: Consider gaseous hazard threshold of 200'. OK if meets CUPA standards.*

Lagomarsini: FPD could say it notices that stuff is there.

Lizza: In dwellings, not buildings. *Suppa: Agriculture area would find more appropriate than any other No oversight or ability to control that.*

Lagomarsini: Verbiage on dwelling, ancillary structure, building. Use same phrase on all of these for consistency. Inconsistent terminology in Code causes problems.

**OPEN PUBLIC COMMENT:** Justin and Sarah Campbell, applicants, lifelong residents of Chalfant, very familiar with area. Saw void in pipe/corral world, saddle racks, shelters with corrals, ag-type products. Less-than-stellar relationship with few neighbors. Plan is customers not come to residence. Call or purchase online, deliver. Haul in materials. Have some basic stuff on hand, beyond would be built-to-order. Visible only on Campbell property.

If limited to ag, would be OK? *Justin Campbell: Yes. Not allowed to impact neighborhood with added traffic or noise.* Bush: 40 'x 40' would hold 10 cars.

Metal art? *Sarah Campbell: Yes. Interior or small-scale items.* Bush: Small-scale art, fabrication.

Art in storage area? *Limit storage to ag-style equipment.*

Justin Campbell: Goal is out of sight, nothing piled around garage. *Bush: Storage area just for materials/goods, no cars.* Milovich: Home occupation says two vehicles.

Roberts: Well-screened storage area reduces visual impacts.

Sugimura: Adding condition on outdoor storage ag products and storage thereof.

Trailers? *Justin Campbell: A couple.*

Sarah Campbell: Complaint letters: Family dynamic between two commenters, one former owner of property. Smaller the community the more the drama. Appreciate fair process. Willing to make it as foolproof as possible, even adding extra fencing. Will add solid fence to remove complaints. Welding with door open OK? *Bush: Garage front visible to Valley Road. Biggest problem would be noise. Saw no problem if stay under radar.*

Justin Campbell: Noise 55 day, 50 night. Where measured from? *Criss: Typically property line of sensitive receptor.* Justin Campbell: Window by weld table. Garage has good setback from road. **CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Lagomarsini: Add maintain fencing, not store higher than fencing, maximum two trailers.

Sugimura: Added conditions (see Motion).

**MOTION:** Make required findings in staff report; find that project qualifies for CEQA guidelines exemption 15301 and direct staff to file Notice of Exemption; approve Expanded Home Occupation Permit 19-001/Campbell subject to conditions of approve including modified conditions: 1) Maintain privacy fencing around the storage area; 2) outdoor storage shall not exceed the height of the fence; 3) permitted products in the storage area shall be related to or supportive of the rural agricultural character use and aesthetic of the local area; and 4) no vehicles shall be kept in the storage area except trailers necessary for the handling and delivery of the permitted product. (*Lagomarsini/Bush. Roll call: Ayes: Robertson, Lagomarsini, Bush, Roberts, Lizza.*)

5. **WORKSHOP:** None

## 6. **REPORTS**

**A. DIRECTOR:** 1) Former commissioner Mary Pipersky has terminal cancer, card going around; 2) Tioga Inn in late February, maybe public meeting on FEIR, comments will be provided to PC but not change FEIR. Special PC meeting in Lee Vining in late March; 3) Colitas to BOS Feb. 4, controversial, BOS may adjourn meeting to Antelope Valley; 4) Cargo container at June Lake, short-term rental permits; 5) Cannabis in Tri-Valley; 6) ORMAT Use Permit expiration, if in compliance do as minor amendment; 7) Highlands SP amendment and Tentative Tract Map; 8) Dog/cat boarding in Benton. 9) Hailey Lang moved to Central Valley, recruiting new planning analyst. Meanwhile, former employee Cedar Barager is on board part-time.

**B. COMMISSIONERS: Robertson:** Baby 5 weeks old now. **Lagomarsini:** RACE internet service in Chalfant Valley. **Bush:** AV too. Wants Caltrans cleanup sign. **Lizza:** Shut down Mono Market for two months. Working on projects. Negative impact on community but needs break.

## 7. **INFORMATIONAL**

8. **ADJOURN** at 12:43 pm to regular meeting February 20, 2020

*Prepared by CD Ritter, PC clerk*



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## DRAFT SPECIAL MEETING MINUTES

April 16, 2020

As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by livecast with Commissioners attending from separate remote locations. There is no physical meeting location. This altered format is in observance of recent recommendations by local officials that certain precautions be taken, including social distancing, to address the threat of COVID-19.

The meeting may be joined by video at: <https://monocounty.zoom.us/j/634770837> and by telephone at: 669-900-6833 (Meeting ID# is 634 770 837) where members of the public shall have the right to observe and offer public comment. Public comments may also be submitted to [cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov) and will be read into the record if received before the end of the agenda item.

An alternate method to access the video meeting is <https://zoom.us/join> and enter Meeting ID: 634 770 837.

**COMMISSIONERS:** Scott Bush, Roberta Lagomarsini, Chris I. Lizza, Dan Roberts & Patricia Robertson

**STAFF:** Wendy Sugimura, director; Gerry Le Francois, principal planner; Michael Draper & April Sall, planning analysts; Christy Milovich, deputy county counsel; CD Ritter, PC clerk

*\*Agenda sequence (see note following agenda).*

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Scott Bush called the meeting to order via Zoom at 9:02 a.m., and attendees recited pledge of allegiance from remote locations.
- 2. REVIEW OF MEETING MANAGEMENT & PROTOCOLS:** Wendy Sugimura asked staff to turn videos on, public turn videos off. Public comment? Three ways: observe not participate, log into Zoom or by phone to participate, and email. Time limit to be decided. Limit to something reasonable so all can speak. Note agreement with prior speakers. Chat room has "raise hand" option, on phone \*91. Moderator will unmute for comment. Summary of >250 words. Respectful with comments. People can be removed for disruptive behavior, just as in physical meeting.
- 3. PUBLIC COMMENT:** Bentley Regehr noted none.
- 4. MEETING MINUTES**

***MOTION:*** Carry minutes of Jan. 16, 2020 to the May 21 meeting. Lizza asked for his vote on the Lampson project to be checked.

### 5. PUBLIC HEARINGS

#### A. TIOGA INN SPECIFIC PLAN AMENDMENT AND FINAL SUBSEQUENT ENVIRONMENTAL IMPACT

**REPORT** to amend the 1993 Tioga Inn Specific Plan located at 22, 133, and 254 Vista Point Road and consisting of four parcels (APN 021-080-014, -025, -026 & -027). The entitlements approved in 1993 remain intact and approved regardless of the outcome of the currently proposed project. The current Specific Plan Amendment proposes: 1) up to 150 new workforce housing bedrooms in up to 100 new units; 2) a third gas-pump island and overhead canopy; 3) additional parking to accommodate on-site guest vehicles as well as a general-use park-and-ride facility and bus parking for Yosemite transit vehicles; 4) a new package wastewater treatment system tied to a new subsurface drip irrigation system; 5) replacement of the existing water storage tank with a new tank of the same size in the same area; 6) a new 30,000-gallon on-site propane tank (eventually replacing the existing five on-site tanks); and 7) modification to the boundaries and acreage of designated open space and modification of parcel boundaries. A Subsequent Environmental Impact Report is proposed for the project. Project materials are available for public review online at <https://monocounty.ca.gov/planning/page/tioga-inn-specific-plan-seir> and hard copies are available for the cost of reproduction by calling 760-924-1800. *Staff: Michael Draper*

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Commissioner Lizza will not participate in discussion or vote, so only four commissioners. Let proponent know needs three positive votes to pass. Any other contact by commissioners? Lagomarsini: After site visit with Geoff McQuilkin and Lisa Cutting, got packet of letters that only glanced at, into notebook, sent to Planning Division office, included in materials. Cutting is personal friend, asked more contact, McQuilkin also. Roberts: At jury duty with proponent, no discussion. Robertson or Bush: None. Milovich: Commissioner must recuse if has prejudged or is biased in any way. Decision to make. No issue legally except for Lizza.

Request to postpone meeting evolved, BOS discussed this week. Part of PowerPoint presentation. Mono Basin RPAC April 8 considered letter asking postponement due to Covid-19. Letter in packet. BOS April 14 discussed, Mono needs to treat applicants fairly. What applications qualify, when to hear. BOS debated back and forth. No BOS direction to PC, may delay BOS on Tioga Inn. Reasons not to delay in staff report. Remote hearing authorized, technology to do so, stay home exemption includes housing project. Still PC discretion.

Milovich: Public comment not required at this point. Within PC discretion. Bush: Not if just Covid-19. With 127 participants, larger than any or all meetings. Not attendance issue. Lagomarsini: Technology allows more to comment than in person. Bush: Any opposition? None, so move ahead.

Sugimura: Tag-team presentation, identify self. Thanked everyone for participation, comments taken seriously, changed project. Covid-19 challenge for all, doing best to do well, make meetings meaningful and available. Ensure opportunity to address PC directly.

Sugimura: Commenters have asked to delay meeting during Covid-19, but remote meetings authorized by Gov. Newsom allow housing comments and Board declined to direct delay. Three ways to join meeting. Concern about Zoom-bombing. Limit comment time, not repeat earlier comments. Staff will read comments <250 words, summarize those greater. Project documents released late last night. Will post final PowerPoint after meeting.

Gerry Le Francois reviewed project revisions, history of project. Two-story structures now in mix. First formal amendment in 1995. Relocated 300,000-gal water tank. Phasing allowed convenience store prior to hotel. Amend 2 in 1997: Restaurant parcel. No access from 395, clarified financing components. Backcountry hiker shower and laundry proposed, not accepted. Master sign had modified night lighting. Amend 3: Housing up to 150 bedrooms in units, daycare facility. Six unpermitted employee cabins demolished. New 30,000-gal propane tank. Expanded open space. Parking for oversized rigs.

Sandra Bauer, CEQA consultant. Scope of analysis shaped by 15162 on subsequent EIRs. 904 comment letters from agencies, tribes and individuals: 697 in format generated by MLC (Mono Lake Committee). Formal responses to 19 comment letters.

For Alternative 6, pad elevations lowered by added grading, roof elevations on all six most visible structures reduced 15 to 11 in square format (instead of long rows) with shortest walls facing east. Six rows in original plan reduced to two housing, two parking. Paint color shaker gray, roof dark muted colors. Detailed outdoor lighting plan to reduce impact. Berms between parking areas. Daycare facility relocated. Landscape berms 3' high. Visual effects: Prepared by Triad/Holmes Engineering from Navy Beach (visibility of 2<sup>nd</sup> story of upper row buildings), south Tufa parking lot (not visible), lower structures northbound one-foot of roofline is visible from 395 for three seconds. Gas station lighting visible at night.

Many changes to project. Workforce housing became community housing to be more broadly inclusive (some not employed). Alt 6 is proposed project. Daycare center staffed, open to Mono Basin residents. Two EV charging stations. Greater square footage for increased livability.

Pedestrian connectivity to LV: Caltrans discussions. On-site trail a future Caltrans option. Caltrans has no plans at junction, not concur with pedestrian safety. High speeds and poor sight distance are issues. Public uses vs utility. ADA sidewalk based on prospect of future safety features.

Caltrans identified six fatality hot spots for wildlife collisions, but none are in project area. Cumulative impacts significant.

Access: Secondary access on Edison easement.

Phasing: 1 = 30 units initially for construction workers, 2 = 40 for hotel/restaurant employees along with Phase 1, 3 = then final 30 units if Phase 2 reaches 80% occupancy.

Draft EIR recirculate? When new info available with new impacts, increased severity of impacts, draft precludes meaningful public comment. None found. Project revised but no need to recirculate.

Grant funding no longer part of mitigation goals.

Tribe noted potential for cultural resources but no evidence, wanted paid monitoring during grading, applicant suggested training construction crew. Consultation resulted in agreement to use 50 hr compensated time.

Lee Vining Community Plan and character: FPD identified concerns, CDD offered assistance. 194-300 new residents on site, fluctuate as elsewhere. Lee Vining retain identity as small community.

150 new jobs added to 37 existing jobs on site. Many will hold second jobs.

Traffic: Home to work, home to shopping, home to other. Intersection mitigations in DEIR: Traffic signal, roundabout. Caltrans indicated applicant would fund improvements. For FSEIR, Mono, applicant, Caltrans met: July traffic counts overestimated traffic in peak season conditions. October volumes little over half, more representative; revise to reflect that data? County opted for July data. Significant impact from July 4 to Labor Day. No feasible mitigation as roundabout unfunded, not reasonably foreseeable. Not satisfy signal, not recommend. Caltrans does not agree with significance finding.

Significant impacts on biology, hydrology. Three new mitigation measures based on comments. Sierra Nevada red fox: extremely rare, state-threatened species. New: Post do not feed wildlife signage on each housing unit, parking lots, entry to complex. Amended: Badger now badger and fox. 500' buffer in all directions until den occupation has ended. If active den found, groundwork halted pending consult with CDFW.

Phasing plan: Incorporate phasing into new mitigation measure. Revise final SEIR. Change 40 units to hotel permit application deemed complete.

Aesthetic resources: Commenter wanted all two-story structures removed. Maybe no units in line of sight with adjustments to number of stories. Eliminate phase 3 units in line of sight. Incorporate into Reso 1. If no change recommended, alt 6 remain.

Other issues: DSEIR incorporated by reference, published in same webpage. Redline changes documented. Definition of AH: Retitled to "community housing."

No wood stoves or fireplaces; only propane. Project improved due to public comments.

Lagomarsini: Eliminating two-story structures? *Bush: In upper row. Eliminate second story on upper row is alternative for consideration.*

Lagomarsini: Where would housing units go? *Bush: PC could recommend change to eliminate second story but keep units. Would reduce from 100 to 70.*

Bauer: No time for engineering input on proposed changes. Upper row of 2<sup>nd</sup> story would eliminate three structures. Not just build lower floor but upper row minus 2<sup>nd</sup> story.

Bush: Eliminate height problem if only single story? *Bauer: Still have 11 including six one story, five on upper row...*

Bush: 30 units 40 units. If built, make phase 3 go away? How change? *Bauer: Modify footprints, size but change layout of remaining units, or just reduce to 70 w/o 2<sup>nd</sup> story. Has to be drawn out by engineer.*

Bush: Realistic for height restrictions not phase 3.

Roberts: If reduce height get sprawling complex? *Bauer: If keep 100, requires footprint modification of upper-row units.*

Roberts: Existing two-story buildings, how much visible: peaks of roofs or entire? *Bauer: One foot of upper roof line of lower row visible from US 395. Not part of alts presented to eliminate visibility from Navy Beach. Applies to three of upper row but may include all five to retain unit count.*

Robertson: Explain employee generation of project vs job generation? Current Mono residents take job at project. How many new might live in Mono? *Bauer: Did not estimate % of outside vs Lee Vining.*

Bush: Name changed to community housing not employee housing. Applicant said employees only, show employment. Have to be employees, long-term rentals, sellable like condo? *Bauer: None for sale, just long-term housing. Goal is employees.*

Bush: Affordability guidelines? *Bauer: Housing Mitigation Ordinance would apply to units in project but applicant seeks funding via sustainable communities grant. Only if project committed to state guidelines.*

Bush: Ask Milovich. Any info on how to limit who lives there? Everybody or employees?

*Milovich: Within applicant's discretion who to rent to. Mono requires some units as affordable. Adhere to state law on housing. Mono can't enforce.*

Bush: Hotel/restaurant permitted since 1993, any way if proceed to have drop-dead date or void out or keeping alive forever and ever? Not want another 27 years. *Sugimura: Not know legal specifics. Mono has not put time frames on planning docs but other jurisdictions have. Practical reality is construction so based on economic realities nobody has control over, usually applicant asks deadline extension. Another layer of process for accountability.*

Bush: Likes projects already studied affordability. Project keeps morphing. Project hung over everyone's head forever. Look at what can afford, what's planned, move ahead.

**OPEN PUBLIC COMMENT: 10:58 a.m.** Sugimura: Instructions on how get in queue to speak. Applicant statement first, then to Bentley to call individuals. About dozen want to speak. Limit to two minutes. Emails to be read by April Sall (47 now).

**Dennis Domaille** (applicant): Feasibility study in 1996, economic turndown. 2006 hotel determined feasible, after propane explosion 103 days in coma, then recession. Before Covid-19 virus, housing crisis exponentially worse. Didn't want hotel without creating more housing. Coronavirus time for shovel-ready projects, trillions of dollars available.

Just what Governor wants -- more housing. Virtually all units could be low-income housing. If get to move forward, sees no reason to see economy get back on its feet. Will respond to comments. *Bush: Chance to rebut at end as well.*  
**Ellen King:** Mono 13 years, last eight in Mono City. Morphed from hotel into community housing. Project defined for workforce on site. Not adequate if fully built out. Could add to, not solve housing. Directly in line with wildfires, highway intersection, community with limited services, spot exemplifies Mono's Wild by Nature motto. Ask PC to vote no.

**Connie Millar:** Mono City since 1993, USFS. 1993 EIR invalid due to significant changes over past 27 years not considered. Climate change effects. Redefinition of threats to communities of sprawl, erosion of local culture. Mono Basin Community Plan: Significant changes since 1993 with environmental and social impacts. Oppose.

**Margaret Schwarz:** Regular visitor for > 20 years, photographer. Deep concern on scenic beauty of Mono. Visibility from shoreline. Vote no.

**Grace Henderson:** Landowner in Mono Basin since 1988, litter pickup for 10 years. Significant impacts to Lee Vining. Original permit for hotel not OK today. Phasing is illusory, based on occupancy. Allows complete project grading at outset. Scarred landscape. What if hotel not feasible? Mono study to meet housing needs. Dark skies. Disallow any grading except specific phase, Mono housing needs assessment. Land trade partnerships. Vote no.

**Tony Taylor:** Lived in Mammoth Lakes >20 years. Very active, especially in Mono Basin. Unavoidable significant impacts in revised state. Three concerns: 1) migrating deer herd exposure on two highways; 2) non-safe route to Lee Vining could result in accidents and fatalities; and 3) emergency evacuation congestion. Route goes up-canyon, up-wind in fast-moving wildfire. Liability ultimately falls on Mono County. Responsibility and liability -- we all in Mono County bear responsibility for this project.

**Secretary interrupted by phone call. Granicus video available online for any information potentially missing.**

**Sheryl Taylor:** Sink buildings into hillside, keep out of viewshed. Unclear if all phases will be completed. Native vegetation removal will be scar. Dark skies valuable. Vote no.

**Ernest Isaacs:** Berkeley, 80 years old, visit since 1960s for backpacking. Open vistas. Buildings will be scar on landscape. Disingenuous photograph. Visible from canoeing on lake. Destroy greatest virtue. Vote no on unwelcome project.

**Deanna Dulen:** Preserving Mono's sense of place in honor of Andrea Lawrence. New development fit harmoniously. Accelerate urbanization and visual blight, loss of charming rustic character. Here three decades. We all lose what is woven into landscape we value. Community would lose. Justify by tax revenues for Mono budgets. Recall trapeze blight on scenic highway, circus edge. Reticence to have truly valued standards to preserve viewshed. Protect integrity of natural and cultural landscapes. Supports reference to impacts. Deed restrictions should be in place. Preserve sense of place in Lee Vining, reject proposal.

**Janet Carle:** Retired state park ranger. Easiest is to rubber-stamp, send to BOS. Project large, growth-inducing, in iconic location. Major CEQA issues. Market-rate income housing project; who housing is for keeps changing. Not OK for applicant to say. Timeline for project to happen. Destroying large, pristine area. Recall Conway Ranch that grading got done. Not OK to ignore greenhouse gas. Worthy of iconic location?

**Rose Nelson:** Lee Vining resident most concerned about significance to scenic, dark skies. People visit for inspiration, beauty, learn from natural history. Led tours at lake. Look out at unobstructed view of Mono Lake. Seen from places along shore takes away awe-inspiring view. Maybe encourage other projects. Protect unmatched scenic resources.

**Margaret Eisler:** Mono City, lifelong connection to Yosemite. Major concerns that housing proposal with 100 units contributes to housing shortage. Two-thirds of hotel employees. Rest find housing elsewhere. Attempts to legitimize projects. Entirely inappropriate in Mono Basin. Encourage not to support.

**Elin Ljung:** Full-time Mono City 15 years. Affordable housing exists in Mammoth Lakes. Project would exacerbate housing shortage. Vote no.

**Lisa Cutting:** Urge vote no. Follow-up on Mono Basin Community Plan, finalized in 2012 after two years of consensus-based approach. Serves as Mono Basin Area Plan. Problems: Lee Vining small-town character. Contort intent of community plan. If Mono Basin Plan cannot guide, what purpose does it serve? Role to guide development in community and county.

**Geoff McQuilkin:** Executive director MLC, 30-year resident. Visitation to Mono Lake is cornerstone. Most development projects do not harm Mono Lake, but impacts continue to be too large and too significant to remain silent. People truly care about this special place. Multiple permanent unacceptable impacts. Fire safety, schools ignored. Spectacular, distinctive. 16,000 members ask to reject.

**Philip Schafnaker:** Impacts forever change area. Vote no.

**Duncan King:** Retiree from State Parks. Direct conflicts with Community Plan, effort to guide future land use. Small, compact communities, healthy natural environment, dark night skies. Rehabilitate existing development. Retain small-town character. Vote no.

**Nora Livingston:** Firefighter in area. Agree with earlier comments opposing. Disproportionately large development for Lee Vining. Increase in vehicular cross traffic at intersection, accidents severe. Disappointed could not find solutions to dangerous impacts. Save lives. Vote no.

**Aaron Stanton:** Shute attorney. Reviewed FSEIR. Project description confusing, unclear. Who will housing serve? No means...

Secretary interrupted by phone call. Granicus video available online for any information potentially missing.

Shuttle should work out details. Improperly compares Specific Plan to General Plan rather than existing conditions. Small-town <10,000 residents not apply to several hundred residents. Cannot approve in current form.

**Winter King:** Partner at Shute, representing MLC. Several comment letters submitted. Despite changes proposed now, continue to believe EIR inadequate under CEQA. Essential to have red-line in proposal. Phasing plan not resolve uncertainty of who will occupy housing units. Impacts not only actual environmental but also Mono Lake, findings required. Not require hotel be built or occupied for phases 2 or 3. Applicant intends to make affordable, but PC can't rely on that. Not recommend.

**Caelen McQuilkin:** Lived in Mono Basin entire life, graduated high school this year. Impact on local schools. LVHS increase 50% w/o funding. 75 students unevenly distributed, class size could be 30, no room to accommodate books, laptops. Final document does not resolve. No way to mitigate when quadruple small town's population.

**Bartshe Miller:** 27-year resident, MLC member. Overwhelming volume of comments. Night-sky resources significant and adversely impacted. Create new concentrated, ambient light source, no precedent. Not evaluate scenic impacts. New mitigations not substantively resolve impacts. Findings put project in conflict with one fundamental goal: Maintain spectacular values of Mono Basin. Lake is number 1. Vote no.

**Paul McFarland:** Thanks to all. Project representatives really missed opportunity. Built on faulty foundation. New housing (needed) development approved nearly 30 years ago. Town, tourism, county have changed. Yosemite increase of 25%, nearly million more visitors/year. Reconsider hotel along with new housing. Analyzed at different time. Nobody can say for certain project solves or addresses housing in Mono County. Don't know what getting, moving target. Unsafe travel. Can do better, believe we can.

**Maureen Mc Glinchy:** Mono City resident added to school comments. On school site council. Schools not adequately portrayed. At Lee Vining six grades combined. Budget not allow more teachers. No increased operating budget. 35%-50% increase for six teachers for nine grades. Planning demands further inquiry into alternatives. Comments as parent, PTO member. Vote no.

Sugimura has copy of school district letter from 4:38 pm yesterday,  
Will summarize into record when all speakers done.

**Claire Landowsky:** June Lake resident, loves Mono Basin. Development actually exacerbates housing. So few long-term rentals in area. At full build-out still 50 looking for long-term affordable housing in Lee Vining and Bridgeport. No safe walkable route, so drive to Lee Vining or Mammoth Lakes. No real assurance housing will be available. Likely market rate, completely out of reach. Where is benefit for Lee Vining? Big problems with no offsetting benefits. Please reject, work to build housing. Wonderful small town in gorgeous landscape. Revise proposal to agree with Community Plan. Vote no.

**Tim Banta:** Lifetime resident of Lee Vining, speaking on behalf of family. Fifth generation. Agree can do better with this for Lee Vining and Mono Basin. Must fit into character and image of Mono Basin and Lee Vining. Too much, too big. No visible connection to Lee Vining. Talk about shuttle, but visitors to Lee Vining see two defined communities. Leap-frogging. If PC moves forward with this, someone needs adequate trail system consistent with visitation to Basin. Major traffic problem at intersection. Thanked attendees.

**Kevin Bown:** Resident Lee Vining. Significant unavoidable: pedestrian and cyclists exposed to unsafe travel conditions. Reasons immaterial. Project puts people at risk if travel to Lee Vining. "Unsafe at any speed." Urge no vote, echoed others. We can do better.

**Ilene Mandelbaum:** Lee Vining resident 36 years, member Mono Basin RPAC. Community Plan for low-income community with very little control over surrounding lands. Many impacts not mitigatable. Housing goal for yet unbuilt, out-of-scale a phantom. Unlikely to break ground. Never successfully marketed to developers. Not even keep deli open year-round. Create company town. Smaller alternative dismissed as not support nonexistent hotel complex. Reduced alternative: Smaller footprint, campground for seasonal workers who not want to pay rent, expand deli. Other solutions for housing. Reject resolution.

**Arya Harp:** Resident. Makes community housing issues worse. Wants community to thrive. Accept tradeoffs on housing. How pencil out for housing? Vote no.

**Nathan Taylor:** Lifelong Eastern Sierra resident, architect in area. Agree with concerns...

Secretary interrupted by phone call. Granicus video available online for any information potentially missing.

Bare-bones proposal for large project. Need better documentation and visual guidance. Show some degree of good design. Collaborate more with community. Need well-thought-out project, clear, well-designed.



**Mary Young:** Mono City six months every year. Applicant asking to make dangerous situation worse by traffic, congestion for two highways. Applicant not suffer but rest would. Grew up in big county, biked area. Big development occurred, still no safe passage. Re-zone decision made by people elsewhere. Cumulative, dangerous impacts. Vote no.

**John Young:** Family visited for decades. EIR is stale, on shelf 27 years, attempts to refresh failed. Comments from law firm conclude fatally flawed, fails to comply with CEQA. Urge vote no.

**David Strelneck:** Born Bridgeport, legal resident Lee Vining, attended local schools, MMSA race department. Not have anyone speak up in favor of project. Three concerns: Schools issue shows lack of understanding, fire safety from FPD not others, and cold, dictionary definition of "small town." Run over who actually are. Hard for everybody, not want chapter in book about something great that used to exist, especially with confusion on housing.

**Will Hamann:** Grown to love area. Agree with all concerns. Biggest is what comes next? Widen 395? Urban sprawl? Wrong precedent. Vote no.

**Daniel Bittel:** Area past four years, ecological work in Tuolumne. Conflicts with environmental and cultural values. Fragile ecosystem, visual impact unavoidable. Traffic problems. Forever change Lee Vining, Tuolumne, Eastern Sierra. Vote no.

**Lynn Boulton:** Lee Vining resident, chair of Range of Light Group. Sierra Club concerned with climate change -- propane heat instead of electric. All-electric homes preferred. Why move water tank higher where visible from many places? Project should focus on net zero energy, fight climate change.

**Barbara Harriman:** Annual visits 25 years. Accepting reports from 27 years ago? Consider changing environment, especially water. Lee Vining has had fires. Where get water for facility? Two wells on site. Comprehensive water report. Wells taking water from water table? Firefighting. Fires go uphill, additional propane and fuel tanks, where water come from when fire occurs? Disaster waiting to happen. Vote no.

**Barry Mc Pherson:** Born Bridgeport, inherited Mono Inn property 20 years ago. Provides three little houses below plus rental. Donated upside-down house. Agree with commenters too big, too undefined, too poorly planned. After 27 years, start over for safer, better for wildlife, fewer impacts on scenic views. Unreasonable and poorly done. Adding to tide of opposition.

**Name Unknown:** Project too big, traffic, intersection, dark skies, alter beauty and attraction to visitors. Covid-19 crisis lets hydro-head move ahead. Agree with all other comments, urge vote no, come back with better and smaller. Enjoys gas station and deli, but no place for huge project.

**Andrew Youssef:** Mono Basin five years. Agree with issues of nebulous project. Mitigations still inadequate. Led tours at lake, where see nearly no human development. Now massive project approved near Mono Basin Scenic Area. Mono can do better, need more mitigation for impacts.

**Jeff Wyneken:** Resident 25 years. Double population. Will have to live with results. Ongoing involvement of all stakeholders. Historic gateway, portal community. Irreversible impacts. Without ongoing community involvement, without collective consent. Lee Vining listed as model gateway. Mono Basin already said no in Community Plan. Suspend project. Vote no.

**David Passmore:** Lifelong CA resident, Fresno County. Natural beauty main thing that draws to area. Project significantly detracts from natural beauty. Ill-conceived project for all reasons noted by many speakers, especially degradation of viewscape. Recommend back to drawing board. Not against all development but project seems ill-conceived. Reject as proposed, consider more appropriate alternatives.

**Dan McConnell:** Didn't want to but listened to everybody, glad he did. Some comments made Dennis sound like bad guy. Photos in staff report showing visibility of project taken with a high-quality, high-powered lens. Highway much more disturbing with lights. Night photography points up at sky. Not going to walk out onto highway. Easily solved problems.

**Don Jackson:** Lives 325 mi away but been here 35 years for nature, wildlife photography. Not everything done at South Tufa and Navy Beach. Been in many other areas on lake in canoe where visual impacts would be significant. Friend killed by 395 driver.

**Santiago Escruceria:** Chair Lee Vining FPD. Document inadequate to ensure safest, most balanced project. Threats to public safety for firefighters. Small department with volunteers. Cannot back project as written.

--- Break: 12:55-1:10 pm ---

**Malcolm Clark:** Executive on behalf of Range of Light's 400 members. Project has hung over area, not accounted for substantial changes in area. Start over, have deadline. Impacts locally on scenic area, gateway to Yosemite. Water concerns: groundwater sustainability. Tripling of population could overwhelm local services and schools. Major projects should contribute on-site solar power or non-fossil-based alternative. Reduce use of fossil fuels. Increase number of EV charging stations. Two not meet need but better than nothing. Urge not to support.

April Sall read written comments received after 3 pm deadline yesterday

**Carol Reimer:** Not recommend poorly planned community housing development. Retain integrity of Lee Vining and rural scenic gateway community, cumulative impact. Not want eyesore to go forward.

**Darrel Quiring:** Frequently backpacked here. Irreversible impacts to scenic area. Not help housing shortage in region.

**Raymond F. Sciarga:** Dark sky from anywhere near lake compromised by lighting as designed. Building above ridgeline an obtrusion. Busy roads in summer will be jammed.

**Phyllis Benham:** Longtime Mammoth Lakes resident, volunteer at Mono County Park. Poorly designed. Vote no.

**Janet Keller:** Grandma early settler, coming here 62 years. Rugged beauty takes breath away. Mono Lake wild and serene, remained relatively undeveloped. Development will ruin place forever.

**Virginia Hilker:** As faithful visitor and supporter of the Mono Lake Committee and Mono Basin, strongly support the Mono Lake Committee positions on this subject.

**George Mellon:** Too many units in wrong area. Find somewhere less impacting to the overall topography and closer to needed services.

**Pamela Tumbusch:** Enjoying area since 1960s. Other areas with overcrowded roads and recreation. Rural scenic paradise with multitude of natural wonders. Stay as is for future.

**Robert J Hutchens:** Actually provide affordable housing or just sell to buyers? Spend more to support than make.

**Karen Loro:** Longtime supporter of Mono County beauty and recreation opportunities. No signs of imminent action to build the hotel or restaurant. County should take necessary time to revise its environmental analysis and do it right.

**Winter King:** County cannot lawfully approve in current form. Fails to inform of impacts, reduce impacts. 27 years have passed, no signs of imminent action. Take time to revise environmental analysis.

**Dan Hackston:** Access for hiking, skiing. Environment fragile, preserve this region. Significant impacts. Preserve aesthetic sense of Mono Basin. Vote no.

**John** (last name unknown): Mono Basin since 1978. Dark skies valuable resource.

**Kirk Dixon:** Visitor from Gardnerville since 1981. Wrong project for this location. Night sky a concern.

**Rafe Miller:** Mono Basin lover >50 years. Project will cause significant, irreversible, negative impacts on scenic beauty of unique landscape. Implore vote no.

**Sandra Bowman:** Always recommend for majestic night sky. Elevated location even more extensive. Citizens everywhere more concerned with quality of environment. Vote against.

**Janet R. Barth:** Stand at shore totally devoid of human incursions. Other than the kiosk and parking lot at South Tufa, there are no other buildings, no visible roadways, no power lines. Purity of viewscape rare at heavily visited destination. Service project in Death Valley: view from Telescope Peak 45 out of 50. View from South Shore would easily rate same. Please keep purity of the Mono Lake viewshed in mind.

**Rebecca Waters:** Mono Lake and tufas subject of many photos. Negative impact on landscape and wildlife. So many areas for growth of consumer needs.

**Robin Hartman:** Visitor to area 30 years. Mono Lake, Lee Vining sacred places entwined. Project increase traffic with no provision for pedestrians or cyclists. Wildlife impacts. Urge vote no.

**Gary Nelson:** Mono City. Hotel project shopped around for 27 years with no takers. Lee Vining not operative half of year. Only theoretical housing. Phase 4 supply vs demand makes unaffordable. Limit grading to phase 1. How much infrastructure?

**Rob Hirsch:** Professional photographer, leads workshops. Unavoidable visual impact. As natural biologist, concern for impact to deer. Charming, rural character of Lee Vining. Develop gateways to minimize environmental impacts. Urge vote no.

**Daniel Bittel:** Unique and iconic piece to protect, respect, and preserve. Development needs to line up with Lee Vining and Mono Lake. Ask vote no.

**Ruth Garland:** Out of character with natural. Not want big hotel on hill lighting up dark sky. Not allow.

**Whitney Larson:** Northern California resident. Visual impacts to shores of lake and tufa reserve. Insufficient mitigation. Vote no.

**Brock Graves:** Not agree with development, should not go through.

**Jessica Bittel:** Protect. Please vote no.

**Christian Wyatt:** Deep discomfort to affect Lee Vining with hotel. Protect ecosystem.

**Caitlyn Bittel:** Shocked and saddened to think this could happen. So many reasons why bad idea. Small community with unique culture and way of life. Family in Kansas vacationed to enjoy peaceful pristine nature there. Beg stop development. Entire area negative effect forever.

**Cambo Ferrante:** Inevitable impact on environmental, scenic and visual resources within Mono Basin, migration path of mule deer. Eyesore detracts from rustic small-town charm Lee Vining is known for.

**Mark Liljegren:** Environmental impacts far outweigh positive benefits.

**Renee Jones:** Significant impacts still remain. Frequent changes tried to slip through for 27 years. Not enough housing for employees. Significant visual and wildlife impact. Contrary to goals.

**Helen Vajk:** Better expressed by others, but this can't be a runaway train. No improvement in affordable housing; serious impact on Lee Vining size and character and on natural beauty and ecology. If you degrade this, you cannot get it back. Stop now.

**Martha Mosman:** Outsized impact on ridgeline above Mono Lake. Come to be part of whole ancient landscape, preserve incredible beauty of Mono Lake. Vote no.

**Don Condon:** California goal is to reduce fossil fuel use. Not heat with propane. Residentials now net zero. Should consider solar panels and electric heat pumps.

**Colleen Balch:** Former resident. Assaults on viewshed, character of iconic small town.

**Janet R. Barth:** Affordable housing important but development fails to provide this need. Vote no.

**Jordan Solitto:** June Lake cabin owner. Not want to be redundant. For love of God, don't do it!

**Allison Smyth:** Concern of impact on Lee Vining. Seasonal employee. Agree with countless comments on connectivity, safety. Public outcry proves goes against Community Plan. Could create domino effect. Properties built without approvals impact. Vote no.

**Joseph Migliore:** Lifelong California resident, member MLC, visiting all of life. Truly has special place in heart. Visiting Yosemite till crowd diminished. Same could happen here. Cascade of more development.

**Robin Hartmann (repeat):** Regular visitor 30 years for activities. Lee Vining and lake entwined. Severe negative impact day and night. No provisions for pedestrians and cyclists. Ill-conceived real estate deal. Urge no.

**Ivan Olsen:** Bedroom-style employee housing like USFS offers workforce every year.

**Michael Draper summarized comment letters >250 words**

**Henry Haviland:** 40-year Mammoth Lakes resident. Should have sunsetted long ago, threatens to overpower Lee Vining, inadequate services.

**Malcolm Mozier:** Lundy Lake area. Mecca for photographers. Threaten vistas and dark skies. Environment, traffic, safety, school, fire, sheriffs, CHP impacts. Should not be increased. Adhere to 1993 approval.

**Heidi Torix:** Eastern Sierra Unified School District. Concern for schools, development fees cover classrooms but not teachers to maintain class sizes.

**Martha Davis:** Former executive director MLC. Significant unmitigated adverse impacts. Not adequately address concerns. Visual impacts from vista points, night skies, population.

**Paul Ashby:** Photographer and visitor. Traffic safety issues, lack of connectivity to Lee Vining. Reexamine project, lease to outside operator. Triple population of Lee Vining.

**Carmen Borg:** Urban planner with Shute law firm. No safe way to travel into Lee Vining, no safe route to school, typical of "sprawl" development California planners have sought to avoid for the last 20 years.

**Caroline Vondriska:** Three generations of family stay in Lee Vining every summer. Still significant negative impacts. You risk converting your community from residential tourism to Yosemite-bound "gas and go" traffic.

**Will Rowe:** Chico resident. County will lose significant visitor-derived income from those of us who purposefully travel to Mono Basin to enjoy the very assets this development will destroy.

**George Todd:** Artist. Out of character with area. Only benefits owners. Housing only for workers. Too much traffic, demand on services.

**Deanna Dulen (repeat):** Accidents, roadkill. Services impacted. Need deed restrictions. Not for Mammoth or June ski area employees. Accelerates urban blight. Preserve sense of place.

**Cecile Audenried:** Manager Murphey's motel. Not meet employee housing so increase demand on community. FPD stress, schools, traffic accidents, fatalities, intersection. Not enough parking in Lee Vining.

**Range of Light Group:** Phasing not sufficient. Overbuilding. Housing not for employees, hotel not be built. Housing where hotel planned. Too much grading in plan. Visual concerns, dark sky disturbance. Lack of pedestrian connectivity.

**Lily Pastell:** Six-year resident. Safety risk for pedestrians, strain on FPD.

**Sam Bittel:** Strong opposition. Visitor from Kansas. This area represents a special and unique ecological treasure to not only California but the United States and our planet. Lee Vining, as a community, is a special place that retains its beautiful setting and old Northern California feel by avoiding over-development.

**Will Rowe:** Destroy visual assets of Mono Basin, approval creates negative precedent in Mono Basin.

**Sarah Taylor:** Project not provide affordable housing, not benefit schools.

**Alex Bittel:** Private individual encroaching on what belongs to everybody, impacts benefits, damages ecosystems, increases housing costs.

**Jeff Wyneken (repeat):** Detrimental to health of Lee Vining. Retain character.



**Robert Di Paolo:** Six-year resident of Mono Basin. Night sky issues, increases traffic, no definition of workforce housing, still more housing needed for employees.

**Melinda Rivasplata:** Recommends recirculation of DEIR as inadequate. Revise vehicle miles, deferred mitigation lacks performance standards.

**Dave Marquart:** Mono Basin several decades. Impact to night skies, negative population increase.

**Julie Brown,** Mono resident 40 years, June Mtn employees 150 people, project would make more attractive. Provide summer job opportunities, housing biggest barrier to hiring.

**Mary Bittel:** Obvious man-made distractions, night sky affected. Mule deer migration path. Biking, walking more dangerous. Reason to visit is magnificent views. Development detracts from town economy. Plan in constant flux, unpredictable. Humans are stewards of earth, protect treasures. Do not thrust haphazard plan on town, tripling size. Vote no.

**Liam Caulfield:** Not address needs of community. Analyze limits and constraints on community. Transform true soul of area. Degrade foundation of community itself. Lee Vining staple within great Sierra range. Reject, save Mono Basin.

**Carmen Borg:** Certified urban planner at Shute for 20 years. Not in keeping with current planning practices. No safe way to Lee Vining, half-mile. Choose driving or walking with safety hazard. Design conflicts with smart land use policies, safe routes to school.

**Robbie Di Paolo:** Three concerns: night skies unique and valuable resources; increased traffic; define workforce. Impact on scenic views, impact on night skies. Affordability ill-defined, housing only 2/3 of staff. Ask vote no.

**Manuel Santillan:** Nobody doing anything to keep jobs for locals. People outside town deciding how new generations should live. Need job and place to stay.

###

**Domaille rebuttal:** Providing about 70 of onsite housing for employees. Maybe already living in area. Beauty of project is 22 years at Tioga Gas Mart, hard to keep employees. Mono Market same problem. Work all summer, not have to move, become stable residents. Patronize local businesses in town year-round, not find restaurant, bar, market closed. Stable workforce lives there, kids in local school. Were 300 kids at LVHS. Eight gas stations, several markets. Not healthy place. Property cause financial impact? Elementary would run out of room. Plenty of room at LVHS. Impact fees will cover that. Prop taxes haven't gone up on existing properties. Enormous amount of money from project. Not enough for solar panels (fog in winter). Gas heat is lowest cost. Every intention to seek grant money. Virtually all will be affordable but can't guarantee. If can't build financially, won't get built. \$300/sf big problem. Government needs to provide housing. Dan McConnell to site with scaffolding red and yellow. Couldn't even see it without binoculars. Whole argument about visual impacts not significant. Just a speck, not where people focusing cameras. Minimal visibility. Not lobbied commissioners. People sleeping in cars and woods by dozens. People need housing. Right to view lake more important than place to live? Review record, see what's in it. Make right decision.

###

Sugimura: More comment, correction, staff comment.

Sall: Range of Light letter by Malcolm Clark not Lynn Boulton.

**David Strelneck** (repeat): ESUSD refutes evidence. Be sure accurate input used rather than previous staff person.

**Sarah Taylor** (repeat): Lee Vining more than 20 years. Lee Vining need more affordable housing? Yes. Beautiful and friendly small town? Yes. Would project provide affordable housing? No. Increase beauty of landscape? No. Please ask development to make project work to benefit all.

###

Sugimura: Eastern Sierra Unified School District submitted letter that changed previous input. Mono followed proper contacting procedures for initial input. Housing study has been conducted, see Housing Element adopted last year. Showed housing opportunity sites, Tioga Inn site in adopted plan. Also showed Draft EIR project description, which has not changed from Draft to Final EIR. Alternatives and the Preferred Alternative have changed in response to public comments, which is what should happen in a good public process and if project is being responsive to the community.

Trail to town: No new feasible mitigation measures suggested by public comment except eminent domain, which Mono historically has not used.

Not subject to SB 375, State ARB would not certify Mono's Resource Efficiency Plan as SCS.

No legal requirement for projects to comply with safe routes to schools. Routes into town not subject to Mono or developer control.

This project is a housing project and does not determine whether hotel and restaurant get built. 187 employees already exist due to approved hotel/restaurant project and so are reasonably foreseeable. Project proposal provides up to 150 bedrooms toward the 187. Understand idea that project exacerbates housing problem but that is not accurate picture.

Bush: 187 now or later? *37 current, 150 more.*

Sugimura: If hotel not built, phase 2 not happen and 30 units max will be built. Housing Needs Assessment indicates 120-170 units needed across entire county. Most comments addressed in analysis, many inaccuracies stated but no time to address point by point.

Bauer: Public trust doctrine not apply to this project. Buffer for fox would be 500'.

Bush: Heard EIR in 1993 could become stale? Law address that? Bauer: Original document valid unless changes proposed (changes were, assessed in new document). Anything unchanged remains protected, even in 100 years.

Milovich: Initial public comment letter brought up law that EIR does not go stale.

Bush: Any law supporting that PC would want to redo or stepping out of bounds? Two projects. Hotel not built, so no real need for housing. One dependent upon other.

Milovich: Within staff discretion to open up entitlements from 1993, decided not to do so which is legally valid. PC could ask to revisit project.

Bush: Cost involved? *Milovich: Completely new effort, more cost, resources. Can't reopen EIR, but PC could revise Specific Plan to eliminate hotel.*

Bush: Without hotel would not have housing. **CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Robertson: Clarify confusion. Voting on housing project. If vote no, will hotel and restaurant still move forward? *Yes.* Grade phases individually? Add childcare into phase 1.

Domaille: Daycare part of first phase, also laundry facility.

Bauer: Allow all grading before phase 1. Cannot proceed with construction without fill material.

Domaille: To lower buildings would require dirt removal, hotel would give place to put dirt. Grading has to be done when people not coming and going.

Bauer: Portion of grading to enable phases 1 and 2, postpone phase 3? *Domaille: Major grading project with people there -- logistical nightmare.*

--- Pause for tech issue: 2:58-3:13 pm ---

Robertson: Need 120-170 housing units for Mono. Large percent living with family in Mono Basin. Can't require additional affordable outside what's required in Housing Mitigation Ordinance. Project provides much-needed housing. One piece of puzzle. Not often find project proposing employee housing on site in recent years, almost unprecedented. Takes burden off current, aging housing stock existing. Incorporates changes requested. Safe access, childcare. Sense Specific Plan not going to triple population of Lee Vining, people already in overcrowded housing.

Roberts: Intimidating to speak after all negative comments. Lived in area over 50 years, understand concern about change in community. Not like when something new gets built, all share that. Disapproving this housing project does not eliminate any development on that property that provides great share of impact. Need for housing is great. Makes little sense to seek housing elsewhere for employees of that development. Live elsewhere, travel to site for employment, transportation impact than living on site. Network effect of massive PR campaign by organizations using social media mailing lists to garner opposition to project. Many who spoke thought denial would kill entire project; not true. In original 900+ comments were just a template provided. Today same talking points. Fewer than 10 people had original thought on matter. Property owner should have some rights.

Bush: If open hotel, not having housing for employees.

Lagomarsini: Share comments. Change is difficult but took extra step to read Mono Basin and Caltrans documents. Unfortunate geographical separation from town. Empty storefronts in downtown Lee Vining. Can't make that happen. If done thoughtfully, could work. Concern about dark sky issues, torn about second story buildings. Lights in town, highway, visitor center. Town could benefit from few more people, more jobs, more housing.

Bush: Public comment astronomically against but is it really that wonderful what exists? Nice if jobs available in area, housing too. Turning down housing does not negate hotel, not going away. Make housing protect ambience. If need 187 but cut down, exacerbating housing problem.

Robertson: Many comments wanted to house all employees but no visual impact. If remove second story, does that meet intent of public comments?

Bush: If goes ahead, haven't discussed lighting. Colors of buildings can make stuff go away. Lights directed down, why so overwhelming? Talk about fox, shuttle, phasing plan?

Sugimura: Not yet built in, be part of PC recommendation.

Roberts: Signage to not feed wildlife could be too many signs.

Robertson: Include childcare in phase 1 in motion? *Bush: Add that.*

Lagomarsini: See language on fox, shuttle, phasing?

Bush: Lighting shielded, downward, color choices. So much public outcry about lighting.

Lagomarsini: Ambient lighting always exists. Lighting addressed.

Robertson: Grading logistics best to do at once but occurs that phase 3 may not be built ever or later. Reasonable to do grading same as phase 1 when occupancy right away.

Bush: If phase 3 not built, would reclaim/revegetate so blends in.

Lagomarsini: If phase 3 not started within certain time...

Bauer: New mitigation requirement. Landscaping plan recognizes exposed soils. Revegetation plan outlines issues.

Bush: Already incorporate if phase 3 never happens, will revegetate to natural state.

Final public comments via email to be summarized/read into record:

**Ruth Garland:** People sleep in cars because like to camp there. Not buy into this argument.

**Shelley Hutchinson:** Family visited since was teen Special place in hearts. Never be same if built. Not right place for new housing. Changing sound pollution. Find more suitable project.

**Alicia Vennos:** 2018 survey of 80 businesses in unincorporated, plus Mammoth Lakes and June Lake. Almost half report difficulty recruiting. Challenges keeping year-round employees. Availability and affordability. Housing scarcity for year-round employees. Challenging, but tourism will rebound, maybe exceed prior to pandemic.

**Eva Brown:** Hotel/restaurant going forward. What if project decides not to build hotel?

***MOTION:*** Adopt Resolution R20-01 making the following findings and recommending 1) adoption of Tioga Inn Specific Plan Amendment #3 and the Mitigation Monitoring and Reporting Program with the modifications read by staff and identified in Section One of R20-01, and 2) certification of the Final Subsequent Environmental Impact Report:

- A. Having reviewed and considered all information and evidence presented to it including public testimony, written comments, the Final SEIR (Attachment 1), staff reports and presentations, the Planning Commission finds, as set forth in Section Two of Resolution R20-01 (Attachment 2), that:
  1. The proposed changes to the Tioga Inn Specific Plan are consistent with the text and maps of the General Plan,
  2. The proposed changes to the Tioga Inn Specific Plan are consistent with the goals and policies contained within any applicable area plan,
  3. The site of proposed change in the specific plan is suitable for any of the land uses permitted within the proposed specific plan,
  4. The proposed changes to the Tioga Inn Specific Plan are reasonable and beneficial at this time, and
  5. The proposed changes to the Tioga Inn Specific Plan will not have a substantial adverse effect on surrounding properties.
- B. The Planning Commission finds that the Tioga Community Housing Project Final Subsequent EIR (FSEIR; Attachment 1) has been prepared for the Tioga Inn Specific Plan Amendment #3 in compliance with CEQA and that the FSEIR reflects the County's independent judgment and analysis. The Planning Commission further finds that the FSEIR has been presented to, and reviewed by, the Planning Commission and is adequate and complete for consideration by the Board of Supervisors in making a decision on the merits of Tioga Inn Specific Plan Amendment #3, and for making the findings substantially in the form set forth in Exhibit A of Resolution R20-01 (Attachment 2).
- C. The Planning Commission recommends that the Board of Supervisors: 1) make the findings and statement required by 14 CCR §§ 15091 and §15093, substantially in the form set forth in Resolution R20-01; 2) certify the Final SEIR; 3) adopt the Mitigation Monitoring and Reporting Program as modified; and 4) approve Tioga Inn Specific Plan Amendment #3 as modified.

*(Bush/Roberts. Roll-call vote: Bush-aye. Lizza-recused. Roberts-aye. Lagomarsini-aye. Robertson-aye.)*

--- Break: 4:13-4:18 pm ---

- B. **CONDITIONAL USE PERMIT 19-010/Subia.** Proposal to operate an overnight kennel facility for cats and dogs on a 5-acre Rural Residential (RR) parcel at 206 Inca Place in Benton (APN 025-030-048). The facility will be housed in a 25' x 30' metal building and will board a maximum of 17 dogs and 8 cats. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials are available for public review online at <https://monocounty.ca.gov/planning-commission/page/planning-commission-special-meeting-7> and hard copies are available for the cost of reproduction by calling 760-924-1800. *Staff: Kelly Karl*

Kelly Karl presented an overview of the proposed project. Last kennel project was 10 years ago. Must maintain annual kennel license and comply with noise ordinance. One negative comment. Karl suggested listing parameters of noise ordinance.

How close to neighbors? *120 feet to south.*

Comment letter from neighbor? *Not specified.*

Owner have dogs now? *Yes.*

Building exist now? *No yet. Not far from neighbor.*

Supervised all time? *Applicant lives short distance away, always staff person.*

Why 17 dogs? *13 kennels plus four additional dogs.*

Lizza: Let animal control set timing of inspection. *County Code requires two inspections. Animal Control reviewed, had no edits.*

Lizza: Thorough, complete report and business plan?

**OPEN PUBLIC COMMENT:** Applicant Holly Subia does not know commenter Pat. Immediate neighbors OK with it. If barking occurs, closest is her bedroom. Opaque panels on lower part so dogs not see each other, want to interact. No way to eliminate barking when outside playing.

Think will have 17 dogs? *Rare occasions like holidays. Could adjust kennels to accommodate.*

Ongoing availability in area now? *Not in Benton or Mammoth. Round Valley at capacity. Small at Mill Pond, dogs outside. Bishop Vet, dogs inside, cats in kennels. No cat condo with multilevel space. Looking for options for pet parents. Small area survey. Someone drove four to five dogs to AZ to board, not happy with options here. Benton out of way but has more space. No kennels inside Bishop city limits. Metal building can be hot.* **CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Lagomarsini: Add noise-ordinance-specific language: All requirements of Mono County General Plan and Code 10.16.08 and project conditions.

Bush: Dog barking is rhythmic and not go away, not even have to be loud.

**6. WORKSHOP:** None

**7. REPORTS**

**A. DIRECTOR:** Next month: Short-term rental use permit application, SP amend Highlands Specific Plan for STRs on certain parcels, Tract Map amendment.

**B. COMMISSIONERS:** **Bush:** Perfect setup for Zoom. **Lagomarsini:** Zoom went well. **Lizza:** Wendy could wordsmith document on screen.

**8. INFORMATIONAL:** None

**9. ADJOURN** at 4:54 pm to regular meeting May 21, 2020.

# Mono County Community Development Department

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

## Planning Division

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Bridgeport, CA 93517  
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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

May 21, 2020

To: Mono County Planning Commission

From: Kelly Karl, Associate Planner

Re: PUBLIC HEARING: Use Permit 20-001/Barter

### RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Hold the public hearing, receive public testimony, deliberate the project, and make any desired changes.
2. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15301 and instruct staff to file a Notice of Exemption;
3. Make the required findings as contained in the project staff report; and
4. Approve Use Permit 20-001 subject to Conditions of Approval.

### BACKGROUND

Mono County adopted General Plan Amendment 19-01 on February 12, 2019, which identifies the types and locations of acceptable short-term rentals in the county. Mono County Code Chapter 5.65 establishes a Short-Term Rental Activity Permit governing the operation of rentals and making the approval non-transferrable if ownership changes. The Short-Term Rental Activity Permit is approved separately from the Use Permit by the Board of Supervisors and is also required prior to commencement of rental activity.

### PROJECT DESCRIPTION

UP 20-001/Barter is a proposal for an owner-occupied short-term rental located at 320 Mountain View Drive (APN 064-150-004) in Swall Meadows. The parcel is designated Estate Residential (ER). The project proposes to rent two-bedrooms on the first floor of the existing two-story residence, one-bedroom and a loft on the second floor will be occupied by two long-term residents (including the owner). The maximum number of occupants is limited to a total of six people (including the owner/full-time residents) and four vehicles (including the owner's vehicles).

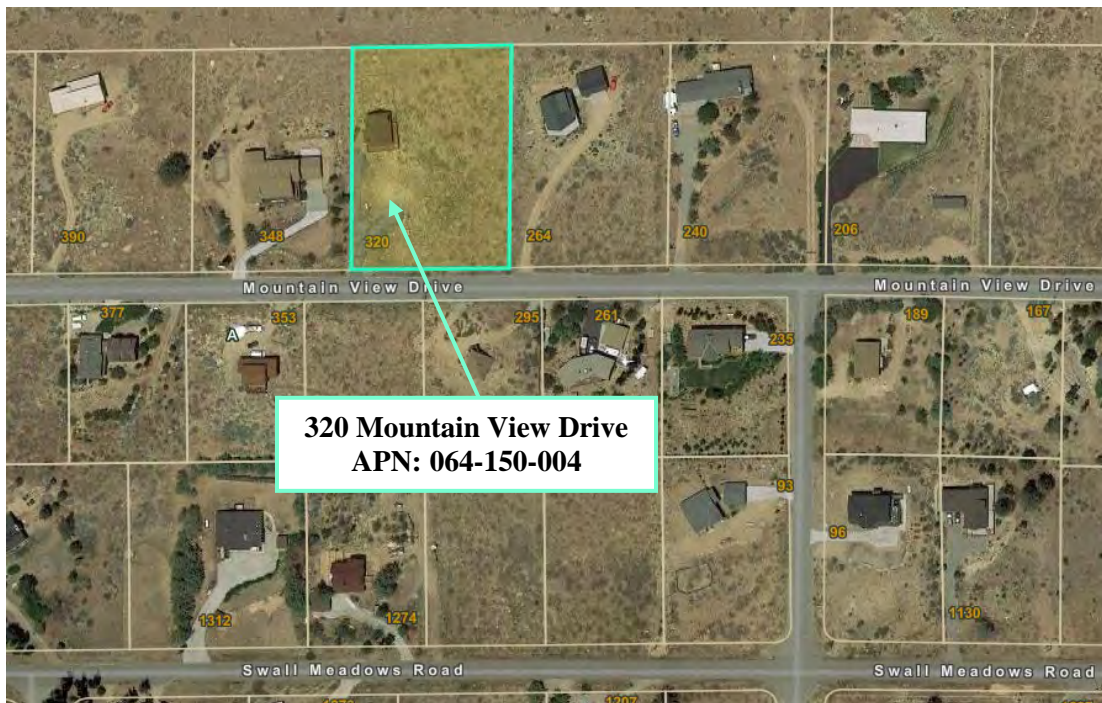
County Code limits the occupancy of short-term rentals to two persons per bedroom, plus an additional two persons, not to exceed 10 persons total. Under the typical rental scenario occupancy for this rental would be limited to six short-term renters plus the owner/long-term residents (two persons) for a total of eight people occupying the unit. However, per County Code section 5.65.110.C., the occupancy of short-term rentals may be further restricted by the



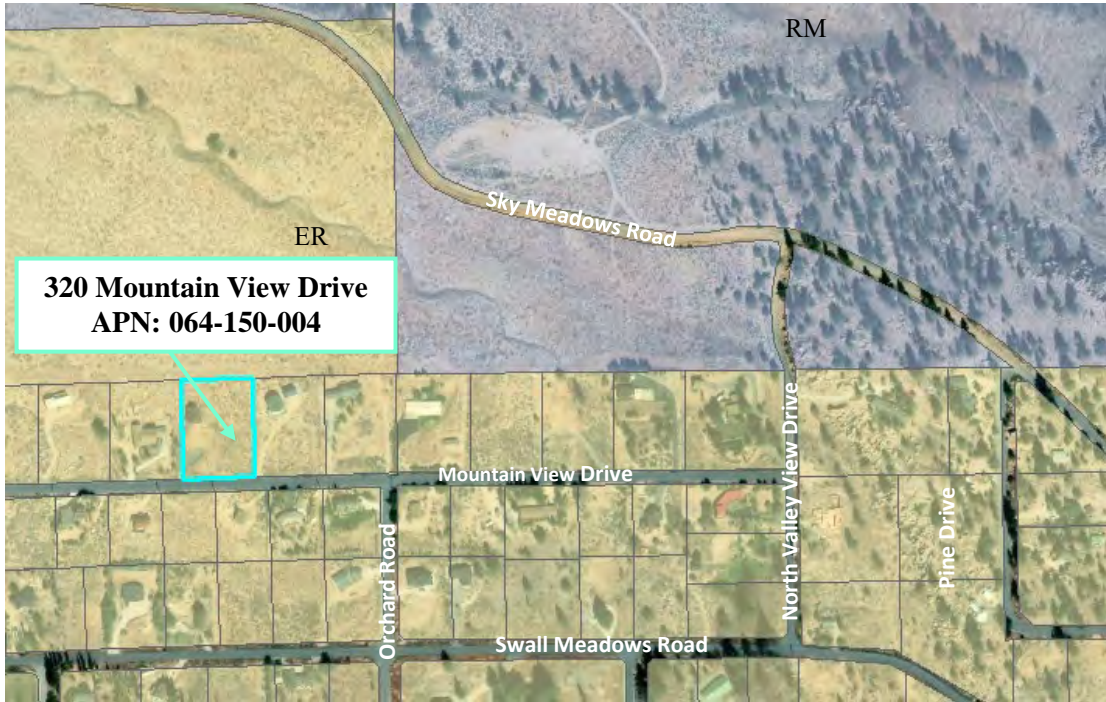
limitation of the septic system serving the dwelling as determined by Mono County Environmental Health. At the May 5, 2020, Land Development Technical Advisory Committee (LDTAC) meeting, the Environmental Health Department requested that the occupancy for this short-term rental be limited to a total of six people (including the full-time residents) due to the capacity of the existing septic system. The existing residence has two full-time residents, the owner and his partner, so the maximum occupancy for the proposed short-term rental will be limited to four renters and total occupancy shall not exceed six people.

Short-term rental use may be permitted for any single-family unit having land use designation(s) of SFR, ER, RR, or RMH subject to Use Permit, if consistent with applicable Area Plan policies. An additional Short-Term Rental Activity Permit approved by the Board of Supervisors is to be obtained by the property owner. The Activity Permit shall terminate upon a change of ownership and, if desired, the new property owner(s) may apply for a new Short-Term Rental Activity Permit.

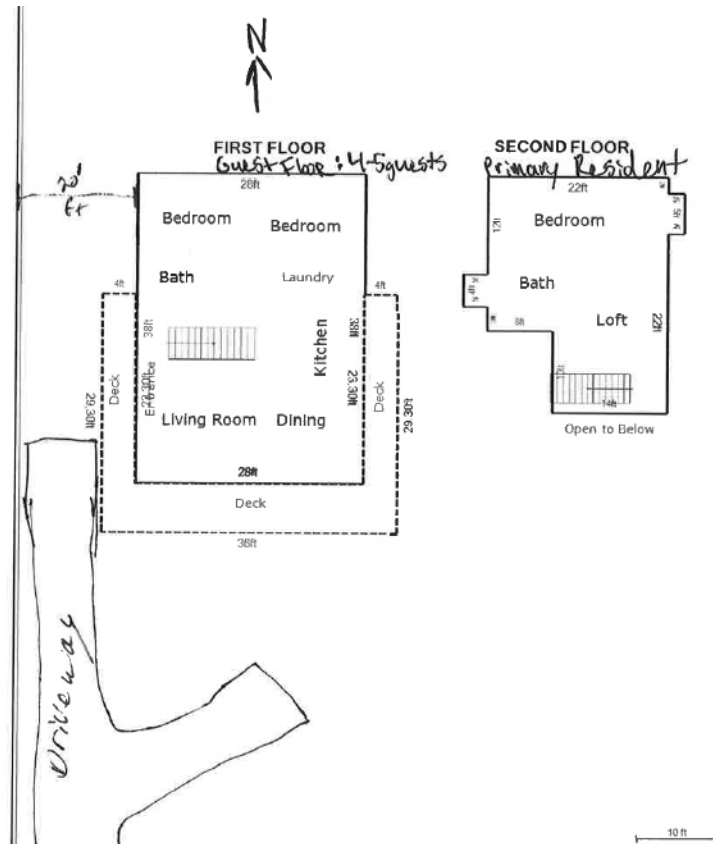
**FIGURE 1: PROJECT LOCATION**



**FIGURE 2: PROJECT LAND USE DESIGNATION**



**FIGURE 3: FLOOR PLAN**



## **LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)**

The LDTAC reviewed and approved the application for processing on January 6, 2020. The draft conditions of approval for this project were reviewed and approved with edits by LDTAC on May 4, 2020. LDTAC requested several edits to the final conditions of approval, including: (1) reducing the occupancy of the short-term rental to a total of six people (including the owner/long-term residents) due to the capacity of the existing septic system, (2) requiring a one-time bacteriological test for the existing well, and (3) that an Evacuation Map with emergency information be provided to all short-term renters as part of the rental information packet.

The third requested edit from LDTAC was not incorporated into the final conditions of approval for this project and instead will be included in the Short-Term Rental Activity Permit process. County Code section 5.65.110.B.2. requires this information be included on the interior sign posted in the short-term rental.

## **PUBLIC HEARING NOTICE**

A hearing notice was published in the April 18, 2020, edition of The Sheet. Notices were also mailed April 18, 2020, to property owners within a 500' radius of the site per Land Use Element Chapter 25. Six comments opposed to the project were received at the time this staff report was written.

## **COMMENTS RECEIVED**

All six comments cited concerns about short-term rentals being incompatible with the community character of Swall Meadows as well as concerns about the potential increase in demand and burden on the emergency services provided by the Wheeler Crest Fire Protection District. The concerns expressed about the project are summarized below and the complete comment is available in Attachment 6.

Comment 1 - Opposed based on the following:

1. Swall Meadows is a residential community and short-term rental use is not permitted under current zoning.
2. An increase in visitors/tourism to Swall Meadows would increase burden of emergency response for Wheeler Crest Fire Department's small volunteer-based staff.

*"I have been a member of the Wheeler Crest Fire Department for the past 11 years. Bringing in tourists from other areas adds pressure to the local ems and our local volunteer fire department. During my tenure with the organization we have been called to provide services for medical emergencies related to people visiting the area who are not prepared to deal with our higher elevations, responses to fires caused by visitors, and automobile accidents. I recall one incident where a visitor become lost on Wheeler Crest requiring our department to respond. He then demanded a ride back to his car when he was located. We are a volunteer organization. Please do not contribute to our call volume by bringing in visitors to our small community."*

3. The Swall Meadows community is a mix of working and retired residents. The appeal of Swall Meadows is to enjoy a residential atmosphere free of commercial activity, allowing a short-term rental would alter the community's character.

**UP 20-001/Barter**

**May 21, 2020**

**4**



Comment 2 - Opposed based on the following:

1. Swall Meadows is a residential community and short-term rental use is not permitted under current zoning.
2. The existing community is a mix of respectful and conscientious full-time and part-time residents. Swall Meadows' community character would be changed by allowing the transient population to increase.
3. An increase in visitors/tourism to Swall Meadows would increase burden of emergency response for Wheeler Crest Fire Department's small volunteer-based staff.

*"I have been a member of the Wheeler Crest Fire Department for the past 2 years. We know from past experience that bringing in tourists from other areas adds pressure to our local EMS and our local volunteer fire department. In the past our volunteer department has had to respond to a variety of calls due to visitors, including disrespecting fire bans, a very serious issue here in Swall Meadows given our high winds and past wildfires. Visitors do not understand this and want to have bonfires in the mountains when it is not appropriate. These short-term rentals also, in no way contribute monetarily to our department and resources to provide extra service."*

Comment 3 - Opposed based on the following:

1. The Swall Meadows area does not need additional visitors. Based on experience providing emergency medical response on the Wheeler Crest Fire Department, the primary concerns are: (1) visitors who are unprepared for the elevation/arid conditions, and (2) icy/snowy conditions on Lower Rock Creek Road in winter.

*"My concerns are primarily that, in the short run, we don't need visitors to the area. In the long run, as an Emergency Medical Responder on the Wheeler Crest fire department, I am concerned about visitors who are not prepared for our elevation, arid conditions, and icy/snowy conditions, particularly on lower Rock Creek Road in winter."*

Comment 4 - Opposed based on the following:

1. An increase in visitors/tourism to Swall Meadows would increase burden of emergency response for Wheeler Crest Fire Department's small volunteer-based staff.

*"This type of short-term rentals over taxes the minimal services available in our area. Unlike larger population centers like Mammoth Lakes and Bishop with paid firefighters, Swall Meadows has a very small Volunteer Fire Department to respond to all emergency services. As a firefighter and one of the three EMTs for the Wheeler Crest Fire Department, having vacation rentals in the area puts a huge burden on our department and members. Temporary visitors do not understand what high fire danger and red flag warnings really mean and do not receive the Mono County emergency communications. I have experienced visitors disregard (or being ignorant of) fire warnings, building fires while camping above Swall in high wind conditions and building outdoor fires across from my home while staying in an illegal Air B&B at 190 Pine Drive. Having fought many fires including the Round Fire and Rock Creek Fire, we do not need this added liability of nightly visitors, whether owners say they will be on the premises or not."*

2. There is no onsite law enforcement in Swall Meadows and response time is usually 30 minutes or more.
3. Swall meadows is not the place for vacation rentals. Existing illegal short-term rentals have already created impacts to community character including: renters showing up at the wrong house, making noise late at night, letting dogs run free, building fires, increased traffic on small residential roads, over occupancy of people and vehicles in illegal rentals, and feeding horses neighborhood inappropriate items.

Comment 5 - Opposed based on the following:

1. Enforcement of owner-occupied rentals does not seem feasible.
2. Swall Meadow is rural and isolated in nature which does not lend itself to short-term rentals as tourism and recreational services/destinations are located at least 30-minutes away. This would lead to an increase of traffic on windy/unlit county roads and increase the burden of Wheeler Crest Fire Department's small volunteer-based staff.
3. Community character impacts:

*"As full time residents of Swall Meadows since 1993, our choice to buy property here was to work and retire where we chose to live in a quiet, mountainous, rural setting. There were no transient rentals here in 1993 and we were glad for that. To change the character of a place with ongoing variances and conditional use permits is to undermine the values and the things that make an area livable. In our opinion, the wants of those that desire to profit from their property do not balance the needs of others to live in their homes and communities as they were designated, i.e. Estate Residential."*

Comment 6 - Opposed based on the following:

1. Swall Meadows is home to working and retired citizens who were attracted to the area for the quiet and peaceful community character. Short-term rentals would negatively affect and significantly alter Swall Meadow's community character.

*"We are strongly opposed to the proposal set forth by "Conditional Use Permit 20-001 Barter"! Swall Meadows is designated as Estate Residential for good reason. We are a community of both working and retired citizens who enjoy the quiet, peacefulness and safety of our neighborhood that the land use designation of Estate Residential allows. To open it up to short term/transient rentals would destroy our current quality of life."*

2. The proposed short-term rental would increase the number of vehicles parked on the property from two vehicles to six vehicles. The rental would also attract additional people which would make the existing single-family residence, essentially a multi-family home.
3. Ambient and nighttime noise disruptions would increase along with the proposed short-term rental.
4. The proposed rental would impact local wildlife populations, particularly the Round Valley deer herd. The additional traffic in the area generated by this short-term rental would substantially increase the likelihood of a deer being struck by vehicles.
5. The increase in visitation to the area would increase the spread of COVID-19 in the Swall Meadows community which has thus far remained free of the virus. This is of great concern for current Swall Meadows community members with high risk factors/underlying conditions for COVID-19.

These concerns are addressed as follows:

1. Short-term Rental Use & Swall Meadows Zoning: Per Action 24.A.3.f. of the Wheeler Crest Area Plan policies in the Mono County Land Use Element, not-owner occupied short-term rentals are prohibited in the Wheeler Crest Planning Area. Owner-occupied rentals are permissible in the Wheeler Crest Planning Area. Short-term rentals in any single family unit with a land use designation of SFR, ER, RR, or RMH are governed by regulations in Chapter 25, Short-Term Rental and Mono County Code Chapter 5.65. An owner-occupied short-term rental at 320 Mountain View Drive is permissible upon approval of a Use Permit by the Planning Commission and a Short-Term Rental Activity Permit by the Board of Supervisors. Furthermore, the Short-Term Rental Activity Permit is renewed on an annual basis and requires continued compliance with the conditions of approval for both the Use Permit and the Activity Permit.
2. Enforcement of Owner-Occupied Rentals: County Code section 5.65.160 specifies the enforcement protocols for short-term rentals and the County has a contract with Host Compliance to monitor for unpermitted short-term rentals.
3. Law Enforcement Response Time: Calls to the Mono County Sheriff should be rare for an owner-occupied rental as the property owner is on site to address any disruptive behavior.
4. Impacts to Community Character: Policy 24.A.3 of the Wheeler Crest Area Plan policies specifies the importance of retaining the rural residential character of the entire study area (full text below). The actions listed under this policy acknowledges that “general commercial uses are not desired within the residential area” however, bed-and-breakfast establishments and owner-occupied rentals are listed as exempt. Owner-occupied rentals require the owner to be onsite during all short-term rentals and closely monitor their renters to ensure compliance with regulations and therefore prevent impacts to community character. Violations by an active short-term rental are grounds for incurring fees and failure to correct violations is grounds for suspension or revocation.

***Policy 24.A.3. Retain the rural residential character of the entire study area.***

***Action 24.A.3.a. Permit only single-family residential and related accessory structures. Bed-and-breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.***

***Action 24.A.3.b. General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.***

***Action 24.A.3.c. Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more-restrictive CC&Rs, as applicable.***

***Action 24.A.3.d. Avoid community strife by respecting current, more-restrictive CC&Rs, as well as County land use designations.***

***Action 24.A.3.e. Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.***

*Action 24.A.3.f. Prohibit not-owner occupied short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.*

5. Impacts to Emergency Response/Wheeler Crest Fire Department: The Wheeler Crest Fire Protection District (WCFPD) provided a provisional will serve letter for the proposed short-term rental use at 320 Mountain View Drive. A condition of approval for this Use Permit includes the requirement to obtain a final will serve letter from the WCFPD for the project and requires the project comply with any requirements specified by the FPD. Per County Code section 5.65.110.B.2, an Evacuation Plan and emergency contact information is required and evaluated during the Short-Term Rental Activity Permit process.
6. Vehicles/Parking: A condition of approval for the proposed short-term rental caps the maximum number of vehicles at four vehicles, two vehicles for the owner/long-term resident and two vehicles for short-term renters.
7. Increased Occupancy/Multi-Family Residential Home: A condition of approval will limit occupancy to a total of six people, including the two long-term residents which would allow for a maximum of four short-term renters to occupy the residence. The existing residence contains three-bedrooms and a loft, so the proposed occupancy would be comparable to a fully occupied single-family residence.
8. Increased Ambient & Nighttime Noise Levels: The project will be required to comply with the maximum allowable exterior noise levels for residential – low density uses species in Table 10.16.060(A) of Mono County Code. Daytime (7:00 am – 9:59 pm) noise levels shall not exceed 55 dBA and nighttime (10:00 pm – 6:59 am) noise levels shall not exceed 50 dBA. A specific reference to this County Code section has been add to the conditions of approval for this project.
9. Impacts to Local Wildlife/Round Valley Deer Herd: The short-term rental will occur in an existing single-family residence on a parcel in an existing subdivision. No new development is being authorized with the rental, and therefore no new impacts to wildlife or deer will occur. The maximum occupancy identified for short-term rental would be permissible for permanent residency or long-term rental without any approval from the County.
10. COVID-19: A condition of approval for this project requires that the existing state and local Public Health Orders must be lifted to allow for recreational and leisure stays before this rental would be permitted to advertise or initiate operations. Please see the COVID-19 discussion section below for additional detail.

## FIGURE 4: MAP OF COMMENTS RECEIVED



*Map of five out of the six comments (indicated with blue dots) received from property owners who cited an address in their public comment.*

### CEQA COMPLIANCE

The project is consistent with a Class 1 California Environmental Quality Act (CEQA) exemption. Class 1 (15301) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Examples include but are not limited to:

- Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- Conversion of a single-family residence to office use.

Single-family homes that are rented on a short-term basis (as an owner-occupied rental) will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full-time residents or long-term renters. In addition, short-term rentals are subject to compliance with regulations governing the management of these units stipulated in Mono County Code 5.65, which addresses aesthetics, noise, parking, utilities, and other similar issues. As a result, rental of a single-family residence is not an expansion of use, and is no more intensive or impactful than, for example, conversion of a single-family residence to office use.



**SITE PHOTO 1 - 04/30/2020**



*Looking north from the base of the driveway.*

**SITE PHOTO 2 - 04/30/2020**



*Looking east towards the lower parking area.*

**SITE PHOTO 3 - 04/30/2020**



*View of the existing residence from the top of the driveway.*

**GENERAL PLAN CONSISTENCY**

The land use designation for this property is ER and short-term rentals are permitted subject to approval of a Use Permit and Short-Term Rental Activity Permit. The project is consistent with Chapter 25, Short-Term Rentals, which established a process to permit short-term rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies. The project is consistent with General Plan Land Use Designation policies, Countywide land use policies and Wheeler Crest Area Plan policies contained in the Mono county General Plan Land Use Element.

**MONO COUNTY LAND USE ELEMENT, COUNTYWIDE LAND USE POLICIES**

*Objective 1.I. Maintain and enhance the local economy.*

*Policy 1.I.1. Land use designations shall provide sufficient land for the economic development of community areas.*

*Objective 1.M. Regulations of short-term rentals in residential land use designations (e.g., SFR, ER, RR, MFRL or RMH, excluding MFR-M and MFR-H) are needed to protect residential neighborhood character and quality of life, as well as capture potential benefits to the extent possible.*

*Policy 1.M.1. Approvals of Owner-Occupied and Not Owner-Occupied short-term rental operations shall be specific to the property owner and non-transferrable. Sale or transfer of the property renders the approval to operate the rental null and void.*

*Action 1.M.1.a. The following permits are required to operate Owner-Occupied and Not Owner- Occupied short-term rentals: 1) a Use Permit pursuant to Chapter 25, and 2) a Short-Term Rental (STR) Activity Permit pursuant to Mono County*

**UP 20-001/Barter**

**May 21, 2020**

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*Code Section 5.65. The STR Activity Permit shall be specific to the property owner and non-transferrable.*

The Commission may deny an application based on the following Countywide policy:

***Policy 1.M.3.*** *In addition to reasonable opposition by the neighborhood, short-term rental applications may be denied in neighborhoods with certain safety and/or infrastructure characteristics that are not compatible with visitor use, or where conflicts with other regulations exist.*

***Action 1.M.3.a.*** *Short-term rental applications may be denied where one or more of the following safety or infrastructure conditions exist:*

- *Emergency access issues due to a single access point to/from the neighborhood (see Safety Element, Objective 5.D. and subsequent policies, and Land Use Element 04.180).*
- *Access to the parcel, in whole or part, includes an unimproved dirt road (e.g., surface is not paved or hardened with a treatment) and/or roads are not served by emergency vehicles.*
- *The majority of parcels in a neighborhood/subdivision are substandard or small (less than 7,500 square feet), potentially resulting in greater impacts to adjacent neighbors and/or changes to residential character.*
- *Current water or sewer service is inadequate or unable to meet Environmental Health standards.*

The project is also required to comply with Mono County Code Chapter 5.65 and receive Board of Supervisors approval for the Short-Term Rental Activity Permit in a public hearing. The purpose of Chapter 5.65 is to implement procedures, restrictions, and regulations related to the operation of a short-term rental. It also provides enhanced enforcement tools to address unauthorized short-term rentals countywide

## **MONO COUNTY LAND USE ELEMENT, WHEELER CREST AREA POLICIES**

### ***Objective 24.A.***

*Prevent incompatible or conflicting uses within the Wheeler Crest community.*

***Policy 24.A.3.*** *Retain the rural residential character of the entire study area.*

***Action 24.A.3.a.*** *Permit only single-family residential and related accessory structures. Bed-and breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.*

***Action 24.A.3.b.*** *General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.*

***Action 24.A.3.f.*** *Prohibit not-owner occupied short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.*



## **PARKING**

Owner-occupied rentals are required to provide adequate parking for both the property owner and short-term renters. Per Chapter 5.65 of the County Code, the number of vehicles shall not exceed the number of parking spaces. The parcel is located at an elevation below 7,000 feet which reduces the required parking stall dimensions to 9' x 18'. The project provides a total of four 9' x 18' paved parking spaces, two uncovered spaces for the property owner and two uncovered spaces for renters. The project provides two parking areas, an upper parking area and a lower parking area. The upper parking area is located at the top of the driveway, immediately adjacent to the residence, and provides two 9' x 18' tandem uncovered spaces. The lower lot is located 110' south of the residence on the secondary driveway leg that leads to the former garage site (structure was destroyed in the Round Fire) and provides ample space for two additional 9' x 18' uncovered spaces.

## **SETBACKS**

ER parcels greater than one-acre in size are required to meet 50' front yard, 30' side yards, and 30' rear yard setbacks. The existing residence is an existing nonconforming structure that meets all setbacks except for the western side yard which has a 20' setback from the property line to the residence and 16' of setback from the property line to the deck.

## **FIRE SAFE REGULATIONS**

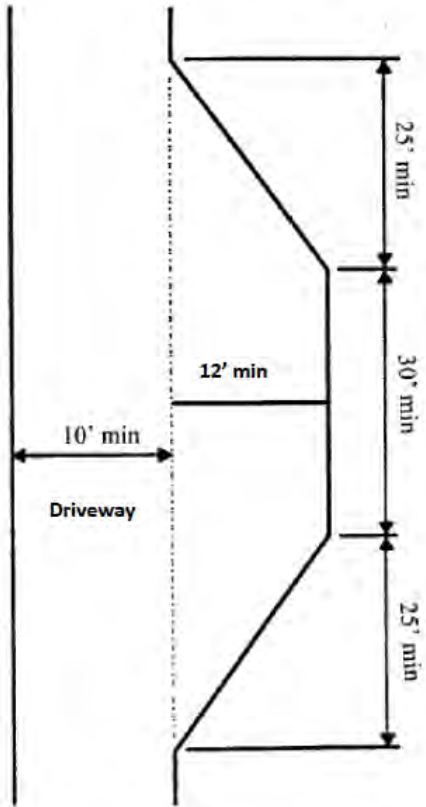
The existing driveway meets paving requirements, provides more than the minimum width of one 10' traffic lane (17'-20' in width), and the maximum grade is 8% which is well below the maximum allowable grade of 16%. However, the driveway is considered to be existing nonconforming for current turnout standards and the property is existing nonconforming for emergency water standards. The existing residence and former garage (destroyed in the Round Fire) were constructed under building permits approved in 1981 and 1982, prior to the January 1, 1991 cutoff date associated with Public Resources Code Section 4290.

### Driveway Turnout Standard

The driveway is 160' in length and is existing nonconforming with the turnout requirement for driveways exceeding 150' in length. General Plan Land Use Element Section 22.110.J. of Chapter 22, Fire Safe Regulation, requires driveways exceeding 150' in length to provide a turnout near the midpoint of the driveway. Turnouts are required to be a minimum of 12' wide and 30' long with a minimum 25' taper on each end. The existing driveway provides both a main path of travel (160') to the existing residence as well as a secondary path to the former garage site (structure was destroyed in the Round Fire). The 57' driveway fork leading to the former garage site is close to meeting the turnout standard and approximately 44 square feet would need to be paved to meet the standard (see Figures 5 & 6). However, the intersection that would provide the turnout is closer to the bottom of the driveway than the middle.

In 2018, the Board of Supervisors required several short-term rental projects in June Lake with nonconforming unpaved driveways to come into compliance with the driveway paving standards specified in General Plan Land Use Element Table 06.020. An optional condition of approval has been added to this project requiring the driveway turnout to be brought into compliance with the turnout dimensions specified in Chapter 22.

**FIGURE 5: TURNOUT STANDARD**



**FIGURE 6: DRIVEWAY TURNOUT ANALYSIS**



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### Emergency Water Standards

The parcel is also existing nonconforming with emergency water standards specified in section 22.130 of Chapter 22, Fire Safe Regulation. The Hilltop Estates subdivision was approved and recorded on February 1959 and is the only subdivision in Swall Meadows without fire hydrants. The emergency water standards are applied per section 22.130.A. to existing parcels being developed within Long Valley or Wheeler Crest Fire Protection Districts regardless of when the parcel was created. Emergency water storage tanks are typically installed in areas that are not serviced by fire hydrants. The Wheeler Crest Fire Protection District did not require a water tank to be installed in their provisional will-serve letter. An optional condition of approval has been added to this project requiring installation of an emergency water tank per Chapter 22 standards.

### **NOISE ORDINANCE**

The project will be subject to the Chapter 10.16 of the Mono County Code that establishes thresholds for legal noise levels based on land use and time of day. According to Table 10.16.060(A) – Maximum Allowable Exterior Noise Levels, residential – low density land uses have a maximum allowable exterior noise level of 55 dBA or less during the day (7:00 am – 9:59 pm) and 50 dBA or less at night (10:00 pm – 6:59 am). A specific reference to this County Code section has been added to the conditions of approval for this owner-occupied short term rental.

### **COVID-19**

Governor Newsom issued Executive Order N-33-20, commonly called the “Stay At Home” Order, on March 19, 2020, to fight the spread of COVID-19 and requires all persons residing in the State to remain in their homes or places of residence, except as needed to maintain the continuity of operations for critical infrastructure. On April 1, 2020, Mono County Public Health Officer, Dr. Tom Boo, amended the Mono County Order to place stricter restrictions on short-term lodging facilities in order to slow the spread of COVID-19. This Order strictly prohibits any homeowner, or anyone acting on a homeowner’s behalf, to engage in efforts to rent or lease any short-term rental within Mono County, including the Town of Mammoth Lakes, for any purpose other than those essential services identified in the Order. Full text of the April 1 Mono County Order “Amended Restriction of Short-Term Rentals in Mono County in response to COVID-19” is available here: <https://coronavirus.monocounty.ca.gov/pages/directives>.

Based on the discussion above, the proposed short-term rental at 320 Mountain View Drive shall be required to follow the directives specified in the Orders above and shall not operate until local and state Public Health Officials lift the Orders above.

### **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:*

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- a. The parcel is adequate in size and shape to accommodate the proposed owner-occupied short-term rental use.
  - b. Lot coverage is 25% which is well below the 40% maximum for the ER designation.
  - c. Project meets parking standards for “Residential Units” category of Table 06.010 by providing a total of four 9’ x 18’ paved parking spaces, two spaces for the owner and two spaces are for renters. Section 06.020.E. of the Land Use Element allows tandem parking for single-family residences.
  - d. The residence is an existing nonconforming with the following requirements: western side yard setback, driveway turnout, and emergency water standards.
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:*
- a. The project provides adequate access via Mountain View Drive and circulation patterns are not expected to be significantly increased through the use of a short-term rental. The use of the property for an owner-occupied rental is not expected to generate a significant increase in traffic.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area on which the property is located because:*
- a. The proposed owner-occupied short-term rental of two bedrooms with the existing three-bedroom residence is not expected to cause significant environmental impacts.
  - b. The project has existing exterior light fixtures that will be analyzed for compliance with Chapter 23, Dark Sky Regulations as part of the Activity Permit process. A condition of approval for the Activity Permit will be to retrofit any noncompliant fixtures prior to operation.
  - c. The project will be subject to the Chapter 10.16 of the Mono County Code which established thresholds for noise levels. According to Table 10.16.060(A) – Maximum Allowable Exterior Noise Levels, for daytime and nighttime in residential – low density land uses.
  - d. Project is required to comply with regulations of Mono County Code Chapter 5.65.
  - e. Project was noticed by mail to surrounding property owners within 500 feet and by newspaper 30 days prior to the public hearing. Six comments opposed to the project were received. To view notices, refer to Attachments 2 and 3.
  - f. The project received a provisional will-serve letter from the Wheeler Crest Fire Protection District for this proposed use and will be required to obtain a final will-serve letter from the District as part of the conditions of approval for the use permit (Attachment 4).
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
- a. The project is consistent with the 2019 adopted short-term rental policies and regulations set forth in Mono County General Plan Chapter 25 and Wheeler Crest Area Plan Policies.

- b. The proposed use is not expected to cause significant environmental impacts or be detrimental to surrounding property.
- c. The proposed use is consistent with the General Plan, the Wheeler Crest Area policies, and Countywide land use policies.

This staff report has been reviewed by the Community Development Director.

#### **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: Mailed Public Hearing Notice
- Attachment 3: Published Public Hearing Notice
- Attachment 4: Provisional Will Serve Letter Wheeler Crest Fire Protection District
- Attachment 5: Hilltop Estates Subdivision Addition 1 Map (Map Book 2, Page 10)
- Attachment 6: Comment Letters

# MONO COUNTY

## Planning Division

### NOTICE OF DECISION & USE PERMIT

**USE PERMIT:** UP 20-001

**APPLICANT:** Brandon Barter

**ASSESSOR PARCEL NUMBER:** 064-150-004

**PROJECT TITLE:** Owner Occupied Short-Term Rental/Barter

**PROJECT LOCATION:** 320 Mountain View Drive, Swall Meadows

#### 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:** May 21, 2020

**EFFECTIVE DATE USE PERMIT:** June 1, 2020

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.

#### MONO COUNTY PLANNING COMMISSION

**DATED:** May 21, 2020

cc: X Applicant  
X Public Works  
X Building  
X Compliance

UP 20-001/Barter

May 21, 2020

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**CONDITIONS OF APPROVAL**  
**Use Permit 20-001/Barter Owner-Occupied Short-Term Rental**

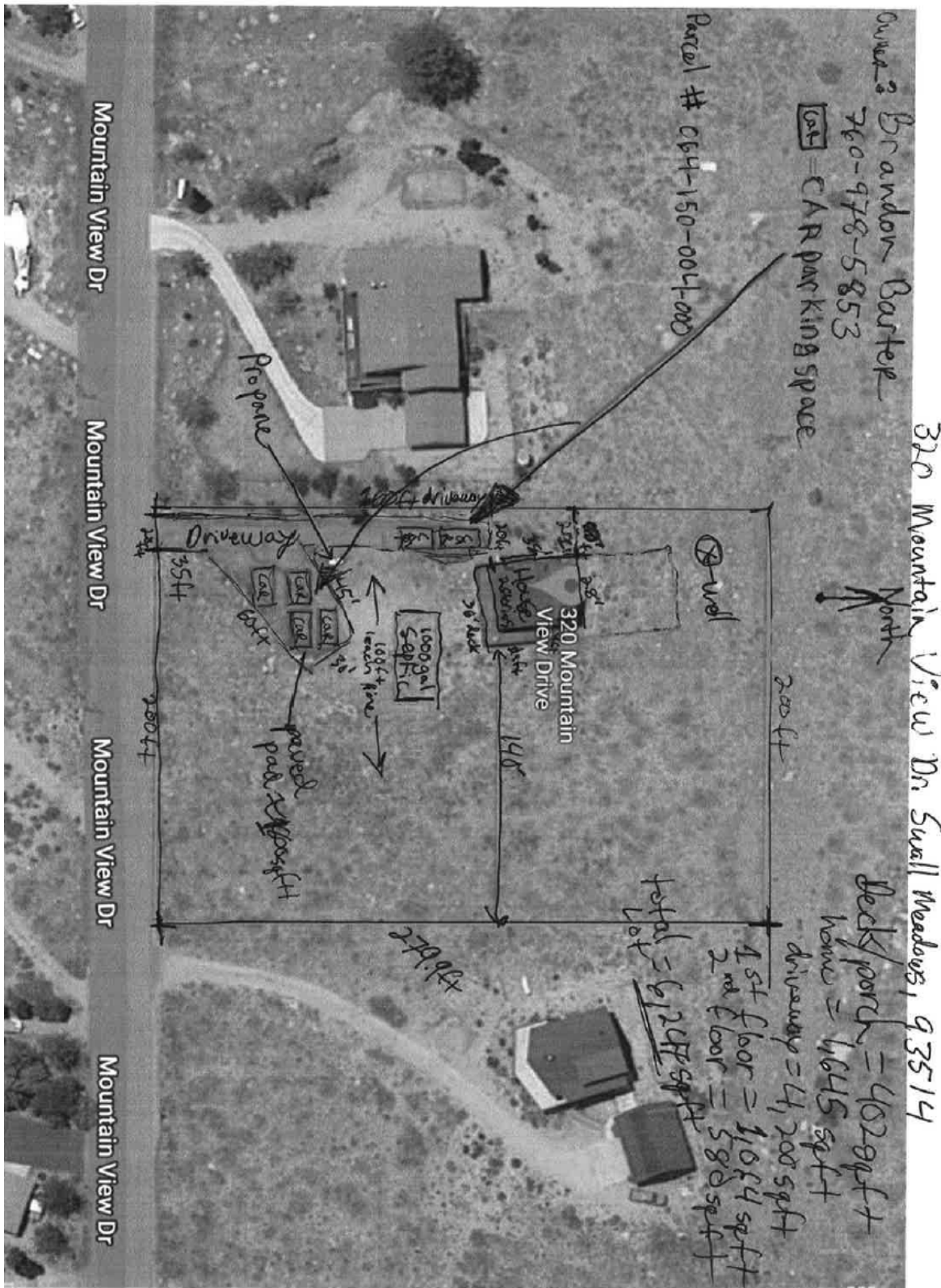
1. Occupancy is limited to and shall not exceed a total of six persons (two long-term residents and up to four short-term renters) and a total of four vehicles (two vehicles for the owner and two for renters).
2. The project shall comply with provisions of the Mono County General Plan (including Chapter 25, Short-Term Rentals), Mono County Code (including but not limited to 10.16.060(A)), and project conditions.
3. All short-term rental customers must sleep within the dwelling; customers are not allowed to reside in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property.
4. The project shall comply with provisions of Mono County Code Chapter 5.65, Short-Term Rental Activity in Residential Land Use Designations, by obtaining the STR Activity permit, TOT certificate, and business license prior to commencing operation.
5. Project is required to comply with any requirements of the Wheeler Crest Fire Protection District. The applicant shall provide a final “will-serve” letter from the White Mountain Fire Protection District indicating the FPD will provide service to the project.
6. Per Mono County Environmental Health Department, a one-time bacteriological test shall be completed for the onsite well prior to the operation of the short-term rental.
7. No advertising or rentals shall occur until after the COVID-19 Public Health Orders are lifted to allow recreational & leisure stays.
8. Property shall be maintained in a neat and orderly manner.
9. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Mono County Building Division, Public Works, and Environmental Health requirements.
10. 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.

Optional Conditions for Planning Commission Review:

1. Prior to operation of the short-term rental, the existing 160’ driveway must provide a turnout that conforms to the dimensions specified in Chapter 22.
2. Prior to operation of the short-term rental, an emergency water tank meeting the requirements of Chapter 22 shall be installed on the property.



ATTACHMENT 1 - SITE PLAN



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# ATTACHMENT 2: MAILED PUBLIC HEARING NOTICE

## Mono County Community Development Department Planning Division

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

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

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **May 21, 2020**. As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by livecast at: <https://zoom.us/join> and by telephone at: 669-900-6833 (Meeting ID# is 956 6778 3915) where members of the public shall have the right to observe and offer public comment, to consider the following: **10:05 a.m. CONDITIONAL USE PERMIT 20-001/Barter**. The proposal is for an owner-occupied short-term rental use of two-bedroom units within an existing residence located at 320 Mountain View Drive (APN 064-150-004) in Small Meadows. The parcel is designated Estate Residential (ER). Maximum occupancy is five people and two vehicles.

In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials are available for public review online at [https://monocounty.ca.gov/meetings?field\\_microsite\\_tid=597](https://monocounty.ca.gov/meetings?field_microsite_tid=597) 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 by phone or online, and to submit comments by **3 pm on Wednesday, May 20** to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 to ensure timely receipt, by email at [cddcomments@mono.ca.gov](mailto: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.

For additional questions, please contact the Mono County Planning Division:

Kelly Karl, Assistant Planner  
PO Box 347  
Mammoth Lakes, CA 93546  
(760) 924-1809, [kkarl@mono.ca.gov](mailto:kkarl@mono.ca.gov)



Planning / Building / Code Compliance / Environmental / Collaborative Planning Team (CPT)  
Local Agency Formation Commission (LAFCO) / Local Transportation Commission (LTC) / Regional Planning Advisory Committees (RPACs)

UP 20-001/Barter  
May 21, 2020

**ATTACHMENT 3: PUBLISHED PUBLIC HEARING NOTICE**

**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](http://www.monocounty.ca.gov)

April 14, 2020

To: The Sheet

From: CD Ritter

Re: Legal Notice for April 18 & May 16 editions

Invoice: Stephanie Butters, PO Box 347, Mammoth Lakes, CA 93546

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **May 21, 2020**. As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by livecast at: <https://zoom.us/join> and by telephone at: 669-900-6833 (Meeting ID# is 956 6778 3915) where members of the public shall have the right to observe and offer public comment, to consider the following:

**10:05 a.m. CONDITIONAL USE PERMIT 20-001/Barter** for an owner-occupied short-term rental use of two bedrooms within an existing three-bedroom residence located at 320 Mountain View Dr (APN 064-150-004) in Swall Meadows. The land is designated Estate Residential (ER). Maximum occupancy is five people and two vehicles. Project materials are available for public review online at [https://monocounty.ca.gov/meetings?field\\_microsite\\_tid\\_1=597](https://monocounty.ca.gov/meetings?field_microsite_tid_1=597) and hard copies are available for the cost of reproduction by calling 760-924-1800.

**10:25 a.m. JUNE LAKE HIGHLANDS SPECIFIC PLAN AMENDMENT**, to amend the 2001 June Lake Highlands Specific Plan in order to allow owner-occupied and non-owner-occupied transient rental (less than 30 days) on the following 20 parcels: 015-290-001, -011, -012, -014, -027, -031, -032, -033; 015-300-001, -002, -003, -004; and 015-310-011, -022, -023, -024, -025, -026, -028, -029. If approved, only these properties will be allowed to obtain a Vacation Home Rental Permit, which is a ministerial permit approved at the staff level and is not subject to further public input, to conduct transient rental. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> and hard copies are available for the cost of reproduction by calling 760-924-1800.

**10:55 p.m. JUNE LAKE HIGHLANDS TENTATIVE TRACT MAP AMENDMENT 34-26**. Proposal to amend Tract Map No. 34-26, removing Condition of Approval #44 that prohibits transient rentals (less than 30 days). In accordance with the California Environmental Quality Act, an exemption is proposed. Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> 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 by phone or online, and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA, 93546, by 3 pm on **Wednesday, May 20**, to ensure timely receipt, by email at [cddcomments@mono.ca.gov](mailto: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.

###

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May 21, 2020**

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**ATTACHMENT 4: PROVISIONAL WILL SERVE LETTER WHEELER CREST FPD**

**WHEELER CREST FIRE PROTECTION DISTRICT**

129 Willow Road  
Swall Meadows, CA 93514



March 3, 2020

Mono County Building Department  
P.O. Box 3569  
Mammoth Lakes, CA 93546

Subject: Fire Protection Services to APN 064-150-004-000

Dear Sir or Madam

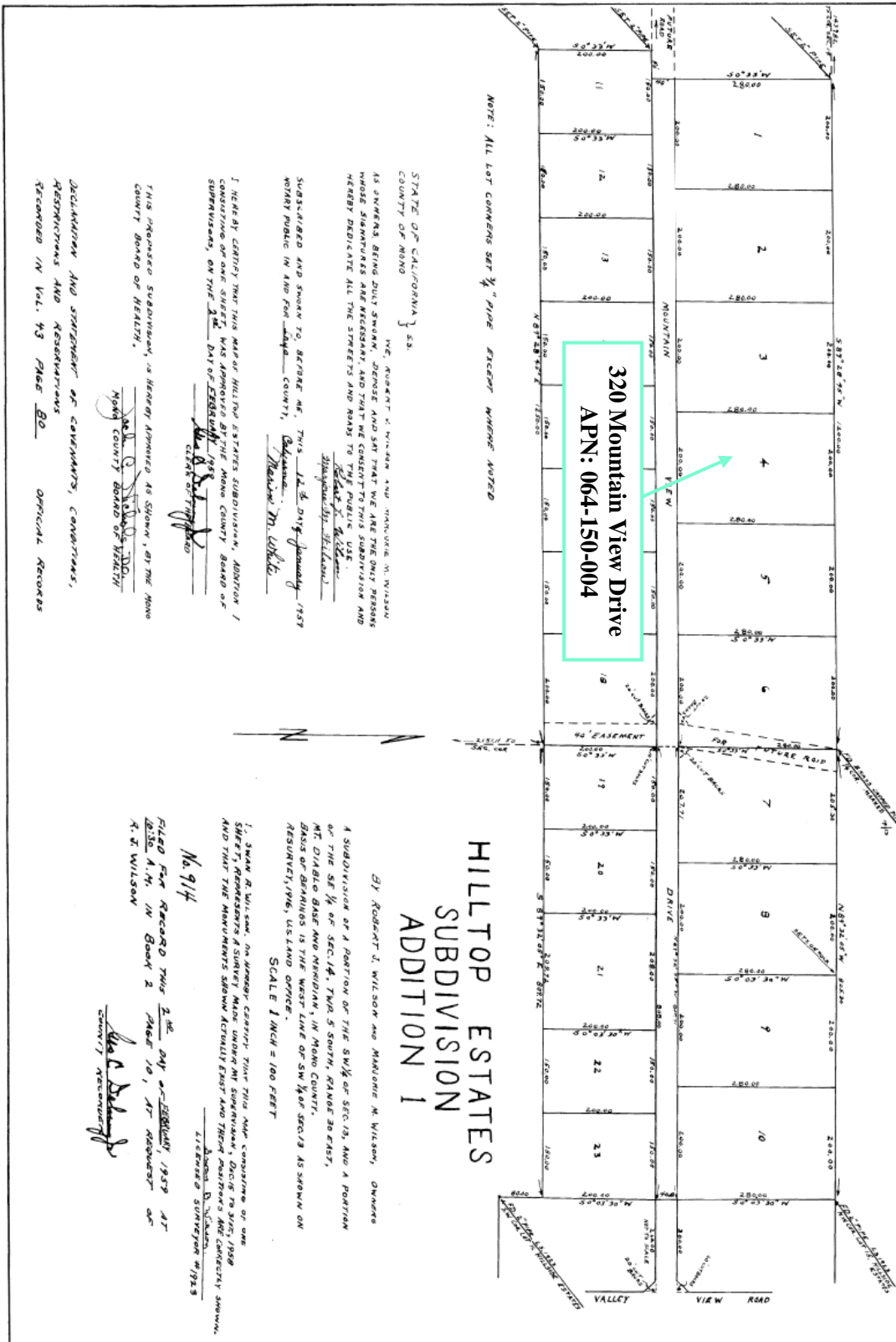
Please accept this as a "will serve" letter for parcel APN 064-150-004-000 in Swall Meadows at 320 Mountain View Drive, owned by Brandon Barter. The District currently provides fire protection services to the subject parcel.

Yours truly,

Dale Schmidt

Chief, Wheeler Crest Fire Protection District

ATTACHMENT 5: HILLTOP ESTATES SUBDIVISION ADDITION 1 MAP



Page 2 of 10

NOTE: ALL LOT CORNERS SET 1/4" PINE EXCEPT WHERE NOTED

STATE OF CALIFORNIA }  
COUNTY OF MONO

WE, ROBERT J. WILSON AND MARGARET M. WILSON, OWNERS AS OWNERS, BEING DULY SWORN, DEPOSE AND SAY THAT WE ARE THE ONLY PERSONS WHOSE SIGNATURES ARE NECESSARY, AND THAT WE CONSENT TO THIS SUBDIVISION AND HEREBY DEDICATE ALL THE STREETS AND ROADS TO THE PUBLIC USE.

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 1st day of January, 1957, at Grass Valley, California, County of Monro.

I, James D. Williams, Clerk of the County of Monro, do hereby certify that this map of Hilltop Estates Subdivision, Addition 1 consisting of one sheet, was approved by the Mono County Board of Supervisors, on the 2nd day of February, 1957.

DECLARATION AND STATEMENT OF CLAIMANTS, CONVEYORS, RESTRICTIONS AND RESERVATIONS RECORDED IN VOL. 43 PAGE 80 OFFICIAL RECORDS

HILLTOP ESTATES  
SUBDIVISION  
ADDITION 1

BY ROBERT J. WILSON AND MARGARET M. WILSON, OWNERS  
A SUBDIVISION OF A PORTION OF THE SW 1/4 OF SEC. 13, AND A PORTION OF THE SE 1/4 OF SEC. 14, TWP. 5 SOUTH, RANGE 30 EAST, MT. DIABLO BASE AND MERIDIAN, IN MONO COUNTY, BASIS OF BEARINGS IS THE WEST LINE OF SW 1/4 OF SEC. 13 AS SHOWN ON RESURVEY, 1916, U.S. LAND OFFICE.

SCALE 1 INCH = 100 FEET  
I, James D. Williams, Clerk of the County of Monro, do hereby certify that this map consisting of one sheet, prepared by a survey made under my supervision, and that the monuments shown actually exist and their positions and character shown.

FILED FOR RECORD THIS 2nd day of February, 1957 AT 1:00 P.M. IN BOOK 2 PAGE 10, AT REQUEST OF R. J. WILSON  
James D. Williams  
County Recorder

## ATTACHMENT 6: COMMENT LETTERS

**Mono County  
Community Development Department  
Planning Division**

PO Box 347  
Mammoth Lakes CA, 93546  
760.924.1800, fax 924.1801  
[commdev@mono.ca.gov](mailto:commdev@mono.ca.gov)

PO Box 8  
Bridgeport, CA 93517  
(760) 932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**Use Permit 20-001/Barter  
Comment Letters**

COMMENT LETTERED RECEIVED BY 5/13/20

Eldon Shiffman  
Meredith Frolio  
Rosanne Higley  
Robin Conners  
Karen Allen & Brian Cashore  
Russell & Janet Reese

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Planning / Building / Code Compliance / Environmental / Collaborative Planning Team (CPT)  
Local Agency Formation Commission (LAFCO) / Local Transportation Commission (LTC) / Regional Planning Advisory Committees (RPACs)

## COMMENT LETTER #1

**From:** [Ed Shiffman](#)  
**To:** [CDD Comments](#)  
**Subject:** conditional use permit - 20-001/Barter  
**Date:** Wednesday, April 22, 2020 9:21:27 AM

---

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We received notice at our residence at 93 Orchard Rd. of the proposed CUP for short term rentals of two bedrooms. We object to this issuance of a CUP based on the following:

1. This is a residential community and this use is not permitted under current zoning. The property owners knew this when they purchased the property. There is no shortage of hotel units in the county and ample campgrounds. If they want to be in the hospitality business, they should look to a part of the county that is zoned for this.
2. I have been a member of the Wheeler Crest Fire Department for the past 11 years. Bringing in tourists from other areas adds pressure to the local ems and our local volunteer fire department. During my tenure with the organization we have been called to provide services for medical emergencies related to people visiting the area who are not prepared to deal with our higher elevations, responses to fires caused by visitors, and automobile accidents. I recall one incident where a visitor become lost on Wheeler Crest requiring our department to respond. He then demanded a ride back to his car when he was located. We are a volunteer organization. Please do not contribute to our call volume by bringing in visitors to our small community.
3. Our community is a mix of retired and working people. We deal with the inconvenience of living outside a larger community to be able to enjoy a residential atmosphere free of commercial activity. Allowing this CUP will change the character of the community.

--

Eldon D. Shiffman



## COMMENT LETTER #2

**From:** [mf@onestorey/lc.net](mailto:mf@onestorey/lc.net)  
**To:** [CDD Comments](#)  
**Subject:** Conditional Use Permit UP 20-001/Barter  
**Date:** Thursday, April 23, 2020 11:15:26 AM

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I received a notice at my residence at 206 Mountain View Dr. of the proposed CUP for short term rentals of two bedrooms. I object to this issuance of a CUP based on the following:

1. This is a residential community and this use is not permitted under current zoning. The property owners knew this when they purchased the property. There plenty of hotels/motels/campgrounds in the area for visitors to utilize. This is a tight knit residential neighborhood and not conducive to a transient population. If the new owners of this property intended to have a rentable property, they should have purchased in a part of the county that is zoned for rental.

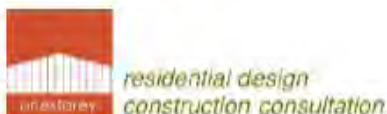
2. Our close community is a mix of respectful and conscientious full time and part time residents. Current part time residents do not use their properties for commercial vacation rentals. Having a regular transient population will change the character of our street and neighborhood with a population that is likely to not respect our quiet community.

2. I have been a member of the Wheeler Crest Fire Department for the past 2 years. We know from past experience that bringing in tourists from other areas adds pressure to our local EMS and our local volunteer fire department. In the past our volunteer department has had to respond to a variety of calls due to visitors, including disrespecting fire bans, a very serious issue here in Swall Meadows given our high winds and past wildfires. Visitors do not understand this and want to have bonfires in the mountains when it is not appropriate. These short term rentals also, in no way contribute monetarily to our department and resources to provide extra service.

Please do not consider this application for the CUP.

Warm regards,

**Meredith Frolio**  
760-937-3250



### COMMENT LETTER #3

**From:** [rosanne Higley](#)  
**To:** [Kelly Karl](#)  
**Subject:** CUP 320 Mountain View Dr  
**Date:** Friday, April 24, 2020 8:17:18 AM

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I hope I am not too late to object to this conditional use permit request, waiver request. I have not investigated with the zoning is in this area, but assume since they're asking for a waiver, this is not appropriate to the zoning conditions. I do not support a waiver in this case.

My concerns are primarily that, in the short run, we don't need visitors to the area. In the long run, as an Emergency Medical Responder on the Wheeler Crest fire department, I am concerned about visitors who are not prepared for our elevation, arid conditions, and icy/snowy conditions, particularly on lower Rock Creek Road in winter.

Please deny this waiver. Thank you.

--

Sent from Gmail Mobile



## COMMENT LETTER #4

**From:** [Robin Conners](#)  
**To:** [CDD Comments](#)  
**Subject:** OPPOSED: Conditional Use Permit - 20-001/Barter  
**Date:** Tuesday, April 28, 2020 8:23:46 PM

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**To:** Kelly Karl  
Assistant Planner

I am writing in **opposition** of the proposed Conditional Use Permit 20-001/Barter for short term rentals of two bedrooms at 320 Mountain View Drive, Swall Meadows, CA.

Please do not approve this permit for transient rentals in Swall Meadows. This type of short-term rentals over taxes the minimal services available in our area. Unlike larger population centers like Mammoth Lakes and Bishop with paid firefighters, Swall Meadows has a very small Volunteer Fire Department to respond to all emergency services. As a firefighter and one of the three EMTs for the Wheeler Crest Fire Department, having vacation rentals in the area puts a huge burden on our department and members. Temporary visitors do not understand what high fire danger and red flag warnings really mean and do not receive the Mono County emergency communications. I have experienced visitors disregard (or being ignorant of) fire warnings, building fires while camping above Swall in high wind conditions and building outdoor fires across from my home while staying in an illegal Air B&B at 190 Pine Drive. Having fought many fires including the Round Fire and Rock Creek Fire, we do not need this added liability of nightly visitors, whether owners say they will be on the premises or not.

In addition, when visitors come to our area they often enthusiastically participate in activities they are not accustomed to risking injury. They forget they are at high altitude and become safety liabilities for all of us and especially impact our fire department, the only EMS in Swall. Fire department services are not paid for by any of these transient visitors so in turn these visitors also become a financial impact for our community. Many of these visitors will never have experienced driving on roads like our steep winding canyon roads especially in winter when ice and snow are prevalent. Many, including myself, who have lived in Mammoth can tell you, visitors do not come prepared or are not knowledgeable about our unique environment. Again this puts us all at risk during the rescues they may need. We do not want to invite more problems and challenges to our very small community.

Swall Meadows does not have onsite law enforcement to mitigate many situations. Although County sheriffs respond when they can, they are usually 30 minutes or more from our community when called upon. Our community members and fire department are left to handle situations until help can arrive. Mammoth Lakes and Bishop have these needed services where these types of transient rentals do occur. Swall Meadows is not the place for vacation rentals.

The residents in Swall have chosen to live 25+ miles from the busier population centers to get away from the constant flow of visitors, the hub bub and issues that arise surrounding all the activities. After experiencing a summer of illegal Air B&B across from my home on Pine Drive, I cannot support opening Swall to this type of transient rental situation. Owners of the cabin across from us had visitors changing every few days. Out of the area cleaning services arrived between each visit increasing traffic. None of the neighbors felt comfortable with this high volume of people in and out. At times there were 8 or more vehicles and far more people staying in the tiny 2-bedroom cabin. Visitors showed up at the wrong address on holidays and

at night, they let their dogs run free, built fires outside making noise until late at night and even tried to feed neighboring horses food that horses should not eat. There was a constant flow of cars on our street where usually we see only one or two cars per day. With no law enforcement Mono County had no way of knowing what was happening so all the oversight was left to the neighbors and Fire Chief. These activities negatively impacted all the neighbors making us all feel far less safe and secure in our home.

The people who live here are considerate and value our environment and neighbors. This transient rental activity totally changes the character of our community. We never knew who was coming and going. AND in this time of COVID-19, the negative impacts would be even greater for the fire department and local hospitals!! Approving just one situation like this will open up the whole community in the future.

Please do not approve this Conditional Use Permit. Visitors can stay in the more commercial areas already set up for this type of activity. There are so many places they can explore and enjoy while they are here without changing the character of our small residential area. Please do not jeopardize our community over the money that owners might be able to make. Please help Swall Meadows remain the safe, beautiful and peaceful location we all sought when we moved here.

Thank you for your consideration.

With regards,

Robin Conners, Lt.  
Wheeler Crest Fire Protection District

205 Pine Drive  
Swall Meadows, CA 93514  
Cell: 760-709-1577  
[robin.conners@gmail.com](mailto:robin.conners@gmail.com)



## COMMENT LETTER #5

**From:** [brian.cashore](#)  
**To:** [CDD Comments](#)  
**Subject:** Conditional use permit 20-001/Barter  
**Date:** Wednesday, May 6, 2020 9:43:37 AM

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mono County Planning Commission,

As full time residents of 105 Pine Drive in Swall Meadows we have experienced both owner occupied as well as illegal, non-owner occupied short term rentals on our street. We are not in favor of granting the 20-001/Barter CUP for the following reasons.

1. It does not seem feasible to enforce the owners occupancy, in our experience. We have had multiple encounters with renters who were lost, trash dumped on neighboring properties, and strange vehicles arriving at late hours unloading luggage and knocking at doors of the wrong property, all while the owner(s) were not residing at the rental.

2. The rural, isolated character of Swall Meadows does not lend itself to transient short-term rentals. Stores, services, and recreation sites are located at least thirty minutes away by car resulting in increased traffic and multiple trips on small, rural, windy, and unlit county roads putting a burden on emergency services as well as residents and their pets.

3. As full time residents of Swall Meadows since 1993, our choice to buy property here was to work and retire where we chose to live in a quiet, mountainous, rural setting. There were no transient rentals here in 1993 and we were glad for that. To change the character of a place with ongoing variances and conditional use permits is to undermine the values and the things that make an area livable. In our opinion, the wants of those that desire to profit from their property do not balance the needs of others to live in their homes and communities as they were designated, i.e. Estate Residential.

Thank you for the opportunity to comment.

Karen Allen and Brian Cashore  
105 Pine Drive, Swall Meadows, CA

## COMMENT LETTER #6

**From:** [j.reese](#)  
**To:** [CDD Comments](#)  
**Subject:** CONDITIONAL USE PERMIT 20-001 / BARTER  
**Date:** Wednesday, May 13, 2020 11:59:32 AM  
**Attachments:** [RE Short term rental.rtf](#)

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Secretary of the Planning Commission

Please see our attached letter regarding our strong opposition to Mr. Barter's Conditional use Permit to operate a short term rental just yards from our property. Please preserve Swall Meadows as the lovely Estate Residential community it is! **NO SHORT TERM RENTALS!**

Russell and Janet Reese



261 Mountain View Drive

Swall Meadows, CA 93514

May 13, 2020

Secretary of the Planning Commission

P.O. Box 347

Mammoth Lakes, CA 93546

Dear Planning Commission:

We are strongly opposed to the proposal set forth by "Conditional Use Permit 20-001 Barter"! Swall Meadows is designated as Estate Residential for good reason. We are a community of both working and retired citizens who enjoy the quiet, peacefulness and safety of our neighborhood that the land use designation of Estate Residential allows. To open it up to short term/transient rentals would destroy our current quality of life.

We disagree with Mr.Barter that opening his home to short term rentals will not substantially affect the character of use in the general area. Instead of having a single family home across the street, we will have a multi-family home. Suddenly we would go from having 2 vehicles on the property just yards from our home, to having 6 vehicles, along with all the additional people that would arrive in those added vehicles.

We anticipate the noise level of our neighborhood would rise. This is a quiet community with very little travel on the roads after dark. That would change with Mr. Barter's nightly renters coming and going at later hours. There could well be parties until the later hours as Mr.Barter's nightly renters celebrate being in our lovely mountain area.

We disagree with Mr.Barter that his project would have no impact on our wildlife. The Round Valley deer herd lives and moves through Swall Meadows for a considerable time of the year. In the 30 years we have lived here, we know of only one incident of a deer being hit by a car in Swall Meadows. The danger of that happening would increase substantially as Mr.Barter's nightly renters would be driving in our area, many unaware of how cautiously one must drive so as to avoid hitting our innocent deer.

Importantly, there is the strong possibility that Covid-19 will be around for another couple of years. Fortunately, thus far, Swall Meadows has remained free of the virus. That would change as Mr. Barter's short term renters coming from Southern California and the Bay Area would potentially be a source of the Coronavirus. As elderly residents with underlying conditions, Covid-19 could well be fatal for us.

As long term residents of the lovely community of Swall Meadows, we urge you to deny Mr.Barter's request for a Use Permit to operate a Short Term Rental Unit here. We urge you to preserve our community as it is designated - Estate Residential, No Short Term Rentals.

Sincerely,

Russell and Janet Reese

# Mono County Community Development Department

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

## Planning Division

PO Box 8  
Bridgeport, CA 93517  
(760) 932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

May 21, 2020

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst  
Gerry Le Francois, Principal Planner

Re: Agenda Items 4B and 4C – June Lake Highlands Specific Plan Amendment #2 and  
Modifications of Tract Maps #34-24 and #34-26

### **I. RECOMMENDATION**

1. Open the public hearings, scheduled for 10:25 am for Specific Plan Amendment #2 and 10:55 am for the tract map modifications; receive public testimony, and make any desired changes.
2. Adopt Resolution R20-02 (Attachment #1) recommending the Board of Supervisors adopt the June Lake Highlands Specific Plan Amendment #2 and modifications to Tract Maps #34-24 and #34-26 (R20-02 Exhibit A), and making the following findings :
  - A. Having reviewed and considered all information and evidence presented to it including public testimony, written comments, and staff reports and presentations, the Planning Commission finds, as set forth in Section One of Resolution R20-02 (Attachment #1), that:
    1. The proposed changes to the June Lake Highlands Specific Plan are consistent with the text and maps of the General Plan,
    2. The proposed changes to the June Lake Highlands Specific Plan are consistent with the goals and policies contained within any applicable area plan,
    3. The site of proposed change in the specific plan is suitable for any of the land uses permitted within the proposed specific plan,
    4. The proposed changes to the June Lake Highlands Specific Plan are reasonable and beneficial at this time, and
    5. The proposed changes to the June Lake Highlands Specific Plan will not have a substantial adverse effect on surrounding properties.
  - B. The Planning Commission further finds that there are changes in circumstances which make any or all of the conditions or the design of a recorded final map or parcel map no longer appropriate or necessary and, as set forth in Section Two of Resolution R20-02, finds that:
    1. That the proposed modification(s) do not impose any additional burdens on the present owner of the property;
    2. That such modification(s) would not alter any right, title or interest in the real property;
    3. That the proposed modification(s) are consistent with applicable general and specific plans;
    4. That the proposed modification(s) do not result in an increased number of dwelling units or a greater density than set forth in the recorded map;
    5. That the site is physically suitable for the type and proposed density of the development;

6. That the design of the subdivision or proposed improvements, as modified, will not be likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and
  7. That the design of the subdivision or type of improvements will not be likely to cause serious public health problems, or conflict with public easements, or requirements related to drainage, snow storage, or other requirements set forth in the recorded map deemed necessary and appropriate by the public works department.
3. Find that the project qualifies as a CEQA Exemption under CEQA Section 15301(a).

Alternatively, if the Planning Commission chooses not to recommend the June Lake Highlands Specific Plan Amendment #2 and modifications of Tract Maps #34-24 and #34-26 for approval, either all or in part, the Commission must articulate which findings listed in Section 2 above cannot be made. Any denial (i.e., decision not to recommend the project to the Board of Supervisors for approval) by the Planning Commission must specify the standards not met and be supported by substantial evidence in the record. In the event the Commission chooses not to recommend the project for Board approval, staff may request a short recess to assemble the findings for action by the Planning Commission.

## **II. PROJECT SETTING AND LAND USE**

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The June Lake Highlands Specific Plan, adopted in 2001, consists of 22.75-acres located about ½ mile west of the June Lake Village between June Lake and Gull Lake. The area has been divided into 69 parcels which are designated Single-Family Residential (SFR). At this time, 12 of the 69 SFR properties are built. Access to the sites is gained off Northshore Drive onto Mountain Vista Drive, or from Leonard Avenue. These roadways are County-maintained paved roads.



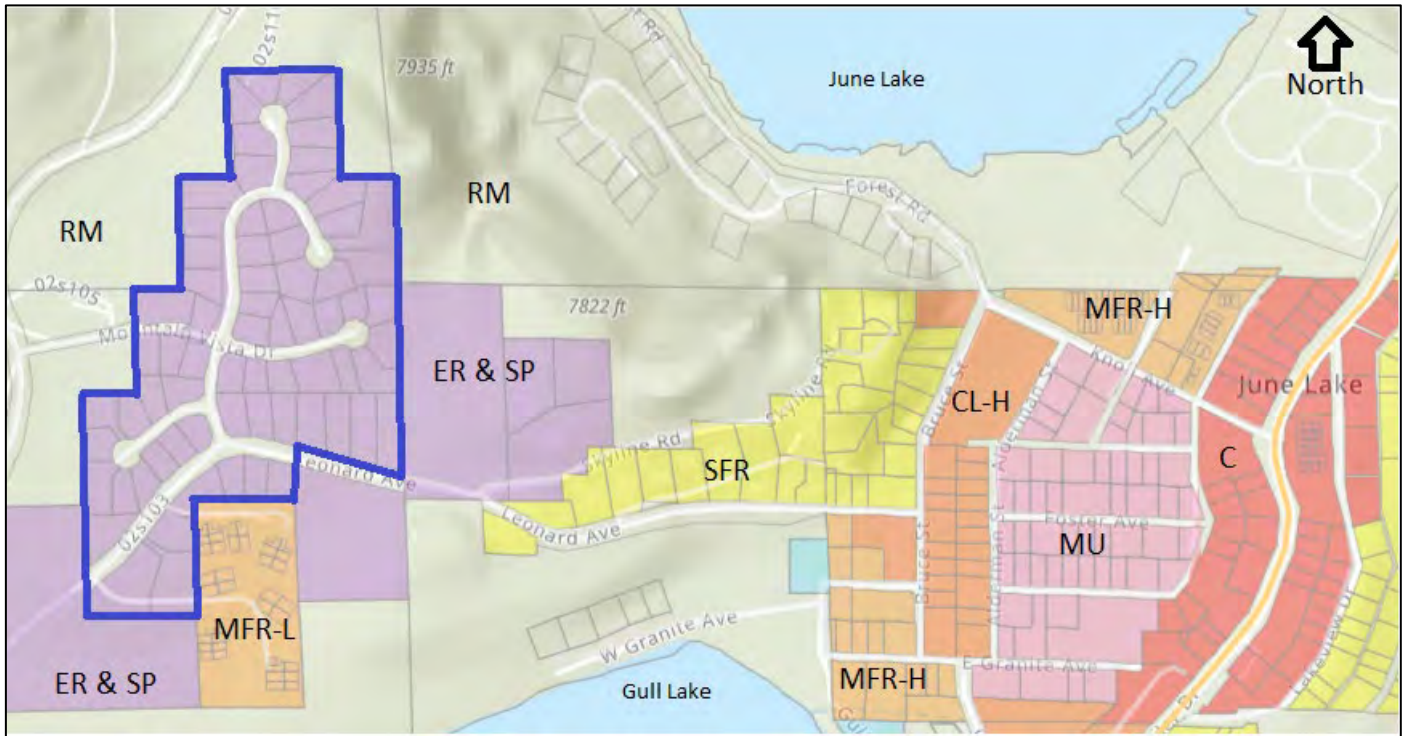


Figure 1. June Lake Highlands with surrounding Land Use Designations.

**SURROUNDING LAND USES**

To the north and west of the project site is open space owned and managed by the Inyo National Forest. To the southwest is a 14-acre parcel privately owned and designated Estate Residential. To the south is Multi-Family Residential - Low (Interlaken condominium complex) and Estate Residential (Victory Lodge), and south-east is Resource Management designated vacant land also managed by the Inyo National Forest. Directly east is a 4.9-acre parcel privately owned and designated Estate Residential.

**EXISTING SPECIFIC PLAN & HISTORY**

In March 2001, the Mono County Board of Supervisors adopted Resolution R01-26, certifying the June Lake Highlands Specific Plan, Final EIR, and Tentative Tract Map (#34-24, Phase I) allowing development of 39 single-family residential lots and 114 condominium units on 21.2 acres. The June Lake Highlands Specific Plan contains land use goals, policies and standards for development of the property. The Specific Plan approval includes 35 conditions, however transient rentals (rentals less than 30 days) were not addressed.

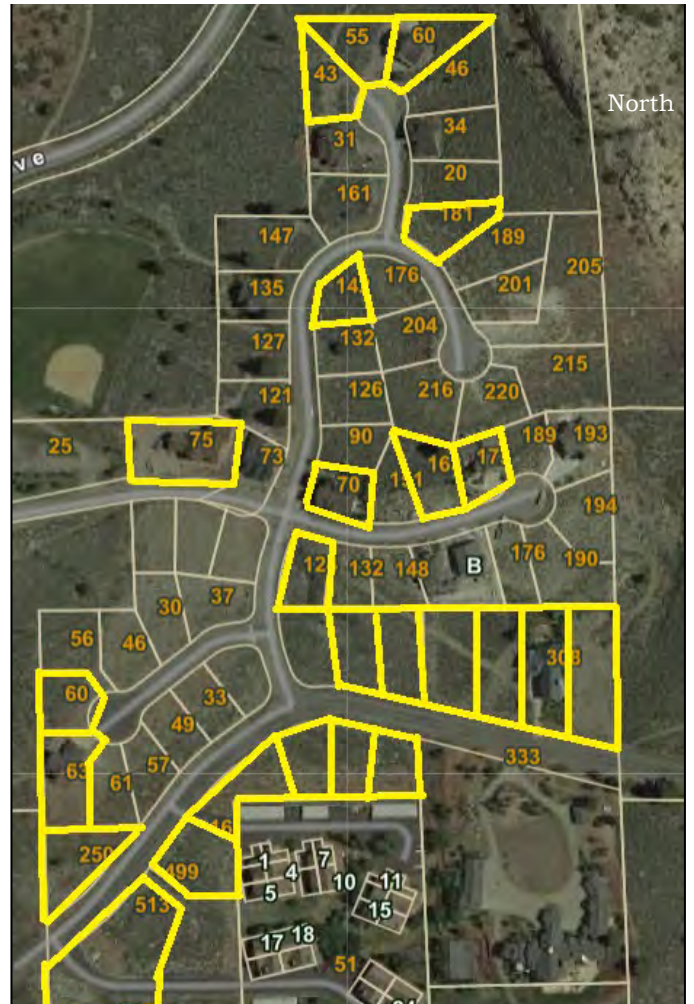


Figure 2. Properties in Specific Plan Amendment #2.

In June 2004, Resolution R04-038 was adopted by the Board, amending the June Lake Highlands Specific Plan (Amendment #1) by adding an additional 1.55-acre site for division into four single-family residential parcels.

In December of 2006, Tract Map #34-26 (Phase II) was finalized, dividing 9.43 acres into 28 lots (replacing the 114 multi family units) and adding the new properties to the June Lake Highlands. The Tract Map included additional development standards and policies, including the policy that no transient rental (less than 30 days) shall be permitted.

All previously approved project documents are posted or linked at <https://www.monocounty.ca.gov/planning/page/june-lake-highlands-specific-plan-amendment-2-and-modification-tract-maps>, and are hereby incorporated by reference.

The Mono County General Plan and June Lake Area Plan designate the proposed project site as Specific Plan (SP). Adoption of this amendment to the June Lake Highlands Specific Plan would be consistent with the General Plan and Area Plan.

### **III. JUNE LAKE HIGHLANDS SPECIFIC PLAN AND TRACT MAP MODIFICATION PROJECT DESCRIPTION & BACKGROUND**

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#### **PROJECT DESCRIPTION**

The overall goal listed in the June Lake Highlands' Specific Plan is "to provide quality, environmentally sensitive permanent and resort housing in proximity to the community of June Lake", and "is intended to provide a quality residential area complete with on-site amenities for both permanent and transient occupancy" (June Lake Highlands Specific Plan Goals, Objectives, and Policies).

This project proposes to identify 25 properties within the existing June Lake Highlands Specific Plans and Tract Maps #34-24 and #34-26 that will permit owner-occupied and/or non-owner-occupied transient rentals subject to a Vacation Home Rental Permit under Chapter 26 of the Land Use Element of the Mono County General Plan. The project is consistent with existing Specific Plan objectives that support resort housing and transient occupancy. The following modifications are proposed:

- A. Specific Plan Amendment #2 would amend the June Lake Highlands Specific Plan to allow transient rental (rental less than 30 days) on the following 25 parcels (see Exhibit A of Resolution R20-02):
  - i. 015-290-001, 015-290-011, 015-290-012, 015-290-014, 015-290-018, 015-290-027, 015-290-031, 015-290-032, 015-290-033; 015-300-001, 015-300-002, 015-300-003, 015-300-004; and 015-310-011, 015-310-012, 015-310-013, 015-310-020, 015-310-021, 015-310-022, 015-310-023, 015-310-024, 015-310-025, 015-310-026, 015-310-028, 015-310-029.
- B. Tract Map #34-24 Modification adds a Condition of Approval #36 specifying that transient rental (rental less than 30 days) is permitted in compliance with the June Lake Highlands Specific Plan (see Exhibit A of Resolution R20-02).
- C. Tract Map #34-26 Modification would delete a section of Condition #44 of the Tract Map Conditions of Approval and specify that transient rental (rental less than 30 days) is permitted in compliance with the June Lake Highlands Specific Plan (see Exhibit A of Resolution R20-02).

## **PROJECT BACKGROUND**

In June 2015, Mr. George Larson, representing June Lake Highlands, LLC, initiated a Specific Plan Amendment and Tract Map Modification application to allow transient rentals. At the time, the community of June Lake was expressing a desire for more control over transient rental. Community Development staff informed Mr. Larson that a planning process would soon begin to address transient rental in the entire community and asked to postpone his request to amend the Highland's Specific Plan.

In late 2016, the June Lake Citizens Advisory Committee (CAC) initiated a process to determine where transient rentals would and would not be allowed within the community, and any additional regulations that should apply. Over 50 hours of community meetings were held to discuss transient rentals and seek viable policy solutions. These meetings represent an impressive commitment of time and energy by community members and the CAC, who worked very hard to be objective and provide a recommendation to the Planning Commission. In addition, the process has required well over 300 hours of staff time.

Ultimately, the Board of Supervisors approved General Plan Amendment 18-01 in May 2018 specifying regulations for short-term rentals in June Lake, including acceptable neighborhoods. No specific recommendation was made for June Lake Highlands, and instead the decision was left to the property owners through a Specific Plan Amendment and Tract Map Modification process.

During the processing of this project, staff have continually worked to inform and include Highlands' property owners. After receiving the project application, staff recommended sending notice to all Highlands property owners explaining the project proposal and inviting them to join the project if desired. With the applicant's consent, an invitation to join was mailed on October 15, 2019. In January 2020, an additional email was sent to parties that hadn't responded and a deadline of February 3, 2020 was set. On February 18, 2020, the project application was accepted by the Land Development Technical Advisory Committee (LDTAC) for 19 properties owned by 14 individuals.

On April 15, 2020 a notice of the public hearing at the Planning Commission was mailed to all property owners within 500' of the Highlands (including Highlands properties) 30-days prior to the meeting to respect the noticing requirement in General Plan Chapter 25, Transient Rentals, which are more stringent than the standard 10-day noticing requirement. Following the notice, three additional property owners requested to add their properties (totaling six properties) to the project, increasing the total to 25 properties. An additional three parties requested to join after the Land Development Technical Advisory Committee (LDTAC) reviewed the final conditions and were not included in the staff report due to the lateness of the requests.

## **IV. ENVIRONMENTAL REVIEW**

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The Project is consistent with a Class 1 California Environmental Quality Act (CEQA) exemption. Class 1 (15301) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Examples include but are not limited to:

- conversion of a single-family residence to office use.

Single-family homes that are rented on a transient basis will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by



full-time residents or long-term renters. In addition, transient rentals are subject to compliance with regulations governing the management of these units stipulated in Mono County Code 5.65, which addresses aesthetics, noise, parking, utilities, and other similar issues. As a result, rental of a single-family residence is not an expansion of use, and is no more intensive or impactful than, for example, conversion of a single-family residence to office use.

## **V. LDTAC REVIEW, SB18 & PUBLIC COMMENT**

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The LDTAC met February 18, 2020, to accept the Specific Plan and Tract Map Modification applications with 25 properties included in the project. On May 4, 2020, the LDTAC met to review the final staff report and conditions of approval. No modifications were proposed.

The SB 18 notice inviting tribal consultation on a specific plan amendment was sent on May 1, 2020. Mono County must allow for 90 days for tribes to request consultation, and then complete consultation in good faith prior to the final decision on the specific plan amendment. No consultation requests have been received to date, and consideration of the final decision shall not be heard by the Board of Supervisors until at least August 4, 2020, or later.

An invitation to join the proposed specific plan amendment was mailed in October 2019, and a notice of the public hearing at the Planning Commission was mailed to all property owners within 500' of the Highlands (including Highlands properties) on April 15, 2020, and published in The Sheet, a local newspaper of record (Attachment #2). The public hearing at the Planning Commission was noticed again in The Sheet on May 16 after the additional properties joined. Since late October 2019, seven letters by five separate parties have been received in opposition to the project (see Attachment #3), all from homeowners within the Highlands Specific Plan. The concerns raised are primarily about neighborhood character and the potential disruptiveness of transient rentals, and assurance that quality building standards will be maintained. In response, all of the design criteria for the Highlands remains in place and enforceable; the proposed specific plan amendment does not modify any of the design standards, mitigation measures, or density of the existing subdivision. Further, the requirements of Chapter 26 and the Vacation Home Rental address the requirements for transient rentals to reduce and minimize neighborhood disruption. Lack of compliance can result in suspension or revocation of a Vacation Home Rental permit. However, options are available to the Planning Commission to further regulate these rentals, including 1) prohibiting non-owner occupied rentals and allowing owner-occupied rentals only, or 2) classifying these rentals as short-term rentals subject to Mono County Code Chapter 5.65, which would require the approval of an Activity Permit specific to the owner and an annual renewal.

## **VI. FINDINGS**

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### **SPECIFIC PLAN AMENDMENT FINDINGS**

If the Commission decides to recommend approval of Specific Plan Amendment #2, the Commission must adopt Resolution R20-02 and make the finding contained in Section One.

### **TRACT MAP MODIFICATION FINDINGS**

If the Commission decides to recommend approval of Tract Map #34-24 & #34-26 Modification, the Commission must adopt Resolution R20-02 and make the findings contained in Section Two.

This staff report was reviewed by the Community Development Department Director.

## VII. ATTACHMENTS

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- 1) Resolution R20-02 and Exhibit A: Highlands Specific Plan Amendment and modifications to Tract Maps #34-24 and #34-26
- 2) Public Hearing Notices
- 3) Public Comment Letters
- 4) Past documents are available online at  
<https://www.monocounty.ca.gov/planning/page/june-lake-highlands-specific-plan-amendment-2-and-modification-tract-maps>



**RESOLUTION R20-02**

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION RECOMMENDING  
ADOPTION OF JUNE LAKE HIGHLANDS SPECIFIC PLAN AMENDMENT #2 AND  
MODIFICATION OF TRACT MAPS #34-24 AND #34-26**

**WHEREAS**, the June Lake Highlands Specific Plan, Environmental Impact Report, and Tract Map #34-24 was originally approved and adopted in 2001 for the development of a 39-lot single-family subdivision and up to 114 condominium units on 21.2 acres; and

**WHEREAS**, the June Lake Highlands Specific Plan Amendment #1, an amendment to address an adjacent 1.55-acre site for division into four single-family parcels, was approved and adopted in 2004; and

**WHEREAS**, Tract Map #34-26 (Phase II) was approved and adopted in 2006, subdividing the remainder parcel created by Tract Map #34-24 into 28 single-family lots and removing the 114 condominium units of the June Lake Highlands Specific Plan; and

**WHEREAS**, the Specific Plan contains a number of development standards designed to achieve the goals of the June Lake Highlands Specific Plan, which is to provide quality, environmentally sensitive permanent and resort housing in proximity to the community of June Lake; and

**WHEREAS**, the addition of Policy 1-D would amend the Specific Plan to allow 25 specified parcels to conduct transient rentals subject to General Plan Land Use Element Chapter 26 – Transient Rental Standards & Enforcement in Nonresidential and MFR-H Land Use Designations and TRODs; and

**WHEREAS**, no other changes are proposed to the Specific Plan and all previously approved mitigation measures remain in effect, and a Categorical Exemption 15301(a) was prepared in compliance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, Condition #36 is proposed to be added to Tract Map #34-24 for consistency with Policy 1-D of the June Lake Highlands Specific Plan; and

**WHEREAS**, Condition #44 of Tract Map #34-26 is proposed to be modified for consistency with Policy 1-D of the June Lake Highlands Specific Plan; and

**WHEREAS**, on May 21, 2020, the Planning Commission held a duly noticed public hearing regarding June Lake Highlands Specific Plan Amendment #2 and modification of Tract Maps #34-24 and #34-26; and

**NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION ONE:** Having reviewed and considered all information and evidence presented to it regarding June Lake Highlands Specific Plan Amendment #2 as set forth in **Exhibit A**, including public testimony, written comments, staff reports and presentations, the Planning Commission finds that:

*A. The proposed changes in the specific plan are consistent with the text and maps of the General Plan because:*

1 The proposed changes to the Highland's Specific Plan are consistent with General Plan policies  
2 directing the County to utilize the specific plan process for large-scale projects. The project is also  
3 consistent with Land Use Element Policies for the June Lake Area; Objective 13.M. To balance the  
4 character of single-family residential neighborhoods and the tourist economy, utilize a mix of best  
practices, creative solutions, and regulatory mechanisms, as guided by public input and engagement, to  
address the complexity of short-term rentals.

5 The project site is an existing specific plan approved for development and within the community of  
6 June Lake. The Amendment is also consistent with General Plan policies for amending Specific Plans  
and Tract Maps (Chapter 36 and Chapter 48).

7 The Amendment provides transient rental for those seeking to visit the community and surrounding  
8 area and does not alter the adopted Highland's Specific Plan in a manner that makes it inconsistent with  
9 the text or maps of the General Plan.

10 The site is near the Village and has long been identified for residential development. Leonard Avenue,  
11 a neighborhood permitted for non-owner occupied transient rental, is directly adjacent to the site.  
12 Amendment #2 allows the Single-Family Residential LUD parcels in this project to apply for a  
13 ministerial Vacation Home Rental Permit to conduct transient rentals consistent with General Plan  
Chapter 26, Transient Rental Standards & Enforcement in Nonresidential and MFR-H Land Use  
Designations and TRODS.

14 *B. The proposed changes in the specific plan are consistent with the goals and policies contained within any  
15 applicable area plan because:*

16 Small-town character is preserved by maintaining an area of single-family residential land uses for  
17 residential occupancy, whether short-term or long-term rental or full-time residency. The Amendment  
18 also enhances and supports the tourism-based economy by providing a form of nightly rentals. The  
specific plan changes are consistent with the following area plan polices, in the General Plan Land Use  
Element:

19 1) Issues/Opportunities/Constraints For the June Lake Area

20 7. Improvements to the June Mountain Ski Area are intended to increase the mountain's capacity to  
21 the limits provided by the USFS special use permit, enhance the visitor experience, and promote  
22 increased visitation. Local accommodations, however, are not sufficient to handle the expected  
influx of ski-related visitors.

23 17. To provide opportunity for public input, develop and identify any consensus/common ground in  
24 the best interests of the community, engage residents in conversations about the character of their  
25 neighborhoods, and seek certainty and finality regarding short-term rentals, over 50 hours of  
26 community workshops were held supported by over 300 hours of staff time from December 2016 to  
27 December 2017. Workshops included education on the existing industry/market, County regulations  
and identification of community character; technical considerations and issues of individual  
neighborhoods; concerns and negative impacts; opportunities and benefits; and potential solutions;  
and the input was used as the basis for the development of policies and regulations.

28 19. Opportunities expressed about short-term rentals include meeting a tourism market need,  
29 economic development for June Lake, tax revenue for the County, assisting homeowners in keeping  
and upgrading their properties, the potential for reduced impact compared to long-term rentals,

1 accountability and enforcement through regulation, protecting property rights, and educating,  
2 socializing with, and serving as ambassadors to visitors.

3 HOUSING:

4 22. In the past, June Lake residents, most of whom reside in single-family homes and have lived in  
5 the community for several years, would like new housing units to consist of single-family homes,  
6 bed-and breakfast establishments, and motels/hotels; condominiums were not highly regarded.  
7 Seasonal residents felt no additional housing was needed. Both groups identified the need for  
8 affordable housing.

9 23. Housing or lodging facilities are oriented primarily to second-home owners and tourists, not to  
10 local housing needs.

11 2) Countywide Land Use Policies, June Lake Community Development

12 i. Objective 13.M. To balance the character of single-family residential neighborhoods and the  
13 tourist economy, utilize a mix of best practices, creative solutions, and regulatory mechanisms, as  
14 guided by public input and engagement, to address the complexity of short-term rentals.

15 Policy 13.M.1. Short-term rentals are subject to Chapter 25 of the General Plan Land Use Element  
16 and Mono County Code Chapter 5.65, with the following specifications based on the context of  
17 individual neighborhoods (see General Plan map), which vary in character.

18 Action 13.M.1.b. Defer short-term rental housing decisions for the Highlands to the appropriate tract  
19 map and specific plan procedures.

20 C. *The site of proposed change in the specific plan is suitable for any of the land uses permitted within the  
21 proposed specific plan because:*

22 The June Lake Highlands Final Specific Plan Goals, Objectives, and Policies (2001) describes the intent  
23 of the Highlands is “to provide a quality residential area complete with on-site amenities for both  
24 permanent and transient occupancy” (pg.42).

25 Land Use Objective 1 states, “provide a mix of quality residential uses with an integrated design format  
26 to serve the needs of both local and transient users.

27 D. *The proposed changes to the specific plan are reasonable and beneficial at this time because:*

28 The proponent of this project has waited to request these Amendments in order to provide the County  
29 and June Lake community time to establish a transient rental regulatory program. Community outreach  
30 during that process did not request the Highland’s to either prohibit or allow transient rental, leaving  
the option up to Highlands’ property owners and the determination to the Specific Plan Amendment  
and Tract Map Modification process.

The timing for this amendment is reasonable because a regulatory program has been established to  
allow properties designated Single-family Residential and Multi-family Residential to apply for permits  
to conduct transient rental.

E. *The proposed changes to the specific plan will not have a substantial adverse effect on surrounding  
properties because:*

1 The proposed changes will not have a substantial adverse effect on surrounding properties because the  
2 sites will be developed, or are already developed, to Single-Family LUD development standards. This  
3 project does not change the established development and design regulations established by the Specific  
4 Plan and Tract Map. Transient rental use will be further regulated under Chapter 26 of the Mono County  
5 General Plan, including the Vacation Home Rental permit standards.

6 The majority of surrounding properties are federally owned and apart of the Inyo National Forest, which  
7 is not planned to be developed. Surrounding properties privately owned (Interlaken, Victory Lodge,  
8 and the Leonard Avenue neighborhood) already have the ability conduct transient/short-term rentals.

9 **SECTION TWO:** Having reviewed and considered all information and evidence presented to it  
10 regarding the modification of Tract Maps #34-24 and #34-26 as set forth in **Exhibit A**, including public  
11 testimony, written comments, staff reports, and presentations, the Planning Commission finds per Mono County  
12 Code (MCC) 17.21.070 that:

- 13 1. *That there are changes in circumstances which make any or all of the conditions or the design of a*  
14 *recorded final map no longer appropriate or necessary:*

15 The project is adjacent to Interlaken and Leonard Avenue which allows for transient rentals subject  
16 to certain County requirements. This Modification of condition #36 in Tract Map #34-24 and #44 in  
17 Tract Map #34-26 would provide additional transient rental opportunities for those seeking to visit  
18 the community and surrounding area of the Village. The June Lake Highlands Specific Plan design  
19 is for single family residential use.

20 A Specific Plan Amendment under Planning Commission Resolution R20-02 Section One has been  
21 recommended to the Board of Supervisors to allow for these transient rentals. The amendment is also  
22 consistent with General Plan policies for amending Specific Plans and Tract Maps (Chapter 36 and  
23 Chapter 48).

- 24 2. *That the proposed modification(s) do not impose any additional burdens on the present owners of the*  
25 *property:*

26 The proposed modification to allow for transient rentals was initiated by the original developer  
27 and all the property owners included under the Specific Plan amendment #2, Policy 1-D, have  
28 requested to be included in this Tract Map modification. The change does not impose additional  
29 burdens on current owners.

- 30 3. *That such modification(s) would not alter any right, title or interest in the real property:*

The Tract Map modification adds the ability to rent a single-family home for less than 30 days. It  
does not deny or lessen any right, title, or interest in real property subject to the June Lake  
Highlands Specific Plan.

4. *That the proposed modification(s) are consistent with applicable general and specific plans:*

The proposed modification to Tract Map #34-24 & #34-26 is consistent with the Land Use Element  
Policies for the June Lake Area; Objective 13.M. To balance the character of single-family residential  
neighborhoods and the tourist economy, utilize a mix of best practices, creative solutions, and



1 regulatory mechanisms, as guided by public input and engagement, to address the complexity of  
2 short-term rentals.

3 The Specific Plan has been amended under Planning Commission Resolution R20-02 Section One  
4 providing transient rentals under Mono County General Plan Chapter 26 Transient Rental Standards  
5 and Enforcement in Nonresidential and MFR-H Land Use Designations and TRODS.

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5. *That the proposed modification(s) do not result in an increased number of dwelling units or a greater density than set forth in the recorded map:*

The project allows for 25 existing properties to conduct transient rental consistent with the Mono County General Plan and June Lake Highlands Specific Plan. All properties have the land use designation Single-family Residential and will be developed accordingly. Sites suitable for Single-family Residential development are also suitable for transient rental (less than 30 days) because the use is similar to and not more obnoxious than already permitted uses within the designation. It does not increase the total number of dwelling units and/or does not allow for a greater density under Tract Maps #34-24 or #34-26.

The project will not increase the allowable density of the June Lake Highlands. The Amendment will not change the land use designation (LUD) of any property. All Highlands properties are designated Single-family Residential which allows for the development of a single-family residence plus accessory structures. All properties must adhere to development standards for the SFR designation.

6. *That the site is physically suitable for the type and proposed density of the development:*

All properties within the June Lake Highlands Specific Plan allow for single-family residential development. The physical location of the Highlands is suitable for transient rentals because it is adjacent to June Lake's commercial core where most hotels/motels are located. Additionally, the project is adjacent to Interlaken and Leonard Avenue as the only other neighborhood in the June Lake community where non-owner occupied rentals may be permitted.

7. *That the design of the subdivision or proposed improvements, as modified, will not be likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat:*

The tract maps were originally approved under a Final Environmental Impact Report (FSEIR; SCH # 19980520037). This Tract Map Modification to allow for transient rentals does not change any mitigation measures adopted under the FSEIR. In addition, this modification does not apply to the requirements under Mono County Code 17.21.080.

8. *That the design of the subdivision or type of improvements will not be likely to cause serious public health problems, or conflict with public easements, or requirements related to drainage, snow storage, or other requirements set forth in the recorded map deemed necessary and appropriate by the public works department:*

The design, improvements, easements, drainage, snow storage, and/or other requirements have been completed and are not impacted by this Tract Map Modification to allow for transient rentals.



Exhibit A to Planning Commission Resolution R20-02

June Lake Highlands Specific Plan Amendment #2

**\*\* Policy 1-D. Transient rental (less than 30 days) is permitted on the following properties subject to a Vacation Home Rental Permit under Mono County General Plan Land Use Element Chapter 26: APNs 015-290-001, -011, -012, -014, -018, -027, -031, -032, -033; 015-300-001, -002, -003, -004; and 015-310-011, -012, -013, -020, -021, -022, -023, -024, -025, -026, -028, -029.**

June Lake and the County of Mono as a whole. Additionally, existing development in the June Lake Loop does not appear to meet modern resort standards, primarily due to the age of structures and lack of integrated amenities. Although the June Lake Highlands project will not offer solutions to every resort development opportunity, it is intended to provide a quality residential area complete with on-site amenities for both permanent and transient occupancy. Objectives and development policies are outlined below:

### **Land Use Objectives and Policies**

#### **Objective 1.**

Provide a mix of quality residential uses with an integrated design format to serve the needs of both local and transient users.

#### **Policy 1-A.**

Designate 11.8± acre single family area as **SFR** - Single-Family Residential and designate the 9.4± acre condominium area as **MFR-M** - Multi-Family Residential, Moderate.

#### **Policy 1-B.**

~~Designate the project site as **S-F-R** - Single-Family Residential (11.8± acres) and **M-F-R** - Multiple Family Residential (9.4± acres) per Chapters 19.08 and 19.09 of the Mono County Code. Parking requirements will be adjusted as discussed in the Project Description (enforced through CC&Rs).~~

#### **Policy 1-C.**

Allow up to 39 single family lots of 7,500 square feet minimum each. With a use permit and/or tentative tract map, allow up to 114 units in a phased condominium development (subject to meeting density bonus requirements) or other combination of single family, duplex or triplex units, depending on demand.

**\*\* Insert Policy 1-D.**

#### **Objective 2.**

Create an alpine style development which complements the surrounding high mountain environment.

#### **Policy 2-A.**

Provide a development which reflects mountain home architecture with environmentally sensitive design features and amenities.

#### **Policy 2-B.**

Utilize colors, textures and design amenities that blend with the surrounding environment.

#### **Policy 2-C.**

Screen condominium/multifamily parking areas, utilities and other unsightly accessory uses from view. Provide a high ratio of garage parking; design parking areas to be on the interior of the condominium/multifamily units rather than along street frontages.

#### **Policy 2-D.**

Place all utilities underground.

Exhibit A to Planning Commission Resolution R20-02

Modification of Tract Map 34-24 to Add Condition #36



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**RESOLUTION NO. R01-26**  
**A RESOLUTION OF THE BOARD OF SUPERVISORS,**  
**COUNTY OF MONO, STATE OF CALIFORNIA**

**CERTIFYING THE JUNE LAKE HIGHLANDS SPECIFIC PLAN FINAL EIR WITH A  
MITIGATION MONITORING PLAN AND ADOPTING FINDINGS RELATED  
THERETO, APPROVING THE JUNE LAKE HIGHLANDS SPECIFIC PLAN AND  
AMENDING THE MONO COUNTY GENERAL PLAN ACCORDINGLY (GPA #01-01),  
APPROVING TENTATIVE TRACT MAP (#34-24) AND ADOPTING A STATEMENT OF  
OVERRIDING CONSIDERATIONS**

**WHEREAS**, the overall objective of the June Lake Highlands project (including the June Lake Specific Plan and associated Tentative Tract Map #34-24) is to provide a suitable location for mixed residential use development; and

**WHEREAS**, the June Lake Highlands project would allow for development of 39 single-family lots and up to 114 multi-family units on a total of 21.2± acres; and,

**WHEREAS**, the June Lake Highlands Specific Plan contains land use goals, policies and standards for development of the property; and

**WHEREAS**, the June Lake Highlands Specific Plan and Final Environmental Impact Report were prepared simultaneously to incorporate environmental mitigation measures into the project to assist in designing the project around potential environmental constraints; and

**WHEREAS**, the June Lake Highlands Final EIR has been prepared and reviewed in compliance with CEQA; and

**WHEREAS**, the Board of Supervisors hereby certifies the Final EIR and adopts the June Lake Highlands Mitigation Monitoring Plan finding that:

1. In compliance with CEQA Guidelines Section 15090 (a):
  - a. The Final Environmental Impact Report (FEIR) has been completed in compliance with CEQA;
  - b. The Final EIR has been presented to the Board of Supervisors (the decision-making body and the lead agency) and the Board has reviewed and considered the information contained in the Final EIR prior to approving the project; and
2. The Final EIR reflects the lead agency's independent judgment and analysis. Based upon evidence in the Final EIR, several potentially significant impacts have been reduced to less-than-significant levels through mitigation measures; four impact issues are considered significant and unavoidable even with mitigation. Mitigation measures



1 have been included to reduce these impacts to the lowest feasible levels. Findings  
2 have been prepared for each of the potentially significant effects and for the  
3 unavoidable environmental effects of the project (see Exhibit A).

4 **WHEREAS**, the Board of Supervisors, in consideration of evidence and testimony  
5 presented at the public hearing in accordance with County Code Section 19.41.110, hereby  
6 adopts the following findings with respect to the proposed Specific Plan:

- 7 1. The project is being proposed in response to demand for residential uses in the June  
8 Lake area.
- 9 2. The overall project goal to provide quality, environmentally sensitive permanent and  
10 resort housing in proximity to the community of June Lake.
- 11 3. The Mono County General Plan and the June Lake Area Plan indicate the need for a  
12 mix of residential uses in the June Lake area for both permanent and transient  
13 occupancy residential units.
- 14 4. Both the Mono County General Plan and the June Lake Area Plan designate the  
15 project site as Specific Plan (SP).
- 16 5. Land Use Objectives and Policies of the Specific Plan designate 11.8 acres of the site  
17 as Single Family Residential (SFR) and 9.4 acres as Multi-Family Residential,  
18 Moderate (MFR-M). These designations will allow 39 single-family lots and up to  
19 114 multi-family units, providing for a mix of residential units as envisioned in the  
20 General Plan and June Lake Area Plan.
- 21 6. Goals, Objectives and Policies in the Specific Plan and Mitigation Measures identified  
22 in the Final EIR address development of the project and impacts to the environment.
- 23 7. Public services and infrastructure are or will be made available for the proposed  
24 development. The project will provide all necessary infrastructure on site (e.g., roads,  
25 drainage, water and sewage systems). Public Service Mitigation Measure C-4  
26 requires a "will-serve" letter from the June Lake Public Utilities District.
- 27 8. The development has been designed to be as compatible as possible with the  
28 surrounding natural environment and character of the area. Design features have been  
29 included in the Specific Plan addressing architecture, parking, circulation,  
30 landscaping, signing and lighting. Mitigation measures have been included to reduce  
impacts to less-than-significant levels or to the lowest feasible levels.
9. To ensure an adequate supply of locally available affordable housing, the Specific Plan  
and mitigation measures provide employee housing and affordable housing in  
accordance with the June Lake Area Plan.
10. General Plan policies require applicants to demonstrate the availability of adequate  
fire protection by providing a Fire Protection Plan and project approvals to include a  
finding that adequate fire protection is available (Safety Element, Goal II, Objective B,  
Action 1.2). The project will provide adequate fire flows and Public Service  
Mitigation Measure C-4 requires a "will-serve" letter from the June Lake Fire  
Protection District.

**WHEREAS**, the Board of Supervisors, in consideration of evidence and testimony  
presented at the public hearing and in accordance with County Code Title 17, adopts the  
following findings regarding the Tentative Tract Map #34-24:

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1. The Tentative Tract Map complies with the provisions of California Environmental Quality Act (CEQA); an Environmental Impact Report has been prepared for the project.
  2. The Tentative Tract Map meets the general provisions of Chapter 17.04 of the County Code.
  3. The Tentative Tract Map is consistent with the General Plan Land Use Element and June Lake Area Plan.
  4. Conditions of approval have been applied to the Tentative Tract Map as attached to the Board of Supervisors Staff Report for the June Lake Highlands project.


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9 **NOW THEREFORE, BE IT RESOLVED** that the Mono County Board of Supervisors hereby takes the following actions:

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- A. Certify the June Lake Highlands Final EIR with a Mitigation Monitoring Plan and adopt the Findings set forth in Exhibit A attached hereto and incorporated herein by this reference.
  - B. Adopt the June Lake Highlands Specific Plan and amend the General Plan accordingly (GPA #01-01).
  - C. Approve Tentative Tract Map #34-24 with conditions set forth in Exhibit B attached hereto and incorporated herein by this reference.
  - D. Adopt the Statement of Overriding Considerations set forth in Exhibit C attached hereto and incorporated herein by this reference.

19  
20 **PASSED AND ADOPTED THIS** 13th day March 2001, by the following vote of the Mono County Board of Supervisors:

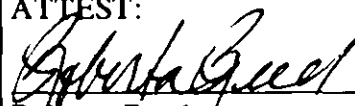
21 AYES : Supervisors Cecil, Hunt and Pipersky.  
22 NOES : None.  
23 ABSENT : Supervisors Farnetti and Ronci.  
24 ABSTAIN : None.

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Byng Hunt, Chairman  
Mono County Board of Supervisors

ATTEST:

  
Roberta Reed  
Deputy Clerk of the Board

APPROVED AS TO FORM:

  
Marshall Rudolph, County Counsel

## EXHIBIT A

### ENVIRONMENTAL IMPACT FINDINGS REQUIRED BY CEQA GUIDELINES SECTION 15091 JUNE LAKE HIGHLANDS SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT

#### PART I: FINDINGS RELATIVE TO POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS

##### MITIGATABLE SIGNIFICANT ENVIRONMENTAL EFFECTS

###### LAND USE

1. POTENTIALLY SIGNIFICANT EFFECT: The project could result in structures that do not blend with the natural terrain if the standard zoning ordinance height restriction is applied.

STATEMENT OF FACTS: The standard height of an average of 35' would allow tall building elevations on sloping lots. If a maximum building height of 35' were imposed, the structures would blend better with the natural terrain. Mitigation Measure A-1 would allow no part of any structure to exceed 35' above the natural terrain.

FINDING: Changes or alterations have been required in, or incorporated into the project which reduce this potential impact to a level that is less than significant.

###### PUBLIC SERVICE IMPACTS

1. POTENTIALLY SIGNIFICANT EFFECT: The project could result in deterioration of law enforcement services due to potential growth induced by the project.

STATEMENT OF FACTS: The Mono County sheriff indicates that the project will have potential impacts on law enforcement services; it is possible that new personnel and/or equipment may be needed with buildout of the project. Mitigation Measure C-1 requires the proponent to participate on a fair-share basis for the provision of additional law enforcement facilities in the vicinity.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

2. POTENTIALLY SIGNIFICANT EFFECT: The project will require substantial improvements to the June Lake PUD water system.

STATEMENT OF FACTS: The June Lake Water System Master Plan requires the installation of tanks, pumps and line extensions for service to the general area of the project. Mitigation Measure C-2 would require the installation of these improvements, either through assessment district or developer funding. Mitigation Measure C-4 requires a "will-serve" letter from the June Lake PUD prior to approval of the project.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

## **GEOLOGY, SEISMICITY AND SOILS**

1. POTENTIALLY SIGNIFICANT EFFECT: The project site and general vicinity are subject to potentially large earthquakes.

STATEMENT OF FACTS: Moderate to severe seismic ground shaking could result from displacement of several active or potentially active regional faults, including the fault near the project site. Mitigation involves structural enhancements to buildings and utilities to withstand vertical and horizontal accelerations. Boulders on the natural slope face should be considered in lot design review to prevent earthquake-induced displacement and rolling. Mitigation Measures D-1 and D-2 address these concerns.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

2. POTENTIALLY SIGNIFICANT EFFECT: Seismic-induced settlement could affect structures placed on the project site; natural conditions are not suitable for structures.

STATEMENT OF FACTS: Topsoil and slopewash on the site are not suitable for structural support unless removed and recompacted. Some areas of fill on the site are not suitable for structural support. Also, the old borrow site on the property will need to be filled and compacted. Slope stability should be reviewed in individual lot design. Mitigation Measures D-3, D-4 and D-5 address these concerns.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

3. POTENTIALLY SIGNIFICANT EFFECT: Earthwork operations on the site could cause soil erosion and potential for siltation to reach Gulf Lake.

STATEMENT OF FACTS: During earthwork activities, soil erosion potential will be present during rainy weather or heavy winds. Impacts could include disruption to the local environment with dust, mud and siltation. Mitigation Measures D-5 and D-6 address these concerns.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

## **NOISE**

1. POTENTIALLY SIGNIFICANT EFFECT: Construction activities could cause short-term noise impacts, particularly on the adjacent Interlaken development.

STATEMENT OF FACTS: Adverse noise impacts from construction noise may arise during construction of the multi-family area directly adjacent to the existing Interlaken condominiums. Mitigation Measures I-1 and I-2 address this concern.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

2. POTENTIALLY SIGNIFICANT EFFECT: Long-term noise will increase from occupancy of the site by residents of the project.

STATEMENT OF FACTS: Noise impacts will be present from private vehicles, delivery vehicles, snow removal equipment, refuse pickup, lawn mowers, etc. Effects of these noise sources on the Interlaken project will come primarily from the adjacent proposed multi-family area. Outdoor activity will contribute to "people" noise. Significant effects can be avoided with designs that place outdoor activity areas away from exterior property lines or shielded by structures or berms. Mitigation Measures I-1 and I-3 address these concerns.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

## **AIR QUALITY**

1. POTENTIALLY SIGNIFICANT EFFECT: Short-term air quality may be adversely impacted during construction activities that generate the potential for dust and wind erosion.

STATEMENT OF FACTS: The project will utilize the best available dust control measures. Measure J-1, J-4 and J-5 address this concern.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

2. POTENTIALLY SIGNIFICANT EFFECT: Emissions from dust created by application of road cinders and wood-burning appliances could result from the project.

STATEMENT OF FACTS: The emissions would be well below relevant thresholds. Land uses within the project will use appliances that meet current emission reduction standards as specified by the Great Basin APCD. Mitigation Measures J-2, J-3 and J-4 address these issues.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

## **WATER RESOURCES**

1. POTENTIALLY SIGNIFICANT EFFECT: Impacts from pollutant loading and sediment transport to Gull Lake are a concern.

STATEMENT OF FACTS: The project could contribute to degradation to receiving waters from construction earthwork activities and/or long-term occupancy of the site. The project will be regulated by the State Water Resources Control Board; an NPDES permit will be required as well as an SWPPP. Mitigation Measures K-1, K-2, K-3 and K-4 address these concerns.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant

2. POTENTIALLY SIGNIFICANT EFFECT: Drainage from the project may adversely affect off-site drainage facilities.

STATEMENT OF FACTS: Drainage from the project will be designed to avoid or minimize impacts to adjacent drainage facilities, such as found in the Interlaken project. Mitigation Measures K-5 and K-6 address these concerns.

FINDING: Changes or alterations have been required in, or incorporated into, the project which reduce this potential impact to a level that is less than significant.

## **UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS**

### **WILDLIFE**

1. POTENTIALLY SIGNIFICANT EFFECT: Due to the impacts of the project from human intrusion, alteration of wildlife habitat, construction impacts, and direct mortality impacts on wildlife, potentially significant impacts will be present which cannot be mitigated to less-than-significant levels.



**STATEMENT OF FACTS:** Although there are no federal or state-listed rare, threatened or endangered wildlife species known to be present on the site, the project area provides high-quality habitat for mule deer and marginally suitable habitat for the western white-tailed hare and mountain quail. In addition, the site provides breeding, nesting and foraging for a variety of birds and mammals. Mitigation Measures E-1 through E-17 will lessen potential impacts, but not to a less-than-significant level.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR to the extent feasible. Additional mitigation or project alternatives with less environmental impact are infeasible due to specific economic, engineering and other factors (see Part II of these Findings).

## **VISUAL RESOURCES**

1. **SIGNIFICANT EFFECT:** The project is anticipated to have significant unavoidable visual impacts resulting from development activities on the site.

**STATEMENT OF FACTS:** The project will create significant alteration in the visual quality of the area from many viewpoints. A number of policies and design features have been incorporated into the Specific Plan to avoid potential visual impacts and to mitigate potential impacts to a less-than-significant level; however, the project will still result in significant visual impacts. Mitigation Measures F-1 through F-10, and policies and design features in the Specific Plan, will lessen potential impacts, but not to a less-than-significant level.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR to the extent feasible. Additional mitigation or project alternatives with less environmental impact are infeasible due to specific economic, engineering and other factors (see Part II of these Findings).

## **CIRCULATION**

1. **SIGNIFICANT EFFECT:** The project is anticipated to have significant unavoidable circulation impacts resulting from development of the site.

**STATEMENT OF FACTS:** Due to the restricted right-of-way and awkward access route to and from the site via Leonard Avenue, the project will result in significant impacts which are unavoidable. Mitigation Measures H-1 through H-4 will lessen potential impacts, but not to a less-than-significant level.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR to the extent feasible. Additional mitigation or project alternatives with less environmental impact are infeasible due to specific economic, engineering and other factors (see Part II of these Findings).

## TRAFFIC NOISE

1. **SIGNIFICANT EFFECT:** Traffic noise generated along the Leonard Avenue access will be significant and unavoidable.

**STATEMENT OF FACTS:** The project will create significant impacts along the Leonard Avenue access to and from the site. Due to proximity of residential uses along Leonard Avenue, Bruce Street, and Knoll Avenue, the project will result in significant impacts which are unavoidable. Mitigation Measures H-1 through H-4 will lessen potential impacts, but not to a less-than-significant level.

**FINDING:** Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR to the extent feasible. Additional mitigation or project alternatives with less environmental impact are infeasible due to specific economic, engineering and other factors (see Part II of these Findings).

## PART II: FINDINGS RELATIVE TO ALTERNATIVES

The Lead Agency finds that the project alternatives identified in the Final EIR are infeasible due to specific economic, social, or other considerations, and that the alternatives identified in the Final EIR, except the "no project" alternative, would have similar or greater environmental impacts than the proposed project.

The Lead Agency finds that Alternative 1, the No Project Alternative, which is the least environmentally damaging scenario, is infeasible due to social and economic considerations. This alternative would not allow subdivision on the project site and would not meet the project's objective: "to provide an environmentally sensitive mix of permanent and resort housing units in proximity to the community of June Lake. The development will offer a mix of single-family homes and condominiums in a specific plan area."

The Lead Agency finds that Alternative 2, Alternative Site - Rodeo Grounds, is infeasible due to social, economic and legal considerations. This project site could meet the objectives of the project but is not available to the proponents due to ownership constraints.

The Lead Agency finds that Alternative 3, All Single Family Alternative, is infeasible due to social and economic considerations. The project could meet only partial objectives of the project sponsor; a mix of permanent and resort housing would not be achieved.

## **Exhibit B**

### **Conditions of Approval June Lake Highlands Tentative Tract Map 34-24**

1. All new development shall be in accordance with the Project Description, Land Use Objectives and Policies of the June Lake Highlands Specific Plan.
2. All Specific Plan Goals, Objectives, & Policies and Mitigation Monitoring Plan as identified in the June Lake Highlands Specific Plan are tentative tract map conditions.
3. The project applicant shall inform future owners and developers of the project mitigation measures, as a means of reducing or eliminating impacts to less-than-significant levels, as contained in the June Lake Highlands Specific Plan (Goals, Objectives and Policies, and Mitigation Monitoring Plan) and CC&Rs.
4. Prior to approval of the final tract map, the project proponent shall provide the County with a "will serve" letter from the June Lake PUD, indicating that the district has the capability to serve the proposed development for both water and sewer.
5. Prior to approval of the final tract map, the project proponent shall provide the County with a "will serve" letter from the June Lake Fire Protection District, indicating capability to serve the proposed development.
6. All utilities (electricity, water, sewer, telephone, LPG, cable TV, etc.) shall be installed underground. All service connections shall be placed such that public roadways will not have to be cut up for service connections to future residences.
7. Construction shall be limited to daylight hours in accordance with Mono County Code Chapter 10.16 (Noise Regulation) in order to minimize impacts to nocturnal resident wildlife species, such as mule deer.
8. Noise levels during construction shall be kept to a minimum by equipping all onsite equipment with noise attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).
9. Domestic animals shall be restrained at all times, either through the use of leashes or private fenced areas. No animals shall be allowed to be free roaming.
10. Dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases.
11. Dust generated during construction shall be controlled through watering or other acceptable measures.
12. All wood burning appliances installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (Conservation/Open Space Element, Public Health and Safety policies, Objective A, Action 6.1).

13. The project proponent shall stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as the applicant hires a qualified consultant and an appropriate report that identifies acceptable site mitigation measures is filed with the County Planning Department. Road construction/grading plans shall include such notice.
14. A CSA-Zone of Benefit district shall be created by the developer along newly constructed public roads in order to pay for road maintenance and snow removal. The CSA-Zone of Benefit shall be formed prior to approval of the final tract map for the initial phase.
17. Drainage easement(s) shall be offered to the public for the drainage swale(s) shown on the tentative maps and/or grading plan.
18. A letter of clearance and/or waste discharge requirements from Lahontan Regional Water Quality Board shall be obtained, if necessary.
19. All road grading and earthwork activities must be conducted in accordance with an approved road construction plan and/or grading plan.
20. Construction material (rock, debris, etc.) that is not utilized as road fill material shall be removed to a designated dump or other approved site.
21. The applicant will be required to submit a soils report or process a soils report waiver. Any such report or waiver shall be reviewed and approved by the Director of Public Works, according to the provisions of Mono County Code (MCC) Section 17.36.090.
22. A slope stability and lot development plan shall be prepared and be reviewed by a geologist or geotechnical engineer for all single-family lots. Boulders on the natural slope face shall be considered in review to prevent earthquake-induced displacement and rolling. The report and recommendations shall be approved by the Public Works Department.
23. A comprehensive erosion and sediment transport control plan shall be submitted to the Mono County Public Works Department prior to issuance of the grading permit(s).
24. An air quality permit shall be obtained from the Great Basin Unified Air Pollution Control District, if required.
25. The developer shall provide necessary easements for existing and proposed utility service within the subdivision.
26. The project shall comply with the Fire-safe Regulations (Mono County General Plan, Land Use Element, Land Development Regulations Chapter 22) pertaining to emergency access; signing and building numbering; emergency water supplies; and vegetation modification.
27. The project proponent shall assist with improvements to the June Lake Ballfield such as parking lot paving, restrooms, additional landscaping, erosion control, irrigation, etc. A not-to-exceed cost for these improvements shall be negotiated between the County and the developers prior to any subsequent development approval.

28. The project proponent shall provide an access path to the June Lake Ballfield from the single family and condominium areas (e.g., between lots 37 and 38). Maintenance of the path shall be provided in the CC&Rs.
29. The project proponent is encouraged to provide bulk propane storage with distribution lines in the single-family portion of the project instead of individual propane tanks for each lot.
30. The project proponent shall confer with local postal authorities for installation requirements for cluster mailboxes. The applicant shall provide a letter from the postal authorities stating *their approval of road names and box locations* in the development, or a release from the necessity of providing cluster mailboxes. If clustering or special locations are specified, easements, concrete bases or other provisions shall be included.
31. The applicant shall provide off-site street improvements or in-lieu fees (e.g., widening, overlay, intersection improvements) for specified segments of Leonard Avenue, Bruce Street and Knoll Avenue as directed by the Public Works Director. A not-to-exceed cost for these improvements shall be negotiated between the County and the developer prior to any subsequent development approval.
32. The applicant shall prepare a Stormwater Pollution Prevention Plan and submit a Notice of Intent to comply with provisions of the State Water Resources Control Board's Stormwater NPDES Permit for Construction Activities.
33. The project's CC&Rs shall establish an Architectural Design Review Committee which shall be responsible for establishing and enforcing design guidelines used in construction on the project lots.
34. Landscaping shall be used to minimize potential visual impacts resulting from development. At the time of building construction on each single family lot or condominium parcel, Jeffrey and lodgepole pine trees (5 gallon minimum) in equal numbers shall be planted on each project lot/parcel at a rate of one tree per 1,000 square feet of lot area (excludes public street area). Other types of trees may be planted but the required number of Jeffrey and lodgepole pine trees shall be required and maintained as a condition of the CC&Rs. In addition to the above tree planting requirements, additional trees (Jeffrey and/or lodgepole pine) shall be planted in accordance with Attachment A (proponent concept tree planting plan modified to include additional trees in the vicinity of the June Lake Ballfield) A subsequent detailed landscape plan shall be submitted to the Planning Commission for approval and included in the final map subdivision improvement plans. The Landscaping Plan shall be subject to the Mono County Code requirements for landscaping plans.
35. The project proponent shall revegetate disturbed areas resulting from roadway construction and infrastructure installation. A Landscaping and Revegetation Plan shall be required as a component of the street improvement plans for each subdivision phase. The Landscaping Plan shall be subject to the Mono County Code requirements for landscaping plans.

Modification

36. Transient rental (less than 30 days) shall be permitted according to the June Lake Highlands Specific Plan Land Use Objectives and Policies, Policy 1-D.



## Exhibit C

### STATEMENT OF OVERRIDING CONSIDERATIONS JUNE LAKE HIGHLANDS SPECIFIC PLAN FEIR

Mono County's economy is supported primarily by tourism and outdoor recreation with limited areas suitable for housing opportunities. Only about 6% of the land area in Mono County is private land and much of that is constrained for development by economic, environmental and other considerations. The June Lake Highlands project would expand the range and opportunity for housing in accordance with the Mono County General Plan and June Lake Area Plan. In addition, the project would enhance the local economy providing additional job opportunities. The Mono County Board of Supervisors finds that the level of development provided under the June Lake Highlands Specific Plan would significantly benefit Mono County's housing supply and economy and would thereby outweigh significant unavoidable impacts associated with the project.

*The June Lake Highlands project is located in proximity to the village of June Lake in an area suitable for housing and serviceable by public services. The project site is located adjacent to existing development, accessible by the new North Shore Drive access road and next to the June Lake Ballfield. The project incorporates design features to reduce environmental impacts and mitigation measures have been incorporated into the Specific Plan Final EIR to reduce impacts to their lowest feasible levels.*

The development of the June Lake Highlands would create additional jobs in central Mono County. It would generate additional revenues for the County, particularly in the form of property taxes and also from transient occupancy taxes collected from overnight visitors. Based upon these considerations, the Mono County Board of Supervisors finds that the potential benefits derived from the June Lake Highlands project outweigh the project's significant unavoidable impacts and that a Statement of Overriding Considerations is warranted.

Exhibit A to Planning Commission Resolution R20-02

Modification of Tract Map 34-26 Amending Condition # 44 specifying that short-term rental (rental less than 30 days) is permitted in compliance with the June Lake Highlands Specific Plan Policy 1-D

**MONO COUNTY COMMUNITY DEVELOPMENT  
DEPARTMENT  
Planning Division**

**NOTICE OF TENTATIVE TRACT MAP APPROVAL**

**TENTATIVE TRACT MAP #** 34-26

**APPLICANT:** Larson

**ASSESSOR'S PARCEL NUMBER:** 15-010-79

**PROJECT LOCATION:** The property is located along the intersection of Leonard Avenue and Highland Drive in West Village, June Lake.

You are hereby notified that the Mono County Board of Supervisors did on January 4, 2005, hold a public hearing to hear any and all testimony relative to the approval of Tentative Tract Map 34-26 and did approve the map for a period of twenty-four (24) months, subject to the following conditions.

**Please refer to the attached  
Conditions of Approval #1 through 44**

A final map, which includes compliance with the foregoing conditions, may be submitted for final approval prior to its expiration. Failure to file the final map within twenty four (24) months after the above approval will nullify all approvals; except that such time limitation may be extended by the Planning Commission. Written application for such extension must be made to the Executive Secretary to the Planning Commission or Clerk to the Board no later than forty five (45) days prior to expiration of the tentative map. Extensions may be granted for a one-year period, or successive one-year period, not to exceed a total of three (3) additional years.

**DATE OF EXPIRATION:** 01/04/07

**DATED:** January 4, 2005

cc:  Applicant  
 Engineer  
 Assessor's Office  
 Public Works  
 Environmental Health

**TM 34-26**  
**JUNE LAKE HIGHLANDS**  
CONDITIONS OF APPROVAL &  
MITIGATION MONITORING PROGRAM

**FORMAT:**

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**CONDITION OF APPROVAL.....**

- a. SCHEDULE OF COMPLIANCE.....
  - b. RESPONSIBLE MONITORING AGENCY or DEPARTMENT.....
  - c. IMPLEMENTING PARTY
  - d. TYPE OF MEASURE: DESIGN, ONGOING, CUMULATIVE
- 

**Uniformly Applied Development Standards and Policies**

1. Future residential development shall meet the requirements of the Mono County General Plan.
  - a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
  - b. Community Development Department/ Building and Planning divisions
  - c. Applicant/Property Owner
  - d. Design
  
2. The subdivision improvements, as well as future development, shall comply with the Fire-safe Regulations (Mono County General Plan, Land Use Element, Section VI Land Development Regulations Chapter 22) pertaining to emergency access, signing and building numbering, emergency water supplies and vegetation modification.
  - a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
  - b. Community Development Department/Building Division
  - c. Applicant/Property Owner
  - d. Design
  
3. All wood-burning devices installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (Conservation/Open Space Element, Public Health and Safety policies, Objective A, Action 6.1).
  - a. Generally associated with future development. Requires monitoring over a period of time.
  - b. Community Development Department/Building Division
  - c. Applicant/Property Owner
  - d. Design
  
4. The project proponent shall stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. Additionally the contractor/owner of future residential construction/development shall stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as the applicant hires a qualified consultant and an appropriate report is filed with the county Planning Division, which identifies acceptable site mitigation measures.
  - a. Generally associated with future development but may occur anytime construction is in progress. Requires monitoring over a period of time.
  - b. Community Development Department/Planning Division
  - c. Applicant/Property Owner
  - d. Design/Ongoing

5. Dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases.
  - a. Requires monitoring over a period of time, usually linked to future development associated with approved residential construction.
  - b. Community Development Department/Building and Planning divisions
  - c. Applicant
  - d. Design/Ongoing
  
6. Noise levels during construction shall be kept to a minimum by equipping all on-site equipment with noise-attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).
  - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
  - b. Community Development Department/Building and Planning divisions
  - c. Applicant/Property Owner
  - d. Design/Ongoing
  
7. Erosion-control measures on disturbed areas shall include the use of Best Management Practices such as placement of fiber blankets and roll, filter fencing or similar erosion-control materials. Removed topsoil shall be stockpiled and replaced over disturbed areas. Disturbed areas shall be revegetated with a native seed mix and/or native plants. For all phases of subdivision and future parcel development, exposed soil surfaces shall be stabilized and/or revegetated as soon as possible to reduce impacts related to erosion.
  - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
  - b. Community Development Department/Building and Planning divisions
  - c. Applicant/Property Owner
  - d. Design/Ongoing
  
8. Revegetation of disturbed areas shall occur as soon as possible following construction and shall require the use of stabilization material or landscaping. Use of native seeds, native plants grown from seeds or seedlings obtained from local native stock is encouraged. Revegetated areas shall be irrigated as necessary to establish the plants.
  - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
  - b. Community Development Department/Building and Planning divisions
  - c. Applicant/Property Owner
  - d. Design/Ongoing
  
9. To prevent wind erosion and public nuisance created by dust, the property owners shall refrain from clearing native vegetation except as necessary for impending or same-year construction. Dust generated during construction shall be controlled through watering or other acceptable measures
  - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
  - b. Community Development Department/Building and Planning divisions
  - c. Applicant/Property Owner
  - d. Design/Ongoing
  
10. For all phases of subdivision and parcel development, controls shall be instituted to reduce the impact of dust. Such controls are to include watering and mulching of disturbed areas or by other approved methods. Initiation of revegetation efforts should commence as soon as practical after construction.



- a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
  - b. Community Development Department/Building and Planning divisions
  - c. Applicant/Property Owner
  - d. Design/Ongoing
11. Grading permits shall be required as specified in Mono County Code Section 13.08.030 et seq. Activities requiring a grading permit include but are not limited to land clearing/grading activities that will clear more than 10,000 square feet or require any cuts greater than 4 feet or fill greater than 3 feet. Construction requiring more than 200 cubic yards of cut or fill will also require a grading permit.
- a. Requires monitoring over a period of time, usually linked to future development associated with approval of grading, driveway and/or road improvements, and residential construction.
  - b. Department of Public Works
  - c. Applicant/Property Owner
  - d. Design/Ongoing
12. Drainage and erosion-control plans shall be required of future residential construction involving more than 5,000 square feet of pad area disturbed, including secondary or accessory structures on any one parcel, at any one time. Drainage and erosion-control plans shall also be required for future residential construction on any one parcel that cumulatively exceeds 20,000 square feet. If plans are required, plans will be developed with the individual project applicant, Mono County Planning Division, and Mono County Department of Public Works.
- a. Requires monitoring over a period of time, usually linked to future development.
  - b. Community Development Department/Planning Division and applicable federal and/or state agency
  - c. Applicant/Property Owner
  - d. Design/Ongoing
13. Liquefied Petroleum Gas (LPG) when used shall be installed according to all applicable codes and Mono County Code 15.04.056. The project proponent shall provide bulk propane. Minor adjustments to tentative tract map lot lines may be made to satisfy required fire code setbacks. A landscaping plan for screening of propane tank(s) shall be submitted to Community Development Department for approval.
- a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
  - b. Community Development Department/Building Division
  - c. Applicant/Property Owner
  - d. Design
14. Exterior/outdoor lighting on individual lots shall be designed and maintained to minimize the effects of lighting on the surrounding environment. Exterior lighting shall be limited to that necessary for health and safety purposes; high-intensity outdoor lighting shall be avoided or adequately shielded. All lighting must be designed to confine light rays to the premises of each individual lot. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, adjacent lot, or adjacent land area.
- a. Generally associated with future development but may occur any time construction and/or road grading is in progress. Requires monitoring over a period of time.
  - b. Community Development Department/Planning Division
  - c. Applicant

d. Design

**Specific Subdivision Map Conditions and Development Mitigation Measures**

15. All new development shall be in accordance with the Project Description, Land Use Objectives and Policies of the June Lake Highlands Specific Plan as follows (note: policy descriptions are excerpts of actual policy – see Specific Plan for full wording):
- a. Policy 1-A: Designate 11.8 acres as SFR; designate 9.4 acres as MFR-M (no longer applies; whole project area is allowable by Specific Plan as SFR – SFR requirements of the General Plan apply to this phase as well as first phase).
  - b. Policy 1-B: Designate the project as S-F-R and M-F-R (no longer applies since Zoning and General Plan were combined).
  - c. Policy 1-C: All single-family lots are to be 7,500 sf minimum.
  - d. Policy 2-A: Development to reflect mountain home architecture/environmentally sensitive design.
  - e. Policy 2-B: Utilize colors, textures, amenities that blend with environment (see official materials – color palette).
  - f. Policy 2-C: Screen the condominium/multifamily parking area from view (no longer applies).
  - g. Policy 2-D: Place all utilities underground (see condition below).
  - h. Policy 2-E: All single-family and multi-family architecture subject to Design Review (“multi-family” no longer applies).
  - i. Policy 3-A: Install water/sewer systems consistent with June Lake PUD requirements.
  - j. Policy 3-B: Coordinate solid waste service with local provider. Screen on-site containers.
  - k. Policy 3-C: Provide on-site condominium management and affordable housing (“condominium management” no longer applies – see condition below).
  - l. Policy 3-D: Provide snow removal for the condominium streets and parking areas (no longer applies).
  - m. Policy 4-A: Provide on-site recreational facilities in each phase of the condominium area (no longer applies).
  - n. Policy 4-B: Allow single-family lot owners to join the condominium HOA for access to recreational facilities (no longer applies).
  - o. Policy 4-C: Assist with June Lake Ballfield improvements such as parking lot paving, restrooms, etc., to be negotiated with County (this has been completed).
  - p. Policy 4-D: Provide an access path to the June Lake Ballfield with maintenance by CC&Rs (a pathway from phase one of the development has been provided; another pathway is to be provided in this phase – see condition below).
  - q. Policy 5-A: Institute a “dark skies” policy – outdoor lighting must be shielded/directed downward (see standard condition above).
  - r. Policy 5-B: Erect construction barriers on project perimeters to prevent damage to off-site habitat.
  - s. Policy 5-C: Avoid tree removal – replace trees removed per replacement schedule in the Specific Plan.
  - t. Policy 6-A: Ensure affordable employee housing (one affordable unit was provide during phase one; provision for a second unit is proposed with this phase – see condition below).
  - u. Policy 6-B: Utilize alpine architectural style.
  - v. Policy 7-A: Construct new streets to County standards (see condition below).
  - w. Policy 7-B: Provide interior streets that interconnect the condominium area (no longer applies).

- x. Policy 7-C: Provide off-site street improvements or in-lieu fees for Leonard Avenue, Bruce and Knoll; negotiate not-to-exceed cost (Leonard to be improved during this phase).
- y. Policy 7-D: Provide a Zone of Benefit for street maintenance (see condition below).
- z. Policy 7-E: Provide a fair share of funding for trails and bike paths; negotiate not-to-exceed cost (fee has been established for first phase; additional fee to be required for this phase – see condition below).
- aa. Policy 8-A: Design connections, pathways, to surrounding open space (access pathway to be provided in this phase – see condition below).
- bb. Policy 8-B: Utilize condominium open space areas to enhance the visual quality of the project (no longer applies).
- cc. Policy 9-A: Incorporate latest building codes regarding seismic safety.
- dd. Policy 9-B: Avoid construction on faults and unstable geologic features.
- ee. Policy 10-A: Minimize construction noise by specifying times of operation of construction noise (see standard condition above).
- ff. Policy 10-B: Utilize smart design in placement of condominium outdoor recreation areas to minimize outdoor noise generated from the site (no longer applies).
- gg. Policy 10-C: Design condos to shield noise from interior parking and noise producing features (no longer applies).
- hh. Policy 11-A: Preserve natural vegetation - replace trees per Specific Plan replacement schedule.
- ii. Policy 11-B: Minimize flattening and grading for house construction – blend with natural terrain.
- jj. Policy 11-C: Exposed soils to be revegetated with natural vegetation and specific seed mix; significant number of trees to be planted (1 tree/1000 sf –see condition below).
  - a. At time of subdivision final map and generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior final map recording, issuance of a building permit and/or certificate of occupancy.
  - b. Community Development Department-Building and Planning divisions and Department of Public Works
  - c. Applicant/Property Owner
  - d. Design

16. All Specific Plan Mitigation Measures identified in the June Lake Highlands Specific Plan are tentative tract map conditions as follows (see Specific Plan EIR for full wording):

- a. Mitigation Measure A-1: No part of any structure may exceed 35' above natural grade; reflected in CC&Rs (CC&Rs were recorded by applicant with wrong drawing! This condition supercedes CC&Rs).
- b. Mitigation Measure A-2: Buyers to be advised of presence of June Lake Ballfield and associated potential for large recreational events.
- c. Mitigation Measure B-1: Provision of affordable housing; 2 perpetually affordable units somewhere in the June Lake Loop (one has been provided; one is to be provided with this project – see condition below).
- d. Mitigation Measure C-1: Applicant shall provide fair share of additional law enforcement facilities (fee has been paid for first 39 units; fee to be same per unit for this phase –see condition below).
- e. Mitigation Measure C-2: Assessment District to be formed or water system improvements per June Lake PUD requirements (has been completed).
- f. Mitigation Measure C-3: Plans to be reviewed by the June Lake Fire District - review by June Lake PUD and Fire District; “will serve” letters required.

- g. Mitigation Measure C-4: "Will-serve" letters from June Lake Fire District and PUD must be provided to County.
- h. Mitigation Measure C-5: Water conserving fixtures/xeriscape required.
- i. Mitigation Measure D-1: Structural enhancements for buildings and utilities to be consistent with UBC for Seismic Risk Zone IV.
- j. Mitigation Measure D-2: Rolling boulder potential to be considered in lot design to prevent earthquake-induced displacement.
- k. Mitigation Measure D-3: Slope stability and lot development plans to be reviewed by geologist or geo-engineer for all single-family lots.
- l. Mitigation Measure D-4: Structural/earthwork specifications to be employed in project design/compaction.
- m. Mitigation Measure D-5: Grading Guidelines in Appendix B of DEIR and Mono County PW requirements to be followed for all grading.
- n. Mitigation Measure D-6: Comprehensive erosion and sediment transport plan required prior to grading permit issuance.
- o. Mitigation Measure E-1: Dogs to be contained in private fenced yards or enclosed in a building.
- p. Mitigation Measure E-2: Mono County leash laws to be reiterated in the CC&Rs.
- q. Mitigation Measure E-3: Dogs prohibited in area during construction (see standard condition above).
- r. Mitigation Measure E-4: Night lighting restricted in number, duration, intensity; shielded light fixtures; not visible off-site (see standard condition above).
- s. Mitigation Measure E-5: Access to work areas to utilize existing dirt roads; avoid unnecessary disturbance to vegetation outside project area.
- t. Mitigation Measure E-6: Revegetation to utilize native plants and conducted immediately following construction.
- u. Mitigation Measure E-7: Deter spread of weeds/ cover stockpiled topsoil/revegetate immediately.
- v. Mitigation Measure E-8: Use techniques to reduce pads and drives.
- w. Mitigation Measure E-9: Establish setbacks between private fenced areas and property lines for ease of deer and wildlife movement through the project.
- x. Mitigation Measure E-10: Open space management and restrictions to be specified in CC&Rs.
- y. Mitigation Measure E-11: No tall, solid fences shall be constructed along adjoining back yards; pet enclosures excepted if in keeping with CC&Rs.
- z. Mitigation Measure E-12: Construction activities to be scheduled only during daytime hours to reduce wildlife disturbance.
- aa. Mitigation Measure E-13: Dust to be controlled (see standard condition above).
- bb. Mitigation Measure E-14: Noise levels during construction to be minimized (see standard condition above).
- cc. Mitigation Measure E-15: Open ditches/trenches to be covered/barricaded during night.
- dd. Mitigation Measure E-16: Refueling/repair of equipment to occur in disturbed areas away from sensitive habitat.
- ee. Mitigation Measure E-17: Reduced speed limits to 25 mph should be imposed on roads leading to and from the development to reduce wildlife-vehicle collisions.
- ff. Mitigation Measure F-1: Design buildings, parking, site grading to blend with natural terrain; no building height greater than 35' above "natural grade" (natural grade defined).
- gg. Mitigation Measure F-2: Building finishes, color palette to be detailed in CC&Rs. CC&Rs to be approved by Planning Department in consultation with Design Review Committee (see Chapter 9 of Land Use Element of the General Plan).
- hh. Mitigation Measure F-3: Housing and accessory structures to utilize alpine architectural style and reviewed by Design Review Committee.

- ii. Mitigation Measure F-4: Cut and fill slopes to be contoured, tops and toes to be tapered/rounded.
- ii. Mitigation Measure F-5: House and condominium grading to blend with natural terrain.
- jj. Mitigation Measure F-6: Building sites and graded areas to be immediately re-vegetated to blend with native landscaped areas; native plants to be utilized.
- kk. Mitigation Measure F-7: 300 Jeffrey / lodgepole pine trees to be planted on perimeter of project (deleted- replaced by Tentative Map Condition 34 of phase 1).
- ll. Mitigation Measure F-8: Native trees required at 1/1000 sf of lot area; maintenance via CC&Rs (see condition below).
- mm. Mitigation Measure F-9: Removal of existing trees to be avoided; replacement in accordance with Policy 5-C.
- nn. Mitigation Measure F-10: Roof and ground mounted mechanical equipment to be screened from view.
- oo. Mitigation Measure F-11: Exterior lighting must be concealed; light rays confined to the premises; high intensity lighting to be avoided/shielded (see standard condition above).
- pp. Mitigation Measures G-1: If cultural evidence discovered, mitigation plan required (see standard condition above).
- qq. Mitigation Measure G-2: If Native American burial sites discovered, Health and Safety Code section 7050.5 to be followed.
- rr. Mitigation Measure H-1: Consideration shall be given to revising Leonard Avenue as a one-way street or back-to-back cul-de-sac (not required – Leonard to be repaved at this stage).
- ss. Mitigation Measure H-2: Per Public Works Director, applicant to reconstruct and pave Leonard Avenue to current structural standards; extent and cost to be negotiated during tentative map considerations (to be done at this stage).
- tt. Mitigation Measure H-3: Zone of Benefit to be established for street maintenance.
- uu. Mitigation Measure I-1: For noise mitigation, construction limited to daylight hours (see standard condition above).
- xx. Mitigation Measure I-2: Heavy equipment and other construction equipment to be properly muffled.
- yy. Mitigation Measure I-3: Condos next to Interlaken to have outdoor activity areas located away from Interlaken or shielded by structures (no longer applies).
- zz. Mitigation Measure I-4: Consideration shall be given to revising Leonard Avenue as a one-way street or back-to-back cul-de-sac (same as H-1 – not required).
- aaa. Mitigation Measure J-1: Air quality – comprehensive erosion and sediment control plan required (same as D-6).
- bbb. Mitigation Measure J-2: Only high efficiency heating systems allowed. No units developed with wood burning appliances as primary heating source.
- ccc. Mitigation Measure J-3: Any wood burning appliances must be EPA Phase II certified.
- ddd. Mitigation Measure J-4: Air quality – revegetation of graded sites (same as F-6).
- eee. Mitigation Measure J-5: Permit to Operate from GBUAPCD required.
- fff. Mitigation Measure K-1: Water resources – comprehensive erosion-control plan required (same as D-6 and J-1).
- ggg. Mitigation Measure K-2: SWPPP required/submitted to Public Works for comment.
- hhh. Mitigation Measure K-3: Natural vegetation to be preserved to reduce impervious surface runoff.
- iii. Mitigation Measure K-4: Impervious surfaces to be regularly swept and cleaned.





d. Design

21. The subdivider shall construct improved roads within the subdivision in accordance with the County Road Improvement Standards section for a Typical Section Residential (Plate No. 8 Typical Section Residential – Mono County Road Improvement Standards, 1981). All road improvement costs, including design, plans and specifications, permitting, testing, inspections, and any related reports shall be the responsibility of the subdivider. Engineered plans, specifications and cost estimates shall be submitted to the Department of Public Works for review and approval. The roads shall be constructed prior to recording of the final map or security shall be provided and a subdivision agreement executed with the County to guarantee construction.
  - a. Must be satisfied prior to recording of final map or bonded for.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
  
22. A CSA-Zone of Benefit district shall be created by the developer along newly constructed public roads in order to pay for snow removal and maintenance of streets and drainage facilities. The CSA-Zone of Benefit shall be formed prior to approval of the final tract map.
  - a. Must be satisfied prior to final map
  - b. Department of Public Works
  - c. Applicant/Property Owner
  - d. Design
  
23. All drainage and storm water from this subdivision and the previous 39-unit subdivision (June Lake Highlands TM 34-24) shall be considered in drainage easements and facilities. Design of these facilities shall strictly limit deposit of silt and other deleterious materials into Gull Lake. This shall include modifications or improvements to downstream facilities if needed.
  - a. Must be satisfied prior to final map
  - b. Department of Public Works
  - c. Applicant/Property Owner
  - d. Design
  
24. If a drainage basin installation is pursued across from the ballfield, the developer will prepare all environmental review documents, obtain appropriate permits and other approvals, pay all related fees, and furnish surety necessary for the project. Plans and specification shall be approved by Public Works prior to initiating construction.
  - a. Must be satisfied prior to final map
  - b. Department of Public Works
  - c. Applicant/Property Owner
  - d. Design
  
25. A letter of clearance and/or waste discharge requirements from Lahontan Regional Water Quality Control Board shall be obtained, if necessary.
  - a. Must be satisfied prior to final map
  - b. Department of Public Works
  - c. Applicant/Property Owner
  - d. Design
  
26. All road grading and earthwork activities must be conducted in accordance with an approved road construction plan and/or grading plan.
  - a. Must be satisfied prior to final map
  - b. Department of Public Works

- c. Applicant/Property Owner
  - d. Design
27. Construction material (rock, debris, etc.) that is not utilized as road fill material shall be removed to a designated dump or other approved site.
    - a. Generally associated with construction of the subdivision
    - b. Department of Public Works
    - c. Applicant/Property Owner
    - d. Design
  28. The applicant will be required to submit a soils report or process a soils report waiver. Any such report or waiver shall be reviewed and approved by the Director of Public Works, according to the provisions of Mono County Code (MCC) Section 17.36.090.
    - a. Must be satisfied prior to final map
    - b. Department of Public Works
    - c. Applicant/Property Owner
    - d. Design
  29. A comprehensive erosion and sediment transport control plan shall be submitted to the Department of Public Works prior to issuance of the grading permit(s).
    - a. Must be satisfied prior to issuance of grading permit(s)
    - b. Department of Public Works
    - c. Applicant/Property Owner
    - d. Design
  30. An air quality permit shall be obtained from the Great Basin Unified Air Pollution Control District, if required.
    - a. Must be satisfied prior to final map
    - b. Department of Public Works
    - c. Applicant/Property Owner
    - d. Design
  31. The developer shall provide necessary easements for existing and proposed utility service within the subdivision.
    - a. Must be satisfied prior to sale of lots
    - b. Department of Public Works
    - c. Applicant/Property Owner
    - d. Design
  32. The project proponent shall confer with local postal authorities for installation requirements for cluster mailboxes. The applicant shall provide a letter from the postal authorities stating their satisfaction with road names and box locations in the development, or a release from the necessity of providing cluster mailboxes. If clustering or special locations are specified, easements, concrete bases, paved turnouts, and other provisions shall be included.
    - a. Must be satisfied prior to recording of the final map.
    - b. Department of Public Works
    - c. Applicant
    - d. Design
  33. The applicant shall prepare a Stormwater Pollution Prevention Plan and submit a Notice of Intent to comply with provisions of the State Water Resources Control Board's Stormwater NPDES Permit for construction activities. As part of compliance with the

NPDES Stormwater Permit, the project shall comply with the North Lahontan Basin Project Guidelines for Erosion Control.

- a. Must be satisfied prior to recording of final map.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
34. The project proponent shall provide a 5' wide, compacted decomposed granite access path to the June Lake Ballfield from the single-family subdivision between lots 17, 18 and 19. Maintenance of the path shall be provided in the CC&Rs. (Note: the developer does not agree with this condition.)
- a. Must be satisfied prior to recording of final map.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
35. A ten (10')-foot wide snow storage/utility easement shall be dedicated along all street frontages. This would apply to all 40-foot-wide rights of way, Mountain Vista, Highland and Alpenglow. It does not apply to the 60-foot-wide rights of way, Leonard, Roed's Road and "A" Street.
- a. Must be satisfied prior to recording of final map.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
36. Lots 20, 21, 22 and 23 are double-frontage lots; they shall have vehicular access only to Alpenglow Lane; developer shall waive all rights to vehicular access along Leonard Avenue at each of these lots.
- a. Must be satisfied prior to recording of final map.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
37. Landscaping shall be used to minimize potential visual impacts resulting from development. At the time of building construction on each single-family lot, Jeffrey and lodgepole pine trees (5-gallon minimum) in equal numbers shall be planted on each project lot/parcel at a rate of one tree per 1,000 square feet of lot area (excludes public street area). Other types of trees may be planted but the number of Jeffrey and lodgepole pine trees shall be requirements.
- a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
  - b. Community Development Department/ Building and Planning divisions
  - c. Applicant/Property Owner
  - d. Design
38. The applicant shall share in the estimated cost of providing additional Sheriff's Department services for the area (estimated cost: \$485/unit x 28 = \$13,580). A deposit of \$13,580 shall be made to the Sheriff's Department for this purpose.
- a. Prior to approval of final map
  - b. Department of Public Works
  - c. Applicant
  - d. Design

39. The applicant shall pay \$60,000 to the June Lake housing trust fund.
  - a. Prior to approval of final map
  - b. Community Development Department/Building and Planning divisions
  - c. Applicant
  - d. Design
  
40. All infrastructure (roads, utilities, sewer and water) and associated landscaping and revegetation shall be available or in the process of being constructed prior to recording of the final map or bonded for with a subdivision agreement.
  - a. Must be satisfied prior to recording of final map or bonded for.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
  
41. The applicant shall provide off-site street improvements as indicated in the attached "Exhibit A".
  - a. Must be satisfied prior to recording of final map.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
  
42. This subdivision shall establish CC&Rs same as and/or integrated with CC&Rs of the previous 39- unit subdivision (June Lake Highlands TM 34-24).
  - a. Must be satisfied prior to recording of final map.
  - b. Department of Public Works
  - c. Applicant
  - d. Design
  
43. The applicant shall share in the estimated cost of providing a trail plan for the June Lake area. A deposit of \$1,311 shall be made to Mono County for this purpose.
  - a. Prior to approval of final map
  - b. Department of Public Works
  - c. Applicant
  - d. Design
  
44. Lots 4-10 and 14-16 may allow duplex development. ~~No transient rental (less than 30 days) shall be permitted.~~ Transient rental (less than 30 days) shall be permitted according to the June Lake Highlands Specific Plan Land Use Objectives and Policies, Policy 1-D.
  - a. Prior to approval of final map
  - b. Department of Public Works
  - c. Applicant
  - d. Design

**EXHIBIT "A"**

**AGREEMENT BETWEEN  
THE COUNTY OF MONO AND  
THE HIGHLANDS AT JUNE LAKE, LLC**

**SCOPE OF WORK FOR  
OFF-SITE IMPROVEMENTS TO LEONARD AVENUE:**

At Subdivider's expense, Subdivider shall furnish, construct, and/or install off-site improvements associated with Phase II of the Subdivision, as defined by the Specific Plan, including all labor, supervision, permitting, inspection, equipment, materials, supplies, travel, delivery, taxes, and all other items necessary to perform the work required, as follows:

1. Improvements to the Leonard Avenue roadway, which shall extend west from Bruce Street through to its termination (approximately 0.53 miles). Improvements shall meet the standards and specifications as may be established by the Public Works Director. Consistent with said standards and specifications, engineered plans and specifications shall be prepared by the Subdivider and submitted for approval by the Public Works Director prior to commencing work. These improvements shall generally include, but not be limited to, the following:
  - Grinding of existing asphalt concrete pavement, followed by placing, leveling, and compaction of resulting grindings as base material;
  - Overlay with a minimum thickness of three (3) inches of roller-compacted hot-mix asphalt concrete pavement, followed by a fog seal. The minimum pavement width shall be two 10-foot travel lanes, as measured from the centerline, in sections where County right of way is twenty-five (25) feet. Where the County right of way exceeds twenty-five (25) feet, the County may require each travel lane to be a minimum pavement width of twelve (12) feet;
  - Placement, grading, and compaction of shoulders on each side of the paved section. Said shoulders shall be a minimum constructed width of two to three feet;
  - Grading and/or improvement of drainage facilities adjacent to roadway, as may be deemed necessary;
  - Construction of two turnout areas where deemed appropriate by the County.
2. All work shall be completed in accordance with Mono County Standards, plans and specifications approved by the Public Works Director or his authorized representative, and general standards of care for the construction industry.
3. Off-site improvements specified in this Attachment shall be completed by Subdivider within four (4) years from the date of this Agreement, or prior to recordation of the final map for Phase II of the Subdivision, whichever occurs first, unless otherwise agreed upon by the Parties in writing, in accordance with section twenty-four (24) of this Agreement.
4. Off-site improvements may be subject to environmental review, approval, and/or modification by Inyo National Forest staff or other public agencies or utilities having jurisdiction or authority over the project or the property. Any modification required by said agencies to the aforementioned improvements shall be required of the Subdivider as though a part of this Agreement.

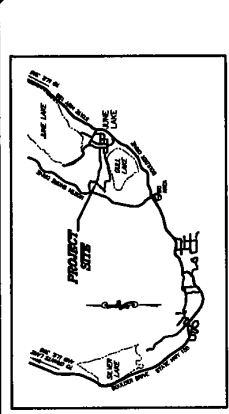
Improvements furnished, constructed, and/or installed as a result of this Agreement shall be considered to satisfy Condition No. 31 specified in the Conditions of Approval for Tract Map No. 34-24.



THE HIGHLANDS AT JUNE LAKE - PHASE 2  
 TENTATIVE TRACT NO. 34-  
 BEING A RE-SUBDIVISION OF THE REMAINDER OF  
 TRACT 34-24 OF MAP BOOK 10 PAGE 64  
 IN THE COUNTY OF MONO, STATE OF CALIFORNIA



DATE	04/29/04
SCALE	1" = 50'
SHEET	643
PROJECT	THE HIGHLANDS AT JUNE LAKE
DATE	04/29/04
SCALE	1" = 50'
SHEET	643
PROJECT	THE HIGHLANDS AT JUNE LAKE



## THE HIGHLANDS AT JUNE LAKE - PHASE 2

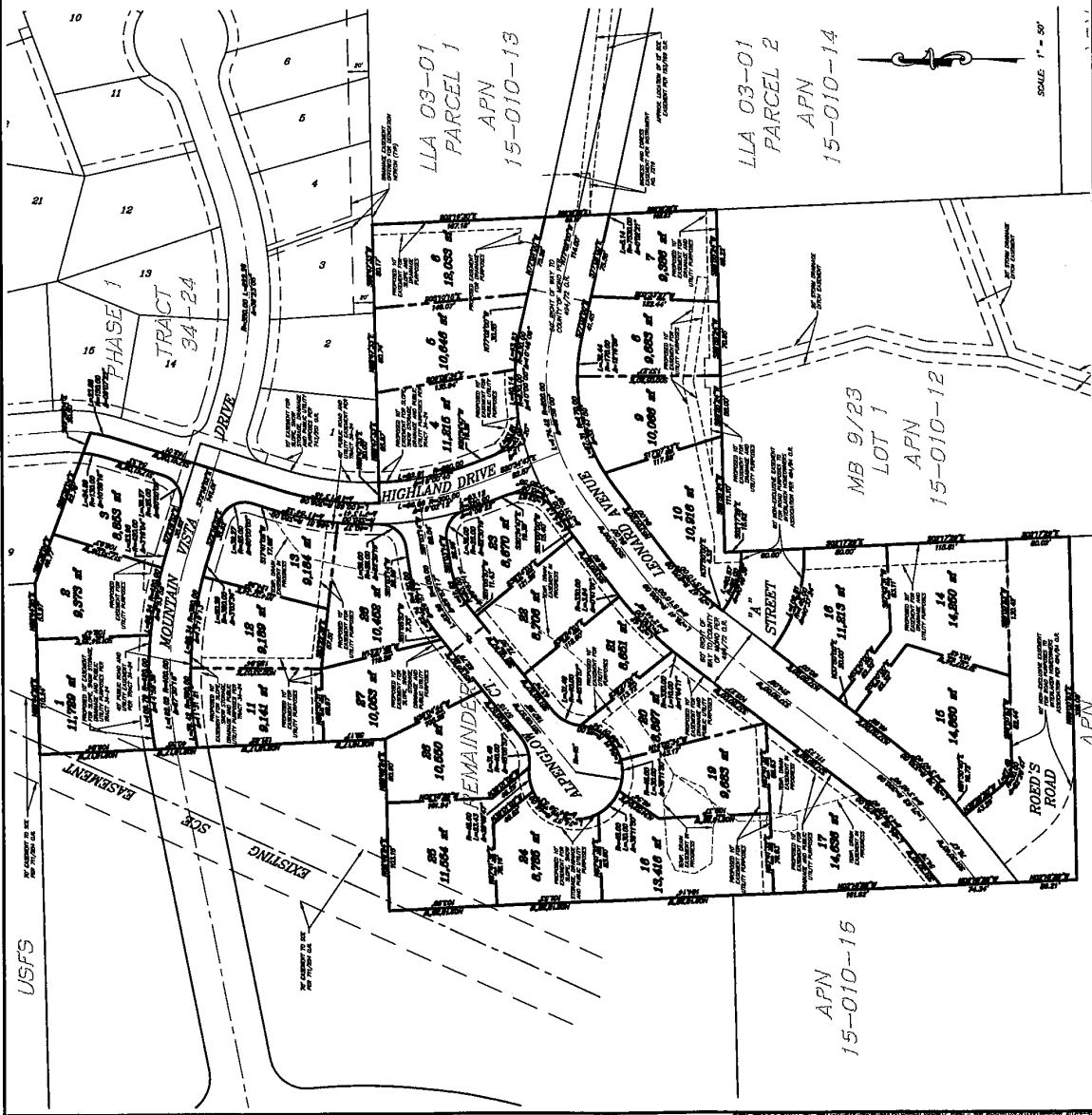
- INDEX TO SHEETS  
 SHEET 1 - TENTATIVE TRACT MAP  
 SHEET 2 - CONCEPTUAL SITE GRADING AND DRAINAGE  
 SHEET 3 - CONCEPTUAL SITE GRADING AND DRAINAGE  
 SHEET 4 - CONCEPTUAL SITE SEWER AND WATER  
 SHEET 5 - CONCEPTUAL SITE SEWER AND WATER

**RECORD OWNER:**  
 THE HIGHLANDS AT JUNE LAKE, LLC  
 JUNE LAKE HIGHLANDS, LLC  
 VAN NUYS, CA 91405  
 818-785-2159

**PREPARED BY:**  
 TRAD/ACHLES ASSOCIATES  
 PO BOX 1570  
 VAN NUYS, CA 91405  
 781-344-7558

**ASSessor'S PARCEL NO. 14-110-29**  
 LOT 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

**LEGAL DESCRIPTION:**  
 EXCEPT A STRIP OF LAND 60 FEET IN WIDTH AS GRANTED TO COUNTY OF MONO BY DEED RECORDED DECEMBER 14, 1957 IN BOOK 404 PAGE 72 OF OFFICIAL RECORDS.  
 THE HIGHLANDS AT JUNE LAKE, BEING ALL OF THE PROPERTY  
 DESCRIBED IN PARCEL 1 OF MAP NO. 34-24, AS SHOWN ON TRACT NO. 34-24, THE  
 AS "HIGHLAND DRIVE AND BENTON METAL DRIVE", ALL AS SHOWN ON TRACT NO. 34-24, THE  
 ACCORDING TO MAP NO. 10 PAGE 64 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID  
 COUNTY.  
 EXCEPT A STRIP OF LAND 60 FEET IN WIDTH AS GRANTED TO COUNTY OF MONO BY DEED  
 RECORDED DECEMBER 14, 1957 IN BOOK 404 PAGE 72 OF OFFICIAL RECORDS.  
 THE HIGHLANDS AT JUNE LAKE, BEING ALL OF THE PROPERTY  
 DESCRIBED IN PARCEL 2 OF MAP NO. 34-24, AS SHOWN ON TRACT NO. 34-24, THE  
 ACCORDING TO MAP NO. 10 PAGE 64 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID  
 COUNTY.  
 EXCEPT A STRIP OF LAND 60 FEET IN WIDTH AS GRANTED TO COUNTY OF MONO BY DEED  
 RECORDED DECEMBER 14, 1957 IN BOOK 404 PAGE 72 OF OFFICIAL RECORDS.  
 THE HIGHLANDS AT JUNE LAKE, BEING ALL OF THE PROPERTY  
 DESCRIBED IN PARCEL 3 OF MAP NO. 34-24, AS SHOWN ON TRACT NO. 34-24, THE  
 ACCORDING TO MAP NO. 10 PAGE 64 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID  
 COUNTY.  
 EXCEPT A STRIP OF LAND 60 FEET IN WIDTH AS GRANTED TO COUNTY OF MONO BY DEED  
 RECORDED DECEMBER 14, 1957 IN BOOK 404 PAGE 72 OF OFFICIAL RECORDS.  
 THE HIGHLANDS AT JUNE LAKE, BEING ALL OF THE PROPERTY  
 DESCRIBED IN PARCEL 4 OF MAP NO. 34-24, AS SHOWN ON TRACT NO. 34-24, THE  
 ACCORDING TO MAP NO. 10 PAGE 64 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID  
 COUNTY.  
 EXCEPT A STRIP OF LAND 60 FEET IN WIDTH AS GRANTED TO COUNTY OF MONO BY DEED  
 RECORDED DECEMBER 14, 1957 IN BOOK 404 PAGE 72 OF OFFICIAL RECORDS.  
 THE HIGHLANDS AT JUNE LAKE, BEING ALL OF THE PROPERTY  
 DESCRIBED IN PARCEL 5 OF MAP NO. 34-24, AS SHOWN ON TRACT NO. 34-24, THE  
 ACCORDING TO MAP NO. 10 PAGE 64 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID  
 COUNTY.



# MONO COUNTY PLANNING COMMISSION

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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](http://www.monocounty.ca.gov)

April 13, 2020

To: The Sheet

From: CD Ritter

Re: Legal Notice for **April 18** edition

Invoice: Stephanie Butters, PO Box 347, Mammoth Lakes, CA 93546

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## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **May 21, 2020**. As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by livecast at: <https://zoom.us/join> and by telephone at: 669-900-6833 (Meeting ID# is 956 6778 3915) where members of the public shall have the right to observe and offer public comment, to consider the following: **10:25 a.m. JUNE LAKE HIGHLANDS SPECIFIC PLAN AMENDMENT**, to amend the 2001 June Lake Highlands Specific Plan in order to allow owner-occupied and non-owner occupied transient rental (less than 30 days) on the following 20 parcels: 015-290-001, -011, -012, -014, -027, -031, -032, -033; 015-300-001, -002, -003, -004; and 015-310-011, -022, -023, -024, -025, -026, -028, -029. If approved, only these properties will be allowed to obtain a Vacation Home Rental Permit, which is a ministerial permit approved at the staff level and is not subject to further public input, to conduct transient rental. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> and hard copies are available for the cost of reproduction by calling (760) 924-1800. **10:55 p.m. JUNE LAKE HIGHLANDS TENTATIVE TRACT MAP AMENDMENT 34-26**. Proposal to amend Tract Map No. 34-26, removing Condition of Approval #44 which prohibits transient rentals (less than 30 days). In accordance with the California Environmental Quality Act, an exemption is proposed Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> 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 by phone or online, and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA, 93546, **by 3 pm on Wednesday, May 20**, to ensure timely receipt, by email at [cddcomments@mono.ca.gov](mailto: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.

###

# MONO COUNTY PLANNING COMMISSION

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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](http://www.monocounty.ca.gov)

May 6, 2020

To: The Sheet

From: Michael Draper

Re: Legal Notice for **May 16** editions

Invoice: Stephanie Butters, PO Box 347, Mammoth Lakes, CA 93546

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## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **May 21, 2020**. As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by livecast at: <https://zoom.us/join> and by telephone at: 669-900-6833 (Meeting ID# is 956 6778 3915) where members of the public shall have the right to observe and offer public comment, to consider the following: **10:25 a.m. JUNE LAKE HIGHLANDS SPECIFIC PLAN AMENDMENT**, to amend the 2001 June Lake Highlands Specific Plan in order to allow owner-occupied and non-owner occupied transient rental (less than 30 days) on the following 24 parcels: 015-290-001, -011, -012, -014, -018, -027, -031, -032, -033; 015-300-001, -002, -003, -004; and 015-310-011, -012, -013, -020, -021, -022, -023, -024, -025, -026, -028, -029.. If approved, only these properties will be allowed to obtain a Vacation Home Rental Permit, which is a ministerial permit approved at the staff level and is not subject to further public input, to conduct transient rental. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> and hard copies are available for the cost of reproduction by calling (760) 924-1800. **10:55 p.m. JUNE LAKE HIGHLANDS TRACT MAP AMENDMENT 34-26**. Proposal to amend Tract Map No. 34-26, removing Condition of Approval #44 which prohibits transient rentals (less than 30 days). In accordance with the California Environmental Quality Act, an exemption is proposed Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> 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 by phone or online, and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA, 93546, **by 3 pm on Wednesday, May 20**, to ensure timely receipt, by email at [cddcomments@mono.ca.gov](mailto: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.

###

# Mono County Community Development Department Planning Division

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](http://www.monocounty.ca.gov)

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**10:25 a.m. JUNE LAKE HIGHLANDS SPECIFIC PLAN AMENDMENT**, to amend the 2001 June Lake Highlands Specific Plan in order to allow owner-occupied and non-owner-occupied transient rental (less than 30 days) on the following 20 parcels: 015-290-001, -011, -012, -014, -027, -031, -032, -033; 015-300-001, -002, -003, -004; and 015-310-011, -022, -023, -024, -025, -026, -028, -029. If approved, only these properties will be allowed to obtain a Vacation Home Rental Permit, which is a ministerial permit approved at the staff level and is not subject to further public input, to conduct transient rental. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> and hard copies are available for the cost of reproduction by calling 760-924-1800.

**10:55 a.m. JUNE LAKE HIGHLANDS TENTATIVE TRACT MAP AMENDMENT 34-26**. Proposal to amend Tract Map No. 34-26, removing Condition of Approval #44 that prohibits transient rentals (less than 30 days). In accordance with the California Environmental Quality Act, an exemption is proposed. Project materials will be made available for public review online at <https://www.monocounty.ca.gov/planning/page/projects-under-review> and hard copies are available for the cost of reproduction by calling 760-924-1800.

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hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

For additional questions, please contact the Mono County Planning Division:

Michael Draper, PO Box 347, Mammoth Lakes, CA 93546  
(760) 924-1805, [mldraper@mono.ca.gov](mailto:mldraper@mono.ca.gov)

## Project Locations



## Wendy Sugimura

---

**From:** Dennis Chapman <dennischapman1746@gmail.com>  
**Sent:** Tuesday, October 29, 2019 10:23 AM  
**To:** Michael Draper  
**Subject:** Re: Oct 15, 2019 letter re Highlands short term rental

**Categories:** Current

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See attached email. I typed in the wrong address  
Dennis Chapman

On Tue, Oct 29, 2019, 10:13 AM Dennis Chapman <[dennischapman1746@gmail.com](mailto:dennischapman1746@gmail.com)> wrote:

Michael,

I received your letter and need to get a site plan to show where these lots are located. I assume that they are undeveloped lots at this time. I want to confirm such.

If my assumption is correct, and the "developer" is processing this application, then I want to know what conditions you are considering to imposed to guarantee that cheap construction will be prohibited in this custom home master plan. Rentals and renters lower home values in all situations. We have no interest in any approval that would allow any devaluation to existing owners, especially ones who have constructed beautiful homes in this master plan.

We look forward to your response.

Dennis Chapman

Robert Chapman

## Wendy Sugimura

---

**From:** Dennis Chapman <dennischapman1746@gmail.com>  
**Sent:** Sunday, November 3, 2019 10:47 AM  
**To:** Bob Gardner  
**Cc:** Dan Roberts; robert chapman; Michael Draper  
**Subject:** Short term rental proposal to amend the June Lake Highlands SP and Conditions

**Categories:** Current

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Supervisor Gardner,

Michael Draper of your planning department sent out a letter dated 10-15-19 regarding the subject matter which if approved would allow for short term rentals to be allowed on parcels 7-10 of our tract. Mr. Draper was clear that this process is at the initial stages and has not yet been scheduled for public hearings. In any event, we want you to know about the proposal, but more importantly, we want you to know how we feel about the proposal. So, thank you in advance for this opportunity.

The developer is requesting the change to increase the potential value of lots that they still own at the expense of all the other lots and homes that they do not own by allowing short term rentals on their 4 lots.

Last year we completed construction of our mountain home at 220 Highland Dr that was constructed by Eduardo Escoto, a longtime June Lake resident and contractor. My son, Robert, and I share ownership on a 50-50 basis. We are adamantly AGAINST any proposal from anyone who wishes to allow for short term rentals in the Highlands. Here are reasons why:

1. The addition of rentals into the Highland SP, a custom home development will lower values to the existing owners, especially those who have built homes.
2. The proposal does not provide for additional security to address additional crime that will certainly increase when short term party revelers rent proposed units.
3. The proposal does not include any design criteria that would insure that the exact architectural guidelines that the SP requires is adhered to. In this case, the Developer, who is requesting the amendment is the sole decision maker on the existing architectural committee. That is a major conflict.
4. The proposal does not address limits to the number of people who could rent the unit at one time nor any procedures to assure that the units do not turn into party houses.
5. The proposal does not address impacts created if approved to noise, trash, parking, traffic, safety, mayhem and a host of other negative impacts to the existing residents.

There is a litany of other concerns that are not addressed as well. If this is such a good idea, why was it not included in the original SP application? We know the answer to that.

We would be in favor of the County enacting an Ordinance that prohibits any short term rentals, AIRBNB, in the County.

I have spoken with our neighbors and all whom I have asked are extremely opposed to the application requested by June Lake Highlands LLC.

Please join with Robert, me and our neighbors and communicate to the applicant that your support for their request will not be provided. I would be pleased to talk to you about this if you like.

Thank for the opportunity to convey our concern.



Sincerely,  
Dennis Chapman 714 887-4872  
Robert Chapman

**From:** [Dennis Chapman](#)  
**To:** [CDD Comments](#)  
**Cc:** [robert chapman](#)  
**Subject:** June Lake Highlands Tentative Tract Map Amendment 34-26  
**Date:** Sunday, May 10, 2020 9:53:36 AM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Secretary of the Planning Commission,

Robert Chapman, my oldest son, and I are the owners of the property at 220 Highland Drive, June Lake. We purchased the lot, designed and constructed the home that is there. We bought this particular lot as it met our longer term desires to have a legacy home for the future. The June Lake Highlands is an upscale development that has strict architectural guidelines that are intended to protect the value and enjoyment of each and every home constructed. This criteria was a primary reason to purchase and build in the Highlands. This email serves as our official comment to the proposed TTM Amendment 34-26.

We do not support the amendment to allow short term rentals on certain lots, not including our lot, for the following reasons:

1. Short term rentals will change the quiet and peaceful nature of the project into a weekend party atmosphere where short term renters will undoubtedly fail to behave in a fashion like the existing owners currently live.
2. The development was not designed with parking for short term rentals when a home may be rented to a group with 5, 6, 7 or more cars. The impact on the existing home owners will be significant. Think about snow clearing efforts and difficulties when cars are parked everywhere.
3. Trash is another significant concern. The amendment fails to address trash criteria. Unknowledgable renters will simply put their trash outside where it will attract bears and other wildlife to rummage through thus creating a safety problem that currently does not exist. Renters will go home but leave the problem behind.
4. Noise is an issue that also is not addressed. Partying is loud and goes on into the night and with weekend party warriors flocking in this will undoubtedly end up with confrontation after confrontation. As you know, the Highlands is a quiet place. Sound travels throughout the neighborhood. We can talk to our neighbors below us, the Smith's, in a normal speaking voice balcony to balcony.
5. The architectural design of the homes will be not be required at the current level, thus devaluing the current home values.

Why did not the developer originally obtain the approval for short term rentals? Simple answer. At that time, short term rentals would have "de-valued" the lots that needed to be sold.

Of course, it is a different day now for the developer and unloading the remaining lots is the primary goal for him, her or them.

This request is "not" a prudent one that should "not" be approved. Many problems will be created. Property value will ultimately be negatively impacted.

For the above stated reasons Robert Chapman and I request that you "Deny" the June Lake Highlands TTM Amendment 34-26 request.

Should the Planning Commission instead approve the request, then "ALL" the lots should be allowed to short term rentals at no additional cost to existing owners of lots not controlled by

the Deleloper. It is only fair that none of the lots or all of the lots in the Highlands be treated the same.

Thank you for the opportunity to provide input. If you have questions regarding this email please call me at 714 887-4872.

Sincerely,  
Dennis Chapman and Robert Chapman  
1746 Main St  
Huntington Beach, Ca 92648

## Wendy Sugimura

---

**From:** kurterikson@gmail.com  
**Sent:** Tuesday, March 3, 2020 10:45 AM  
**To:** Michael Draper; Charlott Erikson; Kurt Erikson  
**Subject:** Re: transient rental application for Apn:012-290-016

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Michael

Here is a letter from my wife and I addressed to the planning commission in regards to "short term transient rentals in the highland tract specifically lot 16". Can you forward to the appropriate person? Thanks!

To: Mono County Planning Committee  
Regarding: Short term transient rentals in Highland Tract (Lot 16)

Dear Sir/ Madam,

We just finished building our home in June Lake Highland tract and we just received the certificate of occupancy. This was a tedious process taking over four years costing us more than three times the amount it would cost us to build the same home in San Diego.

Our initial plan was to use the home only for our family but due to the high cost of building, we have to rent it out long-term or short-term.

Our goal is to be able to enjoy our vacation home, so we would prefer short term rental rather than long term to help pay for the cost while still having the opportunity to enjoy June Lake.

Selling the home is not an option as the market value prices are lower than the construction cost and the cost of land. We also worked so hard to complete and the goal is to keep this property for generations of our family to enjoy.

There's Limited land available for building in June Lake today. There is a limit to expansion and no risk for June Lake to lose its small community charm By Allowing short term rental in the Highland track. This will only benefit the town. We will only rent to families and people that will support June lake business without hurting the charm and image of the town.

There is also a lack of lodging in a town where businesses are struggling to make income all year round.

We ask for the planning commissions approval on this proposal.

Thanks and kind regards  
Kurt Erikson  
Tel 760 818 5162

On Feb 10, 2020, at 09:22, Michael Draper <mdraper@mono.ca.gov> wrote:

Hello Mr. Erikson,

Yes, your property will be included in this project. The project will now go to our Land Development Technical Advisory Committee meeting for acceptance and then processing can begin. My hope is to bring it to Planning Commission on March.

Thank you,  
Michael

---

**From:** kurterikson@gmail.com <kurterikson@gmail.com>  
**Sent:** Saturday, February 8, 2020 4:46 AM  
**To:** Michael Draper <mdraper@mono.ca.gov>  
**Subject:** Re: transient rental application for Apn:012-290-016

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Hi Michael

Was it possible for me to be included in the application?

If I am included, is there any status update on the application?

Thank you.

Kind regards  
Kurt Erikson  
Tel 760 818 5162

On Jan 23, 2020, at 14:58, Michael Draper <[mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)> wrote:

Hi Kurt,  
Not that I am aware of but if you have evidence otherwise, I'd gladly review it.

-Michael

---

**From:** [kurterikson@gmail.com](mailto:kurterikson@gmail.com) <[kurterikson@gmail.com](mailto:kurterikson@gmail.com)>  
**Sent:** Friday, January 17, 2020 12:17 PM  
**To:** Michael Draper <[mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)>  
**Subject:** Re: transient rental application for Apn:012-290-016

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Hi Mr. Draper

Yes this is in response to your letter.

I do have one question. Is my parcel already approved for transient rental? I was told that lots 14-16 were grandfathered into interlaken approval? Amnot sure about this so wanted to ask.

Thanks and kind regards  
Kurt

On Jan 17, 2020, at 11:56, Michael Draper <[mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)> wrote:

Hello Mr. Erickson,

I received the below message and attachment from Connie Lear.

Back in October I sent the attached letter to all property owners within the Highlands explaining a request the County received to amend the Specific Plan and Tract Map to allow short term rental. Did you receive this letter? Is your application in response to this letter?

Thank you,

Michael Draper  
Mono County Planning Analyst II  
Community Development Department  
PO Box 347  
437 Old Mammoth Rd, Suite 220  
Mammoth Lakes, CA 93546  
760-924-1805

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**From:** Connie Lear <[connielear@hotmail.com](mailto:connielear@hotmail.com)>  
**Sent:** Wednesday, January 15, 2020 11:40 AM  
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Michael,

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If you need anything else at this time, please let me know.

Thank you,



Connie Lear

<Kurt & Charlott Erikson transient rental app.pdf>

<Property owners letter.docx>

## Wendy Sugimura

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**Categories:** Current

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Mono County Planning Analyst II  
Community Development Department  
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Mammoth Lakes, CA 93546  
760-924-1805

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**To:** Michael Draper <[mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)>  
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If you need anything else at this time, please let me know.

Thank you,



Connie Lear

<Kurt & Charlott Erikson transient rental app.pdf>

<Property owners letter.docx>

## Wendy Sugimura

---

**From:** Gary Johanson <gjohanson@nffe.org>  
**Sent:** Thursday, October 31, 2019 10:33 AM  
**To:** Michael Draper  
**Subject:** June Lake Highlands residents oppose short term rentals in the Highlands.

**Categories:** Current

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day, Mr. Draper.

I received your notice concerning a proposal to allow for short term rentals on certain properties in the Highlands.

My wife Rochelle and I are opposed to this proposed change because it would negatively alter the character of the neighborhood. When we purchased our lot and built our home at 176 Highland Drive, we did so because it is a quiet neighborhood and not subject to the noise and light pollution associated with short term rentals. To remove the prohibition on short term rentals in our neighborhood would detract from our enjoyment of the property.

A little less than a year ago, a friend who lived in the June Lake village area sold his home and moved away, primarily because of the ruckus created by late night revelers in a rental property next door. We ask that the short term rentals not be allowed in the Highlands.

Sincerely,

Gary and Rochelle Johanson  
775 560-9031

Mono County  
Community Development Department

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

Planning Division

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

Michael Draper  
Mono County Planning Analyst  
PO Box 347  
Mammoth Lakes, CA 93546  
Ph. 760-924-1805

RECEIVED  
NOV 08 2019

Mono County CDD

October 15, 2019

Dear Property Owner,

The Mono County Planning Division has received an application to amend the June Lake Highlands' Tract Map Conditions and Specific Plan to allow short-term rental (rentals of 30 or fewer consecutive days) on four undeveloped parcels along the south side of Leonard Avenue. The parcels include lots #7-10, APNs 015-310-022, -023, -024, & -025. These parcels are all owned by the June Lake Highlands LLC.

If approved, the changes will allow only these properties to conduct short-term rentals. The only permit requirement would be an administrative Vacation Home Rental Permit issued in compliance with Chapter 26 of the Mono County General Plan Land Use Element. Other properties within the June Lake Highlands would not be allowed to conduct short-term rentals without a tract map modification and specific plan amendment.

This letter is being sent to all property owners within the Highlands to ask if any other properties would like to join the current application at this time.

The steps necessary for approving this project include a public hearing at the Planning Commission and then a public hearing at the Board of Supervisors. The cost of the amendment to the Tract Map and the amendment to the Specific Plan require a deposit of \$495 each, plus \$99/hour for additional time over five hours. The deposit payment has been provided by June Lake Highlands LLC; however if others are to join this application, the cumulative costs would be split evenly by all parties involved.

If you would like to be a party to this project please contact Michael Draper no later than Friday November 1, 2019 at 760-924-1805 or [mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov).

Thank you,



Michael Draper

*Red 10-29-19*

*I do not recommend that you don't allow this Short Term Rentals for this is a neighborhood & renters are loud*

Planning / Building / Code Compliance / Environmental / Collaborative Planning Team (CPT)  
Local Agency Formation Commission (LAFCO) / Local Transportation Commission (LTC) / Regional Planning Advisory Committees (RPACs)

*& they party all the time! Betty Jasson*  
Commission Packet  
Page 117

## Wendy Sugimura

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**From:** Anne Philen <annephilen@yahoo.com>  
**Sent:** Sunday, April 26, 2020 1:37 PM  
**To:** CDD Comments  
**Cc:** Michael Draper  
**Subject:** June Lake Highlands

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Draper,

We own a home in JL Highlands, and received notice of the hearing to amend our Specific Plan. Can you please explain how 20 select lots could be allowed short term rentals, while everyone else is excluded? If we indicated we were not interested in short term rentals, that was meant to apply to our neighborhood, not just our house! The rules should apply to ALL homes equally. We already have a problem with one neighbor who either rents or allows friends to use his house, but does not provide trash pickup. The people using the house take their trash to the baseball field!

Please respond.

Thank- you

Anne Philen

73 Highland Drive

Sent from my iPhone

## Wendy Sugimura

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**From:** Gary Johanson <gjohanson@nffe.org>  
**Sent:** Thursday, October 31, 2019 10:33 AM  
**To:** Michael Draper  
**Subject:** June Lake Highlands residents oppose short term rentals in the Highlands.

**Categories:** Current

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day, Mr. Draper.

I received your notice concerning a proposal to allow for short term rentals on certain properties in the Highlands.

My wife Rochelle and I are opposed to this proposed change because it would negatively alter the character of the neighborhood. When we purchased our lot and built our home at 176 Highland Drive, we did so because it is a quiet neighborhood and not subject to the noise and light pollution associated with short term rentals. To remove the prohibition on short term rentals in our neighborhood would detract from our enjoyment of the property.

A little less than a year ago, a friend who lived in the June Lake village area sold his home and moved away, primarily because of the ruckus created by late night revelers in a rental property next door. We ask that the short term rentals not be allowed in the Highlands.

Sincerely,

Gary and Rochelle Johanson  
775 560-9031

## Wendy Sugimura

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Please respond.

Thank- you

Anne Philen

73 Highland Drive

Sent from my iPhone

# Mono County Community Development Department

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## Compliance Division

PO Box 8, Bridgeport, CA 93517 / 760.932.5424 [jsuppa@mono.ca.gov](mailto:jsuppa@mono.ca.gov)

May 21, 2020

**To:** Mono County Planning Commission

**From:** Jake Suppa, Code Compliance Staff

**Re: Appeal by We Are Everywhere RV Park of a decision by the Land Development Technical Advisory Committee (LDTAC) to not accept a Director Review permit application**

### RECOMMENDATION

It is recommended the Planning commission take the following action:

1. Uphold the LDTAC decision to deny acceptance of a Director Review permit application for a sign that does not comply with General Plan requirements.
2. Alternatively, if the Commission chooses to overturn the LDTAC decision and directs staff to process a permit application for the sign, the recommendation is to upgrade the project to a use permit due to the controversial nature of the matter.

### BASIS FOR APPEAL

This staff report describes an appeal by the applicant of a staff-level determination made by the Land Development Technical Advisory Committee (LDTAC) to deny acceptance and processing of a Director Review permit for an LED sign at Meadow cliff Lodge in Walker/Coleville. Mono County General Plan Land Use Element §47.020(a), Appeals, provides for an appeal of a staff determination or interpretation of the provisions of the General Plan if filed within 10 calendar days of the action (see Attachment 1). The Planning Commission may affirm, affirm in part, or reverse the staff determination that is the subject of appeal, provided that an appeal is not to be granted when the relief sought should be granted through a variance or amendment.

The LDTAC determination was made on April 6, 2020, and the appeal was received on April 10, 2020. The appeal must be agendized for consideration by the Planning Commission within 60 days.

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DISTRICT #1	DISTRICT #2	DISTRICT #3	DISTRICT #4	DISTRICT #5
COMMISSIONER	COMMISSIONER	COMMISSIONER	COMMISSIONER	COMMISSIONER
Patricia Robertson	Roberta Lagomarsini	Daniel Roberts	Scott Bush	Chris I. Lizza



**BACKGROUND**

We Are Everywhere RV Park, AKA Meadowcliff Lodge, is located at 110437 Highway 395, between the communities of Coleville and Walker, CA. The parcel has a mixed land use designation of Rural Resort (RU) and Rural Residential (RR), contains 43 RV lots with drains, and is a part of the Kampgrounds of America (KOA) franchise.



We Are Everywhere RV  
110437 Hwy. 395  
APN 002-060- 042

The original entitlements of the Resort and required conditions were established by conditional use permit (CUP) 31-97-03 approved in August 1997 which memorialized the signs at the time as existing nonconforming and required that "...any future signs shall meet the requirements of Mono County Zoning and Development Code 19.35 'Signs.'" One freestanding sign included approximately 100 square feet (sf) of signage, including a monument sign, marquee, neon 'Restaurant', neon 'No Vacancy', and 'Propane tank fill' sign. Also, a separate freestanding sign that is not part of this appeal was permitted under a CUP modification in 2007.

In 2019, a new property owner replaced the nonconforming signs and a complaint was received. The current signage includes an approximately 55 sf free-standing internally lit monument sign and a light emitting diode (LED) safety/required sign. A Notice of Violation (NOV) was sent on November 22, 2019 (Attachment 2), to the applicant regarding the new LED sign installation. At the time of inspection, the LED sign had two violations, including replacement of the non-conforming neon Vacancy sign with a prohibited internally lit sign that intensified lighting and had an animated, scrolling typeface of "Closed, Open March...". The animation was subsequently removed from the sign.



Signage under CUP 31-97-03



Signage at the time of NOV 19-034

## DISCUSSION:

The new, main KOA backlit sign is considered a change of copy of a nonconforming sign which is permitted under General Plan Land Use Element Chapter 7, Section 07.070, as long as the sign area, lighting intensity, or location is not changed (see Attachment 3). This sign is considered to be compliant. The LED sign, however, does not comply with Chapter 7 sign standards for the following reasons:

- If evaluated under Section 07.070, Nonconforming Signs, the LED sign does not comply with 07.070.A. The entire sign face can be lit with bright internal LED lighting, which is an increase in lighting intensity over the single neon tube on the previous No Vacancy sign and is therefore an expansion of a nonconforming sign.
- If evaluated as a new sign, the LED sign qualifies as a Safety or Required Sign under Section 07.020, Permitted Signs, as it provides information such as “open/closed” and “vacancy/no vacancy.” A Safety or Required Sign is limited to three square feet (sf), and this sign face is approximately 1’ x 3.8’ or ~3.8 sf.
- In addition, neon and internal lighting in new signs are prohibited unless approved through a Director Review as part of an overall design theme (Section 07.040.B).

The applicant and owner of We Are Everywhere RV KOA submitted a Director Review (DR) permit application for the LED sign (Attachment 4), which the LDTAC agendized for acceptance at the April 6, 2020, meeting. The applicant proposed that the LED sign would display the business’ “Vacancy/No Vacancy” information and discussed that the overall design reduces nonconforming signage by 66%. The application is requesting approval of internal sign lighting as part of an overall design theme. Further, the applicant interprets the illuminated type of the sign to be within the threshold of three sf because he would craft his message to fit within that required area. However, Section 07.040.A.1 specifies the “...area of a sign is to be measured as the number of square feet of the smallest rectangle within which a single sign face can be enclosed.” The entire LED face can be used as a sign and therefore is the smallest rectangle for the purpose of calculating the area of the sign regardless of how much area is used to provide messaging.

At the staff level, a design theme is typically considered to be a branding, logo or similar design theme, such as typical on gas stations. Most recently, the Community Development Department issued a DR for the Valero gas station in Bridgeport to utilize internal lighting with Dark Sky shielding to provide for consistency with their branding design.

There was commentary from Cal Trans towards meeting State requirements, and two public letters stating opposition toward the sign.

The LDTAC denied acceptance of the DR application because the sign size does not comply with Chapter 7, Section 07.020. The applicant then submitted an appeal application (Attachment 5).

The two letters of opposition, as well as the documented complaint, suggest the project is controversial and, if the LDTAC decision is overturned and staff is directed to accept an application, the project should be elevated to a Use Permit per General Plan Land Use Element Chapter 31, Section 31.010: *If the Director determines during the application review that the project is controversial, is environmentally sensitive, or is not Categorical Exempt from CEQA, then a use permit shall be required per Chapter 32.*

This staff report has been reviewed by the Community Development Director.

**ATTACHMENTS:**

1. Mono County General Plan Land Use Element Chapter 47 – Appeals
2. NOV 19-34
3. Mono County General Plan Land Use Element Chapter 7 – Signs
4. Director Review permit application by We Are Everywhere RV KOA
5. Appeal application by We Are Everywhere RV KOA

**PROCEDURES**

**CHAPTER 47 – APPEALS**

**Sections:**

<b>47.010</b>	<b>General provisions.</b>
<b>47.020</b>	<b>Procedures &amp; fees.</b>
<b>47.030</b>	<b>Public notice of appeal.</b>
<b>47.040</b>	<b>Appeal hearing.</b>
<b>47.050</b>	<b>Action of appeal.</b>
<b>47.060</b>	<b>Withdrawal of appeal.</b>
<b>47.070</b>	<b>Reinitiation of project.</b>
<b>47.080</b>	<b>Finality of appeal.</b>

**47.010 General provisions.**

Appeals of any action of the Planning Division or Planning Commission may be made by a party adversely affected by the action. Appeals shall be made in accordance with this chapter. The taking of any appeal stays proceedings in the matter appealed until a decision is rendered on the appeal. For purposes of this section, a party adversely affected by the action shall mean any party who, upon exhaustion of administrative remedies, would have standing to challenge the action in court.

**47.020 Procedures & fees.**

Appeals shall be filed in the manner specified below and shall be accompanied by the appropriate filing fee set by the Board of Supervisors:

- A. **Planning Division Determinations.** Appeals of a Planning Division determination or interpretation of the provisions of this General Plan, including consistency with the Land Use Element, shall be made by filing a written notice of appeal on a form provided by the division with the secretary of the Planning Commission within 10 calendar days following the division’s action; and
- B. **Planning Commission Determinations.** Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development director within 10 calendar days following the Commission action. The Director will determine if the notice is timely and if so, will transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.

**47.030 Public notice of appeal.**

Within 30 days of the acceptance of a Notice of Appeal, the Community Development director, in the case of an appeal of a Planning Division determination, or clerk of the Board of Supervisors, in the case of an appeal of a Planning Commission determination, shall set the matter for hearing and shall give notice of the date, time and place of the hearing to the appellant, the applicant, and to any other party who has requested in writing to be so notified. All appeals shall be scheduled for a hearing, which shall commence within 60 days of the date of filing the appeal.

**47.040 Appeal hearing.**

Appeals shall be de novo (i.e., the appeal body is not limited to a review of the record before the decision maker and the entire case may be repeated), except that the scope of the appeal shall be limited to those matters from which an appeal is taken. In hearing any such appeal, the appeal body may affirm, affirm in part, or reverse

the previous determination that is the subject of appeal, provided that an appeal is not to be granted when the relief sought should be granted through a variance or amendment.

The hearing may be continued from time to time by the appeal body.

**47.050 Decision.**

The appeal body may render its decision at the conclusion of the hearing or at any time within 30 days following the hearing.

**47.060 Withdrawal of appeal.**

Any person who files an appeal of any decision rendered under any of the procedures included in the chapter may withdraw that appeal in accordance with the following:

- A. All withdrawals shall be in writing and signed by all persons who signed the appeal; and
- B. Any appeal may be withdrawn by the appellant prior to the giving of the Notice of Hearing on appeal with the consent of the Director, who shall have the discretion to withhold such consent if he/she is of the opinion that such withdrawal might act to deprive other interested persons of an opportunity to oppose the action appealed from.

Any withdrawal effectively made pursuant to the above rules shall be an abandonment of the appeal and the decision appealed from shall be reinstated as though no appeal had been made.

**47.070 Reinitiation of project.**

No matter appealed from and denied/disapproved by the Board of Supervisors or Planning Commission may be reconsidered for a period of one year from the date of final action unless such action was specifically stated to be without prejudice.

**47.080 Finality of appeal.**

The appeal of any decision to the Board of Supervisors, pursuant to the provisions of this chapter, constitutes the administrative appeal and remedy procedure for all land use decisions of the County. The decision of the appeal body, pursuant to 47.050, shall be final for all purposes unless a judicial action challenging the same is commenced within the time provided by law. Failure to make timely utilization of the administrative remedies of this chapter and the exhaustion of same shall bar further review.

# Mono County Community Development Department

## Compliance Division

PO Box 8 / Bridgeport, CA 93517 / 760.932.5424, fax 924.1801 / [jsuppa@mono.ca.gov](mailto:jsuppa@mono.ca.gov)

November 22, 2019

We Are Everywhere RV Park  
110437 US Highway 395  
Coleville, CA 96107

### Notice of Violation

Complaint No. 2019/034 – Regarding violations of the Mono County General Plan, Mono County Code, and California Building Code. We Are Everywhere RV Park, 110437 Hwy 395, Coleville, CA, Assessor’s Parcel No. 002-060-042.

To We Are Everywhere RV Park,

Please be advised that the Mono County Compliance Division received a complaint regarding signage located on your property located at 110437 Hwy 395. A site inspection occurred regarding the above-mentioned complaint, and the following violations do exist on your property – Mono County Assessor’s Parcel No. 002-060-042.

You are hereby notified that you are in violation of the following code sections:

**Violation No. 1** – Mono County General Plan 04.020 B “Uses Permitted”

Buildings, structures, and land shall be used, designed, erected, structurally altered or enlarged only for the purposes listed in the land use designation in which such building, structure or land is located, and then only after applying for and securing all permits and licenses required by law.

*Your parcel’s land use designation is rural resort (RU). The signage memorialized within Use Permit Modification 31-97-03 provides the baseline of pre-existing, non-conforming use. The addition of the L.E.D. scrolling signage has not been permitted as a land use entitlement and is in violation of MCGP §04.020B. Further, as an expansion of a non-conforming use and a prohibited signage type, the L.E.D. scrolling sign cannot be permitted.*

**Violation No. 2** – Mono County General Plan Section 07.070 Nonconforming signs.

Non-conforming signs are those that were in existence at the time of adoption of land development regulations that do not conform to the provisions of this chapter. Such signs may be continued as follows

- A. Expansion. A nonconforming sign may not be increased in area or lighting intensity or moved from its location after the effective date of this chapter.

*The inclusion of the L.E.D. scrolling signage is an expansion of a nonconforming use and is out of compliance with MCGP §07.070.*

**Violation No. 3** – Mono County General Plan, Signs, 07.060 Prohibitions:

07.060 Sign Prohibitions: The following signs and sign types are prohibited:

B. Animated signs, such as those that rotate, move, flash, reflect, blink or effect changes in hue or intensity of illumination.

*The scrolling L.E.D. signage meets the definition of a prohibited sign type and is a violation of MCGP §07.060..*

**Violation No. 4** – Mono County Code Section 7.20.020 Nuisance Prohibition.

No person shall commit, create or contribute to the creation of a public nuisance in the county, nor shall anyone allow a condition constituting a public nuisance to exist on property in the county that is within their ownership or control. Mono County Code Section 7.20.010 D.1 defines a “Public Nuisance” as any violation of any provision of the Mono County Code, the **Mono County General Plan**, any county area or specific plan, airport land use plan, any variation or subpart of the foregoing, or any other land-use planning document duly approved by the board of supervisors or the planning commission.

*Violation No. 1-3 are determined to be a “Public Nuisance” and are a violation of the Mono County Code Section 7.20.020.*

**Directive No. 1**

On or before **December 22, 2019**, remove the L.E.D. signage. Also, when the non-conforming signage was removed, there is a new signage baseline. The removed items cannot be retrofitted back into the previous placement.

As per Mono County Code Sections 1.12.010, 1.12.020 and 1.12.030, failure to comply with a County Regulation will result in the issuance of an Administrative Citation (fines & penalties).

An Administrative Fine is established in the amount of **\$100.00** per day for each violation of a County Regulation, applicable for each of the first five days of noncompliance. After the initial five-day period, the fine will then be **\$500.00** per day for each violation for each day thereafter.

If you have any additional questions regarding the approved uses of your property, please feel free to call me at (760) 932-5424

Thank you for your attention to this matter, and I look forward to your voluntary compliance.

Sincerely,

Jake Suppa, Compliance Analyst  
Mono County Compliance Division



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**DEVELOPMENT STANDARDS**
**CHAPTER 07 – SIGNS****Sections:**

<b>07.010</b>	<b>Intent.</b>
<b>07.020</b>	<b>Permitted signs.</b>
<b>07.030</b>	<b>Signs subject to Director Review.</b>
<b>07.040</b>	<b>General provisions.</b>
<b>07.050</b>	<b>Design excellence (optional).</b>
<b>07.060</b>	<b>Prohibitions.</b>
<b>07.070</b>	<b>Nonconforming signs.</b>

**07.010 Intent.**

It is the intent of this chapter to establish sign standards that will enhance and preserve the unique scenic beauty of Mono County and promote pedestrian, bicycle, vehicle, and traffic safety. Thus, aesthetics and safety are the primary objective of the following sections. Signs shall be located to be compatible with their surroundings in terms of size, shape, color, texture and lighting. They should not compete visually with other signs. Because signs are important in providing information to the public and reducing hazards and confusion to pedestrians, bicyclists, and motorists, they should be simple in design and easy to read and should not obstruct vision from roadways or interfere with official traffic signs or signals.

Further, the provisions of applicable area plans will apply if more-restrictive regulations are contained therein. For example, a use permit is required for freestanding signs in a scenic highway corridor.

**07.020 Permitted signs.**

The following signs are permitted (some require a Building Division permit). These regulations, where more restrictive, override applicable building and/or other code requirements:

**A. Awning or Canopy Sign:**

Definition: An awning sign is painted, stenciled, stitched, sewn or stained onto the exterior of an approved awning or canopy. Signs hanging from or attached to a canopy are not permitted under this definition (see Hanging Signs).

Requirements: No awning sign may have less than 8 feet of clearance from the bottom of the awning to the sidewalk. When an awning is the main signage for a business, the flap should be a minimum of 12 inches wide with 8-inch letters so that the sign can be easily read from across the street.

**B. Changeable Copy Sign (or Marquee):**

Definition: A sign that contains removable letters (or uses electronically changing copy) and provides information that is subject to change. This includes amenities available for motels or resorts, movies at theaters, and current events at an auditorium.

Requirements: Maximum size permitted is 20 sq. ft. This sign area shall be counted against the overall sign area permitted for any corresponding monument/freestanding signs or attached/projecting signs on the subject parcel.

C. Political Signs:

Definition: A sign that indicates or displays the name or picture of an individual seeking election or appointment to a public office or relates to a forthcoming public election or referendum or advocates a person's, group's or party's political views or policies.

Requirements:

1. Political signs shall be posted only so long as needed to convey the message intended by the posting and shall be removed immediately thereafter.
2. Political signs that have an adhesive backing shall not be affixed directly to any structure. Such a sign with adhesive backing shall first be affixed to a temporary backing of wood, paper or plastic for support that can be removed easily from its posted location.

D. Real Estate Signs:

Definition: A sign that advertises the sale, rental or lease of property on which it is erected and maintained.

Requirements: A maximum of one sign per parcel is permitted and shall be removed within 15 days after the close of escrow or close of the rental/lease agreement. The sign must be located entirely within the subject property and shall not be lit. Maximum sign areas and heights shall be permitted as follows:

<u>Parcel Size</u>	<u>Sign Size</u>	<u>Sign Height</u>	<u>Minimum Setback from Edge of Road</u>
10 acres or smaller	4 sq. ft.	4'	5'
10 acres and larger	12 sq. ft.	8'	20'

E. Projecting Signs:

Definition: A sign that projects outward perpendicularly or at an angle from a wall or building face and is primarily attached to that wall or building face.

Requirements: A projecting sign may not extend more than three feet from the wall or building face and not exceed 10 sq. ft. with a minimum clearance of eight feet from the bottom of the sign to the sidewalk. Additional bonus square footage may be awarded as specified in Section 07.050, Design excellence.

F. Hanging Signs:

Definition: A hanging sign is similar to a projecting sign except that the primary sign face is hanging or suspended from a support bracket that projects outward from the wall or building face. A hanging sign may also hang from an awning.

Requirements: A hanging sign may not extend more than 4 feet from any building or wall face. It shall not exceed 10 sq. ft. with a minimum clearance of 8 feet from the bottom of the sign to the sidewalk. Additional square footage may be awarded as specified in Section 07.050, Design excellence.

G. Residential Identification Sign: The following residential identification signs are allowed without permit approval:

1. Private individual residence identification signs, limited to the names of the occupants and a total of 2 sq. ft. in size; and
2. Multifamily projects, limited to one permanent identification sign with a maximum area of 20 sq. ft., attached to an approved wall or facade. Freestanding or monument signs are subject to Director

Review as specified in this chapter. A total signing program will be required as part of the use permit requirements for any new multifamily residential project of four or more units. Additional square footage may be awarded as specified in Section 07.050, Design excellence.

#### H. Safety or Required Signs:

1. Signs required for the public safety and convenience shall be permitted in conjunction with permitted business identification signs and shall not be counted against the allowable identification sign area. Safety or required signs shall not exceed 3 sq. ft. in each sign area and may contain any combination of the following words or symbols: "Parking"; "Park Here"; "Customers Only"; "Open"; etc. and shall not contain the name of the business.
2. Required signs include those mandated by a federal, state or local agency, and include display of gas prices by retail gasoline distributors. Gasoline price signs shall not exceed more than one set of signs per street frontage. Each line of letters or numbers cannot exceed 6 inches in height, and total sign area may not exceed 24 sq. ft.
3. If the name or logo of the business appears integrated along with any safety or required sign, the total sign area shall be counted against the allowable sign area.

#### I. Special Events and Holiday Signs:

Banners, signs or decorative materials are permitted in conjunction with a holiday season or an event conducted in accordance with Section 02.1080, Special Events. Such signs and decorative materials are not to be erected more than 30 days preceding the event and shall be removed upon its conclusion. Temporary signs in residentially designated areas shall be limited to garage sales and open-house signs, and shall be limited to 3 sq. ft. Political signs and signs displaying noncommercial messages are not subject to this paragraph.

#### J. Window Signs:

Definition: Sign(s) painted on, attached to, designed or placed so as to be read principally through the windows from outside the business.

Requirements: The total of all permanent window signs shall cover no more than 20% of total window area. Temporary sales and special event signs may be displayed over this 20% maximum, but shall be removed immediately upon conclusion of the sale or special event, in no case to exceed 30 days.

#### K. Building Identification and Directory Plaques:

Definition: A plaque mounted flush to a building to denote the building's identity, tenants or historical information. This sign shall not be counted against the allowable sign area.

Requirements: If the parking lot entrance and the main building entrance front on different streets, there may be one sign at each entrance. The total sign area shall be limited to a maximum size of 8 inches by 48 inches and letters shall not exceed 3 inches.

#### L. Flags:

Definition: A rectangular piece of fabric or other flexible material that is used as a symbol, signage device, or decoration. Flag does not include temporary banners associated with special events or holidays, which are subject to regulation in accordance with paragraph I of this section.

Requirements: Flags displaying noncommercial messages (for example, flags of a nation, state, or local entity, or flags of a religious or civic organization), when not used as an advertising device (i.e., to promote a commercial transaction) shall be permitted. Flags displaying commercial messages or used

as an advertising device (i.e., to promote a commercial transaction) shall be considered signs and shall be subject to regulation in accordance with the provisions of this chapter applicable to signs generally, based on the individual characteristics of the flag in question (e.g., freestanding, attached, hanging, etc.).

**07.030 Signs subject to Director Review.**

The following signs are subject to Director Review as specified in Chapter 31:

**A. Attached:**

**Definition:** A sign mounted flush and affixed securely to a building wall that projects no more than 6 inches from the face of a building wall, and does not extend vertically or horizontally beyond the building.

**Requirements:**

1. Attached signs may occupy 1 sq. ft. for each 2 lineal feet of business frontage upon which the sign is located. In intensive commercial and industrial areas (e.g., C, IP and I), the maximum area of any attached sign shall not exceed a 100 sq. ft., but need not be less than 25 sq. ft. In rural, agricultural, residential and neighborhood commercial areas, the maximum area of any attached sign shall not exceed 50 sq. ft., but need not be less than 15 sq. ft.
2. When two or more separate businesses (located in separate offices, spaces, or buildings) are located on one parcel, each shall be eligible for at least the minimum square footage (i.e., 15 or 25 sq. ft.).
3. Further, the maximum height of the sign shall be 20 feet or the height of the building, whichever is less. A maximum of two attached signs per occupancy is permitted, but in total combined area cannot exceed the maximum permitted. Additional square footage may be awarded as specified in Section .050, Design excellence.

**B. Community and Historical:**

**Definition:** A sign erected by a Chamber of Commerce or similar organization that identifies local communities or points of historical interest.

**Requirements:** There are no specific square footage or height restrictions. However, such signs shall be visually compatible and shall not compete with the area in which they are placed. The sign may identify a city or unincorporated community and may contain the name, sub-name or slogan of the area, but without other advertising.

**C. Freestanding and Monument Signs:** One freestanding or monument permitted for parcels with a minimum of 100 feet of street frontage. Shopping centers with 10 or more shops/offices may have one for each street frontage.

**1. Freestanding:**

**Definition:** A sign anchored directly to the ground or primarily supported from the ground rather than a building.

**Requirements:** The maximum height of the sign shall be 20 feet or the height of the associated building, whichever is less. Freestanding signs may occupy 1 sq. ft. for every 3 lineal feet of street frontage, up to a maximum of 100 sq. ft. Freestanding signs shall be set back a minimum of 5 feet from the property line. Additional square footage may be awarded as specified in Section 7.050, Design Excellence.

2. **Monument:**

Definition: A freestanding sign attached continuously at grade.

Requirements: The maximum height of monument signs shall be 8 feet. Monument signs are computed the same as freestanding signs (above), except that the minimum need not be less than 45 sq. ft. and the maximum cannot exceed 125 sq. ft. Additional square footage may be awarded as specified in Section 7.050, Design excellence.

D. **Directional:**

Definition: A sign that provides needed directions to remotely located business and scenic, recreation areas such as pack stations, lodges, resorts and lakes.

Requirements: Directional signs will be approved only upon a demonstrated need. It will be limited to the name of the business or area, and direction to its location. Signs cannot exceed 3 sq. ft.

E. **Informational Kiosks and Freestanding Directory Boards:**

The following sign types will be allowed only when submitted as part of a total signing program for a shopping center, community improvement district, etc.:

1. **Directory Boards:** Provides information as to the location of businesses in a pedestrian-oriented business area, not to exceed 3 sq. ft. in area and, if hung, shall not be higher than 6 feet; and
2. **Kiosks:** May provide information as to the location of businesses in a pedestrian-oriented business area, as well as a surface for handbills, posters and fliers to be affixed to. The total area of a kiosk display surface is not to exceed 40 sq. ft. or 8 feet in height. Kiosks are to be separated from adjacent structures by a minimum of 6 feet. Kiosks shall be maintained with a neat appearance and outdated materials shall be removed promptly.

**07.040 General provisions.**

The provisions of this section are applicable to all signs constructed or altered after the effective date of this chapter except as otherwise provided by this chapter. No person except a public officer or employee in the performance of a public duty shall paint, paste, display, construct, erect, alter, use or otherwise maintain any sign except in accordance with the provisions of this chapter.

A. **Sign Measurements:**

1. **Area:** The area of a sign is to be measured as the number of square feet of the smallest rectangle within which a single sign face can be enclosed, as follows:
  - a. **Sign Faces Counted:** Where a sign has two faces containing sign copy that are oriented back-to-back, are separated by not more than 3 feet at any point, and are parallel to each other; the area of the sign is to be measured using the face of the larger sign;
  - b. **Wall-mounted Letters (channel letters):** Where a sign is composed of letters individually mounted or painted on a building wall, without a border or decorative enclosure; the sign area is that of the smallest single rectangle within which all letters and words can be enclosed;
  - c. **V-Shaped Signs:** The area of a V-shaped sign shall be calculated the same as if it were a single sign face; and
  - d. **Monument Signs:** Area shall be calculated for that portion of the sign enclosed by the decorative border or frame and shall not include the foundation for the sign (however, the 8-foot height limit does include the foundation).

2. Height: The height of a sign shall be measured as the vertical distance from the adjacent grade to the uppermost point on a sign or sign structure.
- B. Sign Illumination: For those signs to be lit, indirect illumination from a separate light source is required, with the exception of channel letters. Use of neon and internal lighting is prohibited unless integrated with an overall architectural or design theme and is subject to Director's approval. An indirectly illuminated sign is defined as any sign whose illumination is reflected from its source by the sign display surface to the viewer's eye, the source of light not being visible from the street or from abutting property.
  - C. Sign Copy Changes: Any sign erected in conformance to the provisions of this chapter may be repainted, maintained, and the copy changed as long as there is no increase in existing sign area or the sign face relocated; otherwise, the sign will be considered as a new sign and shall be subject to all provisions of this chapter. Where the sign is not in conformity to the provisions of the chapter, any change shall be in accordance with the provisions of Section 07.060, Nonconforming Signs.
  - D. Shopping Centers, Malls, Office Complexes and Multifamily Projects: Any new proposal requiring a use permit and containing more than four residential units or four shops/offices shall include a total signing program with its use permit application. This signing program shall include total number, size and type of signs proposed, as well as elevations illustrating proposed design and materials to ensure that the signage will be integrated into the project's planning and design.

**07.050 Design excellence (optional).**

Any sign permitted (except real estate, temporary, and safety, or permitted by Director Review, has the option to apply for additional sign area under the provisions of this section.

Depending upon the quality and design excellence of any new sign, as determined by the Director, additional sign area up to 25% over stated maximums may be awarded.

Factors to be considered in the design excellence of any proposed sign include method of construction and material, color, lighting, relationship of the sign to the building, and relationship of the sign to the community. These are described in more detail as follows:

A. Materials and method of construction:

Materials and construction style should harmonize with the natural surroundings. Thus, wood and stone are encouraged, along with metal finishes that accent the county's mining past.

Wooden signs can be routed, carved or sandblasted to get the effect of raised letters. Raised letters can also be attached to a wooden signage band. These can also be metal or precast and molded. Paint can also be directly applied to a flat wooden signage band.

Metal signs can also be used effectively by applying raised letters as described above or on a metal band. Paint and lettering can be applied, although a galvanized or baked enamel finish is required to avoid rusting.

Signage can be painted directly on the facade of a building. The use of tile can also be applied onto the wall surface if stucco walls are used instead of wood.

Use of natural materials and landscaping is an effective way to soften and accent monument and freestanding signs.

B. Colors and visibility:

Colors should relate to and complement the materials or paint scheme of the buildings, including accenting highlights and trim colors. The number of colors on any sign should be limited to three. This heightens readability (visibility); especially when one color is a dark hue, the second a medium hue, and the third a light accent color. These three combine to produce a highly legible sign. Additional colors only compete with one another. Fluorescent colors are not permitted.

C. Relationship of the sign to the building:

The location and size of signs on any building should relate to the architecture of that particular structure. The sign should reinforce the existing features of the building by fitting them within other lines and shapes. Flat signs, parallel to the facade, are excellent because they do not compete with the building. Wall signs should complement one another in color and shape and, if possible, be located in the same position over storefronts. In pedestrian areas signs should be located to be visible to both motorist and pedestrian.

D. Relationship of the sign to the community:

Signs should not be out of scale with the street or visually disruptive, and should be visible by both passing motorists and pedestrians. Where feasible, relate new signs to others on the block by aligning them with existing signs or other horizontal elements, such as molding bands above store windows. A sign should complement and reinforce a community's character, creating harmony without uniformity.

**07.060 Prohibitions.**

The following signs and sign types are prohibited:

- A. No sign shall exceed 20 feet in height.
- B. Animated signs, such as those that rotate, move, flash, reflect, blink or effect changes in hue or intensity of illumination.
- C. Portable signs, including but not limited to, trailer-mounted marquees and sandwich boards.
- D. Signs that project over any property line except into a public right of way with applicable agency permits or extend more than 4 feet from any building or wall except where such signs are an integral part of an approved canopy or awning.
- E. Signs placed above the eave line, except in the case of an A-frame building where no other option is available or where the theme or design of the building warrants such sign as determined by the Director.
- F. Vehicular-mounted freestanding signs.
- G. Off-site advertising signs or billboards.
- H. Signs that advertise a home occupation, unless permitted by Expanded Home Occupation permit.
- I. Modification of the location or size of any sign granted under the provisions of Section 07.030, Director Review. All modifications of such signs shall be reviewed by the Director.
- J. Use of neon or internal lighting unless in conformance to Section 07.040-B, Sign Illumination.
- K. Attachment of signs to utility poles or natural features, including trees and rocks, etc.
- L. Removal or pruning of trees within any public right of way to increase the visibility of any sign.



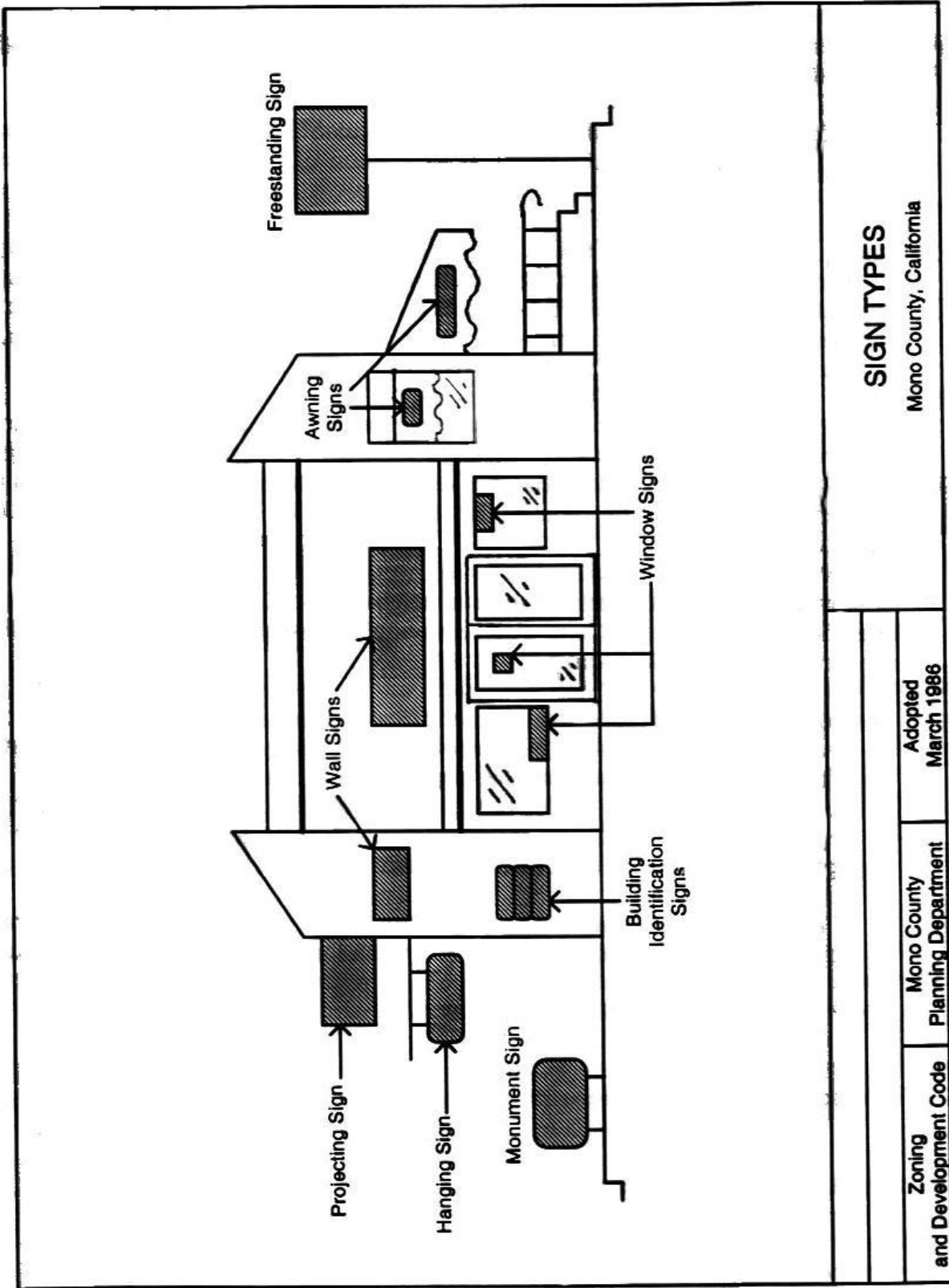
- M. Placement of private advertising signs on public property.
- N. Signs that interfere with, obstruct the view of, or may be confused with any authorized traffic sign or interfere with or obstruct driver, pedestrian, or bicyclist visibility from any street, road, or highway.

**07.070 Nonconforming Signs.**

Nonconforming signs are those that were in existence at the time of adoption of land development regulations that do not conform to the provisions of this chapter. Such signs may be continued as follows:

- A. Expansion. A nonconforming sign may not be increased in area or lighting intensity or moved from its location after the effective date of this chapter.
- B. Sign Copy. The advertising copy on a nonconforming sign may be changed except as provided by subsection A, expansion of nonconforming signs, of this section.
- C. Discontinued use. If the use of a building or land associated with a nonconforming sign is discontinued for six months or more, all signs shall thereafter conform to the provisions of this chapter. Where a business operates on a seasonal basis and for which there is an active Mono County business license, the provisions relating to discontinued use will not apply.
- D. If the size or configuration of a lot or building is changed by the subdivision of the property or by alterations, identification signs and outdoor advertising signs on the resulting properties shall be required to conform to the sign regulations applicable to the newly created lot or lots at the time the change becomes effective.
- E. Removal. If a nonconforming sign is removed for any reason other than those specified in subsection C and this section, all subsequent signs must conform to the provisions of this chapter.
- F. Destroyed Signs and Advertising Structures.
  - 1. If a nonconforming sign is destroyed or partially destroyed to the extent of 50% or more of the replacement cost of the total sign before destruction by fire, explosion or act of God, the destroyed sign may be replaced or reconstructed, provided that it is brought into conformity to all applicable requirements of this chapter.
  - 2. If a nonconforming sign is partially destroyed to less than 50% of its replacement cost, it may be restored to its former nonconforming status.

FIGURE 13: SIGN TYPES



**SIGN TYPES**

Mono County, California

Adopted  
March 1986

Mono County  
Planning Department

Zoning  
and Development Code

**TABLE 07.010. SIGN STANDARD SUMMARY**

<b>Sign Type</b>	<b>Maximum Number</b>	<b>Maximum Sign Size</b>	<b>Maximum Height</b>	<b>Level of Dept. Review</b>	<b>Designations Permitted</b>	<b>Other Standards</b>
Awning	One per street or parking lot frontage	10 sq. ft.	Minimum 8' ground clearance	Permitted with building permit	ER, RR, RU, SP, AP C, SC	
Changeable Copy/Marquée	One per business	20 sq. ft. (counted against maximum allowed for freestanding or attached)	20'	Permitted with building permit	C, SC	
Political	Not specified	Not specified	Not specified	Permitted	All districts	1. Must be removed when purpose for posting ceases. 2. If adhesive backing, affix to temporary backing.
Real Estate	One per parcel	4 sq. ft. on parcel ≤10 acres	4'	Permitted	All districts	1. Sign must be removed within 15 days of close of escrow.
		12 sq. ft. on parcels >10 acres	8'			
Projecting or Hanging	One per business (can be double-faced)	10 sq. ft.	Minimum 8' ground clearance 20'	Permitted with building permit	ER, RR, RU, MFR, SP, C, SC, IP, I	1. May not project more than 3' from any wall
	One per business (can be double-faced)	10 sq. ft.	Minimum 8' ground clearance 20'	Permitted with building permit	ER, RR, RU, MFR, SP, AP, C, SC, IP, I	1. May not project more than 4' from any wall.
Window	Not specified	20% of window area	Limited to first-floor windows	Permitted	All districts	1. No maximum for sales or special event signs.
Director Plaque	One per building (two permitted if main entrance from both street and parking lot)	8" x 48"	Not specified	Permitted	All districts	1. Individual letters limited to 3" in height.

Sign Type	Maximum Number	Maximum Sign Size	Maximum Sign Height	Level of Dept. Review	Designations Permitted	Other Standards
Attached (wall)	Two per business	a. Up to 20 sq. ft. in MFR, RU, SP, AP b. Up to 50 sq. ft. in ER, RR, IP c. Up to 100 sq. ft. in C, SC, I	20'	Director Review	As specified under sign area	1. Except for multifamily projects in MFR, RU, SP, AP districts, sign area is calculated at 1 sq. ft. for each 2 lineal feet of business frontage. 2. Cannot project more than 6" from building face.
Monument  or  Freestanding	One per business (can be double-faced)	Up to 125 sq. ft.	8' from grade	Director Review	ER, RR, MFR, SP, AP C, SC, IP, I	1. Required a minimum of 100' of street frontage. 2. Sign area is calculated at 1 sq. ft. per each 3' of street frontage.
	One per business (can be double-faced)	Up to 100 sq. ft.	20'	Director Review	ER, RR, MFR, SP, AP C, SC, IP, I	1. Required a minimum of 100' of street frontage. 2. Sign area is calculated at 1 sq. ft. per each 3' of street frontage. 3. Sign shall be set back a minimum of 20' from the street.
Directional	One per business (can be double-faced)	3 sq. ft.	Not specified	Director Review	All districts	1. Must demonstrate need in order to erect.

NOTE: This summary is for informational purposes only. Refer to the applicable sections of Chapter 07 for detailed requirements.

- Eligible for additional square footage under the provisions of the Design Excellence Section 07.050.
- Noted signs are permitted in these districts only as part of a total signing program (see Sections 07.020 G2 and 07.040 D).

# Mono County Community Development Department

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

## Planning Division

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

### DIRECTOR REVIEW APPLICATION

APPLICATION # _____	FEE \$ _____
DATE RECEIVED _____	RECEIVED BY _____
RECEIPT # _____	CHECK # _____ (NO CASH)

**APPLICANT/AGENT** We Are Everywhere RV Park dba: Coleville KOA Holiday and Meadowcliff Lodge

ADDRESS 110437 US Highway 395 CITY/STATE/ZIP Coleville, CA 96107

TELEPHONE ( 530 ) 495-2255 E-MAIL stay@meadowcliff.com

**OWNER**, if other than applicant Scott Burkard and Timothy Tack

ADDRESS 110437 US Highway 395 CITY/STATE/ZIP Coleville, CA 96107

TELEPHONE ( 530 ) 495-2255 E-MAIL scottburkard@me.com

**DESCRIPTION OF PROPERTY:**

Assessor's Parcel # 002-060-042 General Plan Land Use Designation Resort

**PROPOSED USE:** Applicant(s) should describe the proposed project in detail, using additional sheets if necessary. Note: An incomplete or inadequate project description may delay project processing.

Update Entrance Sign by eliminating 2/3 of sign, removing large neon "Restaurant", Large 5 foot by 5 ft back lit replaceable letter sign on top, and eliminate neon "No Vacancy" Sign. These action reduce the height of the sign by 18 feet, and reduce the lighting by 55%. We will add a new energy efficient LED sign at that is 1 foot by 5 feet, to message travelers of availability, vacancy, etc.

I CERTIFY UNDER PENALTY OF PERJURY THAT I am:  legal owner(s) of the subject property (all individual owners must sign as their names appear on the deed to the land),  corporate officer(s) empowered to sign for the corporation, or  owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form), AND THAT THE FOREGOING IS TRUE AND CORRECT.

**Scott Burkard** Digitally signed by Scott Burkard  
Date: 2020.03.12 07:51:32 -07'00'

Signature 

Signature \_\_\_\_\_ Date 03/12/2020



## Mono County Community Development Department

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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

## PROJECT INFORMATION

(To be completed by applicant or representative)

NOTE: Please answer all questions as accurately and completely as possible to avoid potential delays in processing. Attach additional sheets if necessary.

**I. TYPE OF PROJECT** (check any permit(s) requested):

- Director Review    Use Permit    Lot Line Adjustment    Land Division (4 or fewer)  
 Subdivision    Specific Plan    Variance    General Plan Amendment  
 Other \_\_\_\_\_

APPLICANT We Are Everywhere RV Park, dba: Coleville KOA Holiday and Meadowcliff Lodge

PROJECT TITLE Update Entrance Sign

LOT SIZE (sq. ft./acre) 22 ASSESSOR'S PARCEL # 002-060-042

PROJECT LOCATION 110437 US Highway 395, Coleville CA 96107

Has your project been described in detail in the project application? Yes  No

Please Specify:

Number of Units 63 Building Height/# of floors 1  
 Number of Buildings 4 Density (units/acre) 22

Total lot coverage/impervious surface (sq. ft. & %) n/a  
 a. Buildings (first-floor lot coverage /sq. ft. & %) \_\_\_\_\_  
 b. Paved parking & access (sq. ft. & %) \_\_\_\_\_

Landscaping/screening and fencing:

- a. Landscaping (sq. ft. & %) n/a  
 b. Undisturbed (sq. ft. & %) \_\_\_\_\_

Total parking spaces provided:

- a. Uncovered n/a  
 b. Covered \_\_\_\_\_  
 c. Guest/Handicapped 3

**II. SITE PLAN**

Are all existing and proposed improvements shown on the Plot Plan (see attached Plot Plan Requirements)? Yes  No

**III. ENVIRONMENTAL SETTING**

Use one copy of the Tentative Map or Plot Plan as needed to show any necessary information. Attach photographs of the site, if available.

*More on back...*

1. VICINITY MAP:

Attach a copy of assessor's parcel pages or a vicinity map showing the subject property in relation to nearby streets and lots or other significant features.

2. EXISTING DEVELOPMENT:

Vacant  If the site is developed, describe all existing uses/improvements such as structures, roads, etc. Does the Plot Plan show these uses? Yes  No   
n/a

3. ACCESS/CIRCULATION:

Name of Street Frontage(s) US Highway 395

Paved  Dirt  No existing access

Are there any private roads, drives or road easements on/through the property?  
Yes  No

Has an encroachment permit been submitted to Public Works or Caltrans? Yes  No

Does the property have any existing driveways or access points? Yes  No

Are any new access points proposed? Yes  No

Does the Plot Plan show the driveways or access points? Yes  No

Describe the number and type of vehicles associated with the project None

4. ADJACENT LAND USES:

A. Describe the existing land use(s) on adjacent properties. Also note any major man-made or natural features (i.e., highways, stream channels, number and type of structures, etc.).

LAND USE

LAND USE

North Vacant Land

South Vacant Land

East Vacant Land

West Vacant Land

B. Will the proposed project result in substantial changes in pattern, scale or character of use in the general area? Yes  No  If YES, how does the project propose to lessen potential adverse impacts to surrounding uses? \_\_\_\_\_

5. SITE TOPOGRAPHY:

Is the site on filled land? Yes  No  Describe the site's topography (i.e., landforms, slopes, etc.) \_\_\_\_\_

6. DRAINAGES:

A. Describe existing drainage ways or wetlands on or near the project site (i.e., rivers, creeks and drainage ditches 12" or deeper and/or within 30' of the property) n/a

B. Are there any drainage easements on the parcel? Yes  No

C. Will the project require altering any streams or drainage channels? Yes  No  If YES, contact the Department of Fish and Game for a stream alteration permit. IF YES TO ANY OF THE ABOVE, show location on plot plan and note any alteration or work to be done within 30 feet of the stream or drainage.

7. VEGETATION:

A. Describe the site's vegetation and the percentage of the site it covers (map major areas of vegetation on the Plot Plan) n/a

B. How many trees will need to be removed? 0



- C. Are there any unique, rare or endangered plant species on site? Yes  No
- D. Has the site been used for the production of agricultural crops/trees or grazing/pasture land in the past or at the present time? Yes  No
- E. Is landscaping/planting of new vegetation proposed? Yes  No
8. WILDLIFE:
- A. Will the project impact existing fish and wildlife? Yes  No   
Describe existing fish and wildlife on site and note any proposed measures (if any) to avoid or mitigate impacts to fish and wildlife \_\_\_\_\_  
\_\_\_\_\_
- B. Are there any unique, rare or endangered animal species on site? Yes  No
9. CULTURAL RESOURCES:
- A. Are there any cemeteries, structures or other items of historical or archaeological interest on the property? Yes  No  Specify \_\_\_\_\_  
\_\_\_\_\_
10. SITE GRADING:
- A. Will more than 10,000 square feet of site area be cleared and/or graded? Yes  No  If YES, how much? \_\_\_\_\_
- B. Will the project require any cuts greater than 4' or fills greater than 3'? Yes  No
- C. Will the project require more than 200 cubic yards of cut or fill? Yes  No  If YES, how much? \_\_\_\_ If YES to A, B or C, contact the Department of Public Works for a grading permit.
- D. Will site grading of 10% or more occur on slopes? Yes  No
- E. Note any measures to be taken to reduce dust, prevent soil erosion, or the discharge of earthen material off site or into surface waters \_\_\_\_\_  
\_\_\_\_\_
11. AIR QUALITY:
- A. Will the project have wood-burning devices? Yes  No  If YES, how many? \_\_\_\_\_
- B. What fuel sources will the proposed project use? Wood  Electric  Propane/Gas
- C. Will the proposal cause dust, ash, smoke, fumes or odors in the vicinity? Yes  No
12. VISUAL/AESTHETICS:
- A. How does the proposed project blend with the existing surrounding land uses?  
Opens up visual, less obstruction as signage is dramitacally reduced  
\_\_\_\_\_
- B. How does the proposed project affect views from existing residential/commercial developments, public lands or roads? Opens up visual, less obstruction as signage is dramitacally reduced  
\_\_\_\_\_
- C. If outdoor lighting is proposed, describe the number, type and location \_\_\_\_\_  
Main sign to remain backlight, Programbale Letter sign to be energy efficent LED lighting  
\_\_\_\_\_
13. NATURAL HAZARDS:
- A. Is the site known to be subject to geologic hazards such as earthquakes, landslides, mudslides, ground failure, flooding, avalanche or similar hazards? Yes  No   
(Circle applicable hazard[s]).
- B. Will any hazardous waste materials such as toxic substances, flammables or explosives be used or generated? Yes  No
- C. Does the project require the disposal or release of hazardous substances? Yes  No
- D. Will the project generate significant amounts of solid waste or litter? Yes  No

- E. Will there be a substantial change in existing noise or vibration levels? Yes  No   
 If YES to any of the above, please describe \_\_\_\_\_

More on back...

14. OTHER PERMITS REQUIRED:

List any other related permits and other public approvals required for this project, including those required by county, regional, state and federal agencies:

- Encroachment Permits from *Public Works or Caltrans.*
- Stream Alteration Permit from *Department of Fish and Game*
- 404 Wetland Permit from *Army Corps of Engineers*
- Grading Permit from *Public Works*
- Building Permit from *County Building Division*
- Well/Septic from *County Health Department*
- Timber Land Conversion from *California Department of Forestry*
- Waste Discharge Permit from *Lahontan Regional Water Quality Control Board*
- Other \_\_\_\_\_

IV. **SERVICES**

1. Indicate how the following services will be provided for your project and the availability of service.

Electricity No change  
 Underground  Overhead  (Show location of existing utility lines on Plot Plan)

Road/Access N/A

Water Supply N/A


Sewage Disposal N/A

Fire Protection N/A

School District N/A

2. If an extension of any of the above is necessary, indicate which service(s), the length of extension(s), and the infrastructure proposed \_\_\_\_\_

**CERTIFICATION:** I hereby certify that I have furnished in the attached exhibits the data and information required for this initial evaluation to the best of my ability, and that the information presented is true and correct to the best of my knowledge and belief. I understand that this information, together with additional information that I may need to provide, will be used by Mono County to prepare a Specific Plan in compliance with state law.

Signature Scott Burkard  Digitally signed by Scott Burkard Date: 2020.03.12 08:00:33 -0700 Date 03/12/2020

For We Are Everywhere RV Park

NOTE: Failure to provide any of the requested information will result in an incomplete application and thereby delay processing.



# Mono County Community Development Department

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## Planning Division

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760-932-5420, fax 932-5431  
www.monocounty.ca.gov

### APPEAL APPLICATION

In order to be valid,  
appeal must be filed within  
10 days of action date.

APPLICATION # _____	FEE \$ _____
DATE RECEIVED _____	RECEIVED BY _____
RECEIPT # _____	CHECK # _____ (NO CASH)

**APPELLANT** We Are Everywhere RV Park

ADDRESS 110437 US Highway 395 CITY/STATE/ZIP Coleville, CA 96107

TELEPHONE ( 530 ) 495-2255 E-MAIL stay@meadowcliff.com

**APPLICATION # BEING APPEALED** \_\_\_\_\_

**DATE OF ACTION** 4/6/2020 **DATE OF APPEAL** 4/10/2020

**NATURE OF APPEAL:** Describe what is being appealed. If it is a condition of approval, attach a copy of the project conditions and indicate which conditions are being appealed.

We are appealing the Director's Review denying the exception of a 5 square foot LED sign at  
business entrance, vs. the current allowable 3 square foot LED Sign.

**REASON FOR APPEAL:** Describe why the decision is being appealed.

We have 2 business, (1 RV Park, 1 Lodge/Motel Rooms) both have separate vacancies. 12% of guests  
are driving through and have not made reservations, (represents Approx \$40,000 gross revenue and  
\$4800 TOT to county). Overall lighting of Entrance sign has been reduced by 66% with elimination of old

**APPLICATION SHALL INCLUDE:**

- A. Completed application form.
- B. Deposit for project processing: See Development Fee Schedule.

I CERTIFY UNDER PENALTY OF PERJURY THAT I am:  legal owner(s) of the subject property,  
 corporate officer(s) empowered to sign for the corporation or authorized legal agent, or   
other interested party.

  
Signature

 4/10/2020  
Signature Date

Director Review Appeal Form Continued.

...old entrance sign. In addition to be most energy efficient, the LED signage is less bright. The sign is set for 1000 NITS ( approximately 3246 lumes) during daylight hours. Evening hours (Dusk to midnight) the LED lighting is 500 NITS or approximately 1713 lumes.

Of the customers that travel by without reservation and "walk-in" they are traveling south to north. If they don't know we have either vacancy in the RV park, or vacancy in the Lodge rooms, they continue driving north to the Nevada border and spend their dollars in NV. Customers that stay overnight with us, whether the RV Park or Lodge Rooms, also support other local businesses in Walker and Bridgeport purchasing food, groceries, fuel, etc.