

MONO COUNTY PLANNING COMMISSION

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Draft Meeting Minutes

March 18, 2021 – 9:00 a.m.

COMMISSIONER: Scott Bush, Roberta Lagomarsini, Chris Lizza, Jora Fogg, Patricia Robertson

STAFF: Wendy Sugimura, director; Gerry LeFrancois, principal planner; Kelly Karl, planning analyst; April Sall, planning analyst; Heidi Willson, planning commission clerk, Christian Milovich, county counsel; Nick Criss, code compliance officer

PUBLIC: Katy Buell, Lynne Hemminger, Dan Gordon, John Peters, Kara G, Rosemarie, 530-721-6489- Way

CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Scott Bush called the meeting to order at 9:01 a.m. in Zoom meeting room. Attendees recited the pledge of allegiance to the flag.

1. **PUBLIC COMMENT:** No public comment.

2. MEETING MINUTES

- Commissioner Lizza noted a correction to the February 18, 2021 minutes, to add the word "perceived" to item 5b in his Commissioner report.

Motion: Approve the minutes February 18, 2021 as amended.

Lizza motion; Bush second.

Roll-call vote – Ayes: Robertson, Lizza, Lagomarsini, Bush. Abstain: Fogg. Motion passed 4-0 with one abstention.

**Agenda items taken out of order.

3. PUBLIC HEARING

- **9:05 a.m. CONDITIONAL USE PERMIT 20-009/Gordon.** The proposal is for an owner-occupied short-term rental at 90 Aspen Place in Crowley Lake (APN 060-210-067). The existing four-bedroom/four-bathroom main residence would be rented while the owners occupy the detached accessory dwelling unit. Maximum occupancy is 10 people and seven vehicles (five vehicles for renters and two vehicles for the property owners). The parcel is designated Single-Family Residential (SFR). In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. (Staff: Kelly Karl)
 - Kelly Karl presented project and answered questions from the Commission.
 - **Chair Bush called for public comment**
 - Applicant Dan Gordon responded to questions from the commissioner.
 - No additional email comments were received.

CLOSE PUBLIC COMMENT

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jora Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

- **DISCUSSION:**

- Commissioner Lizza- Suggests that the language is changed to read a single party of no more than 10 people or occupants.
- Commissioner Robertson- concerned that these findings do not support rural residential character of this neighborhood.
- Commissioner Lagomarsini- concerned with the number of cars. Would like to suggest limiting to 4 guest's vehicles with 2 vehicles for the owners. Totaling 6 vehicles.
- Commissioner Fogg- reducing the parking to 6 could be one condition.
- Chair Bush- Most of the complaints are coming from a condo complex which is also not considered rural residential.

Motion: 1) Approve Use Permit 20-009 with this changing delineated by the staff report and amend conditions of approve #1 to read the owner-occupied short-term rental occupancy is limited to a single party of no more than 10 occupants and 4 vehicles. 2) Move to find that the project qualifies as a categorical exception under CEQA guidelines 15301 and instruct the staff to file a Notice of Exemption, make the required findings as required in the staff report, and approve use permit 20-009 subject to conditions of approval as amended this morning.

Lagomarsini motion; Lizza second.

Roll Call Vote – Ayes: Lizza, Fogg, Lagomarsini, Bush. Nay: Robertson. Motion passed 4-1.

4. Election of new Planning Commission Chair and Vice-Chair

Motion: Commissioner Lizza nominates Commissioner Robertson as Chair.

Lizza motion; Bush second.

Roll Call Vote – Ayes: Lizza, Fogg, Robertson, Lagomarsini, Bush. Motion passed 5-0.

Motion: Commissioner Bush nominates to re-appoint Vice-Chair Lagomarsini.

Bush motions; Lizza Second.

Roll call vote– Ayes: Lizza, Fogg, Bush, Lagomarsini, Robertson. Motion passed 5-0

3. PUBLIC HEARING- CONTINUED

- **9:35 a.m. CONDITIONAL USE PERMIT 21-001/Hemminger.** The proposal is for permitting the unauthorized installation of overhead powerlines at 194 Wunderlich Way (APN 002-440-029) in Coleville pursuant to the undergrounding exemptions provided in Chapter 11 – Utilities of the General Plan Land Use Element. The parcel is designated Rural Residential (RR). In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. This is a continuation of the public hearing at the February 18, 2021 Planning Commission meeting. (*Staff: April Sail*)
 - *April Sail presented project and answered questions from the Commission.*
 - *Public hearing was opened, and Chair Robertson called for public comment*
 - Applicant Lynn Hemminger- Wanted to thank the staff. Believes that cost impact is valid. Wanted to reply on a comment from last meeting regarding cost increase. The requiring of under ground boxes and conduit line is factored into the increase cost. Wants to make sure Commission is aware of how far the neighbor is in relation to her

property. Replied to questions from Commissioners. Also wanted to address that their house is just as impactful to view as the overhead powerline.

- Katy Buell- agreed with the staff and the applicant that it is an undue financial hardship. If the Commission decides that the first 2 poles need to be under-grounded, then the other properties need to do it as well.
- Angle Olson- County does the right thing and gives the Memminger's the use permit for the power poles. It seems wrong to go back and undo something that was existing before. There is underground drainage that the power would have had to go under.
- **Public hearing closed.**
- **DISCUSSION:**
 - Commissioner Lizza- Why did we not include information from the Antelope Valley plans policy 4a and 5a which calls out all conventional communication subsequently installed shall be underground. Lots of information in this policy that may inform us one way or another.
 - Commissioner Bush- Have we ever required someone in the past to underground power poles after the fact? Does not believe that the view is an issue and the power poles have already withstood the biggest windstorm yet. Biggest issue is that the digging up of the boulders would be creating far more issues.
 - Commissioner Lagomarsini- No comment
 - Commissioner Fogg- Believes this is an enforcement issue and that this is the responsibility of the owners.
 - Chair Robertson- One reason Mono County has requirements is for safety. If we are going to require undergrounding power unless its undue financial hardship how is that being safe.

Motion: 1) Find the project qualifies as a categorical exemption under CEQA §15303. 2) Instruct staff to file a notice of exemption. 3) The required findings that undergrounding the 5 power poles is an unreasonable financial hardship on the applicant that is contained in the staff report from February 18th, 2021. 4) Approve the Use Permit 21-001. Allowing the over-head power lines to remain condition of approval.

Bush motion; Lagomarsini second.

Roll call Vote – Ayes: Bush, Lagomarsini Nays: Lizza, Fogg, Robertson. Motion failed 2-3.

Motion: Deny the use permit and require the applicant to underground last 2 poles but give the applicant 3 years to complete the project.

Lizza motion; Fogg second.

Roll call vote– Ayes: Lizza, Fogg, Lagomarsini, Robertson Nays: Bush. Motion passed 4-1.

- **10:05 a.m. Use Permit 21-002/Way.** The proposal is for a six-foot-tall front yard wooden fence at 30 Emigrant Street in Bridgeport (APN 008-091-049) within the front yard setback. General Plan, Land Use Element 04.160, allows for front yard fences greater than four feet within the setback, with approval of a Use Permit. The property is designated Multi-Family Residential – Low (MFR-L). In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. (Staff: Bentley Regehr)
 - *Wendy on behalf of Bentley presented project and answered questions from the Commission.*

- *Commissioner Bush recused himself from the project as he supervises the applicant in his County position.*
- **Public hearing was opened, and Chair Robertson called for public comment**
 - Applicant Nick Way started by saying thank you. Works for Mono County Sheriff's Department. Spoke about safety and privacy. Understand concerns regarding fire department and police needs to access. Neighbors are supportive.
- **CLOSE PUBLIC COMMENT**
- **DISCUSSION:**
 - Commissioner Lizza- no comment
 - Commissioner Lagomarsini- reasonable request under the circumstances.
 - Commissioner Fogg- agrees that it is an understandable circumstance.
 - Chair Robertson- no comment

Motion 1) Find the project qualifies as a categorical exemption under CEQA §15301. 2) Instruct staff to file a notice of exemption. 3) Make the required finding as contained in the staff report and approve the use permit 21-002.

Lagomarsini motion; Fogg second.

Roll call vote—Ayes: Lizza, Fogg, Lagomarsini, Robertson Abstain: Bush. Motion passed 4-0 with one abstention.

- Director Sugimura requested the Commission clarify and re-word the motion for 21-001 Hemminger due to the concern that the use of the phrase “deny the use permit” could be misconstrued as to the Commission’s intent.

Motion to reopen the conditional use permit 21-001/Hemminger.

Lizza motion; Bush second.

Roll-call vote— Ayes: Robertson, Lizza, Fogg, Lagomarsini, Bush. Motion passed 5-0.

Amended Motion: 1) Find the project qualifies as a categorical exemption under CEQA §15303; 2) Instruct staff to file a notice of exemption; 3) All of the findings cannot be made as required as contained in the staff report; 4) Approve Use Permit 21-001 with the findings for a modified project alternative that the first 3 power poles in the project on Wunderlich Way are an unreasonable financial hardship for the property owner and that only the last two poles must be undergrounded in compliance with the project’s site plan for building permit 18-001, and give the Applicant 3 years from the date of this approval to bring into compliance.

Lizza motion; Fogg second.

Roll call vote— Ayes: Lizza, Fogg, Lagomarsini, Robertson Nays: Bush. Motion passed 4-1.

5. REPORTS

- A. Director: Wendy reported that board of forestry has released a proposal for new fire regulations. If these regulations are adopted as they are now, it is our understanding that some of the new regulations may severely limit development, including ministerial building permits.
- B. Commissioners
 - Lizza- no report
 - Fogg- Has items on her calendar that are unable to move. She is unable to attend next months meeting and would like to be present for Boss application that is a public

hearing set for next month. Requesting that the Boss application be moved to the May meeting. There were no objections.

- Lagomarsini- no report
- Bush- no report
- Robertson- California recently launched the Covid rent relief program, Information and application can be found at housingiskey.com. Assisting with back rent, future rent, and/or utility bills. Mammoth Lakes housing would be happy to assist anyone with questions or persons needing help applying.

6. ADJOURN to April 15, 2021 at 9:00 a.m.

April 15, 2021

To: Planning Commission
From: Bentley Regehr, Planning Analyst
Subject: Workshop: GPA 20-01, ADU updates

RECOMMENDED ACTION

Conduct workshop and provide direction to staff on proposed changes.

INTRODUCTION

In response to updates to state law, staff has revised General Plan Chapter 16, Accessory Dwelling Units (ADUs). The changes are primarily targeted at making regulations less restrictive to allow the construction of more ADUs with less discretionary review. ADUs are often affordable by nature due to their size and compatibility with existing infrastructure, and have therefore been a strategic target at both the state and county level.

On August 8, 2020, proposed revisions were presented to the Planning Commission, where staff was directed to take to the Board for input. On November 17, 2021, the Board of Supervisors directed staff to present the amendment to each of the RPACs for input on the changes, specifically on the areas where the County has discretion. The primary discussion topics are therefore whether short term rental prohibitions in ADUs should be extended beyond state requirements to all ADUs and whether there should be a height limitation of 16' for ADUs. Below is a summary of the revisions that were previously presented at the August 20, 2020, Planning Commission, and the comments received during RPAC outreach.

REVISIONS REQUIRED UNDER STATE LAW

The following section is a summary of revisions required under state law that were previously presented at the Planning Commission and Board of Supervisors. The County does not have discretion to amend these items.

Expansion of Ministerial Permitting

Previously, Chapter 16 allowed ADUs with only a building permit (no Use Permit or Director Review) in cases where the unit did not exceed 800 square feet. New state law expands the allowance of ADUs through only a building permit in several additional situations:

- *16.030.* Junior ADUs are permitted in any land use designation where non-Junior ADUs are already permitted. Junior ADUs are defined as a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior ADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure. The junior ADU must contain cooking facilities.
- *16.040A(i).* An attached ADU may expand by up to 150 square feet beyond the existing physical dimensions, if it is accommodating ingress or egress, and has exterior access.
- *16.040A(iii).* Multiple accessory dwelling units within the portions of existing multifamily dwelling structures not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. An existing multifamily unit is allowed at least one accessory dwelling unit or up to, and not exceeding, 25 percent of the existing multifamily dwelling units.

- 16.040A(iv). Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling.

Additionally, the size thresholds for discretionary review have been revised to be consistent with state law. Discretionary review, in this case, refers to the requirement for either a Use Permit or Director Review permit. A comparison of size thresholds for discretionary review for previous and proposed regulations are outlined in the following subsections.

Previous Discretionary Size Thresholds

Previously, thresholds were based on a combination of parcel size and proposed ADU floor area, and are summarized here:

- On parcels less than 7,500 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 500 sq. ft. in size may be permitted with a building permit.
- On parcels of 7,500 sq. ft. up to 10,000 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 640 sq. ft. in size is allowed with a building permit. A detached Accessory Dwelling Unit not exceeding 640 sq. ft. may be permitted by application for a Director Review.
- On parcels of 10,000 sq. ft. up to one acre in net area, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit.
- On parcels one acre or greater, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit. In this same parcel size range, an Accessory Dwelling Unit exceeding 640 sq. ft. but not exceeding 1,400 sq. ft. in size (attached or detached) may be permitted by application for a Director Review. In this same parcel size range, an Accessory Dwelling Unit exceeding 1,400 sq. ft. may be permitted by application for a use permit.

Proposed Changes to Discretionary Size Thresholds, Consistent with New State Law

Revisions to Chapter 16 remove parcel size limits and are based on floor area, dependent on the number of bedrooms. Thresholds are the same for detached and attached units. Updated discretionary thresholds are summarized in Table 1:

Table 1: Updated Discretionary Review Thresholds for ADUs

Required Review	Qualifying Units
Building Permit only (Short-term rentals prohibited by state law)	<ul style="list-style-type: none"> • One-bedroom units less 850 square feet (including jADUs) • Two-bedroom units less than 1,000 square feet • Units associated with a multi-family development, qualifying under 16.040A
Director Review	<ul style="list-style-type: none"> • One-bedroom units between 850 and 1,400 square feet • Two-bedroom units between 1,000 and 1,400 square feet
Use Permit	<ul style="list-style-type: none"> • Any unit exceeding 1,400 square feet • Any unit associated with a multi-family development, not qualifying under 16.040A

Additional revisions

Other revisions to Chapter 16 per state law include:

- Side and rear yard setbacks may be reduced to four feet provided the design demonstrates snow will not shed onto adjacent properties or cause any other public health or safety issues.
- ADUs are exempt from Housing Mitigation Ordinance (HMO) fees. Units shall also be exempt from all other development impact fees if less than 750-square feet.
- Ministerial reviews shall occur within 60 days (previously 120) after receiving an accessory dwelling unit application unless the accessory dwelling unit is built concurrently with the primary unit.
- Short-term rentals are prohibited in units that qualify under 16.040A. The County has the optional authority to ban short-term rentals in all ADUs, if desired, as outlined in the policy discussion questions below.

POLICY DISCUSSION ITEMS - OPTIONAL REQUIREMENTS

New state law also grants authority to local jurisdictions to impose additional restrictions. Staff is seeking recommendations on whether to implement the following restrictions:

1. A prohibition of short-term rentals in all ADUs.
2. Imposing a 16’ height limit for units that qualify under 16.040.A (ii) and 16.040.A (iv), as allowed under state law.

Table 2 summarizes feedback from the RPACs:

Table 2: RPAC feedback

June Lake CAC	<ul style="list-style-type: none"> • Regulations should be nuanced and should not be blanket regulations for all neighborhoods. • 2 members supported banning all short-term rentals in ADUs. • The fact that prohibiting would simplify the tracking process should not be considered. There needs to be a better reason than county staff time to justify prohibitions above minimum state standards. • Several members acknowledged that they can see both sides – property rights vs long term housing. • No comments on height restriction.
Bridgeport	<ul style="list-style-type: none"> • Support visitor economy by maintaining property rights. • Outright prohibition not supported without more data. • Tiny homes – how do they fit in? Need to define tiny homes within ADU conversation. • STRs still go through process and that process should be honored. • No comments on height restriction
Antelope Valley	<ul style="list-style-type: none"> • 5 members opposed additional restriction for the following reasons: <ul style="list-style-type: none"> - Give owners options - TOT revenue

	<ul style="list-style-type: none"> - Regional restriction – only restrict in more urbanized areas? • 2 members supported restriction for the following reasons: <ul style="list-style-type: none"> - Concern for long term housing - Concern for lack of housing for displaced residents from the Mountain View Fire. • Did not see reason to have height restriction.
Mono Basin	<ul style="list-style-type: none"> • Allow short-term rentals under current permitting process. No additional prohibitions than those required under state law. • No comments on height restriction.
Long Valley	<ul style="list-style-type: none"> • Unanimous: No additional prohibition – honor permit process already in place. • Height limit for units with reduced setbacks: normal height limit if within the setbacks set forth by the land use designation, but 16’ height limit between 4’ and the standard setback.

Summary

Although the RPACs expressed mixed opinion on potentially prohibiting short-term rentals beyond state requirements, the consensus opinion that emerged was to rely on the County’s current permitting process. Under this scenario, short-term rentals would be prohibited in units qualifying under 16.040A, as required by state law. These would be units that require only a building permit, as outlined in Table 1. Short-term rentals would still be permitted for larger units, subject to a Use Permit (Chapter 25 of the Land Use Element) and a Short-Term Rental Activity Permit (Chapter 5.65 of the Mono County Code). The alternative is to continue with the current practice which prohibits short-term rentals in larger ADUs requiring either a Director Review Permit or Use Permit through a condition of approval. Between this local practice and state law, short-term rentals would effectively be prohibited in all ADU types.

In terms of instituting a 16-foot height limit, the Long Valley RPAC expressed an interest in applying it when a project utilizes a reduced setback (potentially down to a 4-foot side and rear setback, if safety standards are met, as permitted by state law). In practice, this would require any ADU that has a side or rear setback between 4 feet and the standard setback for the land use designation have a height limit of 16 feet. ADUs that meet the setbacks for the land use designation would still be allowed up to 35 feet (the same as a primary residence). The idea of reducing the height limit for units that utilize reduced setbacks did not come up until the final RPAC presentation (Long Valley), so the other RPACs did not have a chance to discuss this particular proposal. However, staff supports the idea to help balance the scale of buildings that are constructed within the standard setback closer to an adjacent property. Draft language for this provision is found in the redline version under 16.050I.

Staff is looking for feedback on policy related to short-term rentals in ADUs and a potential height restriction, in order to bring back to the Planning Commission for a recommendation to the Board of Supervisors on GPA 20-01.

ATTACHMENT

- Redline version of Chapter 16 updates

CHAPTER 16 – ACCESSORY DWELLING UNITS

Sections:

16.010	Intent.
16.020	Definition.
16.030	Applicable Land Use Designations.
16.040	General Provisions.
16.050	Standards for Accessory Dwelling Units.

16.010 Intent.

The intent of this chapter is to allow for Accessory Dwelling Units in accordance with State law in order to provide additional affordable housing opportunities, including housing for the elderly in Mono County.

16.015 Consistency with State Law

This chapter is consistent with State Law, including AB 881, AB 670, AB 587, AB 671, AB 68, and SB 13.

16.020 Definition.

"Accessory Dwelling Unit" (also referred to as "dependent," "Secondary Housing," or "granny unit") means residential occupancy of a living unit located on the same parcel as the primary residential unit. It provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit is situated. An Accessory Dwelling Unit shall meet the minimum regulations for an efficiency dwelling unit in the California Building Code.

The Accessory Dwelling Unit can be either attached to or detached from the primary residential unit but in either case shall have similar architectural elements as the primary unit (i.e., materials, textures, colors, etc.; see 16.050 G below). The Accessory Dwelling Unit shall be clearly subordinate to the primary unit.

“Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure. The junior accessory dwelling unit must contain cooking facilities.

Utilities that are installed for future expansion, such as stub outs that would allow a kitchen to be installed at a later date, shall be considered as complete cooking facilities in accessory dwelling units. In units required by deed restriction, complete cooking facilities shall be installed resulting in a usable kitchen at final permit issuance, and interior access between attached units shall be no more than a single personnel door.

16.030 Applicable Land Use Designations.

An Accessory Dwelling Unit **and Junior Accessory Dwelling Unit** may be permitted in any land use designation that allows single-family residences as a permitted use or as allowed in Specific Plan (SP) areas subject to the General Provisions below.

16.040 General Provisions.

- ~~A. On parcels less than 7,500 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 500 sq. ft. in size may be permitted with a building permit.~~
- ~~B. On parcels of 7,500 sq. ft. up to 10,000 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 640 sq. ft. in size is allowed with a building permit. A detached Accessory Dwelling Unit not exceeding 640 sq. ft. may be permitted by application for a Director Review.~~
- ~~C. On parcels of 10,000 sq. ft. up to one acre in net area, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit.~~
- ~~D. On parcels one acre or greater, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit. In this same parcel size range, an Accessory Dwelling Unit exceeding 640 sq. ft. but not exceeding 1,400 sq. ft. in size (attached or detached) may be permitted by application for a Director Review. In this same parcel size range, an Accessory Dwelling Unit exceeding 1,400 sq. ft. may be permitted by application for a use permit.~~
- A. Accessory Dwelling Units are permitted with a building permit if any of the following instances apply:
- (i) The accessory dwelling unit or junior accessory dwelling unit is located within a single-family dwelling or existing space of a single-family dwelling, whether existing or proposed, or accessory structure and may include an expansion of not more than 150 square feet beyond the physical dimensions of the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. The space must have exterior access. Side and rear setbacks must meet fire protection standards and prevent snow shedding onto adjacent properties.
 - (ii) One-bedroom detached accessory dwelling units not exceeding 850-square feet and two-bedroom accessory dwelling units not exceeding 1,000-square feet. The unit may not exceed four-foot side and rear yard setbacks and must meet fire and safety standards, including prevention of snow shedding onto adjacent properties.
 - (iii) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. An existing multifamily unit is allowed at least one accessory dwelling unit or up to, and not exceeding, 25 percent of the existing multifamily dwelling units.
 - (iv) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling. Side and rear yard setbacks may be reduced to four feet provided the design demonstrates snow will not shed onto adjacent properties and fire safety standards are met.
- B. The following accessory dwelling units that do not qualify under 16.040A may be permitted through Director Review:
- (i) One-bedroom units between 850 and 1,400-square feet;
 - (ii) Two-bedroom units between 1,000 and 1,400-square.
- C. Accessory dwelling units that do not qualify under 16.040A and exceed 1,400-square feet may be permitted through Use Permit.

- E. Square footage of accessory dwelling units shall be calculated based on the exterior dimensions of the unit. All interior living space shall count toward the total square footage of the unit.
- F. Consistent with Government Code section 65852.2, ministerial reviews shall occur within ~~120~~ 60 days after receiving an accessory dwelling unit application, ~~unless the accessory dwelling unit is built concurrently with the primary unit.~~

16.050 Standards for New Accessory Dwelling Units.

- A. All construction shall conform to the height, setback, lot coverage, fees (including school impact fees and fire district fees), snow storage, and other development requirements applicable to residential construction in the land use designation in which the property is located. ~~Side and rear yard setbacks may be reduced to four feet provided the design demonstrates snow will not shed onto adjacent properties. The unit shall be exempt from development impact fees if less than 750-square feet and all units are exempt from Housing Mitigation Ordinance (HMO) fees.~~
- B. If a well and/or septic system is/are to be utilized, a clearance letter shall be obtained from the Environmental Health director and shall accompany the building permit application (or if applicable, the Director Review or Use Permit application). For Accessory Dwelling Units that are served by a public water and/or sewer system, a letter from the serving entity that indicates adequate service shall be submitted as part of the application.
- C. ~~One of the units on the parcel must be owner occupied if the property contains a junior accessory dwelling unit (either the primary unit or the junior accessory dwelling unit); for detached accessory dwelling units, there is no owner occupancy requirement. For units that do not qualify under 16.040.A, one unit on the property must be owner occupied.~~
- D. ~~If the Accessory Dwelling Unit is 640 sq. ft. or less in size, one off-street parking space must be provided for the Accessory Dwelling Unit in addition to parking required for the primary unit. If the Accessory Dwelling Unit is larger than 640 square feet, two parking spaces must be provided for the Accessory Dwelling Unit in addition to parking required for the primary unit, if it contains two or more bedrooms. Parking shall be in accordance with Chapter 06 of the Mono County Land Use Element, unless the following instances exist, in which case. Required parking shall be one space for a one-bedroom unit and two spaces for units of two or more bedrooms, and is in addition to the required parking for the primary unit. There is no parking requirement for studio units. No parking standards shall be imposed in the following instances:~~
 - (1) The accessory dwelling unit is located within one-half mile of public transit.
 - (2) The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - (3) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
 - (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (5) When there is a car-share vehicle located within one block of the accessory dwelling unit.
- E. Whether attached or detached, the Accessory Dwelling Unit shall be architecturally compatible with the primary residence. The Community Development Department shall determine the architectural compatibility of the structures and shall consider roofing, siding, trim, door and window frame colors ~~and materials; roofing, siding, trim, door, and window materials;~~ roof slope and pitch; and wall articulation, roof line articulation, eaves,

railings, chimneys, porches, and similar features; landscaping should also be considered in helping to make the units compatible. The Accessory Dwelling Unit shall be clearly subordinate to the primary unit in terms of size and placement on the property. If attached, the two units shall have the appearance of a single-family residence; the Accessory Dwelling Unit entrance shall be located on the side or rear of the building.

- F. Pursuant to the California Building Code, accessory dwelling units shall not be required to provide fire sprinklers if they were not required for the primary residence. Accessory dwelling unit utility connections and related fees shall comply with Government Code section 65852.2.
- G. No passageway shall be required in conjunction with the construction of an accessory dwelling unit. No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than ~~five~~ four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage, provided the design demonstrates snow will not shed onto adjacent properties and fire safety standards are met.
- H. Short-term rentals are prohibited in units that qualify under 16.040A; units qualifying under 16.040B and 16.040C are subject to Mono County's short-term rental regulations (see Chapter 25 and Mono County Code Chapter 5.65).
- I. A height limit of 16 feet shall be imposed on units that are within the standard side or rear setback under the land use designation.*

*Proposed language

April 15, 2021

To: Mono County Planning Commission

From: Kelly Karl, Associate Planner

Re: Use Permit Modification 20-002/Bramlette

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Hold a public hearing, receive testimony, deliberate, 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 Modification 20-002 subject to Conditions of Approval.

BACKGROUND

Use Permit 93-09 (Approved 1993)

Use Permit 93-09/Bramlette was originally approved in June 1993 (Attachment 1) for the following project description: conversion of an existing 1,688-square foot residence into a gift/antique shop; the construction of a natural hot spring bathhouse with four indoor tubs (1,200-square feet) and six outdoor tubs; and the construction of a 1,200-square foot non-commercial garage on the 548-acre parcel. As of April 1996, the conversion of the residence to a gift shop, the construction of four outdoor tubs, the installation of a monument sign, grading of the parking area, and compliance with the original seventeen conditions of approval had been completed.

Use Permit Modification (Approved 1996)

In 1996, a Use Permit Modification (Attachment 2) was processed to allow the construction and operation of a six-room bed-and-breakfast. The proposed structure was an early 1900s ranch style house that would be transported from Inyo County to the project site for preservation and continued use. A 1,200-square foot addition was proposed to be added to the rear of the transported structure. At the time, Inyo County was working on preserving the ranch house at its original location, so the application also requested the option of building a new bed-and-breakfast structure if Inyo County was successful in their preservation efforts. According to a February 2000 letter from the property owner to the Community Development Department, the historic structure originally proposed was destroyed in a fire before it could be moved to the project parcel. In response to this event, the property owner proposed restoring the historic motel already on site (which had been used for visitor lodging since 1948) for the bed-and-breakfast operation approved under the Use Permit Modification. County Staff conducted a site visit in January 2000 and confirmed that project was in compliance with the nine conditions of approval

from the 1996 Use Permit Modification as well as the conditions of approval specified in Use Permit 93-09 (Attachment 3).

Director Review 20-002 (Approved April 2020)

Director Review 20-002 (Attachment 4) permitted the placement of one 6'6" x 22' restroom trailer (five restrooms, including one ADA compliant restroom) with flush toilets, sinks, and solar-powered lights at the five-acre Benton Hot Springs tub sites within the 328-acre parcel (APN 024-240-014). The restroom trailer is intended to upgrade the existing portable restrooms by providing a total of five restrooms (including one ADA compliant restroom) with flush toilets, sinks, and solar-powered lights. The project installed a new septic system per Environmental Health Department requirements and utilized an existing waterline to provide running water to the proposed trailer. Given that portable restrooms currently existed on site and that the Use Permit 93-09 approved a stick-built restroom facility on this parcel, placement of a restroom trailer was considered an expansion/conversion of existing and approved operations at the tub sites. One of the conditions of approval for Director Review 20-002 required the applicant submit a Use Permit Modification and a General Plan Amendment application within one year of the approval date to reflect current operations at the site.

The building permit (B20-070) for placement of the restroom trailer received final inspection on September 9, 2020. Compliance with the conditions of approval for DR 20-002 was completed as of October 2020 with the submittal of a use permit modification application. A general plan amendment to change the land use designation of this parcel from Mixed Designation (MD) to Specific Plan is currently in process as part of GPA 21-001 and is tentatively scheduled for the May Planning Commission meeting.

PROJECT DESCRIPTION

UPM 20-002/Bramlette is a proposal to modify the existing use permit for Benton Hot Springs (see Figure 1) located at 55030 Highway 120 (APN 024-240-014) to accurately reflect existing operations and provide for a slight expansion. This modification seeks to make the following changes to the existing use permit: (1) authorize the 12 existing hot spring soaking tub sites for 24-hour use that may allow guests to use the site overnight with or without camping gear, vehicles, etc.; (2) permit the installation and use of three new hot spring soaking tub sites (tub sites 13, 14, & 15) for maximum total of 15 tub sites; and (3) allow guests to use recreational vehicles (RVs) in addition to cars, vans, tents and trailers at the tub sites (RV hook-ups, such as such as electricity, water, sewage are not being permitted or installed as part of this proposal). The 1993 Use Permit permitted up to 10 tub sites and was silent on the hours of operation for those sites. Other uses have evolved over time and a Use Permit Modification is needed to reflect current and proposed new uses at Benton Hot Springs.

The parcel has a Mixed Designation (MD) and the site-specific designation at the tub sites is Mixed Use (MU). The MU designation is intended to provide for a wide range of compatible resident and visitor-oriented residential and commercial uses. The land use designations for the adjacent properties to the east, south, and west are Resource Management (RM), the large parcels to the north are Mixed Designation (MD) and owned by the same property owner (See Figure 2).

FIGURE 1: PROJECT LOCATION

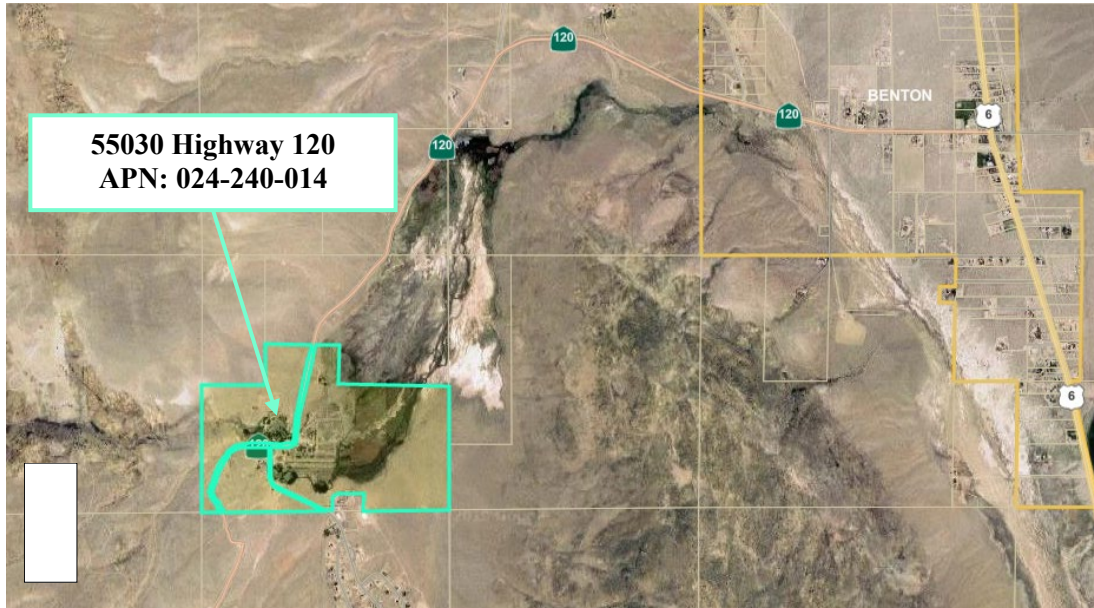


FIGURE 2: PROJECT LAND USE DESIGNATION

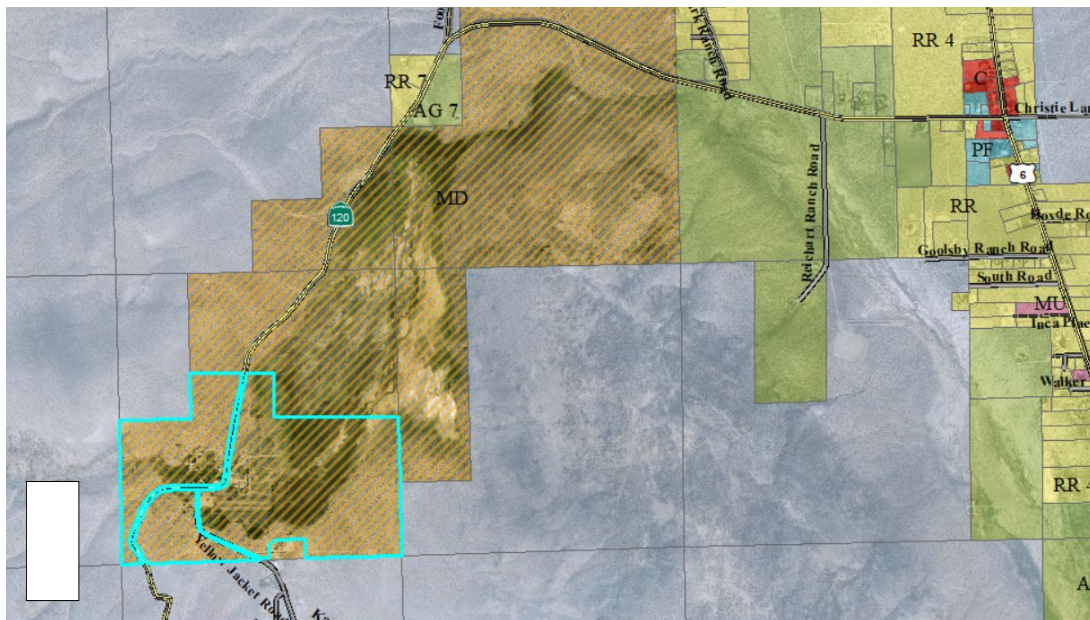
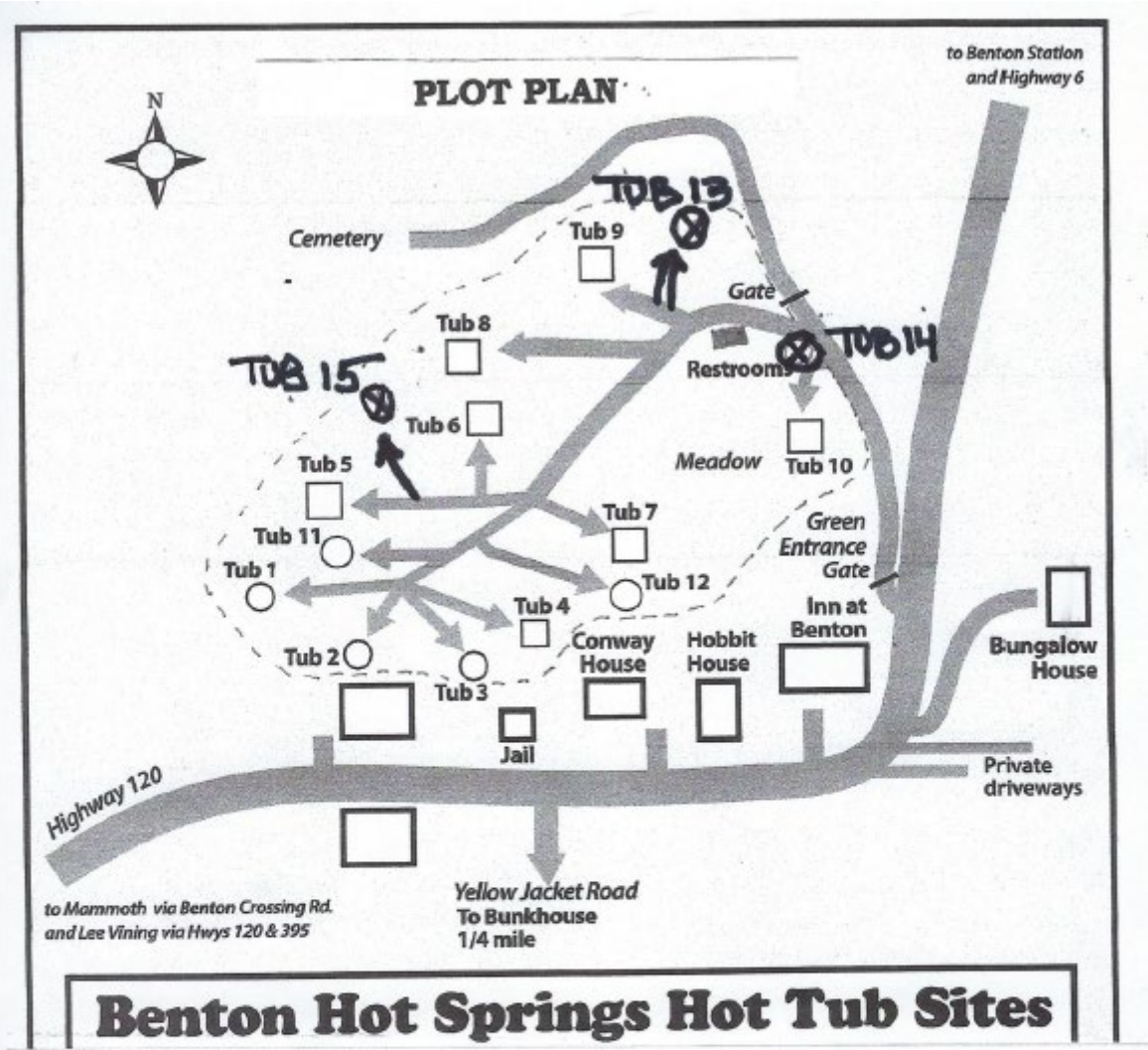


FIGURE 3 – SITE PLAN



Bill Bramlette
 (760)920-0007
 55137 Hwy 120
 Benton, CA 93512
 APN 24-240-03

12 Existing Hot Tub Sites
 3 Proposed (new tub sites (X))
 No easements or other property exists
 No utilities in tub site area
 Tub Sites boundary area ----

Scale 1inch = 200ft

William Bramlette
 Signature of Applicant

Date Dec 27, 2020
REVISED LOCATION PLOT MAP

EXISTING CONDITIONS

The existing conditions at the proposed locations of the three new tub sites are shown in Photos 1, 2, 3, 4, 5, & 6. Proposed tub sites 13 and 14 are level and free of vegetation and would require no grading. However, proposed tub site 15 will require 1,800-square feet of brush removal for the tub, parking, and access road to the new site.

Tub Site 13:

Tub site 13 would cover approximately 1,600-square feet with 50' of road access from existing "Tub 9 Road." The tub would be an 8' x 8' tub similar to existing tub site 9 (See Figure 4). Water and drainage piping is approximately 65' from the proposed tub. As shown in Photos 1 & 2, the site has no vegetation, is level, and would require no grading.

PHOTO 1 – PROPOSED TUB SITE 13 (DECEMBER 2020)



PHOTO 2 – PROPOSED TUB SITE 13 (DECEMBER 2020)

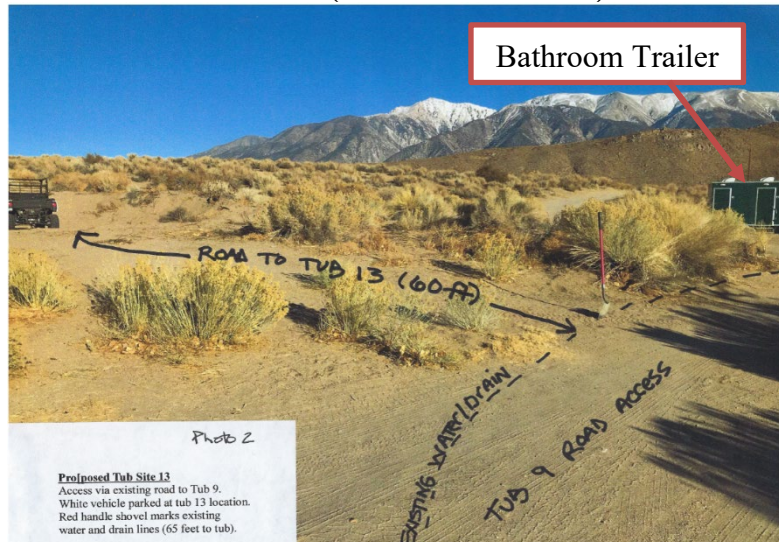


FIGURE 4: EXISTING TUB 9

Copyright 2021 Inn at Benton Hot Springs. "Hot Tub Sites."
<https://www.bentonthot springs.us/HotTubs.html>

Tub Site 14:

Tub site 14 would cover approximately 1,000-square feet with road access existing to the site via existing "Tub 10 Road." The tub would be 4' x 4' and similar to existing tub sites 1, 2, 3, & 11 (see Figure 5). As shown in Photos 3 & 4, the site has no vegetation, is level, would require no grading and has access to existing road access, as well as water and drainage pipes 30' away from the proposed tub location.

PHOTO 3 – PROPOSED TUB SITE 14 (DECEMBER 2020)



Photo 3

Proposed Tub Site 14
 Access via existing road to Tub 10
 White Vehicle parked at Tub location
 Red handled shovel marks existing
 water and drain lines (30 feet to
 connect). Parking in location of
 shovel.

PHOTO 4 – PROPOSED TUB SITE 14 (NOVEMBER 2020)

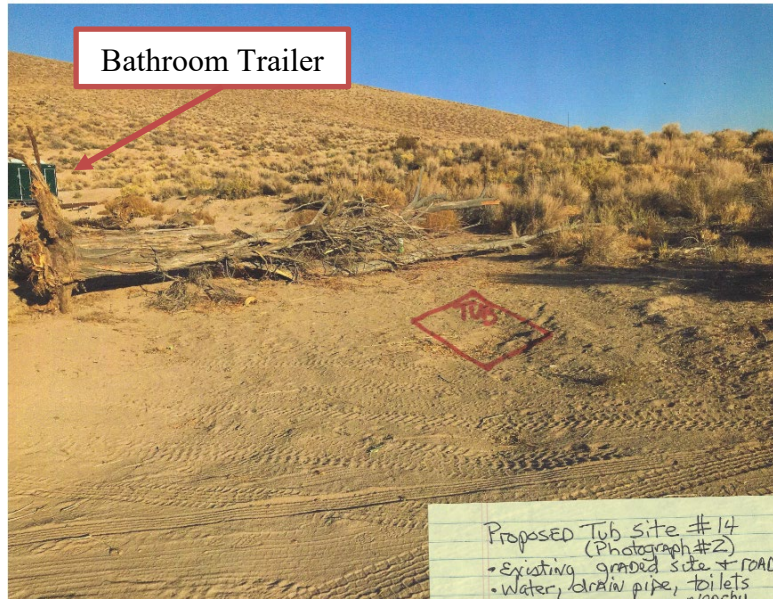


FIGURE 5: EXISTING TUB 3



Copyright 2021 Inn at Benton Hot Springs. "Hot Tub Sites."
<https://www.bentonthot springs.us/HotTubs.html>

Tub Site 15:

Tub site 15 would require approximately 1,800-square feet of site disturbance (including 70' of new road access & a 9' x 18' parking space) including vegetation removal and minor grading. The new tub site is being proposed in an existing cleared area and would be 6' x 6' tub, similar to existing tub sites 4, 7, & 10 (see Figure 6). Water and drainage piping exist in the middle of proposed site as shown in Photo 5 & 6. v

PHOTO 5 – PROPOSED TUB SITE 15 (DECEMBER 2020)



PHOTO 6 – PROPOSED TUB SITE 15 (NOVEMBER 2020)

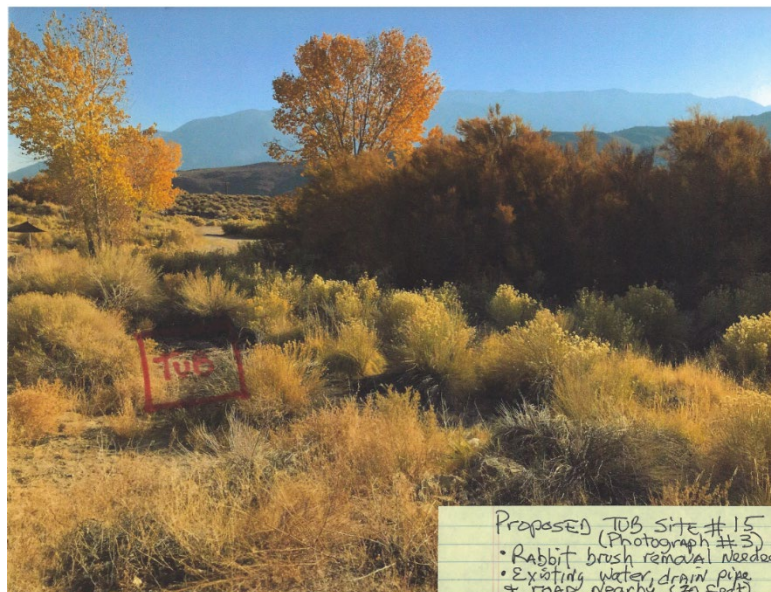


FIGURE 6: EXISTING TUB 7

Copyright 2021 Inn at Benton Hot Springs. "Hot Tub Sites."
<https://www.bentonhotsprings.us/HotTubs.html>

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)

The LDTAC reviewed and approved the application for processing on October 5, 2020. The draft conditions of approval for this project were reviewed and approved with edits by LDTAC on April 5, 2021.

PUBLIC HEARING NOTICE

A hearing notice was published in the April 3, 2021, edition of The Sheet (Attachment 5). Notices were also mailed March 31, 2021, to property owners within a 300' radius (Attachment 6). Caltrans submitted a comment prior to the April 5, 2021 LDTAC meeting requesting the property owner submit an Encroachment Permit application (Attachment 7). A condition of approval for this project requires compliance with all applicable Caltrans regulations. No additional public comment was received at the time this staff report was written.

CEQA COMPLIANCE

This Use Permit qualifies for 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:

(e) Additions to existing structures provided that the addition will not result in an increase of more than:

- (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

The minor expansion of the existing uses on this parcel consists of the addition of three new tub sites. Two of the proposed tub sites (tub sites 13 & 14) are proposed in areas that are free of vegetation and would not require grading or any form of additional site disturbance. Proposed tub site 15, however, would require approximately 1,800-square feet of site disturbance (including 70' of new road access & a 9' x 18' parking space) in the form of vegetation removal and minor grading. No additional site disturbance is proposed as part of this project and the maximum disturbance area from the addition of tub site 15 would be 1,800-square feet. The only new

construction occurring at these sites is associated with the hot spring tubs themselves which is a total of 138-square feet for all three hot spring tubs (86-square feet, 16-square feet, and 36-square feet, respectively). In total 1,938-square feet of combined new construction and site disturbance is proposed which is well below the 2,500-square foot threshold of this exemption.

GENERAL PLAN CONSISTENCY

The project is consistent with Countywide Land Use Policies that seek to maintain and enhance the local economy and the policies within the Benton Hot Springs Valley Area Plan that supports development consistent with preserving the existing values and uses in the Valley.

MONO COUNTY GENERAL PLAN, COUNTYWIDE LAND USE POLICIES

Objective 1.A.

Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural, cultural and recreational resources and that is consistent with the capacities of public facilities and services.

Policy 1.A.1. Contain growth in and adjacent to existing community areas.

Objective 1.E.

Provide for commercial development to serve both residents and visitors.

Policy 1.E.1. Concentrate commercial development within existing communities.

Action 1.E.1.a. Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

Policy 1.E.2. Commercial uses should be developed in a compact manner; commercial core areas should be established/retained in each community area, and revitalized where applicable.

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.

MONO COUNTY LAND USE ELEMENT, BENTON HOT SPRINGS VALLEY AREA PLAN

Objective 27.A.

Maintain the character of Benton Hot Springs Valley and provide for compatible land uses.

Policy 27.A.1. Preserve and restore historic features of Benton Hot Springs.

Action 27.A.1.a. Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 27.A.1.b. Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and complements the town's historic design and character.

Action 27.A.1.c. Support the landowner's efforts to convert nonconforming structures (i.e., mobile homes and trailers) into structures that fit with the historic town character.

Policy 27.A.2. *Maintain the open space and rural character of Benton Hot Springs meadow.*

Action 27.A.2.c. *Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open-space areas.*

Policy 27.A.3. *Encourage uses and businesses that support and complement, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.*

Action 27.A.3.a. *Support using Benton Hot Springs' historic structures for residential housing and tourism services.*

Action 27.A.3.b. *Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.*

Action 27.A.3.d. *Allow for the development of short-term recreational-vehicle facilities and recreation special events in areas adjacent to the historic town and along SR 120.*

Action 27.A.3.j. *Encourage economic planning and development that is consistent with preserving Benton Hot Springs values and uses.*

PARKING

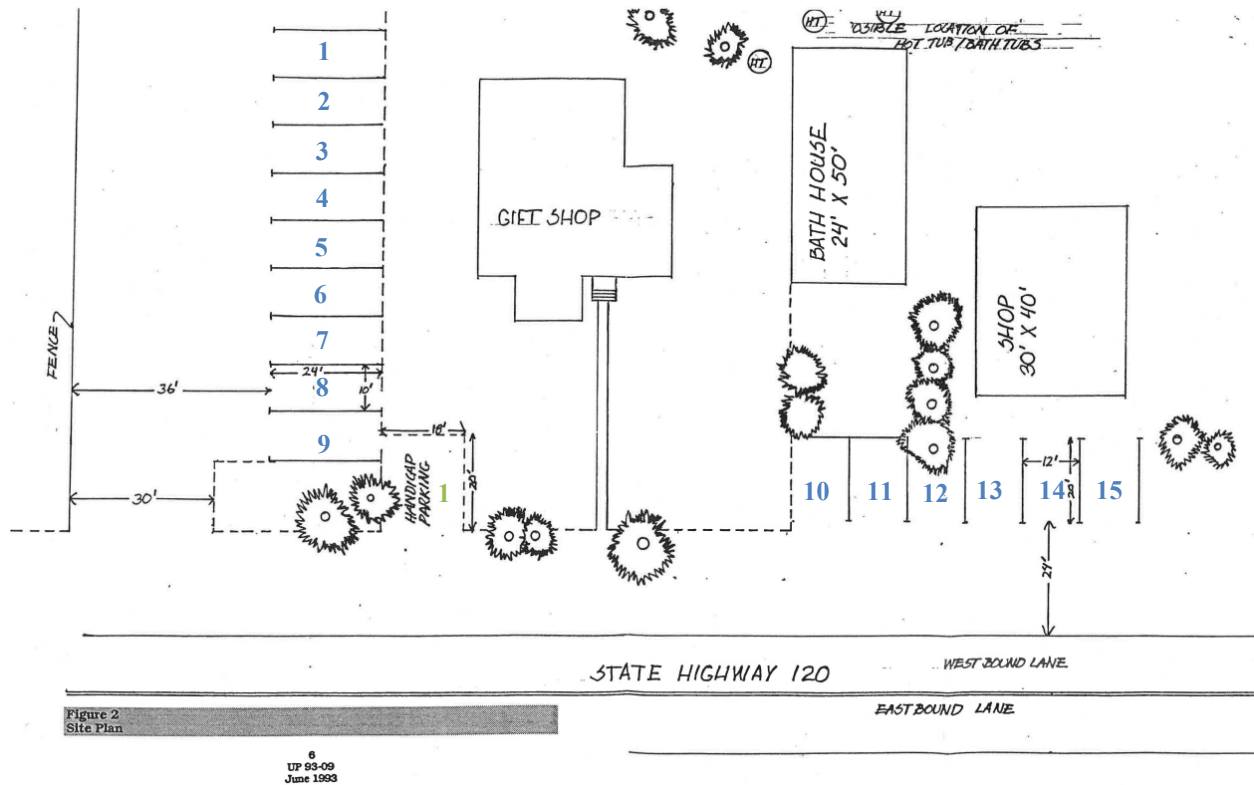
The roads and parking areas are all unpaved at this site. The Planning Commission waived the requirement for paved parking areas to maintain the rustic and historic character of the area during the approval of Use Permit 93-09 and the 1996 Use Permit Modification. During the approval of Use Permit 93-09, the Planning Commission also determined the parking standard for the hot spring tubs to be one parking space per tub. A total of 15 parking spaces were required as part of this approval, 10 parking spaces for the 10 proposed hot spring tubs, and five spaces for the proposed retail space. The parcel is located below 7,000 feet in elevation and the required parking stall dimensions are 9' x 18'.

The current proposal seeks to authorize the 12 existing tub sites and add three new tub sites for a total of 15 tub sites. Based on the parking space standard established in 1993 for hot tub sites, the project will need to provide 15 parking spaces for the tub sites.

FIGURE 7: 1993 USE PERMIT PARKING STANDARD

Use	MCZDC Requirement	Required Number of Spaces
Retail space	1 space/200 sf floor area	5 (1,044 sf proposed)
Bathhouse	no requirement	10 (1/tub, 10 tubs proposed)
Garage	no requirement	none
TOTAL		15 (1 of which must be a handicapped space)

FIGURE 8: 1993 USE PERMIT SITE PLAN



The 1996 Use Permit Modification did not specify the required number of parking spaces for the bed-and-breakfast and only noted that “the parking area would be sized to meet the MCZDC’s parking requirements for Bed and Breakfast uses.” Further, the conditions of approval for this approval required that “the parking area shall be completed consistent with the approved plot plan and in accordance with MCZDC parking requirements.” The site plan approved under this Use Permit Modification was not used due to the wildfire destruction of the historic building proposed to be used for the bed-and-breakfast before it could be relocated to the Benton Hot Springs parcel. Ultimately, the existing historic motel was restored for the proposed use and the change in building and location was updated via a note to file in 2000.

HYDROLOGY

The Benton Hot Springs hydrology is a closed system where the spring naturally surfaces (Photo 7), flows downhill for $\frac{1}{2}$ to $\frac{3}{4}$ mile and then returns to the ground water system. A small amount of water is lost to evaporation as part of this system, however, none of the water from this system leaves the property or the drainage. Most of the water flows down the natural drainage until it is diverted 100 yards and placed in ponds (approximately five-acres) for irrigation purposes (Photo 8). Water cools in these ponds before being used as irrigation water for meadows or growing alfalfa (a past use) in Benton Valley. The spring flow has not measurably changed in more than 100 years of use and monitoring.

The surface spring is approximately 30' in diameter $\frac{1}{4}$ to $\frac{1}{2}$ mile west of the Benton town site and tub sites (Photograph 7). The flow rate is approximately 700-gallons per minute of pure 138-degree water, approximately 100-gallons per minute is captured 30' below the surface in the spring using a one-foot diameter pipe which flows downhill (dropping approximately 40 feet in elevation) to the town site. The water transmission lines reduce in diameter as they approach town (larger diameter pipes helps retain heat as the pipes approach town) and branch to various uses on the property, eventually reducing to 2", 1 $\frac{1}{2}$ ", and 1" before reaching the hot tubs and houses (water temperature drops approximately 20-degrees by this point of the journey).

The hot tub sites vary in size, location, and the amount of hot water required to fill and heat them. The amount of water needed to achieve the desired soaking temperature varies based on the outdoor temperature, the guest's desired soaking temperatures, tub size, depth, and surface area. Approximately 30%-50% more hot water is needed to heat the tubs during colder weather, compared to summer conditions. In terms of water use, using a simple five-gallon bucket and a timer to measure, estimates of the water used by the 12 existing tubs results in approximately 33-gallons total (2.75 gallons per tub) on average per minute during the winter. This is approximately 4.7% of the 700-gallons per minute spring flow. Adding three new tubs would result in using 1% more of the total spring flow, a de minimus impact.

Tubs are designed as a flow through system, the hot water flow can be adjusted by individual guests, and then flows out of the tub into a drain system. The drain system approved for the tub sites is a simple smaller drainpipe from each tub flowing into a larger 3"-4" pipe which uses gravity to move the water offsite and allows the water to drain back into the ground naturally.

In addition to the existing tub sites, the Inn at Benton business operation and existing residences also use a portion of the hot spring flow for heating, yard irrigation, and additional soaking tubs. These uses total approximately 60 gallons per minute currently, or ten percent of the spring flow. Taken together with the existing tub sites, combined business and domestic water use is less than 15% of the spring flow.

PHOTO 7 – SURFACE SPRING (START OF CLOSED LOOP SYSTEM)

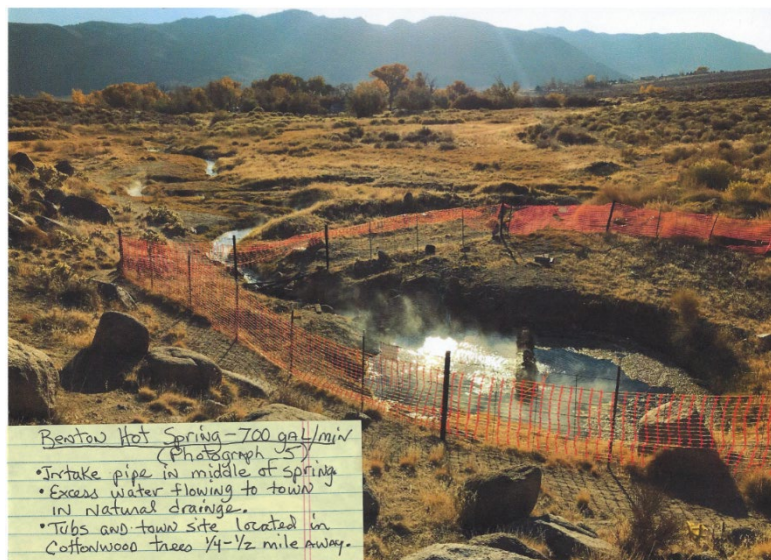
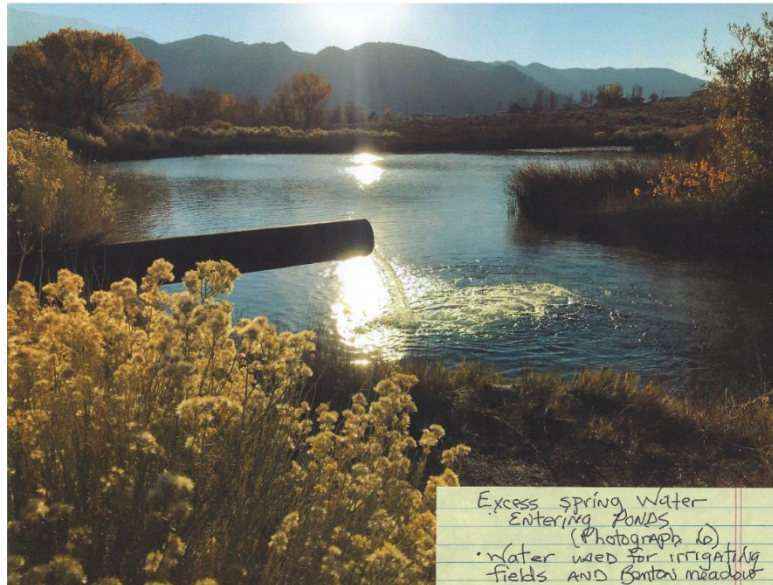


PHOTO 8 – IRRIGATION PONDS



FIRE SAFE REGULATIONS

Mono County’s fire safe standards are set forth in the Mono County General Plan, Land Use Element, Chapter 22, Fire Safe Regulations. However, the State Board of Forestry and Fire Protection is in the process of completing a legislatively mandated comprehensive update to Title 14 of the California Code of Regulations, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5 “State Minimum Fire Safe Regulations.” The 2021 update to Title 14 is anticipated to be completed in July of this year which will supersede all regulations in Mono County’s existing Chapter 22. The fire safe regulations analyzed in this section reference the current Chapter 22 standards, future project approval may be impacted by the final adopted version of the 2021 Title 14 regulations. In addition, in order to allow RVs to camp on the parcel, the property owner will need to obtain approval from the California Department of Housing and Community Development Department which may have fire safe or access standards that supersede Mono County’s Chapter 22 requirements (see “California Department of Housing and Community Development Department” section below for additional analysis).

The tub sites are accessed via an existing gated driveway accessed from Highway 120. The existing driveway access is unpaved, averages approximately 13’ wide and approximately 1000’ long. The project site complies with width and maximum grade requirements and emergency water standards are not applicable to this parcel. The project also meets paving standards specified in Table 06.020 for parcels greater than one acre in size. The length of the driveway and the overall layout of the main access driveway and the connections with individual tub access roads is existing non-conforming with current turnout and turnaround requirements for driveways longer than 800’ in length. However, per section 22.030 of Chapter 22, Fire Safe Regulations, “these regulations do not apply to existing structures (except as specified in Sections 22.130 and 22.140), roads, streets and private lanes or facilities.” Thus, since the access is already existing, it is exempt under current Chapter 22 standards.

Benton Hot Springs is located outside of the service boundary of the White Mountain Fire Protection District (WMFPD). In cases where parcels fall outside of the boundary of a Fire Protection District the property owner may either establish a contract for service with the District to provide service for a fee or may request to be annexed into that District via approval from the Local Agency Formation Commission (LAFCO). Benton Hot Springs received its first contract for service from WMFPD in compliance with Condition 9 of Use Permit 93-09 in June 1994 (Attachment 3). The project received its second contract for service from WMFPD in February 2000 in compliance with the 1996 Use Permit Modification (Attachment 3). Staff sent a preliminary will-serve letter request for this project to WMFPD and the District requested that the property owner either annex into the District via a LAFCO process or establish a new contract for service to provide fire protection service to this parcel (Attachment 8).

NOISE ORDINANCE

The project is required to comply with Mono County Code, Chapter 10.16, Noise Regulations. Benton Hot Springs operation policies currently prohibits music at all facilities on the parcel at any time and enforces quiet hours from 9 PM to 8 AM. In addition, an existing Benton Hot Spring policy requires that if staff must visit your tub site to enforce rules then a minimum additional charge of \$50 will be assessed. A specific reference to this County Code section has been added to the conditions of approval for this project.

SIGNAGE

No change of signage will occur with this project. A condition of approval requires signage to comply with the existing Use Permit for the property and Mono County General Plan Chapter 7.

COVID-19

Lodging and transient rental operations have been prohibited under several “Regional Stay Home” Orders and have also been subject to various operational restrictions depending on which California Department of Public Health’s Blueprint for Safer Economy Tier Mono County is in within a given time. Therefore, the proposed project at 55030 Highway 120 shall be required to follow any State and local health directives related to COVID-19 now and into the future.

CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

The California Department of Housing and Community Development (HCD) has approval authority over RV parks through the Mobile Home Parks Act and the Special Occupancy Parks Act, which are governed under the Mobile Home and Special Occupancy Parks Program. The program includes procedures for the development, administration and enforcement (through the HCD Division of Codes and Standards) of uniform statewide standards designed to protect park owners, residents, and users from risks to health and safety. Under California Code of Regulations [CCR] §1004 (Local Enforcement), local agencies have the right to assume enforcement responsibility for these regulations by adopting an ordinance with the required enforcement guidelines. Mono County has not adopted such an ordinance, and thus HCD retains all enforcement responsibilities.

HCD permits and approvals are required for Benton Hot Springs to allow RVs to use the hot spring soaking tub sites and would include permits to construct and operate the project elements under their jurisdiction. If the property owner decides not to proceed with HCD approval for RV use, then the hot spring soaking tub sites would be authorized for 24-hour use that may allow

guests to use the site overnight with or without camping gear via passenger vehicles only. RVs would not be permitted to use the hot spring soaking tub sites without receiving HCD approval. A condition of approval has been added to this project to require HCD approval for RV use of the hot spring soaking tub sites.

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:*
 - a. Recreational-vehicle (RV) parks and conversion or expansion of existing operations are listed as a permitted use subject to use permit for the MU designation.
 - b. The parcel is adequate in size and shape to accommodate the additional tub sites and the potential HCD approval of RV use at the tub sites.
 - c. Lot coverage is well below the 60% maximum for the MU designation.
 - d. Project meets the one parking space per each hot tub parking standard determined under UP 93-09. Further the Planning Commission waived the paving requirement for the original 15 parking spaces proposed under UP 93-09, which is also being proposed under this use permit modification.
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 tub sites are accessed via State Highway 120 and the Tub Access Road, an unpaved private driveway on the parcel which is exempt from Chapter 22 requirements. The addition of a three additional tub sites is not expected to generate significant amounts of traffic on the Tub Access Road nor Highway 120 beyond the amount currently generated by 12 existing tub site users.
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 modifications are minor in nature with only 1,800-square feet of new site disturbance, plus 138-square feet of new tub construction, proposed for the three new tub sites and is not expected to create significant environmental impacts.
 - b. The project will be subject to Chapter 10.16 of the Mono County Code which established thresholds for noise levels.
 - c. Project was noticed by mail to surrounding property owners within 300 feet and by newspaper 10 days prior to the public hearing. No comments were received. To view notices, refer to Attachments 5 and 6.

- d. The project will be required to obtain a final will-serve letter from the White Mountain Fire Protection District as part of the conditions of approval for this use permit modification.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
- a. The MU designation is intended to provide for a wide range of compatible resident and visitor-oriented residential and commercial uses and allows for RV parks and conversion or expansion of existing operations as a permitted use subject to use permit.
 - b. The project is located within the Benton Hot Springs Valley Area Plan and the policies encourages the development of complementary businesses in the area in a way that preserves the historic and natural resource values of the area.
 - c. The proposed use is consistent with the General Plan, the Benton Hot Springs Valley Area policies, and Countywide land use policies.

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

ATTACHMENTS

- Attachment 1: Use Permit 93-09
- Attachment 2: 1996 Use Permit Modification
- Attachment 3: 2000 County Staff “Note to File” & WMFPD Service Contracts
- Attachment 4: Director Review 20-002
- Attachment 5: Published Public Hearing Notice
- Attachment 6: Mailed Public Hearing Notice
- Attachment 7: Caltrans Letter
- Attachment 8: White Mountain Fire Protection District Letter

MONO COUNTY
Planning Division
NOTICE OF DECISION & USE PERMIT

USE PERMIT: UPM 20-002

APPLICANT: Bill Bramlette

ASSESSOR PARCEL NUMBER: 024-240-014

PROJECT TITLE: Benton Hot Springs: Minor Expansion & 24-hour Hot Spring Tub Site Use

PROJECT LOCATION: 55030 Highway 120, Benton

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: April 15, 2021

EFFECTIVE DATE USE PERMIT: April 26, 2021

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: April 15, 2021

cc: X Applicant
X Public Works
X Building
X Compliance

CONDITIONS OF APPROVAL
Use Permit Modification 21-002/Bramlette

1. Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
2. RV reservations shall be accepted only if the project receives approval from the California Department of Housing and Community Development (HCD). If HCD approval is not received, the tub sites may only be rented in compliance with the definition of a “Campground” in the Mono County General Plan, Land Use Element, Chapter 2 Definitions, §02.230.
3. All applicable conditions of approval contained in Use Permit 93-09, the 1996 Use Permit Modification, and Director Review 20-002 shall apply.
4. The project shall comply with provisions of the Mono County General Plan (including Chapter 7, Signs), Mono County Code (including but not limited to 10.16.060(A)), and project description.
5. Project is required to comply with any requirements of the White Mountain Fire Protection District. The applicant shall obtain a new contract for service from the White Mountain Fire Protection District indicating the FPD will provide service to the project.
6. Project shall comply with any applicable Caltrans regulations.
7. Compliance with any COVID-19 Public Health Orders whether existing now or ordered in the future, is required.
8. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Public Works, Tax Collector, Sheriff’s office, Building Division, and Environmental Health.
9. Termination. A Director Review shall terminate, and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - A. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in compliance with the terms of the Director Review.
 - B. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.
 - C. No extension is granted as provided in Section 31.080.
8. Extension: If there is a failure to exercise the rights of the Director Review within two years of the date of approval, the applicant may apply for an extension for an additional one year. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for

extension, the Planning Division shall review the application to determine the extent of review necessary. Conditions of Approval for the Director Review may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to this provision is permitted for those Director Reviews approved concurrently with a tentative parcel or tract map; in those cases, the approval period(s) shall be the same as for the tentative map.

9. Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the Director Review or the violation by the owner or tenant of any provision pertaining to the premises for which such Director Review was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permittee at least 10 days in advance of such hearing. The decision of the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.

ATTACHMENT 1: USE PERMIT 93-09

HEARING TO BE HELD IN THE BOARD OF SUPERVISORS BOARDROOM, COURTHOUSE, BRIDGEPORT

County of Mono Planning Department

AGENDA ITEM: III-A HEARING DATE: 6-10-93 HEARING TIME: 9:15 a.m. FILE NO(S): UP 93-09 PREPARED BY: Laurie Mitchel

REPORT TO THE COUNTY PLANNING COMMISSION

PROPOSAL: Conversion of residence to a gift shop, construction of natural hot springs bathhouse, and construction of 1,200 sq. ft. non-commercial garage.

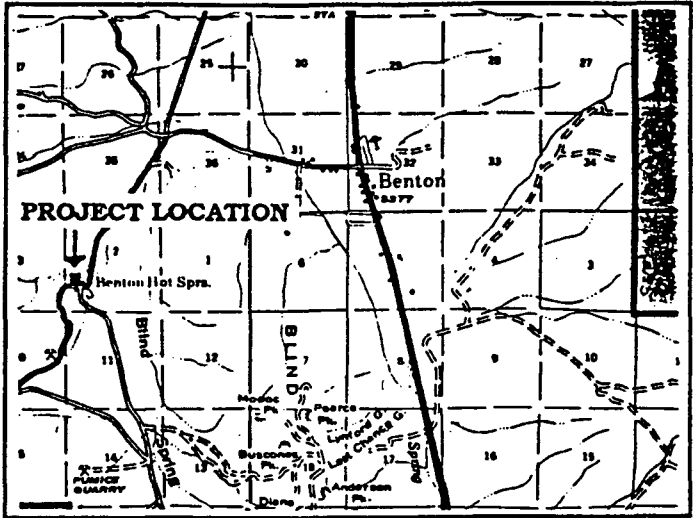
APPLICANT: Bill Bramlette

ENGINEER/ REPRESENTATIVE: none

LOCATION: Hwy. 120, Benton Hot Springs

ASSESSOR PARCEL NUMBER: 24-240-03

PARCEL SIZE (ACRES OR SQUARE FEET): 548.66 acres



VICINITY MAP

ZONING: General Purpose GENERAL PLAN DESIGNATION: Mixed Use

CURRENT LAND USE: General store, gas station, seven residences, many storage buildings, mechanics shop, pasture land, and livestock grazing.

SURROUNDING LAND USES (all on same parcel)

Table with columns ZONING and LAND USE, listing North, South, East, and West directions.

MAJOR SITE FEATURES

- TERRAIN: Flat. DRAINAGE: A drainage ditch conveying hot water (800 gpm) flows 50 feet north of the project site. VEGETATION: Not applicable--site has been developed for over 140 years. WILDLIFE: Not applicable--site has been developed for over 140 years.

ACCESS

STREET ACCESS: Hwy. 120 STREET FRONTAGE: Hwy. 120

SERVICES

Table with columns AGENCY and COMMENT, listing Water Service, Sewer Service, Fire Service, and Other.

FIELD INSPECTION BY STAFF

Handwritten initials and date: LM 5.17.93 INITIAL/DATE

BACKGROUND

The project is proposed on a 548 acre parcel on the north side of Hwy. 120 in Benton Hot Springs, California (Figure 1). The project proposes to 1) convert an existing 1,688 square foot residence to a gift/antique shop, 2) construct a natural hot springs bathhouse (1,200 square feet) and 6 outdoor bath tubs, and 3) construct a 1,200 square feet non-commercial garage. The project will include parking for all uses and one freestanding sign advertising both the bathhouse and the gift shop. Access to all portions of the site is from Hwy. 120.

Benton Hot Springs currently contains a general store, gas station, seven residences, many buildings used for storage, and a mechanics shop, all of which are located on APN 24-240-03. The remainder of the 548 acre parcel, located primarily to the east of the townsite in the valley, is used for farming (alfalfa and irrigated pasture) and livestock grazing. The townsite contains a number of historic structures, approximately ten of which the owners wish to preserve and protect. The proposed project is the first step towards that goal. In order to finance the costs of preservation, the owners will have to develop compatible businesses associated with the historic properties. In doing so, the owners intend to capitalize on the main attributes of Benton Hot Springs--the historic properties, hot springs, roadside visitor services (gas, store, etc.), and the uniqueness of the "old" town.

During the recent General Plan update process, the owners provided detailed land use direction for all of their property in the Benton Hot Springs Valley. The Land Use Element of the adopted plan contains a set of policies for the area (attached as Exhibit A), and the land use map for the area provides specific direction for various areas of the property (see Figure 2).

The applicant has provided detailed descriptions of each of the proposed uses. These are attached as Exhibit B.

Since the site is completely developed and is surrounded by other developed uses, there are no native plant species or fish or wildlife species on the site. The project site is level. The soil on site is decomposed granite. An area directly north of the project site is within the 100 year floodplain as shown on the Flood Insurance Rate Map for the area.

Visually, the project will not be intrusive. The new buildings will be designed to blend in with the existing historic town design. All of the proposed uses are clustered within existing development and/or will be screened from roads or residences. New outdoor lighting will be limited to lighting of walkways and the sign.

Water and sewer services for the proposed uses will be provided onsite. An existing septic system for the house will be upgraded, in compliance with Mono County Health Department guidelines. A separate commercial septic system will be designed and installed to serve the bathhouse and outdoor bath tubs in compliance with Health Department guidelines. The applicant is working with the Mono County Health Department to provide water to serve the bathhouse and outdoor bath tubs from an existing hot water spring.

The site is within the Sphere of Influence of the White Mountain Fire Protection District. General Plan policies (Safety Element, Goal II, Objective B, Action 1.3) require development projects within the sphere of influence of a fire protection district to annex into the district.

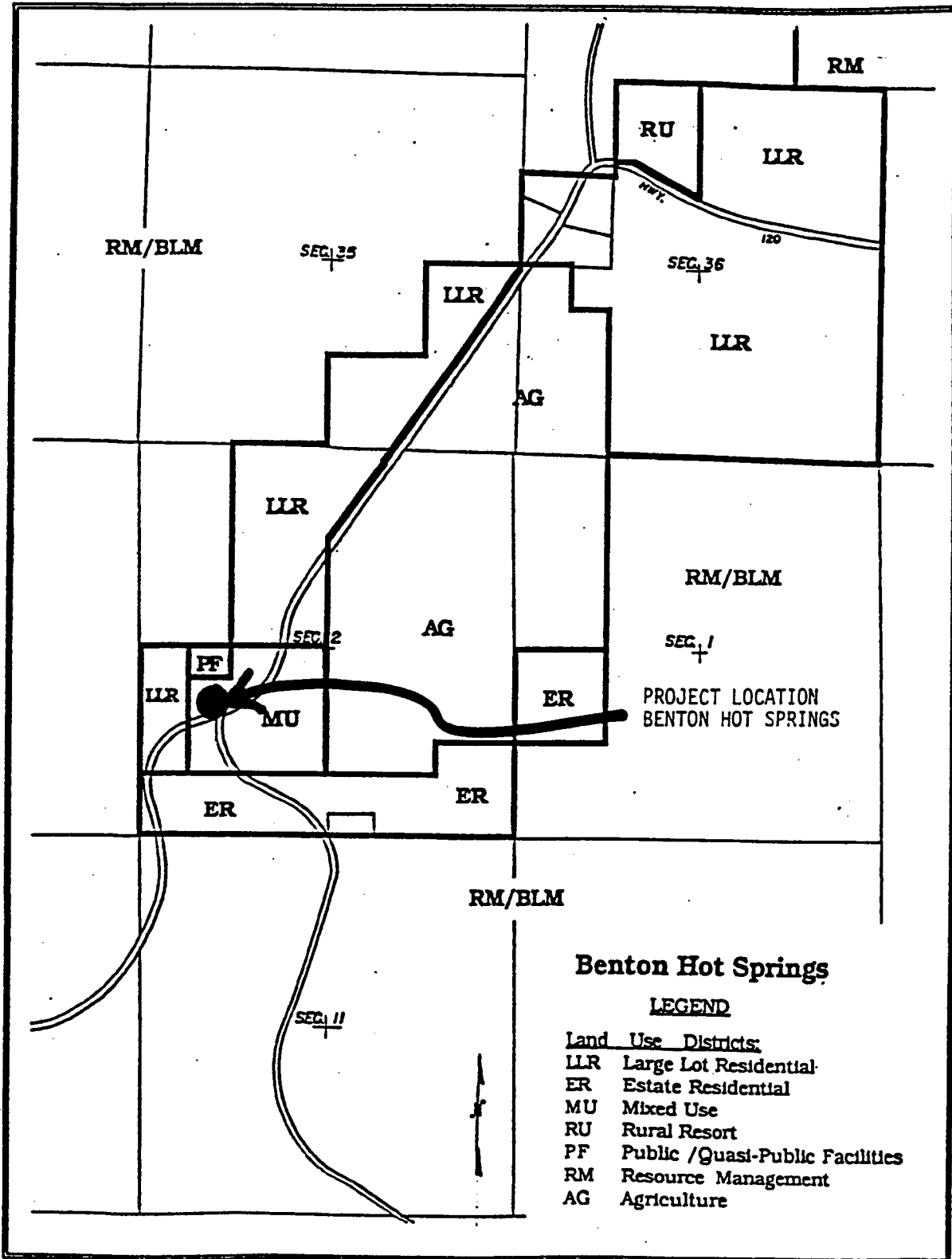


Figure 1
Location Map

Preserve the historic, rural, and agricultural character of the Benton Hot Springs Valley.

Policy 1: Preserve and restore historic features of Benton Hot Springs.

Action 1.1: Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 1.2: Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and compliments the town's historic design and character.

Action 1.3: Support the landowner's efforts to convert non-conforming structures (i.e. mobilehomes and trailers) into structures that fit with the historic town character.

Action 1.4: Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code. Support and/or approve variances to local, state, and federal regulations when such variances are determined to be environmentally sound and safe and are consistent with furthering preservation of historic resources.

Policy 2: Maintain the open space and rural character of Benton Hot Springs meadow.

Action 2.1: Encourage grazing and agricultural uses of Benton Hot Springs meadow and irrigated pasture lands, as opposed to intensive development, in order to preserve open space values.

Action 2.2: Support conservation practices and activities to enhance and maintain wildlife, livestock, visual, and recreation benefits. If so desired by the landowner, support conservation and visual easements and tax reduction incentives as affordable means for open space protection. Determine that farming and ranching activities are appropriate uses and activities within these undeveloped areas.

Action 2.3: Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open space areas.

Action 2.4: Support development of additional water sources and ponds to enhance habitat for wildlife and livestock.

Action 2.5: Support actions to mitigate flood damage potential within and adjacent to the historic town.

Policy 3: Encourage uses and businesses that support and compliment, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.

Exhibit A
Benton Hot Springs Land Use Policies

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

Action 3.3: Encourage agricultural activities, such as aquaculture, greenhouse gardening, and field crops, in addition to livestock rearing.

Action 3.4: Allow for the development of short-term recreational vehicle facilities and recreation special events in areas adjacent to the historic town and along Hwy. 120.

Action 3.5: Allow single-family residential development (estate residential and large lot residential) in locations adjacent to existing residential development (Benton Paiute Reservation and Benton historic town) and outside of open space (agricultural) areas.

Action 3.6: Support the establishment of a fire protection district or evaluate annexing Benton Hot Springs to the White Mountain Fire Protection District.

Benton Hot Springs House

Description: The Benton Hot Springs House is located on the opposite side of Highway 120 from the Benton Hot Springs Store (historic Wells Fargo building). It is believed that this wood structure was built in the 1880's from Mono Mills lumber. It was moved from its original location (1/2 mile east) by early Benton residents using a mule team to where it is now located, sometime after the turn of the century.

The Benton Hot Springs House is 1,688 square feet and has been used as a single family residence for at least 80 years. It is single story. Some interior remodeling has occurred and at least one addition has been added to the back of the building.

Desired Future Condition: Stabilize, maintain, and upgrade the building to preserve its historic value into the future.

Opportunities: The structure is of historic interest to area visitors. Potential uses include gift/antique shop, mini-store, and control facility for hot springs bathhouse and outdoor bath-tubs.

Proposed Actions:

1. Convert 1,688 sq. ft. residence to: reception area (200 sq. ft.), storage (360 sq. ft.), office (84 sq. ft.), gift/antique sales display area (732 sq. ft.), and other sales--beverages/sandwiches (312 sq. ft).
2. Reinforce the foundation, including replacing rock "skirting" around the perimeter.
3. Install a new septic and leach field system.
4. Paint the house and trim in traditional "Benton White and Green".
5. Provide (if not currently adequate) parking in front and to the side of house to accommodate 10 vehicles.
6. Install sign in front of the house (see attached sign plan).
7. Install new flooring and carpeting as needed.
8. Finish front yard wood fence.
9. Construct accessible porches and ramps to the house.

Exhibit B
Project Description

Benton Hot Springs "Bathhouse and Outdoor Bath-Tubs"

Description: The natural hot springs of Benton have been rated as the "finest and purist in the world". We have no basis for validating this claim. Nonetheless, for more than 140 years, residents of the town have used the 130 degree F. water for drinking and bathing. During this period, no noticeable change in the temperature, quantity, or quality of the water has been measured or recorded. Limited public access and use of this hot water for bathing continues today. The demand for public access has sharply increased over the past ten years.

Desired Future Condition: Provide Benton visitors with opportunities to use and experience the unique natural hot water, both indoors and outdoors. To ensure the safety of visitors, confine and control the areas of use and access.

Opportunities: Construct rustic, yet safe and sanitary, facilities for visitors to use and enjoy the natural hot water for its therapeutic and medicinal values.

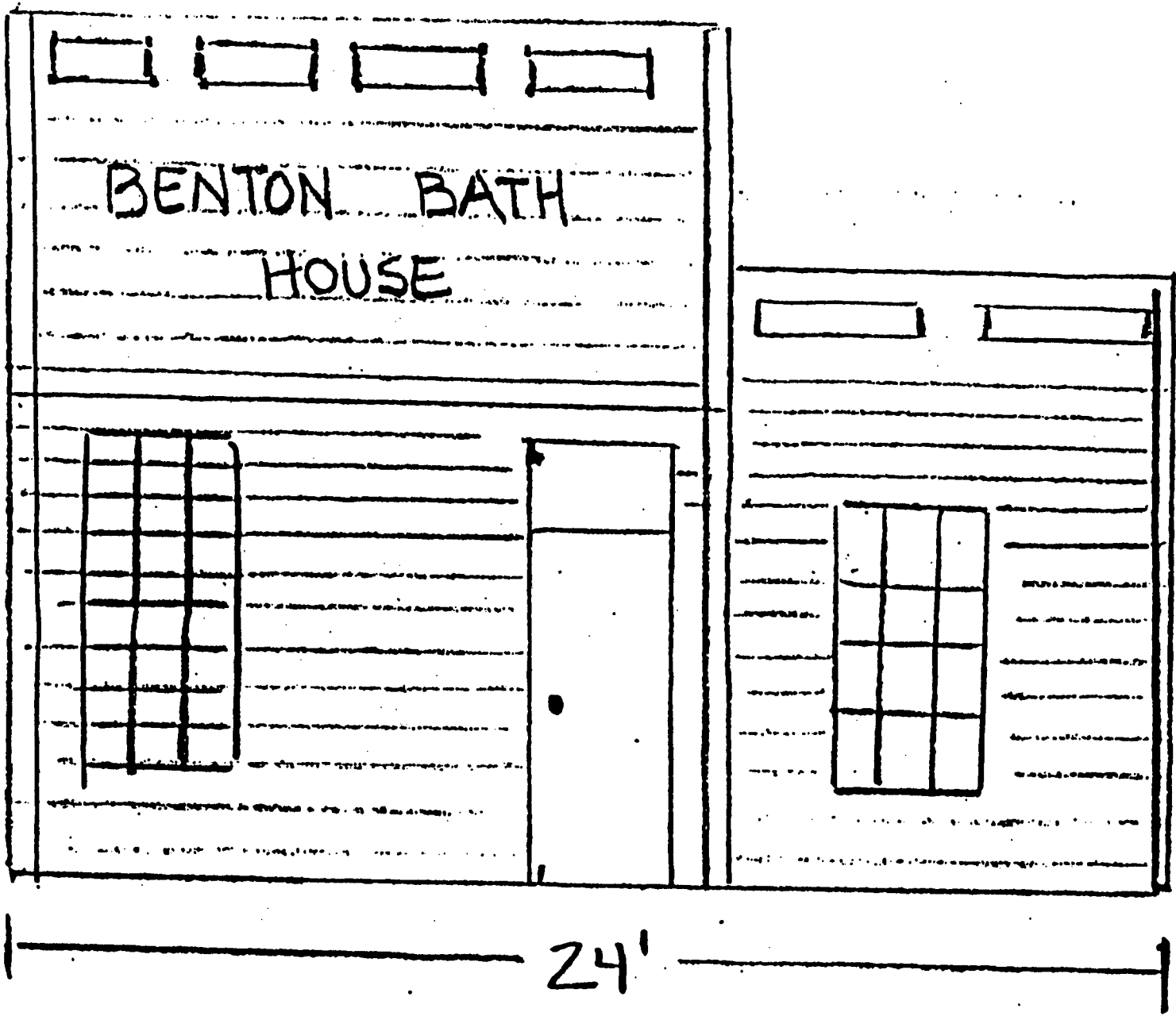
Proposed Actions:

1. Construct a "bathhouse" adjacent to the gift shop (see plot plan for location); a 1,200 square foot bathhouse would consist of a combination restrooms and change areas (550 sq. ft.), hot water baths (600 sq. ft.), and storage (50 sq. ft.). The bathhouse facility would be of a historic design, similar to the original Wai Wera Club (see attached conceptual bathhouse design). All bath facilities would be individually controlled (water faucets) and drained and cleaned after each use.

2. In keeping with the rustic historic character of the town, install six outdoor redwood bath tubs (5 ft. dia. X 4 ft. high) and plumb strictly as bath facilities (fitted faucets and drains). The general location for these baths would be to the side and behind the Benton Hot Springs House. Historic redwood water transmission pipe (5 foot dia.) from Southern California Edison Company's hydro-electric power operation in Bishop Creek would be used. These facilities provide a rustic, yet clean and sanitary, bath-tubs. Each bath-tub would be plumbed and set in a cement base to allow for draining and cleaning after each use.

**Exhibit B--continued
Project Description**

Exhibit B - continued
Project Description



9
UP 93-09
June 1993

Exhibit B-continued
Project Description

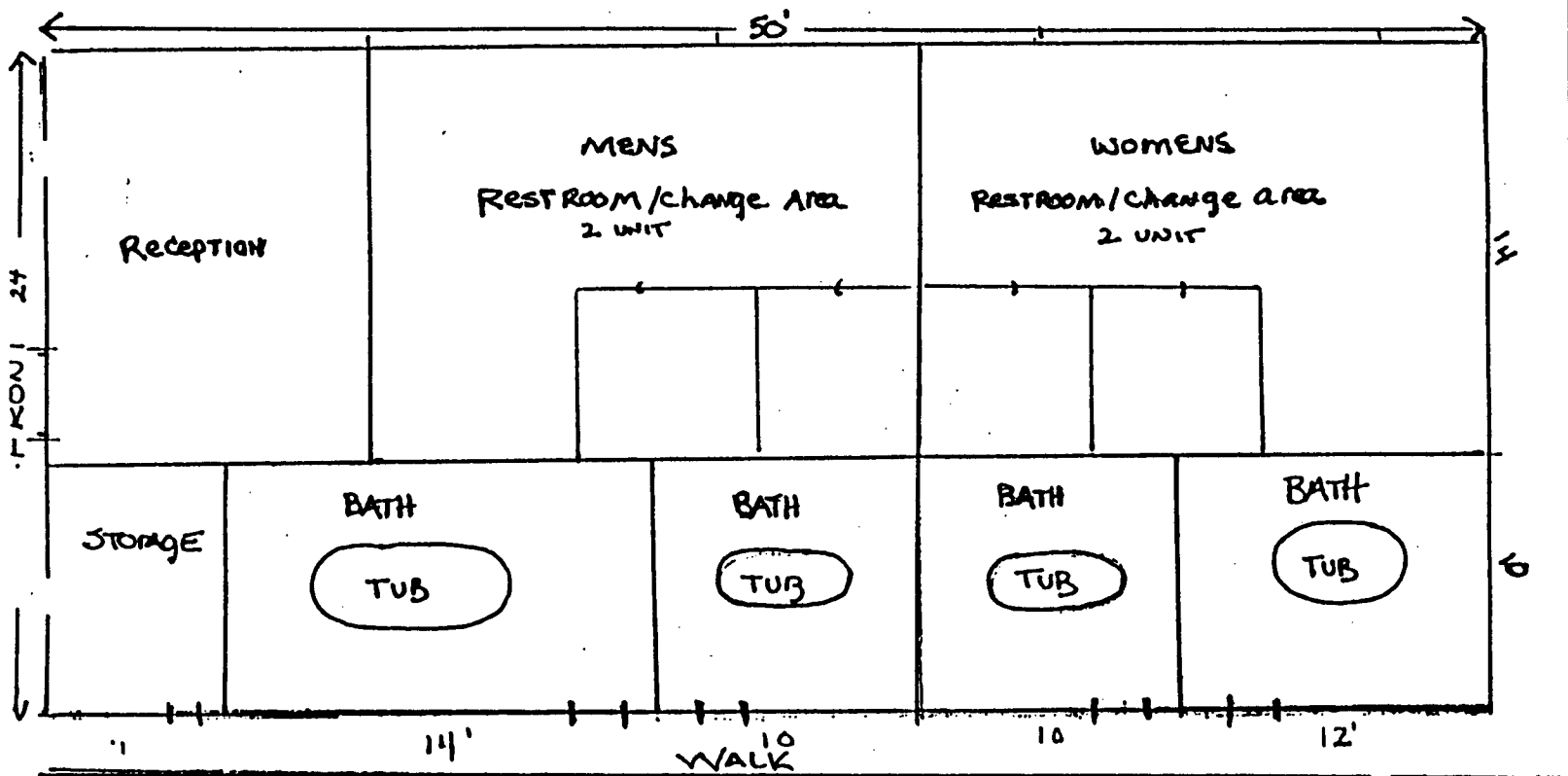
BENTON HOT SPRINGS BATHHOUSE

CONCEPTUAL LAYOUT

TOTAL BATH CAPACITY = 15 persons

TO
GIFT
SHOP
HOUSE

- NOTE:
- * No separate sign
 - * Access from Benton H.S. House only
 - * Capacity 15 in Baths
 - * Accessible (barrier free) facility
 - * See PLOT PLAN for LOCATION



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UP 93-09
June 1993

Benton Hot Springs Garage

Description: Work associated with operating and maintaining the old town of Benton and farming and ranching the remaining property requires a great deal of equipment and tools. Work space is needed indoors for making equipment repairs, storing tools and equipment, and securing property.

Desired Future Condition: Provide an indoor workspace with adequate room for using power tools and working on farm equipment and town other "projects".

Opportunities: Construct a garage within the clustered development area of the town.

Proposed Actions:

1. Construct a 1,200 square foot (non-commercial) garage to provide adequate indoor workspace (refer to plot plan for location).
2. Use hot water to heat the garage. This would be accomplished by installing floor pipe in a concrete foundation and circulating hot water through the floor.
3. Design the garage to reflect the desired historic-look of the town.
4. Use the garage to store any fire protection equipment available to be stationed in town.

Exhibit B--continued
Project Description

GENERAL PLAN CONSISTENCY

The project would be consistent with the Mono County General Plan land use designation of Mixed Use (MU) which allows for a mix of commercial and residential uses. In addition, the project is consistent with the land use policies for the Benton Hot Springs area (see Exhibit A).

ZONING CODE CONSISTENCY

The project would be consistent with the provisions of the Mono County Zoning and Development Code (MCZDC). The project would be permitted on property zoned general purpose subject to use permit proceedings. The project conforms to all code requirements including those for lot coverage, density, building height, and set backs. In order to be consistent with the land use designation, however, the property should be rezoned to Mixed Use (MU). The project would conform to all code requirements for the Mixed Use district.

PARKING

In order to maintain the rustic, undeveloped character of the townsite, the applicant has requested that the requirement for paved parking be waived in accordance with MCZDC §19.29.020 (C). The applicant also does not wish to cover the parking areas with gravel; the soil on site is a decomposed granite that drains quickly and makes a good parking surface. The Mono County Department of Public Works has indicated that using the on site material is acceptable.

The MCZDC provides parking requirements for retail uses such as a gift shop. The code does contain parking space requirements for non-commercial garages or bathhouse facilities. Section 19.29.100 of the MCDZC states that "For any uses not specifically mentioned herein, the commission shall determine the number or amount of parking required".

Since the garage is to be used for the storage and maintenance of vehicles and machinery owned by the applicant, there does not seem to be a need for additional parking for that use. Parking will be required for the bathhouse facilities. Parking ordinances from other jurisdictions do not specifically address such facilities; they do address similar facilities such as pools and related recreational facilities. The Town of Mammoth Lakes' code requires one space per 3 persons based on the maximum occupancy for a country club, swim club, or other recreational facilities. Palm Springs requires the same for private recreational complexes. The City of San Luis Obispo requires one space per 100 square feet of pool area plus one space per 300 square feet of deck area.

The average capacity of each tub is two persons. A total of ten tubs are proposed; six outside and four inside the bathhouse. It is suggested that one space be required for each tub. The following table summarizes the parking requirements for the proposed uses.

Use	MCZDC Requirement	Required Number of Spaces
Retail space	1 space/200 sf floor area	5 (1,044 sf proposed)
Bathhouse	no requirement	10 (1/tub, 10 tubs proposed)
Garage	no requirement	none
TOTAL		15 (1 of which must be a handicapped space)

Parking currently occurs parallel to Hwy. 120 in front of the proposed project area. The applicant has proposed to locate the parking to the side of the proposed gift shop and in front of the proposed bathhouse and garage (see Figure 2--Site Plan).

SIGNS

The applicant is proposing to install one monument sign (see Figure 2, Site Plan, for sign location). The proposed sign will be solid wood with routed letters (see Exhibit C). The sign complies with all zoning code requirements.

SURROUNDING LAND USES

The project site is surrounded by the remaining portion of APN 24-240-03. Immediately adjacent uses include residences to the east, commercial uses (gas station and store) to the south across Hwy. 120, and vacant land to the west and north. The proposed uses have been designed to complement and support the existing historic (rustic) town character. Both proposed new buildings (bathhouse and garage) will be designed to blend with the historic town design.

LAND TECHNICAL ADVISORY COMMITTEE

The Land Technical Advisory Committee reviewed the proposed project at its May 17, 1993 meeting. The conditions of approval have been proposed by County staff with the consent of the applicant to meet applicable regulations and to minimize project impacts.

ENVIRONMENTAL REVIEW

The project qualifies for a Class 3 Categorical Exemption which allows for the "construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure" (CEQA Guidelines §15303).

SIGN PLAN

BENTON HOT SPRINGS GIFT/ANTIQUE SHOP

5 ft

4 ft

HISTORIC

BENTON HOT SPRINGS

NATURAL HOT WATER BATHS

GIFT SHOP • LOCAL CRAFTS



1862

3 ft

GROUND LEVEL

ROUTED LETTERS
SOLID WOOD SIGN
TWO-SIDES LETTERING

See PLOT PLAN
FOR LOCATION

Exhibit C
Proposed Sign Design

USE PERMIT FINDINGS

If the Planning Commission determines that the Use Permit should be granted, the following findings are recommended:

1. All applicable provisions of the MCZDC are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use, all yards, walls and fences, parking, loading, landscaping and other required features because:
 - a) The parcel is adequate in size to accommodate all required yards, parking areas and landscaping.
 - b) The parcel is zoned General Purpose which allows for a variety of uses subject to use permit.
2. The site of the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:
 - a) Access is provided off of Hwy. 120, a two-lane state highway. The traffic generated by the proposed use can be accommodated by the current circulation system.
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:
 - a) The proposed project would be consistent with surrounding land uses in the community of Benton Hot Springs.
4. The proposed use is consistent with the map and text of the Mono County General Plan because:
 - a) The Mixed Use land use designation provides for a variety of residential and commercial uses.

RECOMMENDATION

If the Commission wishes to grant UP 93-09, the following action is recommended:

1. Adopt the Use Permit Findings contained in this Staff Report, and approve Use Permit 93-09 to allow for 1) the conversion of an existing 1,688 square foot historical residence to a gift/antique shop, 2) construction of a natural hot springs bathhouse (1,200 square feet) and the placement of 6 outdoor bath tubs; and 3) construction of a 1,200 square foot non-commercial garage, all on APN 24-240-03, subject to the following conditions.
2. Adopt Resolution # 93-06 (attached), initiating a District Zoning Amendment for APN 24-240-03 from General Purpose (GP) to Mixed Use (MU).

**UP 93-09/Bramlette
Conditions of Approval**

Prior to Issuance of a Building Permit:

1. The applicant shall obtain all applicable county permits, including building permits, health department permits and a grading permit (if necessary).
2. The applicant shall obtain the following permits from the Mono County Health Department: "Food Handling Permit", "Sewage Disposal Permit", and "Domestic Water Permit".
3. The applicant shall comply with all applicable county codes, including the Fire Safe Regulations.
4. The applicant shall pay all applicable fees to the Eastern Sierra Unified School District.
5. The applicant shall obtain any necessary permits from the Lahontan Regional Water Quality Control Board.
6. The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath tubs and the bathhouse.

Prior to Issuance of a Certificate of Occupancy:

7. The parking area for each use shall be completed in accordance with the approved site plan. The Mono County Zoning and Development Code requirement (§19.29.020) for paved parking shall be waived.
8. Sites disturbed during the installation of septic systems shall be revegetated.
9. The applicant shall apply to the Local Agency Formation Commission (LAFCO) for initiation of annexation of APN 24-240-03 into the White Mountain Fire Protection District.

Ongoing Conditions:

10. All site utilities shall be placed underground.
11. All signs shall comply with the County Sign Ordinance.
12. The applicant 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 Department which identifies acceptable site mitigation measures, which shall then become conditions of the use permit.
13. The applicant shall comply with all county requirements for erosion and sediment control.
14. Use of the bath houses shall conform to requirements set forth by the Mono County Health Department.

June 11, 1993

15. The property shall be rezoned Mixed Use (MU).
16. Fifteen (15) parking spaces shall be provided for the gift shop and bathhouse facilities.
17. New buildings shall be designed to blend in with the existing historic town design.

June 11, 1993

THIS SPACE FOR COUNTY RECORDERS USE ONLY

COUNTY of MONO



FILED

JUN 21 1993

 PENNINOLAN
 COUNTY CLERK, MONO COUNTY
 BY C. J. Pennington

NOTICE OF EXEMPTION

To: Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

County Clerk
 Mono County
 P.O. Box 537
 Bridgeport, CA 93517

From: Planning Department
 Mono County
 P.O. Box 8
 Bridgeport, CA 93517

Project Title: UP 93-09/Bramlette

Project Location - Community: Benton Hot Springs

Project Location - County: Mono

Project Location - Specific: APN 24-240-03

Description of Project: Conversion of residence to gift shop, construction of natural hot springs bathhouse, and construction of 1,200 sq. ft. non-commercial garage

Name of Public Agency Approving Project: Mono County

Name of Person or Agency Carrying out Project: Bill Bramlette

Exempt Status:

- Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 Categorical Exemption. State type and section number: Class 3, Section 15303
 Statutory Exemptions. State code number:

Reasons why project is exempt: The project qualifies for a Class 3 Categorical Exemption which allows for the construction and location of limited numbers of new, small facilities and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure..

Lead Agency
Contact Person: Laurie Mitchel

Area Code/Telephone/
Extension: 619-934-7504

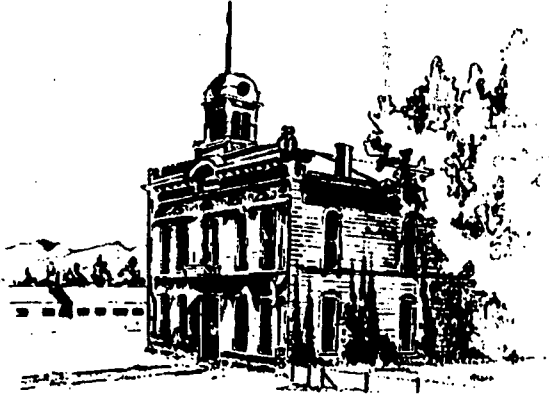
Signature: Laurie Mitchel
Title: Associate Planner

Date: 6.10.93

Date received for filing at OPR:

THIS SPACE FOR COUNTY RECORDERS USE ONLY

COUNTY of MONO



NOTICE OF DECISION & USE PERMIT

USE PERMIT: 93-09

APPLICANT: Bill Bramlette

ACCESSOR PARCEL NUMBER: 24-240-03

PROJECT TITLE: Conversion of residence to gift shop, construction of natural hot springs bathhouse, construction of 1,200 sq. ft. non-commercial garage.

PROJECT LOCATION: Hwy. 120 in Benton Hot Springs

On June 10, 1993, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Section 19.39.010 of the Mono County Zoning and Development Code, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit Number: 93-09, and the USE PERMIT granted, subject to the following conditions, at the conclusion of the appeal period.

CONDITIONS OF APPROVAL

See Attached 17 Conditions

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN FIFTEEN (15) 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 OF \$ 125.00.

DATE OF DECISION/USE PERMIT APPROVAL: June 10, 1993

EFFECTED DATE OF USE PERMIT: June 25, 1993

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.

On-going 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
10/91

DATED: June 11, 1993

cc: Applicant
 Engineer
 Assessor's Office
 Code Enforcement Officer

**UP 93-09/Bramlette
Conditions of Approval**

Prior to Issuance of a Building Permit:

1. The applicant shall obtain all applicable county permits, including building permits, health department permits and a grading permit (if necessary).
2. The applicant shall obtain the following permits from the Mono County Health Department: "Food Handling Permit", "Sewage Disposal Permit", and "Domestic Water Permit".
3. The applicant shall comply with all applicable county codes, including the Fire Safe Regulations.
4. The applicant shall pay all applicable fees to the Eastern Sierra Unified School District.
5. The applicant shall obtain any necessary permits from the Lahontan Regional Water Quality Control Board.
6. The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath tubs and the bathhouse.

Prior to Issuance of a Certificate of Occupancy:

7. The parking area for each use shall be completed in accordance with the approved site plan. The Mono County Zoning and Development Code requirement (§19.29.020) for paved parking shall be waived.
8. Sites disturbed during the installation of septic systems shall be revegetated.
9. The applicant shall apply to the Local Agency Formation Commission (LAFCO) for initiation of annexation of APN 24-240-03 into the White Mountain Fire Protection District.

Ongoing Conditions:

10. All site utilities shall be placed underground.
11. All signs shall comply with the County Sign Ordinance.
12. The applicant 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 Department which identifies acceptable site mitigation measures, which shall then become conditions of the use permit.
13. The applicant shall comply with all county requirements for erosion and sediment control.
14. Use of the bath houses shall conform to requirements set forth by the Mono County Health Department.

June 11, 1993

15. The property shall be rezoned Mixed Use (MU).
16. Fifteen (15) parking spaces shall be provided for the gift shop and bathhouse facilities.
17. New buildings shall be designed to blend in with the existing historic town design.

June 11, 1993

ATTACHMENT 2: 1996 USE PERMIT MODIFICATION

MONO COUNTY
PLANNING DEPARTMENT

P. O. Box 347
Mammoth Lakes, CA 93546
(619) 924-5450 FAX 924-5458

P.O. Box 8
Bridgeport, CA 93517
(619) 932-5217 FAX 932-7145

April 2, 1996

TO: Planning Commission
FROM: Stephen Higa, Senior Planner *SH*
RE: Modification of Use Permit 93-09/Bramlette

COPY

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Find that the project is Categorically Exempt and instruct Staff to file an Exemption.
2. In accordance with Mono County Zoning and Development Code (MCZDC) Section 19.29.020.C, waive the requirement for paved parking.
3. Find that the proposed modification is consistent with the previously adopted Use Permit findings contained in the original staff report (page 15) and approve the modification of Use Permit 93-09/Bramlette for the construction and operation of a Bed and Breakfast establishment subject to the following Conditions of Approval.

BACKGROUND

EXISTING PERMIT

Use Permit 93-09/Bramlette was originally approved in June of 1993 for the conversion of a residence into a gift shop, the construction of a natural hot springs bathhouse, and the construction of a 1,200 sf non-commercial garage on a 548.66 acre parcel (APN 24-240-03; See Attached Staff Report). The conversion of the residence to gift shop, the construction of four outdoor tubs, the installation of a monument sign and grading of the parking area has taken place to date. Additionally, the applicant has complied with the 17 conditions of approval placed on the Use Permit. ✓

PROPOSED PROJECT

The applicant is proposing to modify the existing Use Permit to allow the construction and operation of a six room Bed and Breakfast. The proposed structure is an early 1900s ranch style house currently located in Inyo County. The applicant would like to preserve the 1,700 square feet (sf) house by moving it to the property in Benton. The applicant would also like to add 1,200 sf to the rear of the house. The addition would maintain the historic appearance and character of the existing structure (See Attached Project Description).

Efforts in Inyo County are currently underway to preserve the ranch house in its existing location. If these efforts are successful, the applicant would like the option of building a new structure and using it as a Bed and Breakfast. The new structure would be designed to look like existing historic structures in the surrounding area.

PARKING

An approximately 100' long driveway located on the westside of the Bed and Breakfast would connect the parking area with Highway 120. The parking area would be sized to meet the MCZDC's parking requirements for Bed and Breakfast Uses. MCZDC Section 19.29.020 requires paving for all parking areas accessed off of paved roadways. The same code section also allows the Planning Commission to waive or modify parking requirements. The Planning Commission waived the paved parking requirements contained in the Zoning Code for the original Use Permit. The applicant is requesting a similar waiver to maintain the rustic, undeveloped character of the townsite.

CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit

- 1) The applicant shall obtain applicable permits from the Building Department.

Prior to Issuance of a Certificate of Occupancy

- 2) The applicant shall upgrade the present water system that would serve the proposed project in compliance with the Health Department requirements.
- 3) The parking area shall be completed consistent with the approved plot plan and in accordance with MCZDC parking requirements. The paved parking requirements in the MCZDC shall be waived.
- 4) The applicant shall obtain a permit from the Mono County Health Department for the construction of an individual sewage disposal system to serve this structure. The system shall be installed prior to the occupancy of the structure. *N/A*
- 5) The applicant shall obtain a permit-to-operate from the Mono County Health Department for the Bed and Breakfast's kitchen and related facilities. *12-21-99 L.M.*
- 6) The applicant shall provide proof of a fire protection services agreement with the White Mountain Fire Protection District.
- 7) If applicable, the applicant shall obtain a Caltrans' encroachment permit for access to Highway 120.

On-Going Conditions

- 8) All signs shall comply with the Mono County Sign Ordinance and with specific sign policies contained in the Benton Hot Springs Land Use Section of the Mono County General Plan.
- 9) All applicable conditions of approval contained in the original Use Permit shall apply.

**UP 93-09/Bramlette
Conditions of Approval**

Prior to Issuance of a Building Permit:

1. The applicant shall obtain all applicable county permits, including building permits, health department permits and a grading permit (if necessary).
2. The applicant shall obtain the following permits from the Mono County Health Department: "Food Handling Permit", "Sewage Disposal Permit", and "Domestic Water Permit".
3. The applicant shall comply with all applicable county codes, including the Fire Safe Regulations.
4. The applicant shall pay all applicable fees to the Eastern Sierra Unified School District.
5. The applicant shall obtain any necessary permits from the Lahontan Regional Water Quality Control Board. *DONE*
6. The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath tubs and the bathhouse.

Prior to Issuance of a Certificate of Occupancy:

7. The parking area for each use shall be completed in accordance with the approved site plan. The Mono County Zoning and Development Code requirement (§19.29.020) for paved parking shall be waived.
8. Sites disturbed during the installation of septic systems shall be revegetated.
9. The applicant shall apply to the Local Agency Formation Commission (LAFCO) for initiation of annexation of APN 24-240-03 into the White Mountain Fire Protection District.

Ongoing Conditions:

10. All site utilities shall be placed underground.
11. All signs shall comply with the County Sign Ordinance.
12. The applicant 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 Department which identifies acceptable site mitigation measures, which shall then become conditions of the use permit.
13. The applicant shall comply with all county requirements for erosion and sediment control.
14. Use of the bath houses shall conform to requirements set forth by the Mono County Health Department. *N/A*

June 11, 1993

15. The property shall be rezoned Mixed Use (MU).
16. Fifteen (15) parking spaces shall be provided for the gift shop and bathhouse facilities.
17. New buildings shall be designed to blend in with the existing historic town design.

June 11, 1993

MONO COUNTY
PLANNING DEPARTMENT

P. O. Box 347
Mammoth Lakes, CA 93546
(619) 924-5450 FAX 924-5458

P.O. Box 8
Bridgeport, CA 93517
(619) 932-5217 FAX 932-7145

April 2, 1996

TO: Planning Commission
FROM: Stephen Higa, Senior Planner *SH*
RE: Modification of Use Permit 93-09/Bramlette

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Find that the project is Categorically Exempt and instruct Staff to file an Exemption.
2. In accordance with Mono County Zoning and Development Code (MCZDC) Section 19.29.020.C, waive the requirement for paved parking.
3. Find that the proposed modification is consistent with the previously adopted Use Permit findings contained in the original staff report (page 15) and approve the modification of Use Permit 93-09/Bramlette for the construction and operation of a Bed and Breakfast establishment subject to the following Conditions of Approval.

BACKGROUND

EXISTING PERMIT

Use Permit 93-09/Bramlette was originally approved in June of 1993 for the conversion of a residence into a gift shop, the construction of a natural hot springs bathhouse, and the construction of a 1,200 sf non-commercial garage on a 548.66 acre parcel (APN 24-240-03; See Attached Staff Report). The conversion of the residence to gift shop, the construction of four outdoor tubs, the installation of a monument sign and grading of the parking area has taken place to date. Additionally, the applicant has complied with the 17 conditions of approval placed on the Use Permit.

PROPOSED PROJECT

The applicant is proposing to modify the existing Use Permit to allow the construction and operation of a six room Bed and Breakfast. The proposed structure is an early 1900s ranch style house currently located in Inyo County. The applicant would like to preserve the 1,700 square feet (sf) house by moving it to the property in Benton. The applicant would also like to add 1,200 sf to the rear of the house. The addition would maintain the historic appearance and character of the existing structure (See Attached Project Description).

Efforts in Inyo County are currently underway to preserve the ranch house in its existing location. If these efforts are successful, the applicant would like the option of building a new structure and using it as a Bed and Breakfast. The new structure would be designed to look like existing historic structures in the surrounding area.

PARKING

An approximately 100' long driveway located on the westside of the Bed and Breakfast would connect the parking area with Highway 120. The parking area would be sized to meet the MCZDC's parking requirements for Bed and Breakfast Uses. MCZDC Section 19.29.020 requires paving for all parking areas accessed off of paved roadways. The same code section also allows the Planning Commission to waive or modify parking requirements. The Planning Commission waived the paved parking requirements contained in the Zoning Code for the original Use Permit. The applicant is requesting a similar waiver to maintain the rustic, undeveloped character of the townsite.

CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit

- 1) The applicant shall obtain applicable permits from the Building Department.

Prior to Issuance of a Certificate of Occupancy

- 2) The applicant shall upgrade the present water system that would serve the proposed project in compliance with the Health Department requirements.
- 3) The parking area shall be completed consistent with the approved plot plan and in accordance with MCZDC parking requirements. The paved parking requirements in the MCZDC shall be waived.
- 4) The applicant shall obtain a permit from the Mono County Health Department for the construction of an individual sewage disposal system to serve this structure. The system shall be installed prior to the occupancy of the structure.
- 5) The applicant shall obtain a permit-to-operate from the Mono County Health Department for the Bed and Breakfast's kitchen and related facilities.
- 6) The applicant shall provide proof of a fire protection services agreement with the White Mountain Fire Protection District.
- 7) If applicable, the applicant shall obtain a Caltrans' encroachment permit for access to Highway 120.

On-Going Conditions

- 8) All signs shall comply with the Mono County Sign Ordinance and with specific sign policies contained in the Benton Hot Springs Land Use Section of the Mono County General Plan.
- 9) All applicable conditions of approval contained in the original Use Permit shall apply.

PROJECT DESCRIPTION

PROPOSED PROJECT

Relocation of a two story, 1700 sq. ft. Bishop ranch-house to Benton Hot Springs is the proposed project. This project is intended first to preserve a fine example of a local ranch-house and second to add a building with historical characteristics to Benton Hot Springs. It is proposed that the building would be used as Bed and Breakfast business.

In order for the relocated house to be practical as a Bed and Breakfast, an addition or separate but associated building would need to be constructed for guest and host quarters. An estimated 1,200 square foot addition would be required. The addition design would complement the house style.

BACKGROUND

Bishop Ranch-House

Located 1/2 mile south of Hwy 395 at the outskirts of north Bishop, the house is owned by the City of Los Angeles, Department of Water and Power (City). The house appears to have been build around 1900, and is of a western Victorian style. Until recently, the house was occupied and has been reasonably well-maintained.

The City recently decided to "get-rid" of the house, either by relocation or demolition. Upon learning of the City's plans a small group of citizens organized to "save" the house. The groups preference is to preserve the house on site, however they also supported relocating the house to either the Laws Museum or Eastern Sierra Museum at Independence. Unfortunately, neither of the relocation attempts proved to be practical due to the costs involved.

After non-profit relocation efforts failed, I contacted the City and expressed my willingness to take the building in order to preserve it, as it appeared the house would "fit" into my restoration objectives for Benton Hot Springs.

Benton Hot Springs Relocation Site

The proposed relocation site for the house at Benton Hot Springs is within the "mixed multiple" land use designation for our property. The current zoning is general purpose. It is within the developed Hwy 120 frontage corridor, with direct Hwy access. Refer to attached vicinity and plot maps.

The site is vacant, located between two existing historic buildings with more than 200 ft. separation between the proposed site and each building. The house would be set-back from Hwy 120 approximately 90 ft. Electricity is currently within 150 ft. of the site. Water, supplied by the town's small water system, is on

site. Adequate area is available for installation of a septic and leach field, as well as replacement leach fields. The area directly south of the house site is currently actively farmed. No streams pass through the site, however the Benton Hot Spring ditch is located 200 ft. to the west. No native vegetation exists on the site.

CONSISTENCY WITH LAND USE DESIGNATION

Mono County General Plan direction for the relocation site at Benton Hot Springs is "mixed multiple" uses. The site is located within the town of Benton Hot Springs and would be consistent with the existing designation. Relocation of this building would also be consistent with the Plan's goal for Benton Hot Springs Valley of:

Policy 1: Preserve and restore historic features of Benton Hot Springs.

Action 1.1: Support public use and appreciation of Benton Hot Springs' historic properties...

Action 1.2: Encourage and support, as possible, restoration historic structures and new construction within the historic town that reinforces and compliments the town's historic design and character.

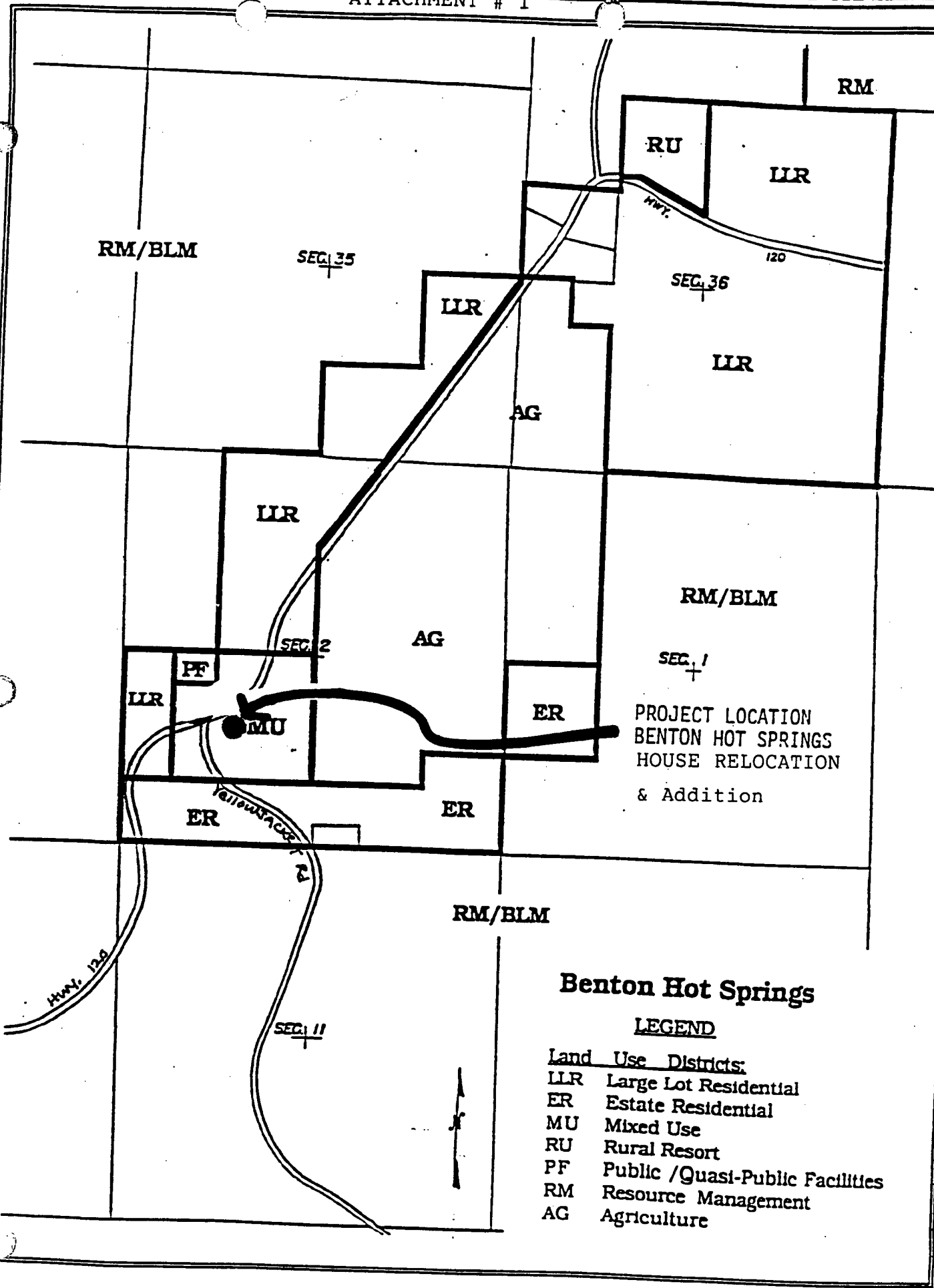
Action 1.4: Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code...

Policy 3: Encourage uses and businesses that support and compliment, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

The proposed relocation of the historic ranch-house to Benton Hot Springs, construction of an addition of a complementary design, and use as a Bed and Breakfast would be consistent and compatible with the Mono County General Plan direction.



PROJECT LOCATION
BENTON HOT SPRINGS
HOUSE RELOCATION
& Addition

Benton Hot Springs

LEGEND

- Land Use Districts:
- LLR Large Lot Residential
 - ER Estate Residential
 - MU Mixed Use
 - RU Rural Resort
 - PF Public /Quasi-Public Facilities
 - RM Resource Management
 - AG Agriculture


BENTON HOT SPRINGS VALLEY—GOAL

Preserve the historic, rural, and agricultural character of the Benton Hot Springs Valley.

Policy 1: Preserve and restore historic features of Benton Hot Springs.

Action 1.1: Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 1.2: Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and compliments the town's historic design and character.

Action 1.3: Support the landowner's efforts to convert non-conforming structures (i.e. mobilehomes and trailers) into structures that fit with the historic town character.

Action 1.4: Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code. Support and/or approve variances to local, state, and federal regulations when such variances are determined to be environmentally sound and safe and are consistent with furthering preservation of historic resources.

Policy 2: Maintain the open space and rural character of Benton Hot Springs meadow.

Action 2.1: Encourage grazing and agricultural uses of Benton Hot Springs meadow and irrigated pasture lands, as opposed to intensive development, in order to preserve open space values.

Action 2.2: Support conservation practices and activities to enhance and maintain wildlife, livestock, visual, and recreation benefits. If so desired by the landowner, support conservation and visual easements and tax reduction incentives as affordable means for open space protection. Determine that farming and ranching activities are appropriate uses and activities within these undeveloped areas.

Action 2.3: Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open space areas.

Action 2.4: Support development of additional water sources and ponds to enhance habitat for wildlife and livestock.

Action 2.5: Support actions to mitigate flood damage potential within and adjacent to the historic town.

Policy 3: Encourage uses and businesses that support and compliment, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

Action 3.3: Encourage agricultural activities, such as aquaculture, greenhouse gardening, and field crops, in addition to livestock rearing.


Action 3.4: Allow for the development of short-term recreational vehicle facilities and recreation special events in areas adjacent to the historic town and along Hwy. 120.

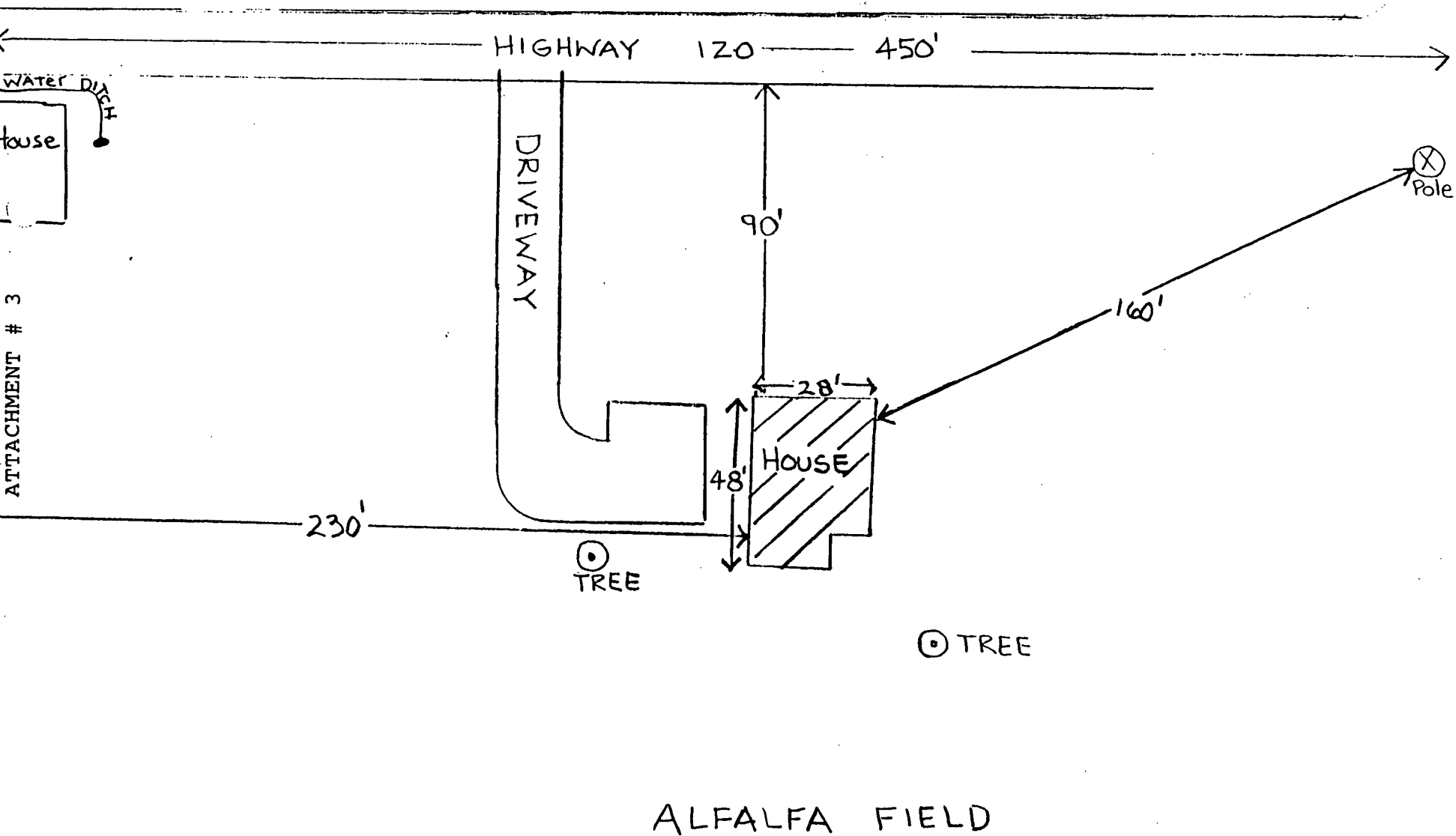
Action 3.5: Allow single-family residential development (estate residential and large lot residential) in locations adjacent to existing residential development (Benton Paiute Reservation and Benton historic town) and outside of open space (agricultural) areas.

Action 3.6: Support the establishment of a fire protection district or evaluate annexing Benton Hot Springs to the White Mountain Fire Protection District.

PLOT PLAN

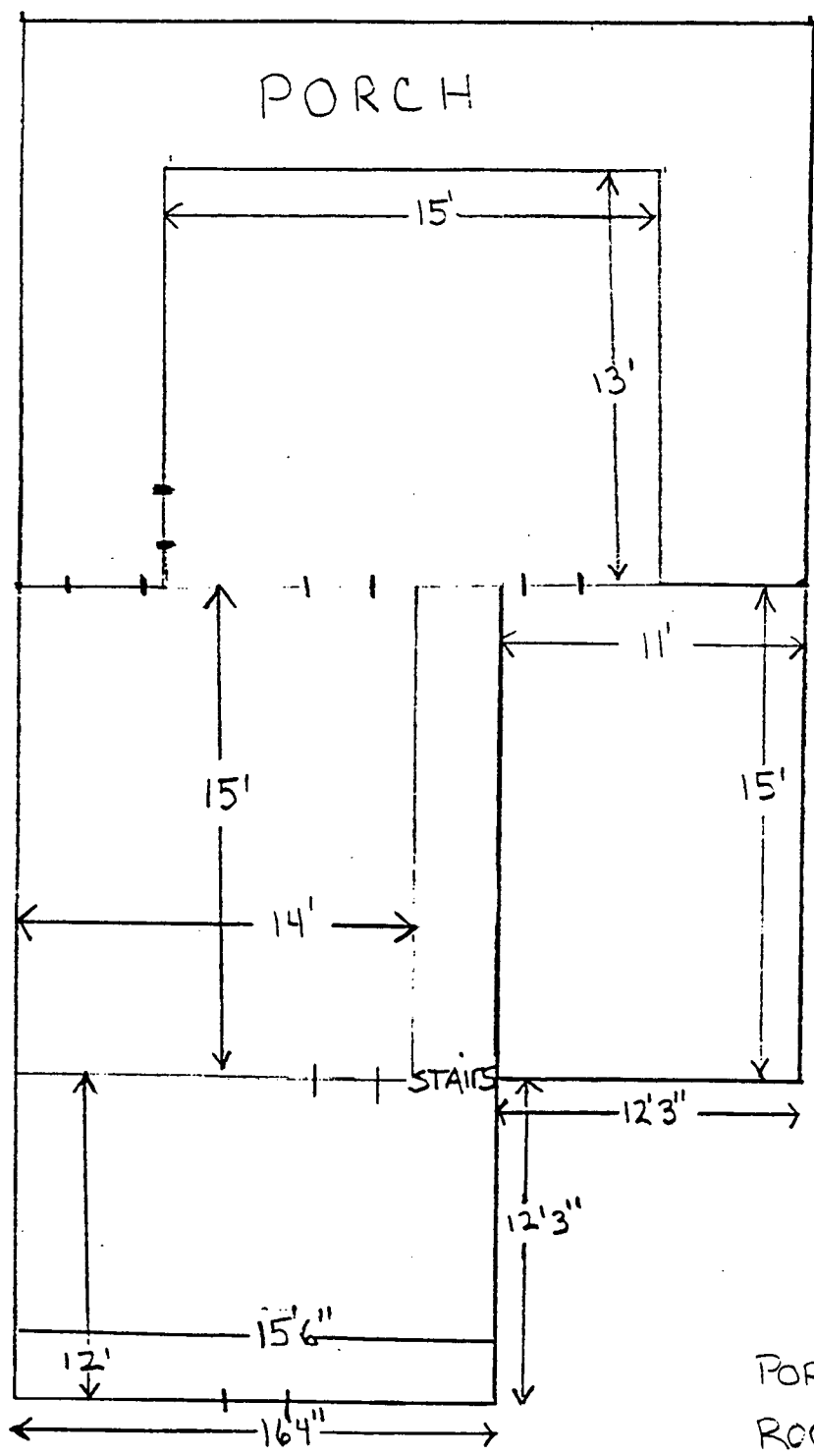
BRAMLETTE, BILL
BENTON HOT SPRINGS
HOUSE RELOCATION

NORTH 
SCALE 1" = 40'



FLOOR PLAN

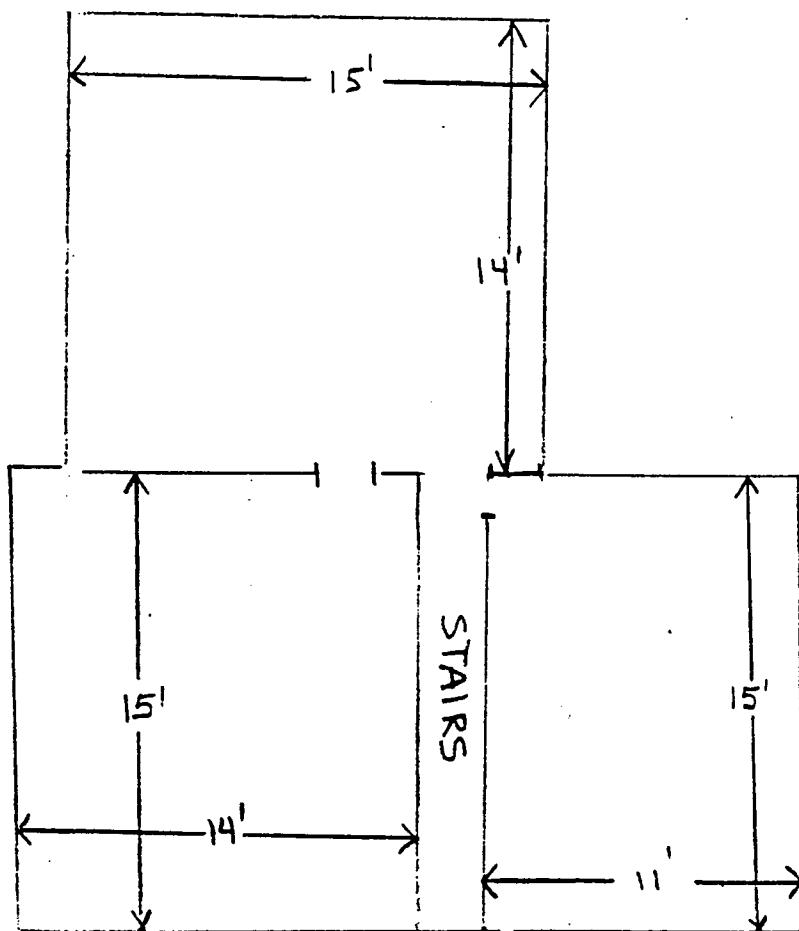
GROUND FLOOR



PORCH 320 sq.ft.
 ROOMS 760 sq.ft.
 STAIRS 50 sq.ft.

FLOOR PLAN

SECOND FLOOR



ROOMS 585 sq ft
STAIRS 50 sq ft

CORRESPONDENCE

RECEIVED

MAR 28 1996

MONO COUNTY PLANNING DEPT.
SOUTH COUNTY

EMILIE MONTAGNA
COMMITTEE TO SAVE OWENS VALLEY
HISTORIC LANDSCAPES
448 Vista Verde
Round Valley, California 93514
March 26, 1996

Mr. Jim Wickser, General Manager
DEPARTMENT OF WATER AND POWER
City of Los Angeles
Post Office Box 111
Los Angeles, California 90051

Re: Reinhackle House

Dear Mr. Wickser:

We appreciate your reply to our letter of October 28, 1995. However, you have still not responded to our assertion that the Reinhackle House qualifies for an historical evaluation under Section 21084.1 of the Public Resources Code. Once again we request that you begin that process before you apply for a demolition permit or a permit to move the house. CEQA requires that either of these permits trigger an historical analysis of the Reinhackle House.

In earlier correspondence we have described the conditions that qualify this house as an historic building. Although we do not believe that your records in regard to this house are correct, even by your own description the house is older than 50 years and therefore is eligible for historical analysis or determination.

Once again we reiterate that we believe that it is possible to continue the ranching operation at this site and maintain the house in a state of arrested decay. We are willing to request that Inyo County exempt this house from its tax rolls under the Mills Act if it is maintained in this manner.

Your belief that the County does not currently maintain a list of historic properties is inaccurate. We have a copy in our possession of The Inyo County Historic Preservation Survey conducted under the administration and policy guidance of the Inyo Mono Association of Governmental Entities (IMAGE). Survey information was collected during the period between April 1, 1980 and May 1, 1981. Somehow this house was over looked when this survey was being compiled in spite of its being one of the oldest houses in the Owens Valley; we are in the process of adding it to this list.

Since there is substantial evidence that this property is eligible for both the National and California Historic Registers, we once again respectfully request that the Department of Water and Power determine the house's historic status under the National Register and the California Register. Whether it is 50 years old or over 100 years old as we believe, it qualifies for that determination. We believe that you should contract such assessment to a professional group such as the Historic Resources Group Los Angeles [1728 Whitley Avenue, Los Angeles 90028, (213) 469-2349]. Section 21084.1 requires a public sponsor to seek such a determination from the State Historical Preservation Organization (SHPO) as part of the CEQA process once you have been presented with the evidence that this property is eligible. Our committee has provided you with that evidence.

Once more we remind you that these legal requirements prevail whether the Reinhackle House is moved from its site or demolished. We would be most grateful if you would respond to this direct request.

Sincerely yours,

Emilie Martin

Committee to Save Owens Valley
Historic Landscapes

cc: State Historical Preservation Organization
Glenn C. Singley
Peter Chamberlin
Michael Conklin
Paul Bruce
Bill Bramlette
Scott Burns



COUNTY OF MONO

Building Department

Ivor Evans
Building Official

March 19, 1996

TO: Steve Higa
Planning Department

FROM: Steve Connett *SC*
Building Department

RE: Bramlette's Bed & Breakfast
Old Benton / Hwy. 120

Dear Steve,

In order for the building that Mr. Bramlette proposes to relocate to Benton be exempted from the Mono County Building Codes and Ordinances, it will need to be taken to the Board of Supervisors and be declared as having historical significance.

Per Section 104(f), U.B.C. 1991 (Copy attached)

SC/tj

comply with the type of construction or fire-resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

(f) **Historic Buildings.** Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this code when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Any unsafe conditions as described in this code are corrected.
3. The restored building or structure will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

Alternate Materials and Methods of Construction

Sec. 105. The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

Modifications

Sec. 106. When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any fire-protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

Tests

Sec. 107. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

COUNTY of MONO

HEALTH DEPARTMENT
P.O. Box 3329
Mammoth Lakes, CA 93546



Public Health (619) 924-5410
Environmental Health (619) 924-5454

FAX 619-924-5467
FAX 619-924-5458

JACK BERTMAN, M.D.
Health Officer

DATE: March 11, 1996

TO: Stephen Higa, Senior Planner
Mono County Planning Department

FROM: Louis Molina, R.E.H.S. *LM*
Mono County Health Department

SUBJECT: Modification of Use Permit 93-09/Bramlette;
Bishop Ranch House Relocation and Addition of a
Bed and Breakfast Facility.

APPLICANT: Bill Bramlette

OWNER: Wales G. Bramlette

ENGINEER: none

PARCEL NO.: 24-240-03

COMMENTS AND CONDITIONS:

Mono County Health Department staff has reviewed the above referenced project and has the following conditions for its approval:

1) The present water system serving the Benton Hot Springs community requires upgrades, as discussed between Mr. Bill Bramlette and Marvin Moskowitz, Mono County Small Water Systems Coordinator. These and all upgrades, as well as any monitoring requirements of the water source, must be completed and approved by Marvin Moskowitz and the Mono County Health Department before this proposed ranch house addition to the water system can be occupied or operated as a bed and breakfast facility.

2) The applicant must apply for and receive a permit from the Mono County Health Department for the construction of an individual sewage disposal system to serve this structure. The applicant must submit plans designed by a registered engineer for the design and construction of this sewage disposal system.

3) If the structure is to be used as a bed and breakfast facility, the applicant must apply for a Permit-to-Operate from the Mono County Health Department. The kitchen and related facilities must meet minimum requirements for a bed and breakfast facility.



(619) 872-0691

March 15, 1996

RECEIVED

MAR 18 1996

MONO COUNTY PLANNING DEPARTMENT
SOUTH COUNTY

Mono-120-55.11

Mono County Planning Department
P.O. Box 347
Mammoth Lakes, California 93546

Attention: Mr. Stephen Higa, Senior Planner

Conditional Use Permit 93-09 - Bramlette

Thank you for the opportunity to review and comment on this proposed project. The proposal is to relocate an early 1900s style ranch house to a 548.7 acre lot, and convert it to a Bed and Breakfast. The project is located in the Benton Hot Springs area and accessed from State Route 120, as well as from Yellowjacket Road. We have the following comment to offer:

Whenever possible Yellowjacket Road should be used to access the property. If an encroachment permit does not exist, or changes are proposed, for an existing access to the State highway, then the project sponsor needs to contact Mr. Ralph Cones, the District Permit Engineer. He can be reached at (619) 872-0674.

If you have any questions about the above comment please give me a call at (619) 872-0691.

Sincerely,

A handwritten signature in cursive script that reads "K. Walton".

F. KATY WALTON, Chief
Transportation Planning & Public Transportation

FKW:mam
cc: Mr. Ralph Cones

**PRIOR USE PERMIT
STAFF REPORT**

HEARING TO BE HELD IN THE
BOARD OF SUPERVISORS
BOARDROOM, COURTHOUSE,
BRIDGEPORT

County of Mono Planning Department

AGENDA ITEM: III-A
HEARING DATE: 6-10-93
HEARING TIME: 9:15 a.m.
FILE NO(S): UP 93-09
PREPARED BY: Laurie Mitchel

REPORT TO THE COUNTY PLANNING COMMISSION

PROPOSAL: Conversion of residence to a gift shop, construction of natural hot springs bathhouse, and construction of 1,200 sq. ft. non-commercial garage.

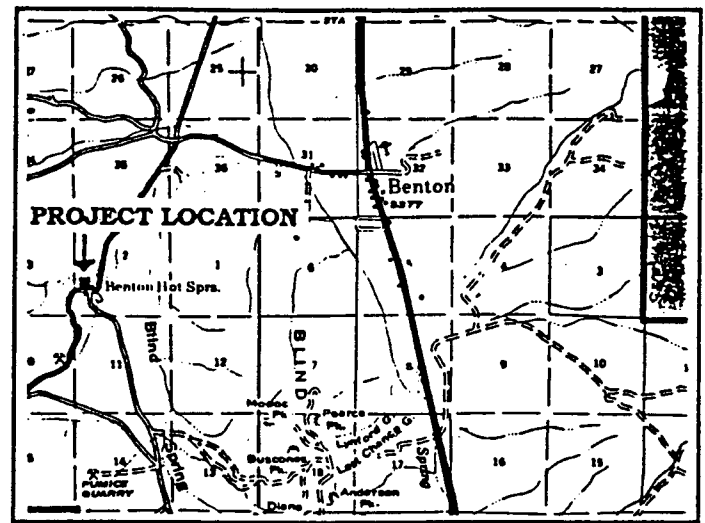
APPLICANT: Bill Bramlette

**ENGINEER/
REPRESENTATIVE:** none

LOCATION: Hwy. 120, Benton Hot Springs

ASSESSOR PARCEL NUMBER: 24-240-03

**PARCEL SIZE (ACRES OR
SQUARE FEET):** 548.66 acres



VICINITY MAP

ZONING: General Purpose

GENERAL PLAN DESIGNATION: Mixed Use

CURRENT LAND USE: General store, gas station, seven residences, many storage buildings, mechanics shop, pasture land, and livestock grazing.

SURROUNDING LAND USES (all on same parcel)

	ZONING	LAND USE
NORTH	MU	undeveloped
SOUTH	MU	residential, store and gas station
EAST	MU	residential
WEST	MU	undeveloped

MAJOR SITE FEATURES

- TERRAIN:** Flat.
- DRAINAGE:** A drainage ditch conveying hot water (800 gpm) flows 50 feet north of the project site.
- VEGETATION:** Not applicable--site has been developed for over 140 years.
- WILDLIFE:** Not applicable--site has been developed for over 140 years.

ACCESS

STREET ACCESS: Hwy. 120
STREET FRONTAGE: Hwy. 120

SERVICES

	AGENCY	COMMENT
WATER SERVICE	Existing.	None.
SEWER SERVICE	Existing septic.	Septic will be upgraded.
FIRE SERVICE	Outside White Mt. FPD.	Garage will house fire equipment.
OTHER		

FIELD INSPECTION BY STAFF

LM 5-17-93
INITIAL/DATE

BACKGROUND

The project is proposed on a 548 acre parcel on the north side of Hwy. 120 in Benton Hot Springs, California (Figure 1). The project proposes to 1) convert an existing 1,688 square foot residence to a gift/antique shop, 2) construct a natural hot springs bathhouse (1,200 square feet) and 6 outdoor bath tubs, and 3) construct a 1,200 square feet non-commercial garage. The project will include parking for all uses and one freestanding sign advertising both the bathhouse and the gift shop. Access to all portions of the site is from Hwy. 120.

Benton Hot Springs currently contains a general store, gas station, seven residences, many buildings used for storage, and a mechanics shop, all of which are located on APN 24-240-03. The remainder of the 548 acre parcel, located primarily to the east of the townsite in the valley, is used for farming (alfalfa and irrigated pasture) and livestock grazing. The townsite contains a number of historic structures, approximately ten of which the owners wish to preserve and protect. The proposed project is the first step towards that goal. In order to finance the costs of preservation, the owners will have to develop compatible businesses associated with the historic properties. In doing so, the owners intend to capitalize on the main attributes of Benton Hot Springs--the historic properties, hot springs, roadside visitor services (gas, store, etc.), and the uniqueness of the "old" town.

During the recent General Plan update process, the owners provided detailed land use direction for all of their property in the Benton Hot Springs Valley. The Land Use Element of the adopted plan contains a set of policies for the area (attached as Exhibit A), and the land use map for the area provides specific direction for various areas of the property (see Figure 2).

The applicant has provided detailed descriptions of each of the proposed uses. These are attached as Exhibit B.

Since the site is completely developed and is surrounded by other developed uses, there are no native plant species or fish or wildlife species on the site. The project site is level. The soil on site is decomposed granite. An area directly north of the project site is within the 100 year floodplain as shown on the Flood Insurance Rate Map for the area.

Visually, the project will not be intrusive. The new buildings will be designed to blend in with the existing historic town design. All of the proposed uses are clustered within existing development and/or will be screened from roads or residences. New outdoor lighting will be limited to lighting of walkways and the sign.

Water and sewer services for the proposed uses will be provided onsite. An existing septic system for the house will be upgraded, in compliance with Mono County Health Department guidelines. A separate commercial septic system will be designed and installed to serve the bathhouse and outdoor bath tubs in compliance with Health Department guidelines. The applicant is working with the Mono County Health Department to provide water to serve the bathhouse and outdoor bath tubs from an existing hot water spring.

The site is within the Sphere of Influence of the White Mountain Fire Protection District. General Plan policies (Safety Element, Goal II, Objective B, Action 1.3) require development projects within the sphere of influence of a fire protection district to annex into the district.

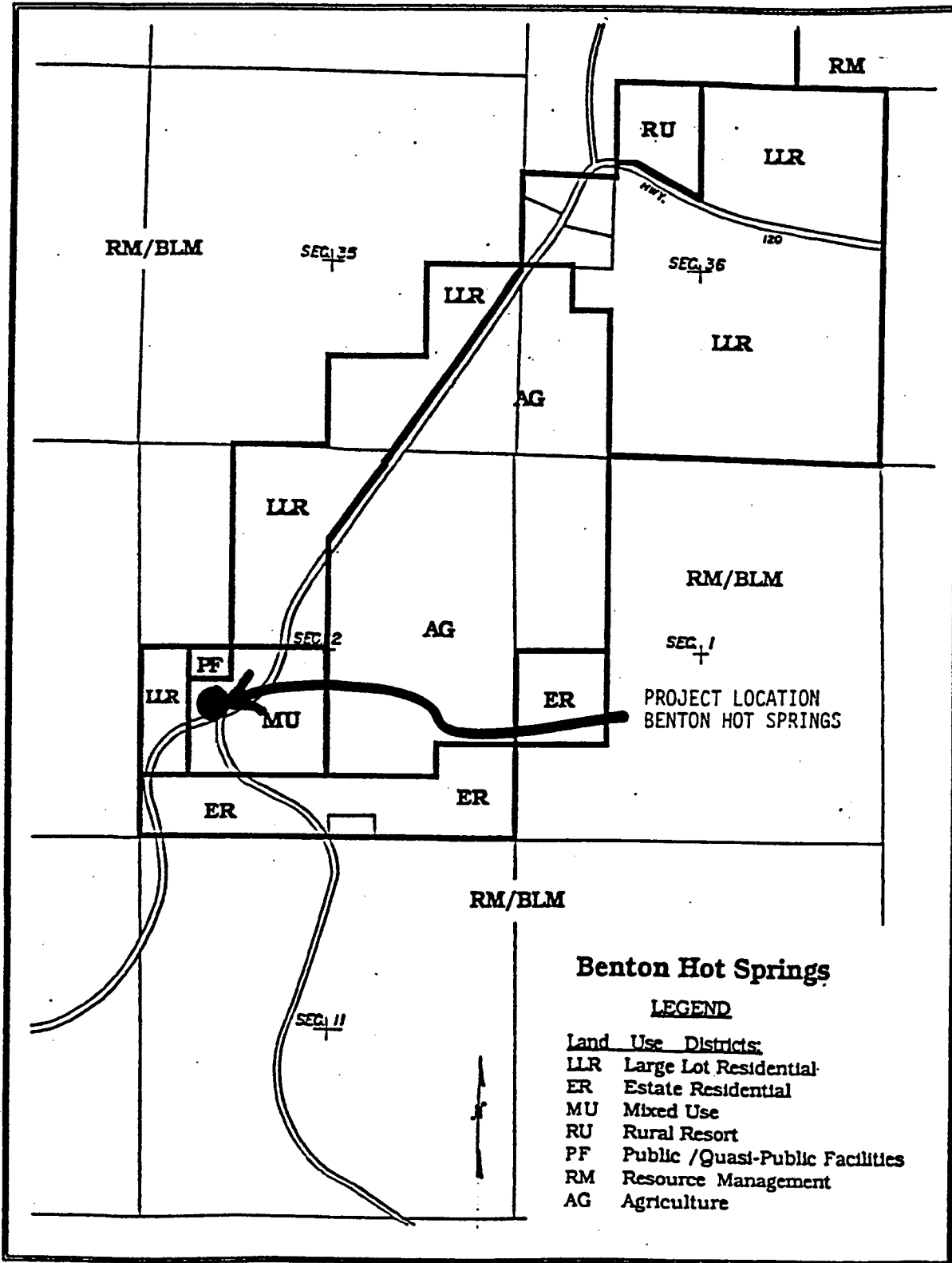


Figure 1
Location Map

Preserve the historic, rural, and agricultural character of the Benton Hot Springs Valley.

Policy 1: Preserve and restore historic features of Benton Hot Springs.

Action 1.1: Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 1.2: Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and compliments the town's historic design and character.

Action 1.3: Support the landowner's efforts to convert non-conforming structures (i.e. mobilehomes and trailers) into structures that fit with the historic town character.

Action 1.4: Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code. Support and/or approve variances to local, state, and federal regulations when such variances are determined to be environmentally sound and safe and are consistent with furthering preservation of historic resources.

Policy 2: Maintain the open space and rural character of Benton Hot Springs meadow.

Action 2.1: Encourage grazing and agricultural uses of Benton Hot Springs meadow and irrigated pasture lands, as opposed to intensive development, in order to preserve open space values.

Action 2.2: Support conservation practices and activities to enhance and maintain wildlife, livestock, visual, and recreation benefits. If so desired by the landowner, support conservation and visual easements and tax reduction incentives as affordable means for open space protection. Determine that farming and ranching activities are appropriate uses and activities within these undeveloped areas.

Action 2.3: Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open space areas.

Action 2.4: Support development of additional water sources and ponds to enhance habitat for wildlife and livestock.

Action 2.5: Support actions to mitigate flood damage potential within and adjacent to the historic town.

Policy 3: Encourage uses and businesses that support and compliment, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.

Exhibit A
Benton Hot Springs Land Use Policies

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

Action 3.3: Encourage agricultural activities, such as aquaculture, greenhouse gardening, and field crops, in addition to livestock rearing.

Action 3.4: Allow for the development of short-term recreational vehicle facilities and recreation special events in areas adjacent to the historic town and along Hwy. 120.

Action 3.5: Allow single-family residential development (estate residential and large lot residential) in locations adjacent to existing residential development (Benton Paiute Reservation and Benton historic town) and outside of open space (agricultural) areas.

Action 3.6: Support the establishment of a fire protection district or evaluate annexing Benton Hot Springs to the White Mountain Fire Protection District.

Benton Hot Springs House

Description: The Benton Hot Springs House is located on the opposite side of Highway 120 from the Benton Hot Springs Store (historic Wells Fargo building). It is believed that this wood structure was built in the 1880's from Mono Mills lumber. It was moved from its original location (1/2 mile east) by early Benton residents using a mule team to where it is now located, sometime after the turn of the century.

The Benton Hot Springs House is 1,688 square feet and has been used as a single family residence for at least 80 years. It is single story. Some interior remodeling has occurred and at least one addition has been added to the back of the building.

Desired Future Condition: Stabilize, maintain, and upgrade the building to preserve its historic value into the future.

Opportunities: The structure is of historic interest to area visitors. Potential uses include gift/antique shop, mini-store, and control facility for hot springs bathhouse and outdoor bath-tubs.

Proposed Actions:

1. Convert 1,688 sq. ft. residence to: reception area (200 sq. ft.), storage (360 sq. ft.), office (84 sq. ft.), gift/antique sales display area (732 sq. ft.), and other sales--beverages/sandwiches (312 sq. ft).
2. Reinforce the foundation, including replacing rock "skirting" around the perimeter.
3. Install a new septic and leach field system.
4. Paint the house and trim in traditional "Benton White and Green".
5. Provide (if not currently adequate) parking in front and to the side of house to accommodate 10 vehicles.
6. Install sign in front of the house (see attached sign plan).
7. Install new flooring and carpeting as needed.
8. Finish front yard wood fence.
9. Construct accessible porches and ramps to the house.

Exhibit B
Project Description

Benton Hot Springs "Bathhouse and Outdoor Bath-Tubs"

Description: The natural hot springs of Benton have been rated as the "finest and purist in the world". We have no basis for validating this claim. Nonetheless, for more than 140 years, residents of the town have used the 130 degree F. water for drinking and bathing. During this period, no noticeable change in the temperature, quantity, or quality of the water has been measured or recorded. Limited public access and use of this hot water for bathing continues today. The demand for public access has sharply increased over the past ten years.

Desired Future Condition: Provide Benton visitors with opportunities to use and experience the unique natural hot water, both indoors and outdoors. To ensure the safety of visitors, confine and control the areas of use and access.

Opportunities: Construct rustic, yet safe and sanitary, facilities for visitors to use and enjoy the natural hot water for its therapeutic and medicinal values.

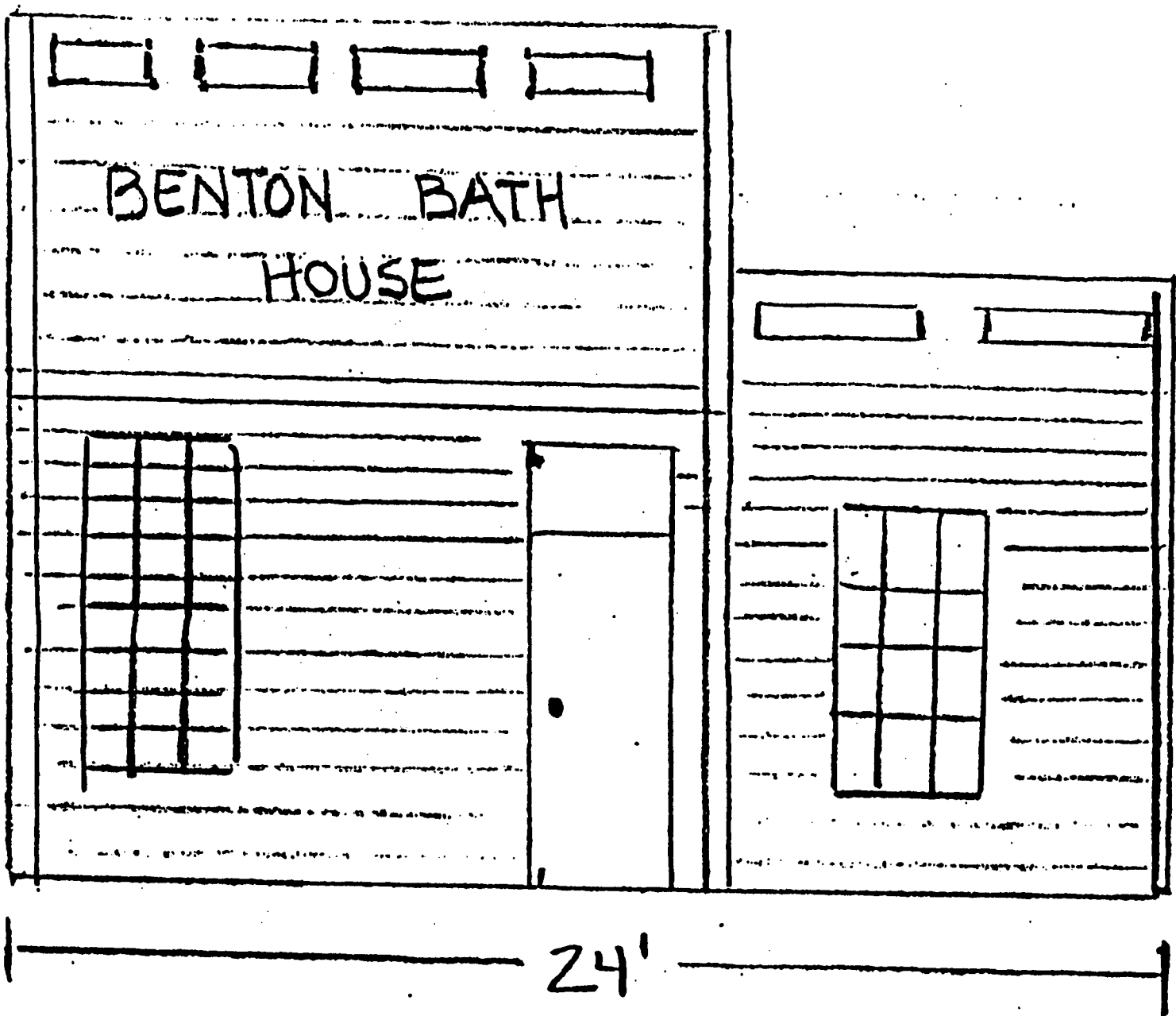
Proposed Actions:

1. Construct a "bathhouse" adjacent to the gift shop (see plot plan for location); a 1,200 square foot bathhouse would consist of a combination restrooms and change areas (550 sq. ft.), hot water baths (600 sq. ft.), and storage (50 sq. ft.). The bathhouse facility would be of a historic design, similar to the original Wai Wera Club (see attached conceptual bathhouse design). All bath facilities would be individually controlled (water faucets) and drained and cleaned after each use.

2. In keeping with the rustic historic character of the town, install six outdoor redwood bath tubs (5 ft. dia. X 4 ft. high) and plumb strictly as bath facilities (fitted faucets and drains). The general location for these baths would be to the side and behind the Benton Hot Springs House. Historic redwood water transmission pipe (5 foot dia.) from Southern California Edison Company's hydro-electric power operation in Bishop Creek would be used. These facilities provide a rustic, yet clean and sanitary, bath-tubs. Each bath-tub would be plumbed and set in a cement base to allow for draining and cleaning after each use.

**Exhibit B--continued
Project Description**

Exhibit B - continued
Project Description



9
UP 93-09
June 1993

Exhibit B-continued
Project Description

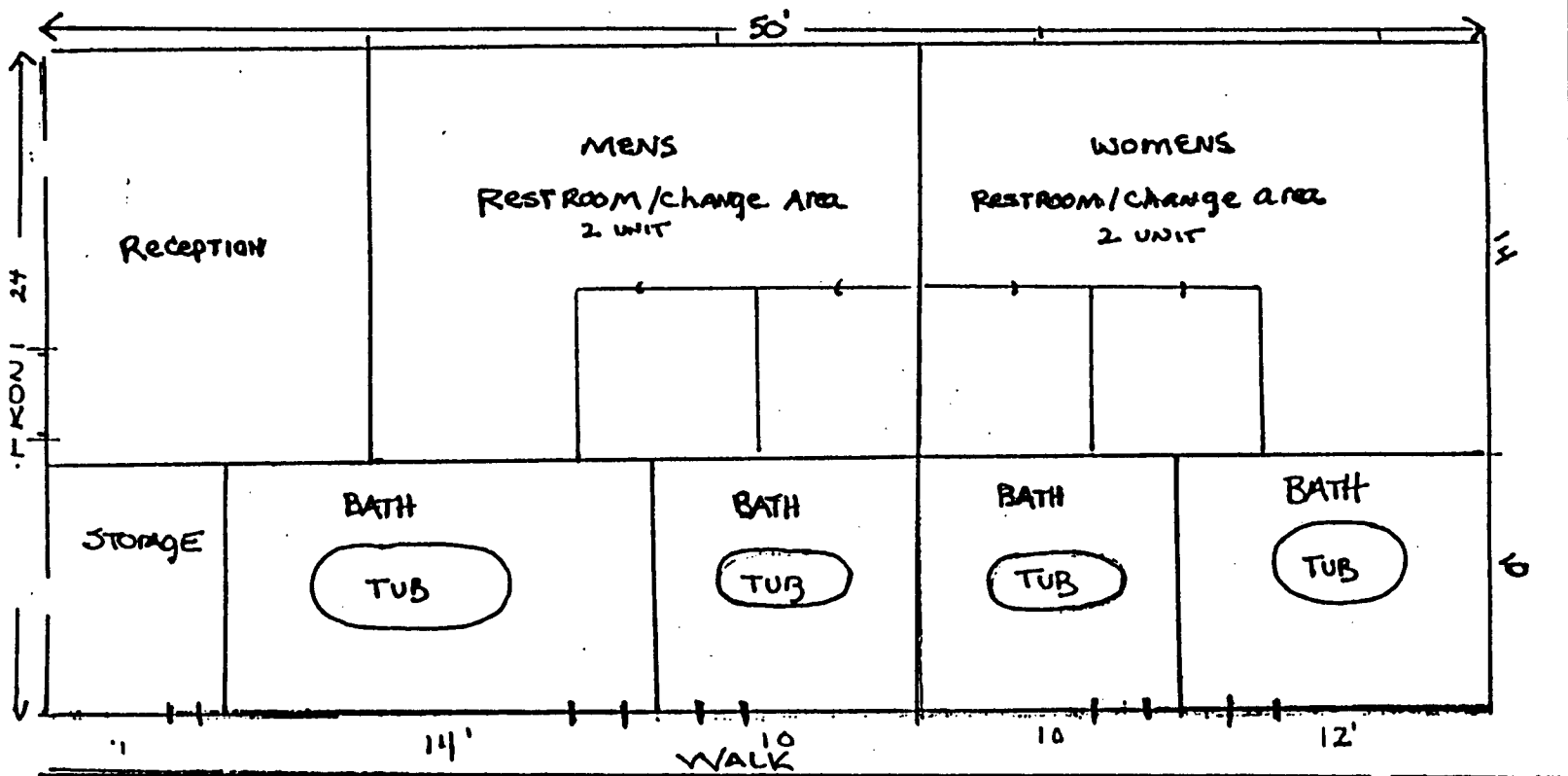
BENTON HOT SPRINGS BATHHOUSE

CONCEPTUAL LAYOUT

TOTAL BATH CAPACITY = 15 persons

TO
GIFT
SHOP
HOUSE

- NOTE:
- * No separate sign
 - * Access from Benton H.S. House only
 - * Capacity 15 in Baths
 - * Accessible (barrier free) facility
 - * See PLOT PLAN for LOCATION



10
UP 93-09
June 1993

Benton Hot Springs Garage

Description: Work associated with operating and maintaining the old town of Benton and farming and ranching the remaining property requires a great deal of equipment and tools. Work space is needed indoors for making equipment repairs, storing tools and equipment, and securing property.

Desired Future Condition: Provide an indoor workspace with adequate room for using power tools and working on farm equipment and town other "projects".

Opportunities: Construct a garage within the clustered development area of the town.

Proposed Actions:

1. Construct a 1,200 square foot (non-commercial) garage to provide adequate indoor workspace (refer to plot plan for location).
2. Use hot water to heat the garage. This would be accomplished by installing floor pipe in a concrete foundation and circulating hot water through the floor.
3. Design the garage to reflect the desired historic-look of the town.
4. Use the garage to store any fire protection equipment available to be stationed in town.

Exhibit B--continued
Project Description

GENERAL PLAN CONSISTENCY

The project would be consistent with the Mono County General Plan land use designation of Mixed Use (MU) which allows for a mix of commercial and residential uses. In addition, the project is consistent with the land use policies for the Benton Hot Springs area (see Exhibit A).

ZONING CODE CONSISTENCY

The project would be consistent with the provisions of the Mono County Zoning and Development Code (MCZDC). The project would be permitted on property zoned general purpose subject to use permit proceedings. The project conforms to all code requirements including those for lot coverage, density, building height, and set backs. In order to be consistent with the land use designation, however, the property should be rezoned to Mixed Use (MU). The project would conform to all code requirements for the Mixed Use district.

PARKING

In order to maintain the rustic, undeveloped character of the townsite, the applicant has requested that the requirement for paved parking be waived in accordance with MCZDC §19.29.020 (C). The applicant also does not wish to cover the parking areas with gravel; the soil on site is a decomposed granite that drains quickly and makes a good parking surface. The Mono County Department of Public Works has indicated that using the on site material is acceptable.

The MCZDC provides parking requirements for retail uses such as a gift shop. The code does contain parking space requirements for non-commercial garages or bathhouse facilities. Section 19.29.100 of the MCDZC states that "For any uses not specifically mentioned herein, the commission shall determine the number or amount of parking required".

Since the garage is to be used for the storage and maintenance of vehicles and machinery owned by the applicant, there does not seem to be a need for additional parking for that use. Parking will be required for the bathhouse facilities. Parking ordinances from other jurisdictions do not specifically address such facilities; they do address similar facilities such as pools and related recreational facilities. The Town of Mammoth Lakes' code requires one space per 3 persons based on the maximum occupancy for a country club, swim club, or other recreational facilities. Palm Springs requires the same for private recreational complexes. The City of San Luis Obispo requires one space per 100 square feet of pool area plus one space per 300 square feet of deck area.

The average capacity of each tub is two persons. A total of ten tubs are proposed; six outside and four inside the bathhouse. It is suggested that one space be required for each tub. The following table summarizes the parking requirements for the proposed uses.

Use	MCZDC Requirement	Required Number of Spaces
Retail space	1 space/200 sf floor area	5 (1,044 sf proposed)
Bathhouse	no requirement	10 (1/tub, 10 tubs proposed)
Garage	no requirement	none
TOTAL		15 (1 of which must be a handicapped space)

Parking currently occurs parallel to Hwy. 120 in front of the proposed project area. The applicant has proposed to locate the parking to the side of the proposed gift shop and in front of the proposed bathhouse and garage (see Figure 2--Site Plan).

SIGNS

The applicant is proposing to install one monument sign (see Figure 2, Site Plan, for sign location). The proposed sign will be solid wood with routed letters (see Exhibit C). The sign complies with all zoning code requirements.

SURROUNDING LAND USES

The project site is surrounded by the remaining portion of APN 24-240-03. Immediately adjacent uses include residences to the east, commercial uses (gas station and store) to the south across Hwy. 120, and vacant land to the west and north. The proposed uses have been designed to complement and support the existing historic (rustic) town character. Both proposed new buildings (bathhouse and garage) will be designed to blend with the historic town design.

LAND TECHNICAL ADVISORY COMMITTEE

The Land Technical Advisory Committee reviewed the proposed project at its May 17, 1993 meeting. The conditions of approval have been proposed by County staff with the consent of the applicant to meet applicable regulations and to minimize project impacts.

ENVIRONMENTAL REVIEW

The project qualifies for a Class 3 Categorical Exemption which allows for the "construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure" (CEQA Guidelines §15303).

SIGN PLAN

BENTON HOT SPRINGS GIFT/ANTIQUE SHOP

5 ft

4 ft

HISTORIC

BENTON HOT SPRINGS

NATURAL HOT WATER BATHS

GIFT SHOP • LOCAL CRAFTS



1862

3 ft

GROUND LEVEL

ROUTED LETTERS
SOLID WOOD SIGN
TWO-SIDES LETTERING

See PLOT PLAN
FOR LOCATION

Exhibit C
Proposed Sign Design

USE PERMIT FINDINGS

If the Planning Commission determines that the Use Permit should be granted, the following findings are recommended:

1. All applicable provisions of the MCZDC are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use, all yards, walls and fences, parking, loading, landscaping and other required features because:
 - a) The parcel is adequate in size to accommodate all required yards, parking areas and landscaping.
 - b) The parcel is zoned General Purpose which allows for a variety of uses subject to use permit.
2. The site of the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:
 - a) Access is provided off of Hwy. 120, a two-lane state highway. The traffic generated by the proposed use can be accommodated by the current circulation system.
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:
 - a) The proposed project would be consistent with surrounding land uses in the community of Benton Hot Springs.
4. The proposed use is consistent with the map and text of the Mono County General Plan because:
 - a) The Mixed Use land use designation provides for a variety of residential and commercial uses.

RECOMMENDATION

If the Commission wishes to grant UP 93-09, the following action is recommended:

1. Adopt the Use Permit Findings contained in this Staff Report, and approve Use Permit 93-09 to allow for 1) the conversion of an existing 1,688 square foot historical residence to a gift/antique shop, 2) construction of a natural hot springs bathhouse (1,200 square feet) and the placement of 6 outdoor bath tubs; and 3) construction of a 1,200 square foot non-commercial garage, all on APN 24-240-03, subject to the following conditions.
2. Adopt Resolution # 93-06 (attached), initiating a District Zoning Amendment for APN 24-240-03 from General Purpose (GP) to Mixed Use (MU).

**UP 93-09/Bramlette
Conditions of Approval**

Prior to Issuance of a Building Permit:

1. The applicant shall obtain all applicable county permits, including building permits, health department permits and a grading permit (if necessary).
2. The applicant shall obtain the following permits from the Mono County Health Department: "Food Handling Permit", "Sewage Disposal Permit", and "Domestic Water Permit".
3. The applicant shall comply with all applicable county codes, including the Fire Safe Regulations.
4. The applicant shall pay all applicable fees to the Eastern Sierra Unified School District.
5. The applicant shall obtain any necessary permits from the Lahontan Regional Water Quality Control Board.
6. The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath tubs and the bathhouse.

Prior to Issuance of a Certificate of Occupancy:

7. The parking area for each use shall be completed in accordance with the approved site plan. The Mono County Zoning and Development Code requirement (§19.29.020) for paved parking shall be waived.
8. Sites disturbed during the installation of septic systems shall be revegetated.
9. The applicant shall apply to the Local Agency Formation Commission (LAFCO) for initiation of annexation of APN 24-240-03 into the White Mountain Fire Protection District.

Ongoing Conditions:

10. All site utilities shall be placed underground.
11. All signs shall comply with the County Sign Ordinance.
12. The applicant 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 Department which identifies acceptable site mitigation measures, which shall then become conditions of the use permit.
13. The applicant shall comply with all county requirements for erosion and sediment control.
14. Use of the bath houses shall conform to requirements set forth by the Mono County Health Department.

June 11, 1993

15. The property shall be rezoned Mixed Use (MU).
16. Fifteen (15) parking spaces shall be provided for the gift shop and bathhouse facilities.
17. New buildings shall be designed to blend in with the existing historic town design.

June 11, 1993

MONO COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-5450 FAX 924-5458

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5217 FAX 932-7145

March 3, 2000

NOTES TO FILE

Re: Bill Bramlette
Project: Deck addition to a bed and breakfast building on the property
General Plan
Designation: Mixed Use
AP#: 24-240-03
Plan Check Number: 1029-00

On March 3, 2000 the deck addition was approved with the following conditions:

1. All utilities underground 19. 03. 070 d
2. The deck will be used for personal use only and will not be used as part of any business.

Also noted in the Use Permit file is that the Code Compliance Officer is working with the Bramletts to make sure all Use Permit conditions are met.

Gwen Plummer

Gwen Plummer
Assistant Planner

COPY

Code Compliance Division
Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-5450 Fax 924-5458
monocounty@qnet.com

Tom Reichert Code Compliance Officer

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5217 Fax 932-5246
northmono@qnet.com

NOTES FOR SCOTT/GERRY ON BRAMLETTE B&B

- I met with Bill and Diane Bramlette on the night of January 20th for about 2 ½ hours. We went over the use modification of the use permit that was issued for the Bed and Breakfast by the Planning Commission in April of 1996. I explained that since the final location and building for the permit was not mentioned at the original public hearing there would have to be some follow-up. I said that I had direction from Scott along the lines that if all the original conditions were met, it may be taken care of with just a Note To File and not have to be taken back to the Commission. We then went over the Conditions of Approval.
- Condition #1 says that all necessary permits will be taken out with the Building Department. I advised them that I believed that permits would have been necessary for the new roof, and for the small deck and hot tub that had been put on the structure. They mentioned that they were not aware that simple changes like this would require permits. They realized that new construction would have needed to go through the process, but thought these items too small, or just fixing existing poor conditions. They asked me to speak with the Building Official and see what needed to be done in retrospect. I spoke with Bob Floyd on Friday morning and he directed me to give them a building permit for the deck. He felt it was no use to get the building permit for the roof after the fact because he would not make them change it even if it was put on wrong. So the process is started for the finalizing of condition #1.
- Condition #2 requesting the water system be approved has been done.

- Condition #3 is asking that the parking area be consistent with the plot plan. This is invalid due to the original plot plan not being used. There is adequate parking, but I will get a measurement on it and include that with the note to file.
- Numbers 4 and 5 are for Health Department permits for a new septic system and a permit-to-operate. There is no new system, and Louis issued the permit-to-operate on December 21, 1999.
- Condition 6 is asking for proof of fire protection services. We have the original letter from the White Mountain Fire Protection District when the Gift Shop was opened, however I asked that they get an updated letter from the chief, Jeff Gordon.
- Condition 7 says to get an encroachment permit from Caltrans if needed. This is not needed because Caltrans does not own the right-of-way at the location of the Bed and Breakfast, Bramlettes own it.
- Condition #8 requires that all signs comply with the Mono County Sign Ordinance. At this time there are no signs for the Bed and Breakfast, but they do have plans for future signs. I left a copy of the sign ordinance with them to review. Also they mentioned that they are planning on applying to build some restrooms in the area behind the Gift Shop in the near future. I suggested that perhaps at that time they should apply for another Modification of the Use Permit, and include such things as camping and a sign plan for the whole town at that time. I told them that I felt that at the current time they could add a sign for the B&B to the existing sign in front of the Old House if it did not change the size of that sign.
- Condition #9 states that all conditions stated in the '93 use permit still apply. These conditions are up to date.

- On the possibility of applying for another Modification of Use Permit before the Commission, I had some suggestions. First I mentioned the advantage of a Pre-App meeting perhaps at a LTAC meeting to work over what would be necessary. (sign plan, need for landscape plan?, areas for campsites, etc) I also told them that it was against County Code for anyone to live in an RV in Mono County. I told them that I would look into the possibility for a campsite host to live in an RV with legal hookups during the time of employment at the campsite. They told me that they had not been aware that this was a violation of code, and that the person living in the RV next to the Old House was due to move in mid-February, and at that time they would not replace the tenant. Being as this is in just three weeks, I felt that this was a better solution than I could have hoped for.

I will be looking into the County Code regarding camping and campgrounds for future reference. I will drop off an application today for a building permit to them to start the process for the deck. Once that building permit and the letter from the fire department are in I feel that I can sign off the business license. Let me know any comments or directions regarding these issues. Also if you have any input on having campsites without actually being an RV Park with hookups and all. And also the possibility of a full time RV host slot.

MONO COUNTY PLANNING COMMISSION

MINUTES

**Meeting of
APRIL 11, 1996**

**10:00 a.m.
Bridgeport, CA**

[Note: some items were taken out of agenda order for better use of Commission time, however, no public hearings were heard before the scheduled time.]

The April 11, 1996 Planning Commission meeting was opened by Chair Joann Ronci, with Commissioners Jan Huggans and Sally Miller also in attendance. Commissioners Stimson and Robens were absent.

Staff representation at this meeting included Keith Hartstrom and Stephen Higa, Senior Planners.

AGENDA ITEM I
Review and approval of minutes
from the March 14, 1996 Planning
Commission meeting

Commissioner Huggans pointed out that the word **understanding** (7th paragraph on page 13) should be changed to **understand**.

ACTION: Motioned by Commissioner Huggans to approve the minutes of March 14, 1996 as corrected. Second by Commissioner Miller. Motion carried 3-0.

At this time Chairperson Ronci introduced two guests present for the meeting: Art Ronci, and Ed Inwood. She then briefly reviewed the scheduled agenda items.

AGENDA ITEM II
CONSENT

No consent items were included for this agenda.

PUBLIC HEARINGS
AGENDA ITEM III-A
MODIFICATION OF USE PERMIT
93-09/BRAMLETTE
APN 24-240-08

Proposed modification for relocation of a 1900's style 1,700 sf ranch house to the property for conversion into a Bread and Breakfast. A 1,200 sf addition to the rear of the house is also proposed.

FILE COPY

Located on a 548 acre parcel in the Benton Hot Springs area.
A categorical exemption is proposed.

Higa informed that in 1993 the Planning Commission had approved a use permit at the site for gift shop, garage and outdoor spa. The proposed modification of use permit is to allow for a bed and breakfast establishment, and applicant Bill Bramlette would like to move an old historic house from Inyo County/Bishop (on DWP land) to the property in Old Benton, or build an "older looking" house.

Higa continued by showing a video of portion of the Bramlette ranch in the Old Benton Hot Springs area, noting the property consisted of a 550 acres piece. Panning the camera from Hwy 120 (which bisects the property) Higa filmed existing old buildings and coral with view back towards the reservation. The proposed building site for the Bread and Breakfast building was pointed out.

Higa explained the proposed parking would connect to Hwy 120 using a 100-foot long driveway. In order to maintain the rural character of the area the applicant is talking of gravel parking rather than paved parking. He is also requesting a waiver from the zoning code requirements in order to accomplish the gravel parking. Higa mentioned a similar waiver had been granted for uses at the Benton Hot Springs.

The nine conditions of approval were noted and proposed recommended action by the Planning Commission reviewed by Higa. The project description was included in the staff report, and the land use policies for the Benton Hot Springs also included. The proposed use was consistent with the policies for the Benton Hot Springs area. Also enclosed were the plot plan and float plan, as well as prior staff report.

Commissioner Huggans questioned the location of the Yellow Jacket Road, which Higa pointed out.

Public hearing opened by Chairperson Ronci.

Bill Bramlette, project proponent, informed that he had been planning on having something like this for about two years, but the availability of the building was new. He would like to see the building preserved, and the options for preserving the building had been fairly exhausted - moving to Eastern Sierra museum, and also the Laws museum. At this point Bramlette went to the DWP and asked them not to destroy the building, that he would like to be an alternative for the building. He was presently looked into the feasibility of moving the building to his property, working with DWP on engineers, movers, etc. Bramlette noted the house fits well with the older look he's trying to preserve in the area, and mentioned that eventually he hopes to remove/replace the mobilhomes. He has also requested the

Department contact him should they have other older houses become available. He is now working with various departments on other permit processing.

Commissioner Miller asked whether the town could be designated a historic district, with Bramlette answering he has looked into this; there are some possibilities with the old store, and Wells Fargo building with hotel on the back. Whether a district or individual buildings in the future he doesn't know; though more funding would be available there would also be more control.

Stephen Higa said historic classification was a double edged sword, there would be more funding, but also constraints. A historic structure with local significance does have special exceptions from the building code.

Public hearing closed.

Brief Commission discussion established that Commissioners present were very much for the proposal.

ACTION: Commissioner Huggans motioned to:

1. Find that the project is categorically exempt and instruct staff to file an exemption;
2. In accordance with Mono County Zoning and Development Code Section 19.29.020.C waive the requirement for paved parking; and
3. Find that the proposed modification is consistent with the previously adopted Use Permit findings contained in the original staff report, page 15, and approve the modification of Use Permit 93-09/Bramlette for the construction and operation of a Bed and Breakfast establishment subject to the Conditions of Approval as listed on page 2 of 2. Second by Commissioner Miller. Motion carried 3-0.

AGENDA ITEM III-B

USE PERMIT 34-96-01

for the construction of a Community Center on 2.5 acres on the north end of Lee Vining across the extension of Main Street from the High School; GENERAL PLAN AMENDMENT 96-01 to change the land use designation from Open Space to Public Facility; and ZONE AMENDMENT to change the site zoning from General Purpose to Public Agency.

APN 21-090-15

A negative declaration has been proposed.

RECEIVED

SEP 21 1994

MONO COUNTY PLANNING DEPT.
SOUTH COUNTYL.B. Tomy Bros. Inc.
Route 4, Box 58
Benton, Calif. 93512

September 13, 1994

Mr. Harold Singer
Lahonton Regional Water Quality Board
2092 Lake Tahoe Blvd
So. Lake Tahoe, California 96150

Dear Mr. Singer:

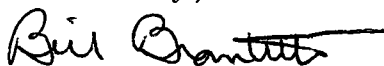
L.B. Tomy Bros. Inc is a small "family-style" group attempting to establish a business that includes outdoor "hot tubs" at Benton Hot Springs in Mono County. The natural hot springs and property involved ~~is part of a 1300-acre parcel owned by relatives to~~ members of the corporation. As a last step in the process for the use of our "hot spring tubs", the purpose of this letter is to request your approval for the surface discharge of water used for soaking and heating of the tubs.

The area proposed for surface discharge of the untreated water is located in an area of our property that has been traditionally used as pasture for livestock. The water is useful to enhance the vegetative growth. It is located in a floodplain, of soils composed of decomposed granite. Hence, soil drainage is the least of concerns. The subject area drains through our property for approximately two miles. No domestic wells exist "downstream" for a distance of over 1 1/2 miles. The amount of water discharged and level of treatment is substantially less than Mono County's Whitmore Pool, which is discharged in a similar manner.

To date, we have complied with Mono County planning, building, and health department requirements in our attempts to establish our project. We have secured a conditional land use permit for the proposed use and building department approval for the use and occupancy of related facilities. We have provided the County Health Department with full water samples and agreed to procedures to maintain safe and sanitary facilities. The water discharge approval is our final step, according to the health department. Mono County Supervisor Tim Alpers suggested we write you directly to request approval in order to expedite this step.

Should you have any questions please contact me during normal work hours at (619) 873-2438.

Sincerely,



Bill Bramlette

cc Supervisor Tim Alpers
Mono County Planning and Health Departments ✓

fire protection plan. The fire protection plan shall be part of the development application and shall identify the nature of the local fire hazard, assess the risk of wildland and structural fires presented by the project, and specify measures for detecting and responding to fires on the project site throughout all phases of the proposed development. Projects lacking adequate fire protection shall not be approved.

Action 1.2: Require subdivisions and residential, commercial, industrial, and resource extraction development projects, or similar high intensity proposals, to demonstrate the availability of adequate structural fire protection in accordance with Action 1.1. Project approvals shall include a finding that adequate structural fire protection is or will be available.

Action 1.3: Require development projects within the sphere of influence of a fire protection district to annex into the district.

Action 1.4: Require the formation of a fire protection entity for specific plan areas that include residential uses, unless the area is within the Sphere of Influence of an existing local fire protection agency

Policy 2: Require new construction to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the County's Fire Safe Ordinance.

Action 2.1: Work with the California Department of Forestry to implement the County's Fire Safe Ordinance.

Action 2.2: Consider adopting the Uniform Fire Code.

Action 2.3: Request the Mono County Fire Services Association, which consists of the eleven Fire Districts in the County, to review and comment on fire protection plans and major development proposals situated outside existing fire district spheres of influence.

Policy 3: Mitigate fire hazards through the environmental and project review process.

Action 3.1: Consider the severity of natural fire hazards, the potential for damage from wildland and structural fire, the adequacy of fire protection, appropriate project modifications and mitigation measures consistent with this Element in the review of projects.

Action 3.2: Refer project proposals to local fire protection districts and the California Department of Forestry for review and comment.

Action 3.3: Require on-site detection and suppression, such as automatic sprinkler systems, where adequate structural fire protection services are not available.

Action 3.4: Regulate the intensity of development in areas lacking adequate structural fire protection. Residential subdivisions proposing parcels of less

RE: UP 35-93-09

Bill Bramlette
 Route 4, Box 62
 Benton, California 93512

February 11, 1994

Joe Caddel
 White Mountain Volunteer Fire Department
 Benton, California 93512

RECEIVED
 FEB 22 1994
 MONO COUNTY PLANNING DEPT.

Dear Joe:

A few months ago I discussed with you some options for addressing fire protection needs associated with my Benton Hot Springs project. As you recall, I received approval from Mono County to convert an existing residence to a gift shop/hot water bath facility. Since our property is withdrawn lands from your White Mountain Fire Protection District, Mono County requested that I develop an understand and/or agreement with you on fire protection.

We discussed the options of: 1) incorporating our property within the White Mountain Fire District; 2) giving you written authorization to fight any fire that might originate from my project and billing on a "actual cost" basis; 3) developing an agreement that would allow for a "nominal" annual charge for fire protection service of facilities described in my project (the project facilities would then be treated as though it was within your fire district for any potential fire suppression charges) and, 4) me providing all fire protection on-site, with your fire district assuming no responsibilities.

We agreed that the best approach would be option # 3, to agree to some "nominal" annual charge that would allow the project to be treated as though it were within the district for fire suppression activities and billing purposes. If I remember correctly, you stated you would develop the agreement and "nominal" fee with the fire commissioners and inform Mono County Planning Department that we have come to an understanding on this issue. I would like to finalize our understand so we can move ahead with implementing the project.

Please contact me as soon as you have a proposed agreement and fee. I appreciate your cooperation and willingness to work with me to provide reasonable fire protection.

Sincerely,

Bill Bramlette

Bill Bramlette

cc
 Scott Burns, County of Mono Planning Department

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

Action 3.3: Encourage agricultural activities, such as aquaculture, greenhouse gardening, and field crops, in addition to livestock rearing.

Action 3.4: Allow for the development of short-term recreational vehicle facilities and recreation special events in areas adjacent to the historic town and along Hwy. 120.

Action 3.5: Allow single-family residential development (estate residential and large lot residential) in locations adjacent to existing residential development (Benton Paiute Reservation and Benton historic town) and outside of open space (agricultural) areas.

Action 3.6: Support the establishment of a fire protection district or evaluate annexing Benton Hot Springs to the White Mountain Fire Protection District.

FILE COPY

November 25, 1994

Bill Bramlette
Route 4, Box 62
Benton, California 93512

RECEIVED

NOV 30 1994

MONO COUNTY PLANNING DEPT.

Mr. Dennis Lampson
Mono County Health Department
P.O. Box 476
Bridgeport, California 93517

Re: Benton Hot Springs Project

Dear Dennis:

Next month, it will be two years since I first asked for your guidance and assistance in securing approval for our Benton Hot Springs project. I believe I, and my partners, have attempted to comply with all your requests for information and analyses. I regret to say that while I feel your intentions were good and sincere, to work with us to design the project to meet all water health and discharge requirements, I am unaware that we are any closer to receiving your approval than we were two years ago.

While I have not heard directly from you, in August you requested Mono County Planning Department to issue us direction that we were in violation of our use permit if we continued to offer public use of the hot tubs. We were informed that failure to comply would result in revocation of our use permit. After we received your letter, I called your office on four different occasions but was unsuccessful in either talking with you or having you return my calls. Since I was quite upset over the letter in early September, after you failed to return any of my calls, I decided I should wait awhile before trying to contact you again. And, I realize you are extremely busy so perhaps a letter will be more convenient for you anyway.

Following is a brief chronology of events related to your review and approval process for this project:

December 1992. I spoke with you on two separate occasions about the proposed project for the public use of Benton Hot Springs. You indicated a strong willingness to make the project work and assigned Jim Goodlow of your department to work with me.

Spring 1993. Jim Goodlow met with Tom Reichert and me at Benton Hot Springs and reviewed the project, including the hot

springs source, proposed facilities (redwood tubs), use locations, and the discharge site. Mr. Goodlow requested we start by providing him with a complete water analysis of the hot spring source. This water test was provided to you during the summer of 1993 along with a letter requesting approval to use the hot spring water for the uses outlined in our Mono County Planning Department use permit application.

Fall 1993. Tom Reichert inquired about the status of the project, after nearly three months without a response from your department. Your office informed Tom you had a vacancy and didn't have the staff to evaluate the water sample. Later, Tom was informed that you needed to check out the one water sample element found to be above acceptable State standards, but below acceptable Federal standards.

Winter 1993. Tom again inquired about the status of the project. The good news was the element of concern was determined to be acceptable. However, the individual selected to fill the vacancy, and be assigned to work on this project, was not yet on-board.

Spring 1994. Your new staff informed Tom that a more specific set of plans for the "bath" facilities would be needed. Tom provided drawings as requested. Your staff expressed a concern that redwood tubs may not be acceptable materials for baths. Two or three months passed while your office considered whether or not redwood tubs would be acceptable. During the summer of 1994, we were verbally informed our redwood tubs with cement bottoms would in fact be acceptable if we drained and washed out the baths with bleach after each use. We agreed to comply with this direction and you agreed to provide us with a written variance to resolve this concern. To date, we have not received a variance from you.

Summer 1994. With the understanding that we needed to flush and clean with bleach our baths after each use, we started offering to the public our baths (for the purposes of testing the facilities and services). It was at that time you indicated that we would have to secure a discharge permit from Lahonton Water Quality Control District for the discharge of the hot spring water, even though the water was not chemically treated. While we were unsure of the procedure for applying to Lahonton, we agreed to comply. It was our understanding that we could start operating "unofficially" at that time, as we had complied with the primary health and safety concerns.

August 30, 1994. Mono County Planning Department, at your request, notified us that we were operating in violation of our approved use permit, as we had not received permission from you for the use of the baths. We stopped use of our hot spring baths at that time.

September 1994. After months of not knowing how to apply to Lahonton for approval, Tim Alpers suggested we submit a letter to Mr. Harold Singer requesting approval for the water discharge. I provided you and Mono County Planning Department with a copy of my request.

November 3, 1994. Lahonton representative conducted site review and verbally indicated to Tom Reichert that "it should be no problem getting approval for discharge of water as proposed". To date, we have not received a written response or approval.

Understanding the unfair demands and pressures often applied by businesses, I have avoided making any demands of your department, respecting your need for time in order to properly review and evaluate the project. A two year processing period for this sort of project however seems unreasonable.

I apologize for any misunderstandings and for operating without your expressed written consent. On the other hand, please take into consideration the fact that we have attempted to comply with your every request even though it has been unclear at times as to what you wanted from us. And, if you check your files, you'll find that you have not responded to us in writing on any matters of this project. We still have no idea if the end is in sight after two years.

We have been given the understanding that Lahonton's approval is our last hurdle in this process. Assuming we get their approval this month to discharge the water, I would appreciate an indication from you (in writing) as to your timeframe for giving our project final approval. Having missed two seasons already, I feel it is unfair to be delayed any longer.

I regret that I feel frustrated with how this project has been handled by your office. This has been in sharp contrast to my experience with securing approval for other aspects of this project from Mono County, as they were clear, helpful, and responsive. Since you originally indicated to me that "you would work with me", I can only speculate that I (we) must have done something to get us "off-track". If so, again, please accept my apology.

I would appreciate a written response to this letter. However, I am willing to meet and talk with you about this if you feel it would be productive.

Sincerely,



Bill Bramlette

cc Scott Burns, Mono County Planning

MONO COUNTY PLANNING DEPARTMENT

P.O. BOX 347
MAMMOTH LAKES, CA 93546
619-924-5450 FAX 619-924-5458

P.O. BOX 8
BRIDGEPORT, CA 93517
619-932-5217 FAX 619-932-7145

August 30, 1994

L.B. Tomy Brothers, Inc.
Route 4 Box 58
Benton, CA 93512

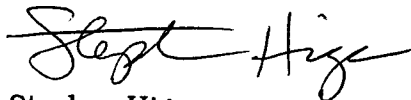
Gentlemen;

On August 29, 1994, Dennis Lampson of the Health Department reported that public use of the redwood hot tubs was occurring without written permission from the Health Department. Condition 6 of your approved Use Permit states that "the applicant shall receive written permission from the Mono County Health Department for use of the current 'Hot Water Spring' to serve the individual bath tubs and the bathhouse." Since this condition and condition 5, which requires permits from the Lahontan Regional Water Quality Control Board, have not been satisfied, the Planning Department is requesting that further public use of the hot tubs not occur until necessary permits are obtained.

If future violations are reported, the Planning Department will be forced to take measures to revoke your existing Use Permit 93-09 for failure to comply with the adopted conditions of approval.

If you have any questions, please feel free to call me at 924-5450.

Sincerely,



Stephen Higa
Senior Planner

cc: Scott Burns, Planning Director
Dennis Lampson, Health Department

June 24, 1994

Rt. 4, Box 62
Benton, Calif. 93512

Mr. Scott Burns, Planning Director
County of Mono
Mono Co. Courthouse
Bridgeport, California 93517

RECEIVED
JUN 27 1994
MONO COUNTY PLANNING DEPT.

Dear Scott:

Last week I mentioned to you that my Benton Hot Springs project was nearing completion. I asked you if there were any remaining planning department requirements that needed to be fulfilled before we could begin operating our business. You indicated you still had not seen any resolution on how we would satisfy our fire protection responsibilities. I stated that I had reached an understanding with the White Mountain Fire Protection District to enter into an individual agreement for fire protection. Please find a copy of their letter outlining our understanding and my letter confirming my agreement.

Please contact me should you have any additional requirements that must be met before we can operate.

Sincerely,

Bill Bramlette

Post Office Box 950
Benton, California 93512

May 9 , 1994

Mr. Bill Bramlette
St. Route 4, Box 59
Benton, CA 93512

Dear Mr. Bramlette:

As you may know, the White Mountain Fire Protection District is the local government district charged with the duty of fire protection in the general areas of Benton and Hammil Valley in Mono County. During the formation of the District, however, the real property which you own was excluded from the District. This means that the District does not receive any portion of the tax revenue generated by your property, and you are not required to pay fire mitigation fees for improvements to your property. It also means that the District is not obligated to provide any fire protection services to you.

The purpose of this letter, which we will be sending out to all owners of withdrawn or excluded lands on an annual basis, is to inform you that we can respond to fires on your property only (1) if we have your express permission and (2) if you agree to pay the actual costs of the fire suppression efforts. Enclosed with this letter is a copy of the fee schedule used for our equipment when it responds to fires on U.S. Government land, and it is the schedule which we will use to bill all private landholders should the District's services be required.

The Commissioners of the District, after careful consideration of the withdrawn lands situation, have decided to offer an alternative to billing owners of withdrawn lands for responding there in the case of a fire, and that is to enter into individual agreements with each owner to respond without additional charge if the landowner agrees to pay an initial annual fee to the District of \$60.00. This figure would have to be reviewed on an annual basis to insure that it reflects a reasonable amount for the provision of services, and you would be notified well in advance of any proposed increases.

If you wish to participate in the annual fee program, please sign the copy of this letter which is enclosed, and return it to the District at the address above. Also include your first fee payment of \$60.00. We have also requested that the Mono County Counsel's

office prepare a waiver and a form of permission to enter onto your property in the case that fire protection services are required. We will forward this waiver agreement as soon as it is ready, and we will need to have

in our files indicating your permission for District fire personnel to come onto your property and engage in fire suppression activities.

If you do not wish to participate, then you should be aware that the District will bill you, on the basis of the enclosed fee schedule, for the actual costs of responding to any fires on your property.

If you have any questions, you can send them in writing to the District, or you can contact either Harry Bryan, Department Chief, or Joe Caddel, the Chair of the Board of Commissioners.

Very truly yours,

WHITE MOUNTAIN FIRE PROTECTION DISTRICT

By: _____

June 23, 1994

Rt. 4, Box 62
Benton, Calif. 93512

White Mountain Fire Protection District
Attention: Joe Caddel
P.O. Box 950
Benton, California 93512

Dear Joe:

This letter is in response to your letter of May 9, 1994, concerning fire protection for my project at Benton Hot Springs.

Your offer to provide fire protection services under an individual agreement at a cost of \$60.00 per year is acceptable to me. Please provide me with the agreement and request for billing.

I would like to take this opportunity to say "thanks" to you and the other Board of Commissioners for proposing a reasonable fire protection option.

Sincerely,

Bill Bramlette

June 28, 1994

Note to file:

Based upon information provided by Bill Bramlette, applicant, it is the Planning Director's determination that adequate provisions for fire protection have been established, and that the applicant is in substantial compliance with Condition #9 of the Use Permit. Specifically, the applicant has furnished evidence that the White Mountain Fire Protection District has agreed to provide service to the project on an annual contract basis. Bill Bramlette has agreed that he will maintain a current contract agreement for fire protection service with White Mountain, or provide evidence that other fire protection mechanisms are in place to adequately serve the project.



Scott Burns
Planning Director

RE: UP 35-93-09

Bill Bramlette
 Route 4, Box 62
 Benton, California 93512

February 11, 1994

Joe Caddel
 White Mountain Volunteer Fire Department
 Benton, California 93512

RECEIVED
 FEB 22 1994
 MONO COUNTY PLANNING DEPT.

Dear Joe:

A few months ago I discussed with you some options for addressing fire protection needs associated with my Benton Hot Springs project. As you recall, I received approval from Mono County to convert an existing residence to a gift shop/hot water bath facility. Since our property is withdrawn lands from your White Mountain Fire Protection District, Mono County requested that I develop an understand and/or agreement with you on fire protection.

We discussed the options of: 1) incorporating our property within the White Mountain Fire District; 2) giving you written authorization to fight any fire that might originate from my project and billing on a "actual cost" basis; 3) developing an agreement that would allow for a "nominal" annual charge for fire protection service of facilities described in my project (the project facilities would then be treated as though it was within your fire district for any potential fire suppression charges) and, 4) me providing all fire protection on-site, with your fire district assuming no responsibilities.

We agreed that the best approach would be option # 3, to agree to some "nominal" annual charge that would allow the project to be treated as though it were within the district for fire suppression activities and billing purposes. If I remember correctly, you stated you would develop the agreement and "nominal" fee with the fire commissioners and inform Mono County Planning Department that we have come to an understanding on this issue. I would like to finalize our understand so we can move ahead with implementing the project.

Please contact me as soon as you have a proposed agreement and fee. I appreciate your cooperation and willingness to work with me to provide reasonable fire protection.

Sincerely,

Bill Bramlette

Bill Bramlette

cc
 Scott Burns, County of Mono Planning Department

AGENDA ITEM II-B
COMMISSION INTERPRETATION
WALKER AREA SEASONAL PRODUCE
STORE PARKING
DIRECTOR'S REVIEW 93-05/GREENE

L. Mitchel explained the interpretation was for an approved director's review for a seasonal fruit and vegetable stand in Walker on parcel adjacent to Hwy 395. The parcel currently contains a single family residence, garage and pump house. The applicant plans to build a 384 sq. foot building for the sale of produce in the summer, and is requesting the requirement for paved parking be waived, as a graveled surface would be more in keeping with the area.

It was mentioned paving was used to lesson erosion and keep down dust, however erosion is not an issue in this case, and gravel would keep down dust.

ACTION: Motioned by Commissioner Domaille to approve the request to waive the requirement for paved parking for Director's Review 93-05/Greene. Second by Commissioner Stimson. Motion carried 4-0.

PUBLIC HEARINGS

AGENDA ITEM III-A
USE PERMIT APPLICATION 93-09/BRAMLETTE
APN 24-240-03

Conversion of existing historical residence to a gift/antique shop, construction of a natural hot springs bathhouse and outdoor bath tubs, and construction of a 1,200 sq. ft. non-commercial garage Benton Hot Springs.
Categorically exempt

L. Mitchel explained the proposals before the Commission, along with the project location at Benton Hot Springs, adjacent to Hwy 120. The parcel is 548 acres. Adjacent uses in the area include a general store, gas station, residences, mini buildings used for storage, and mechanics shop, with the remainder of parcel in use for alfalfa and irrigated pasture for livestock grazing. Benton Hot Springs is a historic town site containing historic structures, with approximately ten structures the owners wish to preserve and protect. The Bramlette family owns the town site and valley, and provided detailed land use direction for the General Plan Update. The Land Use Section now contains adopted policies and maps for the area.

Mitchel continued her background presentation with discussion of wildlife, native vegetation, level site, soil, visual aspect, water and sewer. Proposed uses to be clustered within the already developed area. Water and sewer services are provided on site. The site is within Sphere of Influence of the

White Mountain Fire Protection District, with a general plan policy requiring new development to annex into the district if within the influence sphere. Proposed project is consistent with the General Plan, has mixed use land designation, and is consistent with the zoning code.

Applicant is requesting the requirement for paved parking be waived in order to keep with the rustic and undeveloped character of the town site, and gravel parking not be required; the soil is decomposed granite on site, which the Public Works Department has indicated would be acceptable material for a parking area.

As the Code does not address parking for bath houses, staff researched other areas for pools, etc. and came up with one parking space per tub, totaling 15 parking spaces adjacent to the gift shop. One monument sign has been proposed. Land TAC reviewed the project, and conditions with the applicant. The project conditions are fairly standard conditions relating to obtaining necessary permits. Mitchel reviewed the recommended actions, should the Commission choose to grant the permit.

A site video was shown to the Commission.

Commissioner Silverman felt the plan a lovely idea, but questioned why, when the project proponents want to maintain the historic look and nature of area there wasn't a condition to require this. Using the McDonald's arches as example of what could result Silverman questioned whether it would be appropriate to craft some conditions consistent with the area plan and general plan that would safeguard against future sale and/or alteration of historic design.

Public hearing opened by Chairman Silverman.

Bill Bramlette, applicant, noted that along with the county, they had laid out what they see as the future of the town. They're very concerned with the valley and feels they have been working with the county up front. He does have concerns about annexing with the fire district, feeling fire protection will have to be in the old Benton town. Scott Burns explained annexation was established by LAFCO prior to Proposition 13, with service districts resulting from areas of influence. The Bramlette property is within fire district sphere of influence, so annexation should be without additional cost. Burns suggested the White Mountain Fire District might be the most economical way to go.

Tom Reichert, neighboring property owner, stressed that the whole town is one piece of land, so whatever they did would not be infringing on anyone else.

Public hearing closed.

Parking spaces were discussed further, with Mitchel requesting a condition be added specifying the number of spaces. Silverman commented that the General Plan was not self enforcing and therefore she continued to press for a condition to maintain the historic nature of building in the area.

Commissioner Ronci clarified that what Commissioner Silverman wanted to see was verbiage included that stated that the applicant agreed to conform with his application as a historic building.

L. Mitchel explained the Building Department would not care what the design looked like, but would be looking for structural aspects of the building. When Planning does a plan check the conditions are viewed for compliance with all the conditions, but she noted Commissioner Silverman was right - there was no condition addressing the historic aspect or design of the buildings. She felt Silverman would like to see a condition pertaining to design relating to the historic nature of the town.

ACTION: Commissioner Domaille motioned to grant Use Permit 93-09 and adopt the Use Permit Findings contained in the Staff Report with the addition that 15 parking spaces be required, and that Resolution 93-06 to amend the zoning from General Purpose to Mixed Use be adopted. Second by Commissioner Huggans. Motion failed 3-2.

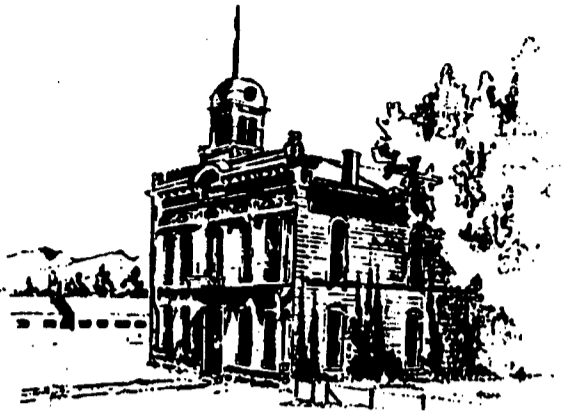
ACTION: Commissioner Ronci motioned to grant Use Permit 93-09; adopting:

- 1) the Use Permit Findings contained in the Staff Report with the addition that 15 parking spaces be required; allowing for the conversion of an existing 1688 square foot historical residence to a gift/antique shop; construction of a natural hot springs bathhouse (1,200 square feet), with the placement of 6 outdoor bath tubs; and construction of a 1,200 square foot non-commercial garage, all on APN 24-240-03, subject to the proposed conditions, with the addition of a condition that the applicant stay within the historic theme that he has proposed/the new building shall be designed to blend in with the existing historic town design.
- 2) the adoption of Resolution 93-06 initiating a District Zoning Amendment for APN 24-240-03 from General Purpose to Mixed Use. Second by Commissioner Stimson. Motion passes 5-0.

~~**AGENDA ITEM III-B**
TENTATIVE PARCEL MAP
37-159 and DISTRICT ZONING
AMENDMENT 37-93-02/ANDERSON
APN 25-200-31
Division of a 76.33 acre parcel into
four 10-acre parcels with a remaining
34.6 acre parcel.
Located on both sides of US Hwy 6 in
Hammil Valley.
A Negative Declaration was proposed~~

THIS SPACE FOR COUNTY RECORDERS USE ONLY

COUNTY of MONO



FILED

JUN 21 1993

PENNINOLAN
COUNTY CLERK, MONO COUNTY
BY *C. Pennington*

NOTICE OF EXEMPTION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk
Mono County
P.O. Box 537
Bridgeport, CA 93517

From: Planning Department
Mono County
P.O. Box 8
Bridgeport, CA 93517

Project Title: UP 93-09/Bramlette

Project Location - Community: Benton Hot Springs

Project Location - County: Mono

Project Location - Specific: APN 24-240-03

Description of Project: Conversion of residence to gift shop, construction of natural hot springs bathhouse, and construction of 1,200 sq. ft. non-commercial garage

Name of Public Agency Approving Project: Mono County

Name of Person or Agency Carrying out Project: Bill Bramlette

Exempt Status:

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 3, Section 15303
- Statutory Exemptions. State code number:

Reasons why project is exempt: The project qualifies for a Class 3 Categorical Exemption which allows for the construction and location of limited numbers of new, small facilities and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure..

Lead Agency
Contact Person: Laurie Mitchel

Area Code/Telephone/
Extension: 619-934-7504

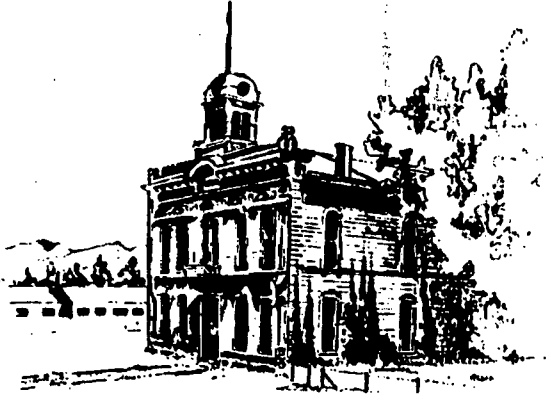
Signature: *Laurie Mitchel*
Title: Associate Planner

Date: 6.10.93

Date received for filing at OPR:

THIS SPACE FOR COUNTY RECORDERS USE ONLY

COUNTY of MONO



NOTICE OF DECISION & USE PERMIT

USE PERMIT: 93-09

APPLICANT: Bill Bramlette

ACCESSOR PARCEL NUMBER: 24-240-03

PROJECT TITLE: Conversion of residence to gift shop, construction of natural hot springs bathhouse, construction of 1,200 sq. ft. non-commercial garage.

PROJECT LOCATION: Hwy. 120 in Benton Hot Springs

On June 10, 1993, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Section 19.39.010 of the Mono County Zoning and Development Code, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit Number: 93-09, and the USE PERMIT granted, subject to the following conditions, at the conclusion of the appeal period.

CONDITIONS OF APPROVAL

See Attached 17 Conditions

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN FIFTEEN (15) 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 OF \$ 125.00.

DATE OF DECISION/USE PERMIT APPROVAL: June 10, 1993

EFFECTED DATE OF USE PERMIT: June 25, 1993

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.

On-going 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
10/91

DATED: June 11, 1993

cc: Applicant
 Engineer
 Assessor's Office
 Code Enforcement Officer

**UP 93-09/Bramlette
Conditions of Approval**

Prior to Issuance of a Building Permit:

1. The applicant shall obtain all applicable county permits, including building permits, health department permits and a grading permit (if necessary).
2. The applicant shall obtain the following permits from the Mono County Health Department: "Food Handling Permit", "Sewage Disposal Permit", and "Domestic Water Permit".
3. The applicant shall comply with all applicable county codes, including the Fire Safe Regulations.
4. The applicant shall pay all applicable fees to the Eastern Sierra Unified School District.
5. The applicant shall obtain any necessary permits from the Lahontan Regional Water Quality Control Board.
6. The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath tubs and the bathhouse.

Prior to Issuance of a Certificate of Occupancy:

7. The parking area for each use shall be completed in accordance with the approved site plan. The Mono County Zoning and Development Code requirement (§19.29.020) for paved parking shall be waived.
8. Sites disturbed during the installation of septic systems shall be revegetated.
9. The applicant shall apply to the Local Agency Formation Commission (LAFCO) for initiation of annexation of APN 24-240-03 into the White Mountain Fire Protection District.

Ongoing Conditions:

10. All site utilities shall be placed underground.
11. All signs shall comply with the County Sign Ordinance.
12. The applicant 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 Department which identifies acceptable site mitigation measures, which shall then become conditions of the use permit.
13. The applicant shall comply with all county requirements for erosion and sediment control.
14. Use of the bath houses shall conform to requirements set forth by the Mono County Health Department.

June 11, 1993

15. The property shall be rezoned Mixed Use (MU).
16. Fifteen (15) parking spaces shall be provided for the gift shop and bathhouse facilities.
17. New buildings shall be designed to blend in with the existing historic town design.

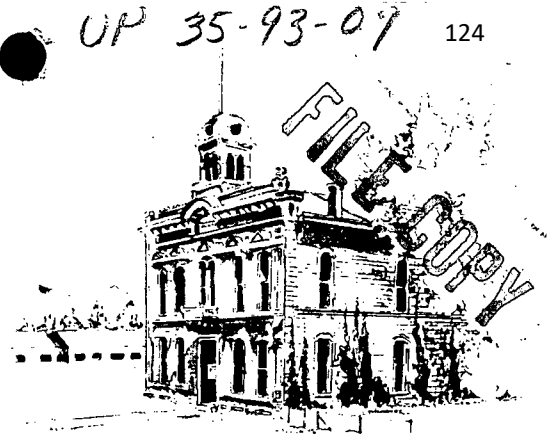
June 11, 1993

COUNTY of MONO

DEPARTMENT OF HEALTH SERVICES

P.O. Box 476
Bridgeport, CA 93517
619-932-7485, 619-932-7484
fax: 619-932-5284

JACK BERTMAN, M.D.
HEALTH OFFICER



RECEIVED

DEC 23 1994

MONO COUNTY PLANNING DEPT.

December 20, 1994

Bill Bramlette
Route 4, Box 62
Benton, Ca. 93512

Dear Bill:

**VARIANCE FOR OPERATION OF OUTDOOR HOT SPRING TUBS, BENTON
HOT SPRINGS, MONO COUNTY
APN: 62-120-16**

Thank you for personally taking the time to meet with Environmental Health staff in the Mammoth Lakes Office on December 1, 1994. This meeting was productive in obtaining final approval for the operation of the hot tubs.

This letter is in response your letter dated November 25, 1994 and summarizes the conclusions reached at our meeting. It further provides Health approval for operation of the outdoor hot springs tubs and sets forth conditions and recommended guidelines for operation and maintenance of the hot tubs.

Mono County Health Department staff have reviewed you request to operate hot springs tubs located at Benton Hot Springs, Mono County. Your revised proposed project description, as submitted by Tom Reichert on July 1, 1994, states the outdoor hot spring tubs will be operated as a "typical bath tub" and will be drained and sanitized with a chlorox/water solution after each use. There will be no filtration system or aeration system connected to the tubs.

The Mono County Code, Section 7.09.040 prohibits the construction , installation or operation of any wood hot tub for use by the public in conjunction with commercial or community recreation places. The Mono County Code further allows the Health Officer to grant a variance for the operation of a wood hot tub, if upon information submitted to the Department and inspection of the wood hot tub, it is in compliance with state and county regulations.

Based upon written and verbal information presented to this department and upon staff's inspection of the hot tubs, the Mono County Health Department finds that the proposed hot water tubs are exempt from certain requirements pertaining to the use and operation of a spa pool as defined in the California Health and Safety Code, the California Code of Regulations, and the Uniform Building Code, and hereby grants a variance for operation of the Benton outdoor hot springs tubs. This variance and approval to operate the hot springs tubs is based upon the following conditions:

1. The hot spring tubs shall operated as individual bath or soaking tubs, and shall not be connected to either a filtration or aeration system as required for a commercial spa pool.
2. Each hot spring tub shall be drained, cleaned, and disinfected after each use. Chemical disinfectants and cleaners shall be removed from the tub prior to refilling with hot water.
3. The maximum water temperature shall be 104 degrees Fahrenheit. Thermometers shall be provided at each tub for checking the water temperature.
4. This water system is classified as a "state small water system" and is defined as a system for provision of piped water to the public for human consumption that serves at least five, but not more than 14, service connections and does not regularly serve more than an average of 25 individuals daily for more than 60 days out of the year. It is the responsibility of the owner to notify the Mono County Health Department when your usage exceeds 25 persons per day, 60 days of the year. Prior to July 1, 1995, MCHD will review records to determine your water system classification.

To help determine daily usage, it is recommended that the operator maintain a daily log of the number of persons using the baths.

5. All water used to fill the hot spring tubs shall be from a potable, approved source. Our records indicate this system has an unapproved source as your water system is feed from a hot water spring under the influence of surface water. Prior to June 1, 1995, please submit a proposal for provision of potable water to the packaged food market and the baths.

Bottled water, from an approved source, shall be provided for use by employees

and customers using the hot tubs and store.

6. All plumbing shall be protected against cross contamination with positive air gap separation on all fill lines to the tubs.
7. Wastewater shall be disposed in a manner that does not create a public nuisance, ponding of wastewater, mosquito breeding, or attract vectors, or result in an adverse impact to water quality. The method of wastewater disposal shall be approved by the Regional Water Quality Control Board.
8. It is recommended that a precaution sign with clearly legible letters be posted in a prominent place near the entrance to the hot tubs which shall contain the following language:

"CAUTION

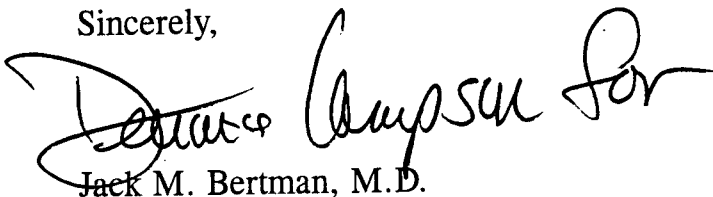
1. Elderly persons, pregnant women, infants and those with health conditions requiring medical care should consult with a physician before entering the hot tub.
2. unsupervised use by children under the age of 14 is prohibited.
3. Hot water immersion while under the influence of alcohol, narcotics, drugs, or medicines may lead to serious consequences and is not recommended.
4. Do not use alone.
5. Long exposure may result in nausea, dizziness or fainting."

This standard precaution sign may be purchased from most swimming pool supply stores or representatives.

9. At all times, the tubs shall be maintained in a clean and sanitary manner, free from any safety hazards.

Thank you for your patience and for working with us during the Health approval process. As usual, if you have any questions, please feel free to contact our office at 619-932-7485.

Sincerely,



Jack M. Bertman, M.D.
Health Officer

DRL/bms: [bentonht.ltr]

Copies to:

Tom Rheiner, RWQCB

Scott Burns, Mono County Planning Department

RESOLUTION NO. 93-06

**A RESOLUTION OF THE PLANNING COMMISSION,
COUNTY OF MONO, STATE OF CALIFORNIA,
INITIATING A DISTRICT ZONING AMENDMENT,
FROM GENERAL PURPOSE TO MIXED USE,
FOR APN 24-240-03, IN
BENTON HOT SPRINGS**

WHEREAS, the General Plan land use designation for Assessors Parcel Number 24-240-03 (Benton Hot Springs) is Mixed Use (MU); and

WHEREAS, the property is currently zoned General Purpose (GP); and

WHEREAS, state law requires that the County's zoning be consistent with applicable general plan documents; and

WHEREAS, the Land Use Element of the General Plan contains policies which provide for a variety of uses in Benton Hot Springs on APN 24-240-03.

NOW THEREFORE, BE IT RESOLVED that the Mono County Planning Commission hereby initiates a District Zoning Amendment for APN 24-240-03 from General Purpose (GP) to Mixed Use (MU).

BE IT FURTHER RESOLVED that the Mono County Planning Commission shall consider the proposed District Zoning Amendment in a duly noticed hearing and shall make a written recommendation to the Mono County Board of Supervisors.

PASSED AND ADOPTED this 10th day of June 1993 by the following vote:

- AYES: Commissioners Domaille, Huggans, Ronci, Silverman and Stimson
- NOES: None
- ABSENT: None
- ABSTAIN: None

Claudia Silverman

 CLAUDIA SILVERMAN, CHAIRMAN
 MONO COUNTY PLANNING
 COMMISSION

ATTEST:
Penny Padgett

 Penny Padgett
 Planning Commission Secretary

APPROVED AS TO FORM:
By Neir McQuinn

 JAMES S. REED
 COUNTY COUNSEL

DATED: *June 10, 1993*

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HEARING TO BE HELD IN THE
BOARD OF SUPERVISORS
BOARDROOM, COURTHOUSE,
BRIDGEPORT

County of Mono
Planning Department

AGENDA ITEM: III-A
HEARING DATE: 6-10-93
HEARING TIME: 9:15 a.m.
FILE NO(S): UP 93-09
PREPARED BY: Laurie Mitchel

REPORT TO THE COUNTY PLANNING COMMISSION

PROPOSAL: Conversion of residence to a gift shop, construction of natural hot springs bathhouse, and construction of 1,200 sq. ft. non-commercial garage.

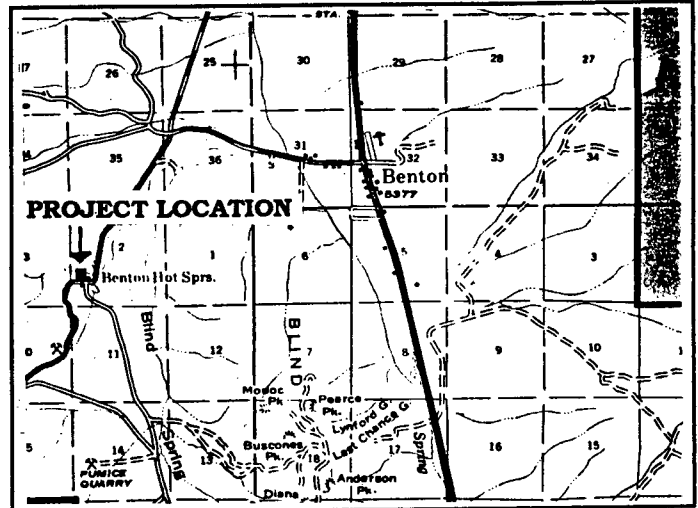
APPLICANT: Bill Bramlette

**ENGINEER/
REPRESENTATIVE:** none

LOCATION: Hwy. 120, Benton Hot Springs

ASSESSOR PARCEL NUMBER: 24-240-03

**PARCEL SIZE (ACRES OR
SQUARE FEET):** 548.66 acres



VICINITY MAP

ZONING: General Purpose

GENERAL PLAN DESIGNATION: Mixed Use

CURRENT LAND USE: General store, gas station, seven residences, many storage buildings, mechanics shop, pasture land, and livestock grazing.

SURROUNDING LAND USES (all on same parcel)

	ZONING	LAND USE
NORTH	MU	undeveloped
SOUTH	MU	residential, store and gas station
EAST	MU	residential
WEST	MU	undeveloped

MAJOR SITE FEATURES

TERRAIN: Flat.
DRAINAGE: A drainage ditch conveying hot water (800 gpm) flows 50 feet north of the project site.
VEGETATION: Not applicable--site has been developed for over 140 years.
WILDLIFE: Not applicable--site has been developed for over 140 years.

ACCESS

STREET ACCESS: Hwy. 120
STREET FRONTAGE: Hwy. 120

SERVICES

	AGENCY	COMMENT
WATER SERVICE	Existing.	None.
SEWER SERVICE	Existing septic.	Septic will be upgraded.
FIRE SERVICE	Outside White Mt. FPD.	Garage will house fire equipment.
OTHER		

FIELD INSPECTION BY STAFF

LM 5.17.93
INITIAL/DATE

BACKGROUND

The project is proposed on a 548 acre parcel on the north side of Hwy. 120 in Benton Hot Springs, California (Figure 1). The project proposes to 1) convert an existing 1,688 square foot residence to a gift/antique shop, 2) construct a natural hot springs bathhouse (1,200 square feet) and 6 outdoor bath tubs, and 3) construct a 1,200 square feet non-commercial garage. The project will include parking for all uses and one freestanding sign advertising both the bathhouse and the gift shop. Access to all portions of the site is from Hwy. 120.

Benton Hot Springs currently contains a general store, gas station, seven residences, many buildings used for storage, and a mechanics shop, all of which are located on APN 24-240-03. The remainder of the 548 acre parcel, located primarily to the east of the townsite in the valley, is used for farming (alfalfa and irrigated pasture) and livestock grazing. The townsite contains a number of historic structures, approximately ten of which the owners wish to preserve and protect. The proposed project is the first step towards that goal. In order to finance the costs of preservation, the owners will have to develop compatible businesses associated with the historic properties. In doing so, the owners intend to capitalize on the main attributes of Benton Hot Springs--the historic properties, hot springs, roadside visitor services (gas, store, etc.), and the uniqueness of the "old" town.

During the recent General Plan update process, the owners provided detailed land use direction for all of their property in the Benton Hot Springs Valley. The Land Use Element of the adopted plan contains a set of policies for the area (attached as Exhibit A), and the land use map for the area provides specific direction for various areas of the property (see Figure 2).

The applicant has provided detailed descriptions of each of the proposed uses. These are attached as Exhibit B.

Since the site is completely developed and is surrounded by other developed uses, there are no native plant species or fish or wildlife species on the site. The project site is level. The soil on site is decomposed granite. An area directly north of the project site is within the 100 year floodplain as shown on the Flood Insurance Rate Map for the area.

Visually, the project will not be intrusive. The new buildings will be designed to blend in with the existing historic town design. All of the proposed uses are clustered within existing development and/or will be screened from roads or residences. New outdoor lighting will be limited to lighting of walkways and the sign.

Water and sewer services for the proposed uses will be provided onsite. An existing septic system for the house will be upgraded, in compliance with Mono County Health Department guidelines. A separate commercial septic system will be designed and installed to serve the bathhouse and outdoor bath tubs in compliance with Health Department guidelines. The applicant is working with the Mono County Health Department to provide water to serve the bathhouse and outdoor bath tubs from an existing hot water spring.

The site is within the Sphere of Influence of the White Mountain Fire Protection District. General Plan policies (Safety Element, Goal II, Objective B, Action 1.3) require development projects within the sphere of influence of a fire protection district to annex into the district.

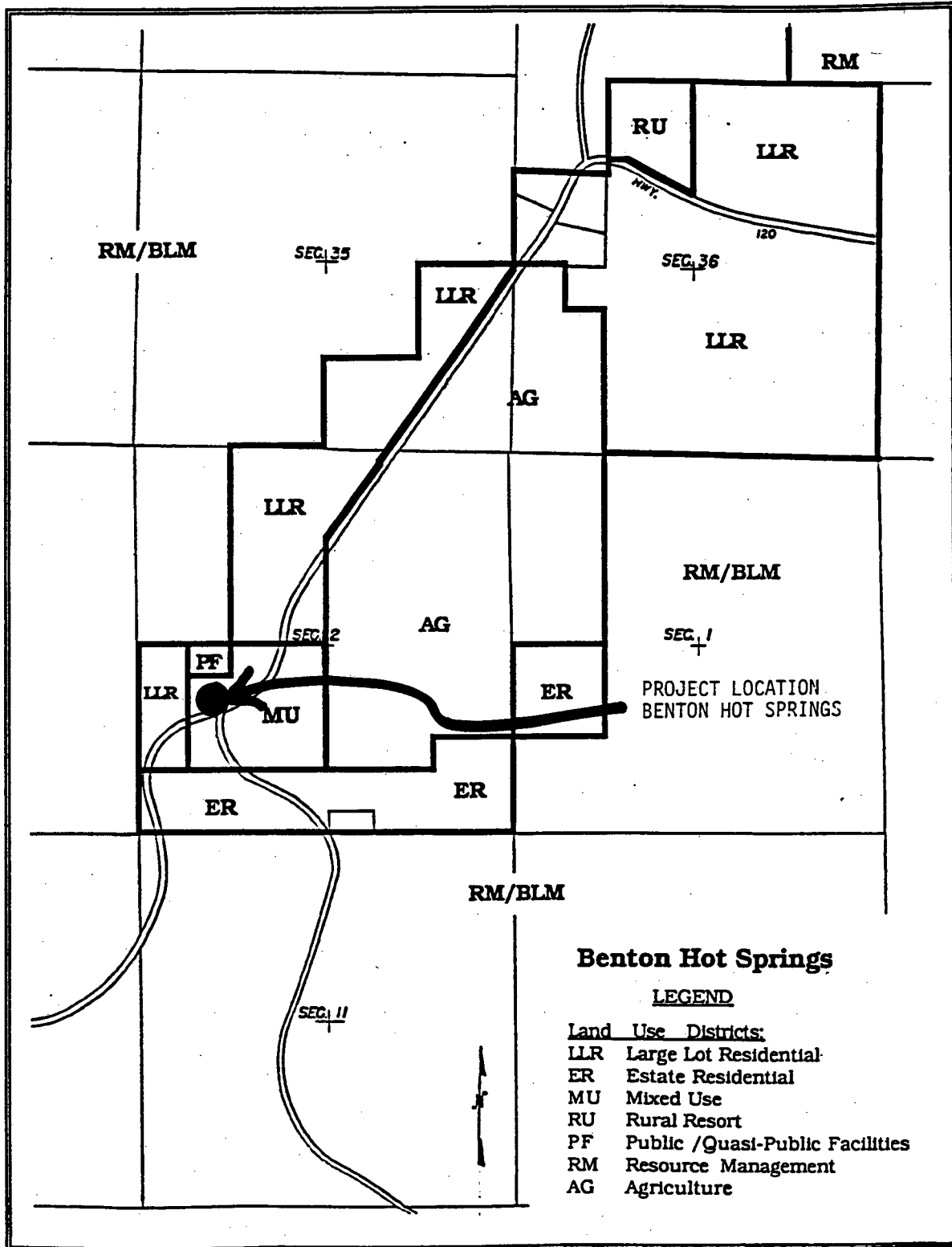


Figure 1
Location Map

Preserve the historic, rural, and agricultural character of the Benton Hot Springs Valley.

Policy 1: Preserve and restore historic features of Benton Hot Springs.

Action 1.1: Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 1.2: Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and compliments the town's historic design and character.

Action 1.3: Support the landowner's efforts to convert non-conforming structures (i.e. mobilehomes and trailers) into structures that fit with the historic town character.

Action 1.4: Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code. Support and/or approve variances to local, state, and federal regulations when such variances are determined to be environmentally sound and safe and are consistent with furthering preservation of historic resources.

Policy 2: Maintain the open space and rural character of Benton Hot Springs meadow.

Action 2.1: Encourage grazing and agricultural uses of Benton Hot Springs meadow and irrigated pasture lands, as opposed to intensive development, in order to preserve open space values.

Action 2.2: Support conservation practices and activities to enhance and maintain wildlife, livestock, visual, and recreation benefits. If so desired by the landowner, support conservation and visual easements and tax reduction incentives as affordable means for open space protection. Determine that farming and ranching activities are appropriate uses and activities within these undeveloped areas.

Action 2.3: Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open space areas.

Action 2.4: Support development of additional water sources and ponds to enhance habitat for wildlife and livestock.

Action 2.5: Support actions to mitigate flood damage potential within and adjacent to the historic town.

Policy 3: Encourage uses and businesses that support and compliment, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.

Exhibit A
Benton Hot Springs Land Use Policies

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

Action 3.3: Encourage agricultural activities, such as aquaculture, greenhouse gardening, and field crops, in addition to livestock rearing.

Action 3.4: Allow for the development of short-term recreational vehicle facilities and recreation special events in areas adjacent to the historic town and along Hwy. 120.

Action 3.5: Allow single-family residential development (estate residential and large lot residential) in locations adjacent to existing residential development (Benton Patute Reservation and Benton historic town) and outside of open space (agricultural) areas.

Action 3.6: Support the establishment of a fire protection district or evaluate annexing Benton Hot Springs to the White Mountain Fire Protection District.

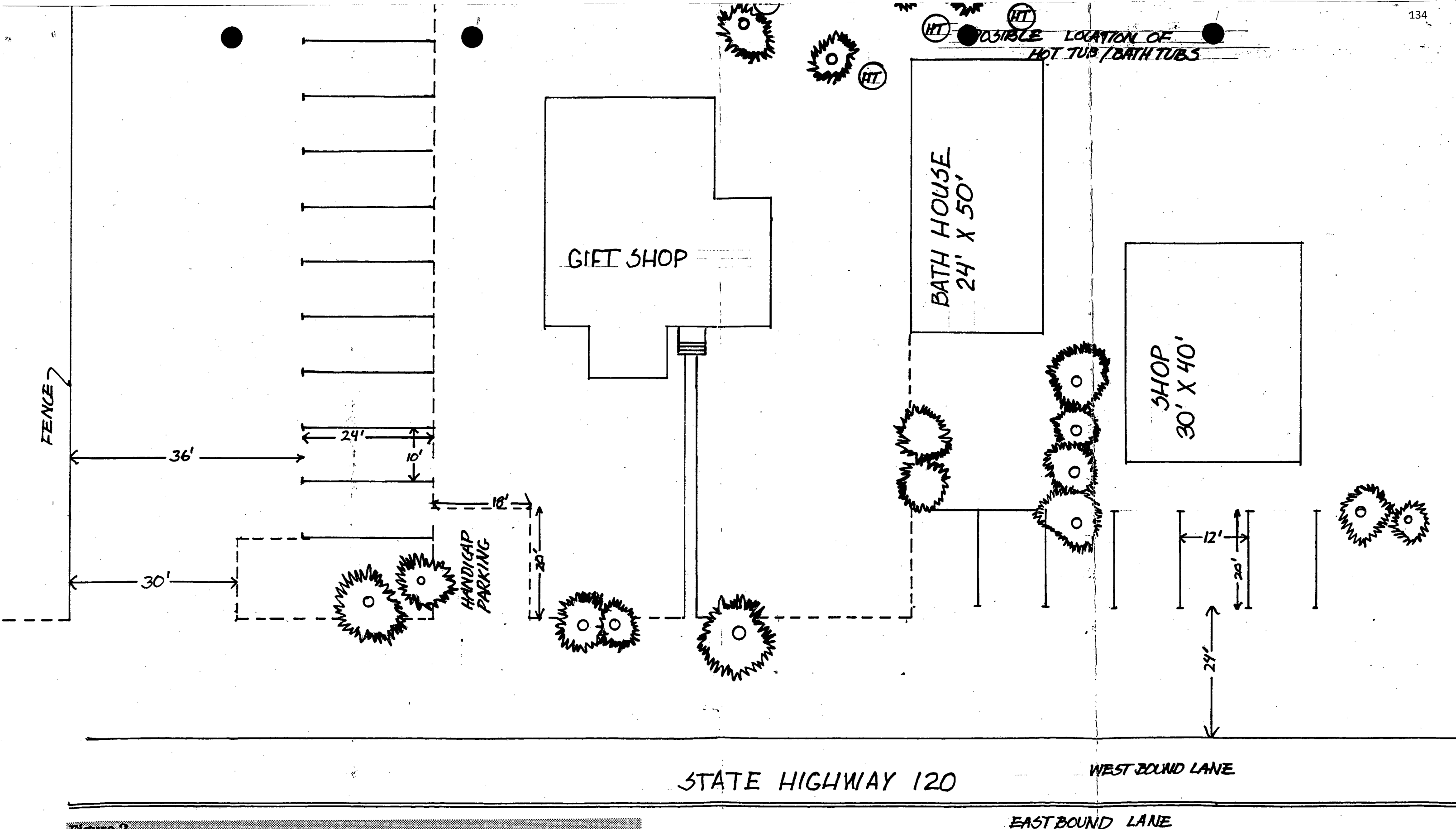


Figure 2 Site Plan

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UP 93-09
June 1993

Benton Hot Springs House

Description: The Benton Hot Springs House is located on the opposite side of Highway 120 from the Benton Hot Springs Store (historic Wells Fargo building). It is believed that this wood structure was built in the 1880's from Mono Mills lumber. It was moved from its original location (1/2 mile east) by early Benton residents using a mule team to where it is now located, sometime after the turn of the century.

The Benton Hot Springs House is 1,688 square feet and has been used as a single family residence for at least 80 years. It is single story. Some interior remodeling has occurred and at least one addition has been added to the back of the building.

Desired Future Condition: Stabilize, maintain, and upgrade the building to preserve its historic value into the future.

Opportunities: The structure is of historic interest to area visitors. Potential uses include gift/antique shop, mini-store, and control facility for hot springs bathhouse and outdoor bath-tubs.

Proposed Actions:

1. Convert 1,688 sq. ft. residence to: reception area (200 sq. ft.), storage (360 sq. ft.), office (84 sq. ft.), gift/antique sales display area (732 sq. ft.), and other sales--beverages/sandwiches (312 sq. ft).
2. Reinforce the foundation, including replacing rock "skirting" around the perimeter.
3. Install a new septic and leach field system.
4. Paint the house and trim in traditional "Benton White and Green".
5. Provide (if not currently adequate) parking in front and to the side of house to accommodate 10 vehicles.
6. Install sign in front of the house (see attached sign plan).
7. Install new flooring and carpeting as needed.
8. Finish front yard wood fence.
9. Construct accessible porches and ramps to the house.

Exhibit B
Project Description

Benton Hot Springs "Bathhouse and Outdoor Bath-Tubs"

Description: The natural hot springs of Benton have been rated as the "finest and purist in the world". We have no basis for validating this claim. Nonetheless, for more than 140 years, residents of the town have used the 130 degree F. water for drinking and bathing. During this period, no noticeable change in the temperature, quantity, or quality of the water has been measured or recorded. Limited public access and use of this hot water for bathing continues today. The demand for public access has sharply increased over the past ten years.

Desired Future Condition: Provide Benton visitors with opportunities to use and experience the unique natural hot water, both indoors and outdoors. To ensure the safety of visitors, confine and control the areas of use and access.

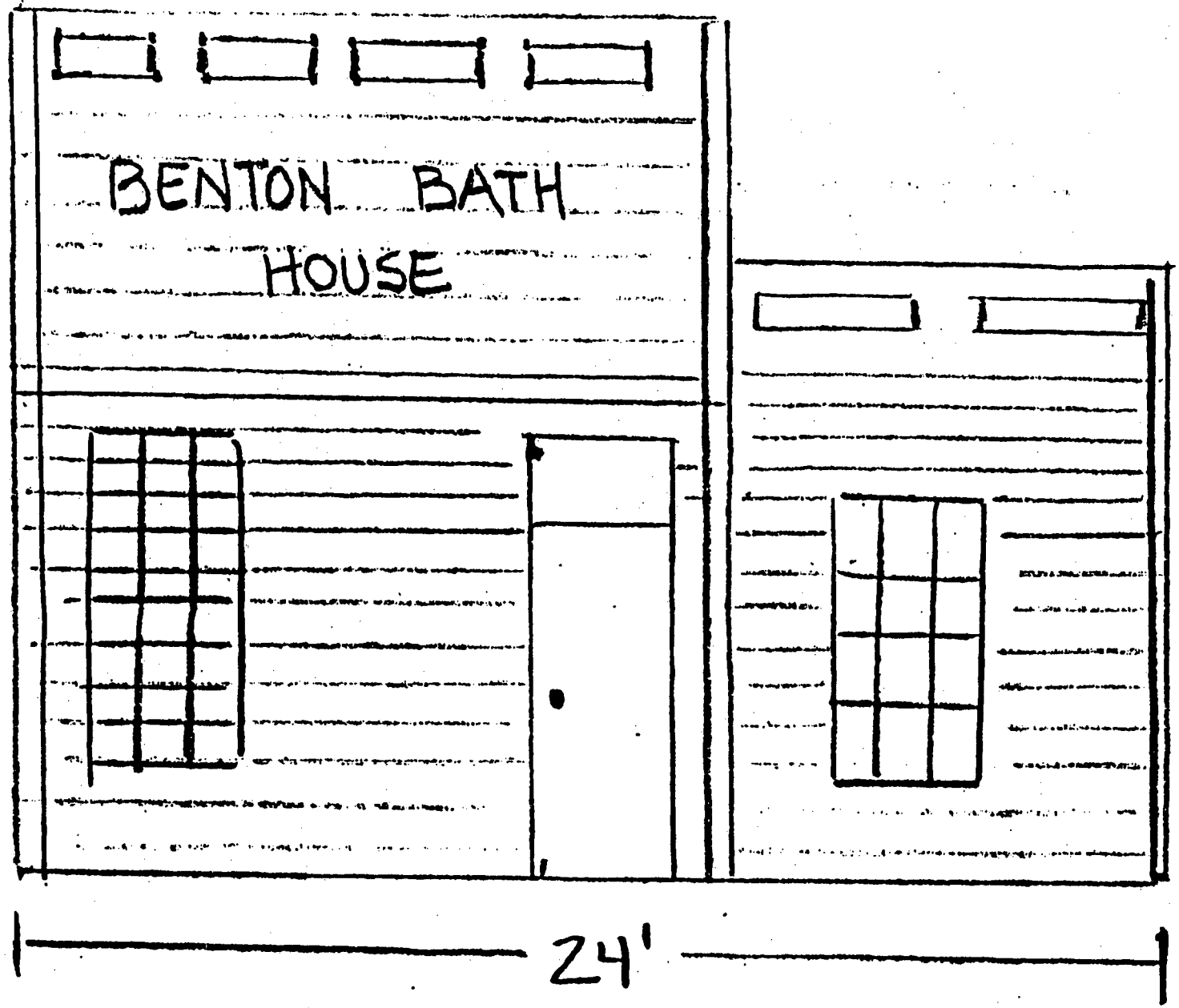
Opportunities: Construct rustic, yet safe and sanitary, facilities for visitors to use and enjoy the natural hot water for its therapeutic and medicinal values.

Proposed Actions:

1. Construct a "bathhouse" adjacent to the gift shop (see plot plan for location); a 1,200 square foot bathhouse would consist of a combination restrooms and change areas (550 sq. ft.), hot water baths (600 sq. ft.), and storage (50 sq. ft.). The bathhouse facility would be of a historic design, similar to the original Wai Wera Club (see attached conceptual bathhouse design). All bath facilities would be individually controlled (water faucets) and drained and cleaned after each use.
2. In keeping with the rustic historic character of the town, install six outdoor redwood bath tubs (5 ft. dia. X 4 ft. high) and plumb strictly as bath facilities (fitted faucets and drains). The general location for these baths would be to the side and behind the Benton Hot Springs House. Historic redwood water transmission pipe (5 foot dia.) from Southern California Edison Company's hydro-electric power operation in Bishop Creek would be used. These facilities provide a rustic, yet clean and sanitary, bath-tubs. Each bath-tub would be plumbed and set in a cement base to allow for draining and cleaning after each use.

Exhibit B--continued
Project Description

Exhibit B-continued
Project Description



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UP 93-09
June 1993

BENTON HOT SPRINGS BATHHOUSE

CONCEPTUAL LAYOUT
TOTAL BATH CAPACITY = 15 persons

TO
GIFT
SHOP
HOUSE

- NOTE:
- * NO SEPARATE SIGN
 - * ACCESS FROM BENTON H.S. HOUSE ONLY
 - * CAPACITY 15 IN BATHS
 - * ACCESSIBLE (barrier free) facilit
 - * See PLOT PLAN FOR LOCATION

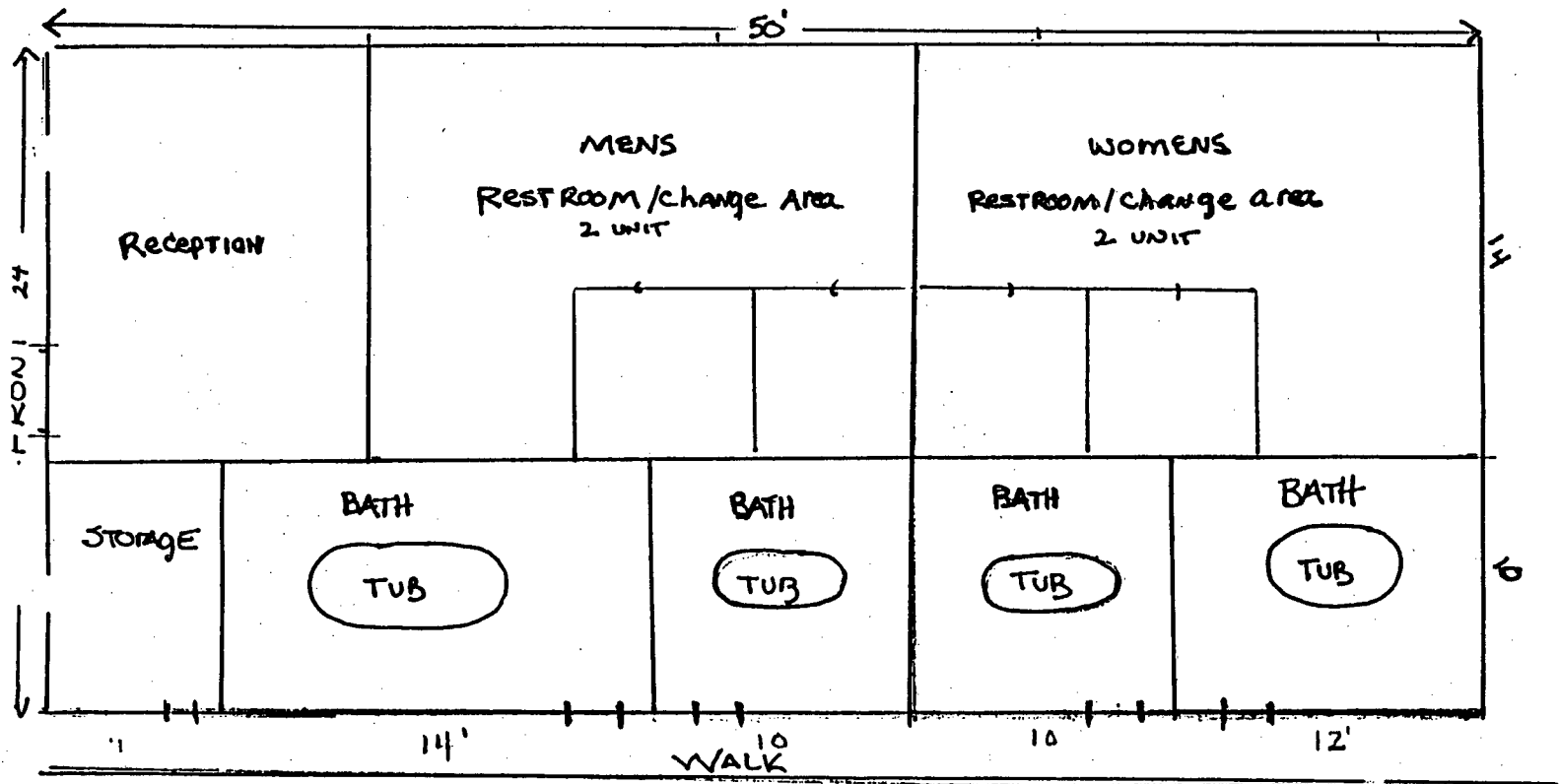


Exhibit B--continued
Project Description

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UP 93-09
June 1993

Benton Hot Springs Garage

Description: Work associated with operating and maintaining the old town of Benton and farming and ranching the remaining property requires a great deal of equipment and tools. Work space is needed indoors for making equipment repairs, storing tools and equipment, and securing property.

Desired Future Condition: Provide an indoor workspace with adequate room for using power tools and working on farm equipment and town/other "projects".

Opportunities: Construct a garage within the clustered development area of the town.

Proposed Actions:

1. Construct a 1,200 square foot (non-commercial) garage to provide adequate indoor workspace (refer to plot plan for location).
2. Use hot water to heat the garage. This would be accomplished by installing floor pipe in a concrete foundation and circulating hot water through the floor.
3. Design the garage to reflect the desired historic-look of the town.
4. Use the garage to store any fire protection equipment available to be stationed in town.

**Exhibit B--continued
Project Description**

GENERAL PLAN CONSISTENCY

The project would be consistent with the Mono County General Plan land use designation of Mixed Use (MU) which allows for a mix of commercial and residential uses. In addition, the project is consistent with the land use policies for the Benton Hot Springs area (see Exhibit A).

ZONING CODE CONSISTENCY

The project would be consistent with the provisions of the Mono County Zoning and Development Code (MCZDC). The project would be permitted on property zoned general purpose subject to use permit proceedings. The project conforms to all code requirements including those for lot coverage, density, building height, and set backs. In order to be consistent with the land use designation, however, the property should be rezoned to Mixed Use (MU). The project would conform to all code requirements for the Mixed Use district.

PARKING

In order to maintain the rustic, undeveloped character of the townsite, the applicant has requested that the requirement for paved parking be waived in accordance with MCZDC §19.29.020 (C). The applicant also does not wish to cover the parking areas with gravel; the soil on site is a decomposed granite that drains quickly and makes a good parking surface. The Mono County Department of Public Works has indicated that using the on site material is acceptable.

The MCZDC provides parking requirements for retail uses such as a gift shop. The code does not contain parking space requirements for non-commercial garages or bathhouse facilities. Section 19.29.100 of the MCDZC states that "For any uses not specifically mentioned herein, the commission shall determine the number or amount of parking required".

Since the garage is to be used for the storage and maintenance of vehicles and machinery owned by the applicant, there does not seem to be a need for additional parking for that use. Parking will be required for the bathhouse facilities. Parking ordinances from other jurisdictions do not specifically address such facilities; they do address similar facilities such as pools and related recreational facilities. The Town of Mammoth Lakes' code requires one space per 3 persons based on the maximum occupancy for a country club, swim club, or other recreational facilities. Palm Springs requires the same for private recreational complexes. The City of San Luis Obispo requires one space per 100 square feet of pool area plus one space per 300 square feet of deck area.

The average capacity of each tub is two persons. A total of ten tubs are proposed; six outside and four inside the bathhouse. It is suggested that one space be required for each tub. The following table summarizes the parking requirements for the proposed uses.

Use	MCZDC Requirement	Required Number of Spaces
Retail space	1 space/200 sf floor area	5 (1,044 sf proposed)
Bathhouse	no requirement	10 (1/tub, 10 tubs proposed)
Garage	no requirement	none
TOTAL		15 (1 of which must be a handicapped space)

Parking currently occurs parallel to Hwy. 120 in front of the proposed project area. The applicant has proposed to locate the parking to the side of the proposed gift shop and in front of the proposed bathhouse and garage (see Figure 2--Site Plan).

SIGNS

The applicant is proposing to install one monument sign (see Figure 2, Site Plan, for sign location). The proposed sign will be solid wood with routed letters (see Exhibit C). The sign complies with all zoning code requirements.

SURROUNDING LAND USES

The project site is surrounded by the remaining portion of APN 24-240-03. Immediately adjacent uses include residences to the east, commercial uses (gas station and store) to the south across Hwy. 120, and vacant land to the west and north. The proposed uses have been designed to complement and support the existing historic (rustic) town character. Both proposed new buildings (bathhouse and garage) will be designed to blend with the historic town design.

LAND TECHNICAL ADVISORY COMMITTEE

The Land Technical Advisory Committee reviewed the proposed project at its May 17, 1993 meeting. The conditions of approval have been proposed by County staff with the consent of the applicant to meet applicable regulations and to minimize project impacts.

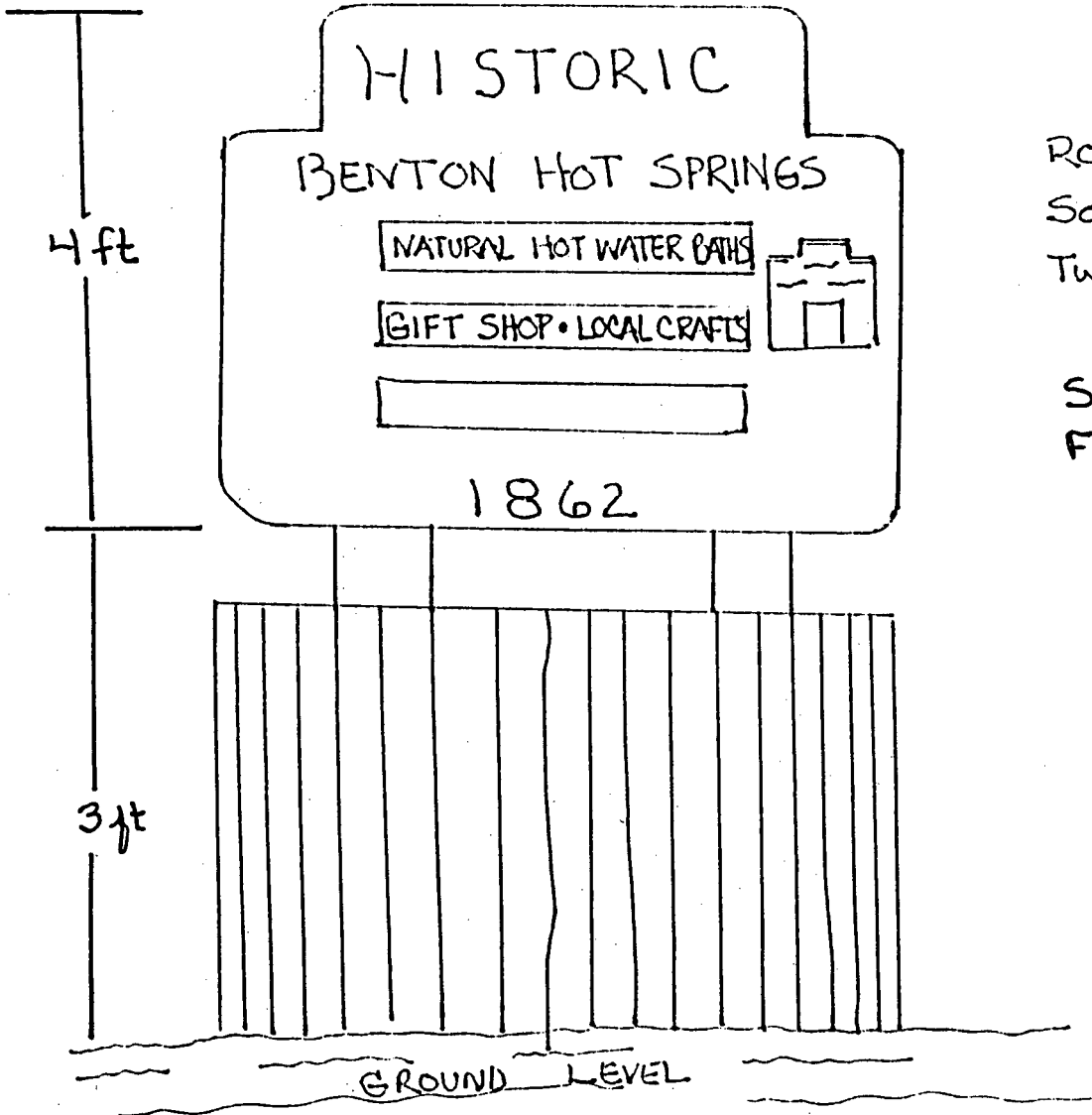
ENVIRONMENTAL REVIEW

The project qualifies for a Class 3 Categorical Exemption which allows for the "construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure" (CEQA Guidelines §15303).

SIGN PLAN

BENTON HOT SPRINGS GIFT/ANTIQUE SHOP

5 ft



4 ft

3 ft

GROUND LEVEL

ROUTED LETTERS
SOLID WOOD SIGN
TWO-SIDES LETTERING

See PLOT PLAN
FOR LOCATION

**Exhibit C
Proposed Sign Design**

USE PERMIT FINDINGS

If the Planning Commission determines that the Use Permit should be granted, the following findings are recommended:

1. All applicable provisions of the MCZDC are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use, all yards, walls and fences, parking, loading, landscaping and other required features because:
 - a) The parcel is adequate in size to accommodate all required yards, parking areas and landscaping.
 - b) The parcel is zoned General Purpose which allows for a variety of uses subject to use permit.
2. The site of the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:
 - a) Access is provided off of Hwy. 120, a two-lane state highway. The traffic generated by the proposed use can be accommodated by the current circulation system.
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:
 - a) The proposed project would be consistent with surrounding land uses in the community of Benton Hot Springs.
4. The proposed use is consistent with the map and text of the **Mono County General Plan** because:
 - a) The Mixed Use land use designation provides for a variety of residential and commercial uses.

RECOMMENDATION

If the Commission wishes to grant UP 93-09, the following action is recommended:

1. Adopt the Use Permit Findings contained in this Staff Report, and approve Use Permit 93-09 to allow for 1) the conversion of an existing 1,688 square foot historical residence to a gift/antique shop, 2) construction of a natural hot springs bathhouse (1,200 square feet) and the placement of 6 outdoor bath tubs; and 3) construction of a 1,200 square foot non-commercial garage, all on APN 24-240-03, subject to the following conditions.
2. Adopt Resolution # 93-06 (attached), initiating a District Zoning Amendment for APN 24-240-03 from General Purpose (GP) to Mixed Use (MU).

USE PERMIT CONDITIONS

Prior to Issuance of a Building Permit:

1. The applicant shall obtain all applicable county permits, including building permits, health department permits and a grading permit (if necessary).
2. The applicant shall obtain the following permits from the Mono County Health Department: "Food Handling Permit", "Sewage Disposal Permit", and "Domestic Water Permit".
3. The applicant shall comply with all applicable county codes, including the Fire Safe Regulations.
4. The applicant shall pay all applicable fees to the Eastern Sierra Unified School District.
5. The applicant shall obtain any necessary permits from the Lahontan Regional Water Quality Control Board.
6. The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath tubs and the bathhouse.

Prior to Issuance of a Certificate of Occupancy:

7. The parking area for each use shall be completed in accordance with the approved site plan. The Mono County Zoning and Development Code requirement (§19.29.020) for paved parking shall be waived.
8. Sites disturbed during the installation of septic systems shall be revegetated.
9. The applicant shall apply to the Local Agency Formation Commission (LAFCO) for initiation of annexation of APN 24-240-03 into the White Mountain Fire Protection District.

Ongoing Conditions:

10. All site utilities shall be placed underground.
11. All signs shall comply with the County Sign Ordinance.
12. The applicant 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 Department which identifies acceptable site mitigation measures, which shall then become conditions of the use permit.
13. The applicant shall comply with all county requirements for erosion and sediment control.

14. Use of the bath houses shall conform to requirements set forth by the Mono County Health Department.
15. The property shall be rezoned Mixed Use (MU).

RESOLUTION NO. 93-06

**A RESOLUTION OF THE PLANNING COMMISSION,
COUNTY OF MONO, STATE OF CALIFORNIA,
INITIATING A DISTRICT ZONING AMENDMENT,
FROM GENERAL PURPOSE TO MIXED USE,
FOR APN 24-240-03, IN
BENTON HOT SPRINGS**

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WHEREAS, the General Plan land use designation for Assessors Parcel Number 24-240-03 (Benton Hot Springs) is Mixed Use (MU); and

WHEREAS, the property is currently zoned General Purpose (GP); and

WHEREAS, state law requires that the County's zoning be consistent with applicable general plan documents; and

WHEREAS, the Land Use Element of the General Plan contains policies which provide for a variety of uses in Benton Hot Springs on APN 24-240-03.

NOW THEREFORE, BE IT RESOLVED that the Mono County Planning Commission hereby initiates a District Zoning Amendment for APN 24-240-03 from General Purpose (GP) to Mixed Use (MU).

BE IT FURTHER RESOLVED that the Mono County Planning Commission shall consider the proposed District Zoning Amendment in a duly noticed hearing and shall make a written recommendation to the Mono County Board of Supervisors.

PASSED AND ADOPTED this 10th day of June 1993 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CLAUDIA SILVERMAN, CHAIRMAN
MONO COUNTY PLANNING
COMMISSION

ATTEST:

Penny Padgett
Planning Commission Secretary

APPROVED AS TO FORM:

JAMES S. REED
COUNTY COUNSEL

DATED: _____

CORRESPONDENCE

MONO COUNTY PLANNING DEPARTMENT

HCR 79 BOX 221
MAMMOTH LAKES, CA. 93546
619-934-7504 FAX 619-934-3368

P.O. BOX 8
BRIDGEPORT, CA. 93517
619-932-5217 FAX 619-932-7145

NOTE TO FILE

May 10, 1993

Re: UP 93-09/Bramlette

Jim Caddell of the White Mountain Fire Protection District spoke with Scott Burns concerning the use permit application. He requested that there be more specificity concerning fire protection and stated that the District preference was for annexation of the area rather than a service agreement.

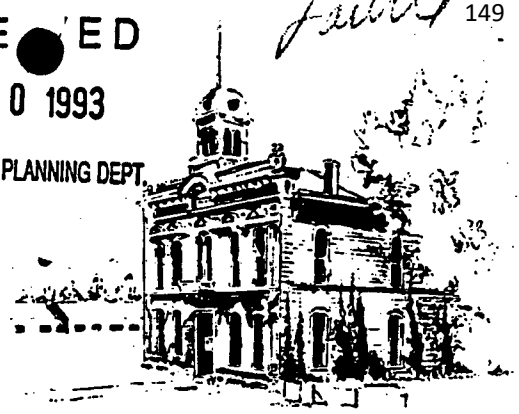
COUNTY of MONO

RECEIVED

MAY 10 1993

MONO COUNTY PLANNING DEPT

Fair 149



DEPARTMENT OF HEALTH SERVICES

P.O. Box 476
Bridgeport, CA 93517
619-932-7485, 619-932-7484
fax: 619-932-5284

JACK BERTMAN, M.D.
HEALTH OFFICER

DATE: 5/5/93
TO: Keith Hartstrom, Planning Dept.
FROM: James Goodloe, Health Dept.
SUBJECT: Use Permit 93-09/Bramlette

The Mono County Health Department has no objections to the above referenced project provided the following conditions are stated:

1.) The applicant shall make application and be issued a "Food Handling Permit" by the Mono County Health Department.

2.) The applicant shall make application and be issued a "Sewage Disposal Permit" by the Mono County Health Department.

3.) The applicant shall make application and be issued a "Domestic Water Permit" issued by the Mono County Health Department.

4.) The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath houses.

5.) Use of the bath houses shall conform to requirements set forth by the Mono County Health Department.

[UP93-09.BRA]

AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE

DEPARTMENT OF TRANSPORTATION

500 SOUTH MAIN STREET
BISHOP, CA 93514

(619) 872-0658

RECEIVED



APR 30 1993

April 29, 1993

MONO COUNTY PLANNING DEPT.

File: 9-Mno-120-55.11

Mono County Planning
P. O. Box 8
Bridgeport, CA 93517

Attention Laurie Mitchel

PROJECT TITLE: Use Permit 93-09/Bramlette

We have reviewed the above referenced document and have no comments.

Sincerely,

A handwritten signature in cursive script that reads "M. Miller".

M. MILLER
Transportation Planning
Branch C

MM:ac



COUNTY OF MONO

Building Department

Ivor Evans
Building Official

RECEIVED
APR 30 1993
MONO COUNTY PLANNING DEPT.

April 27, 1993

TO: Planning Department
FROM: Building Department
SUBJECT: Use PERMIT #93-09/Bramlette

* * * * *
* * * * *

The Mono County Building Department has reviewed the proposed project located in Old Menton Hot Springs.

During the review there were a few items that should be addressed either before or during the design of the project.

These items are as follows:

- A. Convert Single Family Residence (R-3) to Retail (B-2)
 - 1. Detailed plans shall be submitted reflecting any changes to structure.
 - 2. Engineered foundation plans reflecting compliance with all applicable codes.
 - 3. All work will be in compliance with all County Codes.
 - 4. Compliance with State and ADA Accessibility requirements.
 - 5. Compliance with Title 24, Energy Code.
 - 6. Plans to be prepared by a licensed State of California Architect Engineer.

B. Proposed Bath House

1. Plans to be prepared by a licensed California Architect or Engineer.
2. Building will be in compliance with all County and State Building Requirements.

C. Proposed Non-Commercial Garage

1. If proposed garage is to be used for other than residential purpose, it will be designed by a licensed California Architect or Engineer.

Action 1.4:, Request that the Historic Building Code be enforced. Be advised that the Historic Building Code cannot be utilized unless the buildings are declared historic by the Federal, State or County Government.

If further information is needed, please contact this office at anytime.

Sincerely,



Ivor Evans/Building Official

Bramlette Notice of Public
Hearing May 26, 1993

24-240-2,3,4, 24-07-01,14
William Bramlette
P.O. Box 62
Benton, CA 93512

24-240-09
BLM Benton Paiute Indian Resv.
Rt 4 Box 56 A
Benton, CA 93512

24-240-5,6,7,8,10/24-07-8
BLM
787 N. Main St Ste.P
Bishop, Ca 93514

Mailed 5-26-93
CP

MONO COUNTY PLANNING DEPARTMENT

HCR 79 BOX 221
MAMMOTH LAKES, CA 93546
619-934-7504

P.O. BOX 8
BRIDGEPORT, CA 93517
619-932-5217

NOTICE OF PUBLIC HEARING

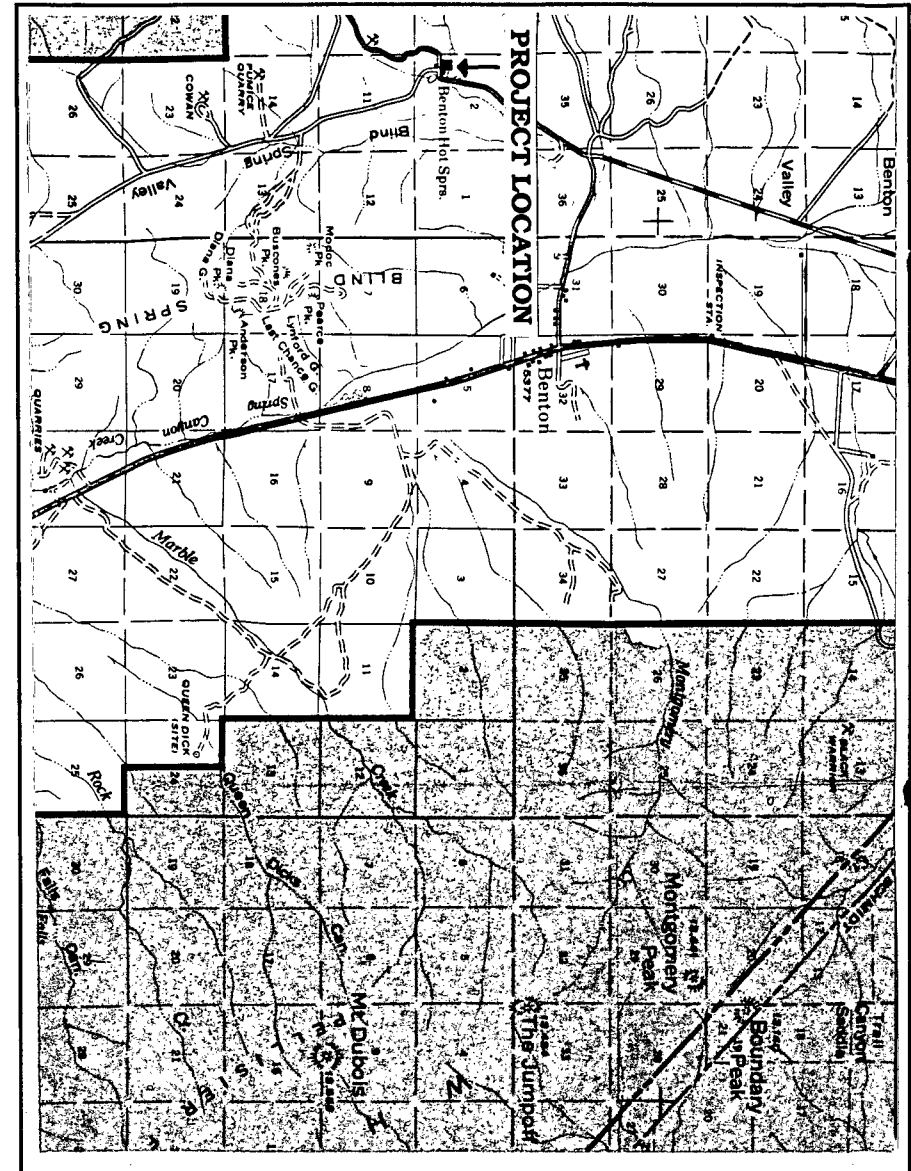
NOTICE IS HEREBY GIVEN that on June 10, 1993 at 9:15 am in the Board of Supervisors Room, Courthouse, Bridgeport, California, the Mono County Planning Commission will consider the following:

Use Permit 93-09/Bramlette to allow for 1) the conversion of an existing residence to a gift shop; 2) the construction of a bathhouse (1,200 square feet) and six outdoor bath tubs; and 3) the construction of a 1,200 square feet non-commercial garage. The project is located on Hwy. 120 in the town of Benton Hot Springs.

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

NOTE: All persons wishing to receive notice regarding the decision rendered by the Commission on this project must submit, prior to the hearing, a written request for such notice.

MONO COUNTY PLANNING DEPARTMENT
HCR 79 BOX 221
MAMMOTH LAKES, CA 93546
(619) 934-7504
ATTN. Laurie Mitchel



Route Box 62
Benton Hot Springs
Benton, California 93512

Ms. Laurie Mitchel
Associate Planner
Mono County Planning Department
HCR 79 Box 221
Mammoth Lakes, California 93546

MAY 14 1993

Dear Laurie:

Thank you for your prompt review and reply on my use permit application. As requested in your 4/24/93 letter, following is the additional information needed to process the application.

- 1) The dimensions of the proposed bath house and garage are now shown on plot plan. The approximate location of the outdoor tubs is also shown on the plot plan.
 - 2) The 16 estimated parking spaces needed for the project are shown on the plot plan. The overflow or extra parking is also shown.
- Caltrans does not have any form of right-of-way through this property. We own and pay taxes on the land used by the State of California for Highway 120. The roadway is located on our property and we have no plans to change the current situation, as it functions reasonably well as it is.
- 3) I do request a waiver from paving all parking and driveways.
 - 4) The most employees that would ever be working at the same time would be three, however this would be infrequent. Since Highway 120 is closed most of the winter, it is not practical to consider year-round operation of the gift shop or bath facilities. The normal operating season would be May - October.
 - 5) The average bath tub capacity is 2 persons.

My best estimate of a timeframe for this project is: Open gift shop in the late summer of '93; construct outdoor bath tubs fall-spring '93-94; construct garage spring '94; and construct bath house fall-spring '94-95.

I hope to be in attendance for your project review on May 17th. If I need to prepare any other information for this meeting please let me know.

Sincerely,



Bill Bramlette

MONO COUNTY PLANNING DEPARTMENT

HCR 79 BOX 221
MAMMOTH LAKES, CA. 93546
619-934-7504 FAX 619-934-3368

P.O. BOX 8
BRIDGEPORT, CA. 93517
619-932-5217 FAX 619-932-7145

NOTE TO FILE

May 10, 1993

Re: UP 93-09/Bramlette

Jim Caddell of the White Mountain Fire Protection District spoke with Scott Burns concerning the use permit application. He requested that there be more specificity concerning fire protection and stated that the District preference was for annexation of the area rather than a service agreement.

COUNTY of MONO

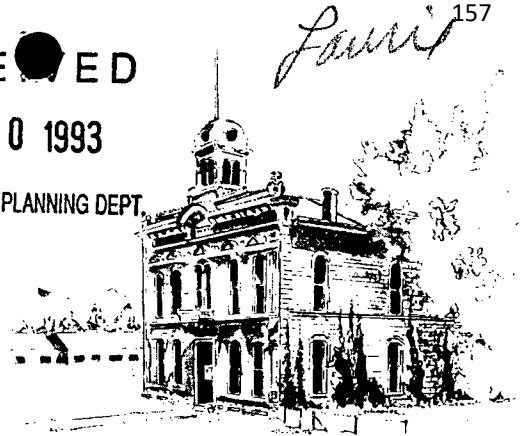
RECEIVED

MAY 10 1993

MONO COUNTY PLANNING DEPT.

DEPARTMENT OF HEALTH SERVICES

P.O. Box 476
Bridgeport, CA 93517
619-932-7485, 619-932-7484
fax: 619-932-5284



JACK BERTMAN, M.D.
HEALTH OFFICER

DATE: 5/5/93
TO: Keith Hartstrom, Planning Dept.
FROM: James Goodloe, Health Dept.
SUBJECT: Use Permit 93-09/Bramlette

The Mono County Health Department has no objections to the above referenced project provided the following conditions are stated:

- 1.) The applicant shall make application and be issued a "Food Handling Permit" by the Mono County Health Department.
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- 4.) The applicant shall receive written permission from the Mono County Health Department for use of the current "Hot Water Spring" to serve the individual bath houses.
- 5.) Use of the bath houses shall conform to requirements set forth by the Mono County Health Department.

[UP93-09.BRA]

AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE

DEPARTMENT OF TRANSPORTATION

500 SOUTH MAIN STREET
BISHOP, CA 93514

(619) 872-0658



RECEIVED

APR 30 1993

MONO COUNTY PLANNING DEPT.

April 29, 1993

File: 9-Mno-120-55.11

Mono County Planning
P. O. Box 8
Bridgeport, CA 93517

Attention Laurie Mitchel

PROJECT TITLE: Use Permit 93-09/Bramlette

We have reviewed the above referenced document and have no comments.

Sincerely,

A handwritten signature in cursive script that reads "M. Miller".

M. MILLER
Transportation Planning
Branch C

MM:ac



COUNTY OF MONO

Building Department

Ivor Evans
Building Official

RECEIVED
APR 30 1993
MONO COUNTY PLANNING DEPT.

April 27, 1993

TO: Planning Department

FROM: Building Department

SUBJECT: Use PERMIT #93-09/Bramlette

* * * * *

The Mono County Building Department has reviewed the proposed project located in Old Menton Hot Springs.

During the review there were a few items that should be addressed either before or during the design of the project.

These items are as follows:

- A. Convert Single Family Residence (R-3) to Retail (B-2)
 - 1. Detailed plans shall be submitted reflecting any changes to structure.
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 - 3. All work will be in compliance with all County Codes.
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 - 5. Compliance with Title 24, Energy Code.
 - 6. Plans to be prepared by a licensed State of California Architect Engineer.

B. Proposed Bath House

1. Plans to be prepared by a licensed California Architect or Engineer.
2. Building will be in compliance with all County and State Building Requirements.

C. Proposed Non-Commercial Garage

1. If proposed garage is to be used for other than residential purpose, it will be designed by a licensed California Architect or Engineer.

Action 1.4:, Request that the Historic Building Code be enforced. Be advised that the Historic Building Code cannot be utilized unless the buildings are declared historic by the Federal, State or County Government.

If further information is needed, please contact this office at anytime.

Sincerely,



Ivor Evans/Building Official

161

M O N O C O U N T Y P L A N N I N G D E P A R T M E N T

HCR 79 BOX 221
MAMMOTH LAKES, CA. 93546
619-934-7504 FAX 619-934-3368

P.O. BOX 8
BRIDGEPORT, CA. 93517
619-932-5217 FAX 619-932-7145

April 27, 1993

Bill Bramlette
Route 4, Box 62
Benton, CA 93512

Dear Bill:

In reviewing your revised use permit application, I have determined that the following additional information is needed:

1. On the plot plan, please show the dimensions of the proposed bath house and garage. Also, please indicate approximately where the outdoor tubs will be.
2. Based on the additional information you provided, a preliminary estimate of the required parking is 11-12 spaces, one of which must be a handicapped space. However, depending on how many spaces are determined to be necessary for the outdoor tubs and bath house, that total may rise to 15 or 16. I've enclosed a copy of approved parking layouts and travel lane widths from the County Zoning and Development Code. You will note that parallel parking requires a total width of 21 feet and a length of 23 feet per parking space. Please draw 16 parking spaces of the required size on your plot plan. You mention you will provide parking to the side of the house if there is not enough room in front. Please indicate where.


Also, on the parking proposed in front of the house, does Caltrans have a right-of-way there or does your property extend to the roadway?

3. I assume that you do not want to pave a driveway area in front of the garage. Our code requires driveway areas as well as parking areas to be paved. Do you also wish to waive that paving requirement?
4. How many employees do you anticipate having at work during the largest shift? Do you anticipate that the gift shop and the bath house will be open year-round?
5. What is the average capacity of each tub in number of people? Two persons per tub? Four?

As I indicated on the phone yesterday, it would also be useful to have a brief description of how you intend to phase the development of the outdoor tubs and the bath house.

If you could provide the additional information before or at the May 17 LTAC meeting, I would appreciate it.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Mitchel".

Laurie Mitchel
Associate Planner

PROJECT ROUTING SLIP

PROJECT: VP 93.09 / BramletteSTAFF PLANNER: UMitchel Date: 4.22.93 Board of Supervisors
 Planning CommissionersCOUNTY/LOCAL AGENCIES ✓

<input checked="" type="checkbox"/> Planning Director	<input type="checkbox"/> LTC
<input type="checkbox"/> Assessor	<input type="checkbox"/> Eastern Sierra USD
<input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> Mammoth USD
<input checked="" type="checkbox"/> Building	<input type="checkbox"/> Round Valley Joint
<input type="checkbox"/> County Counsel	<input type="checkbox"/> Elem. USD
<input checked="" type="checkbox"/> Health	

STATE & FEDERAL AGENCIES

<input checked="" type="checkbox"/> CA Dept. of Fish & Game (Bishop/Long Beach)	
<input type="checkbox"/> CA Division of Forestry	
<input type="checkbox"/> CA Division of Mines & Geology	
<input checked="" type="checkbox"/> CA Dept. of Transportation (Caltrans) ✓	
<input checked="" type="checkbox"/> CA Dept. of Water Resources	
<input type="checkbox"/> CA Great Basin Air Pollution Control Dis.	
<input checked="" type="checkbox"/> CA Lahontan RWQ Control Dist. (Tahoe/Victorville) ✓	
<input type="checkbox"/> US Soil Conservation Service (Bishop/Minden)	
<input type="checkbox"/> US Army Corps of Engineers (L.A./Sacramento)	
<input checked="" type="checkbox"/> US Bureau of Land Management (BLM)	
<input type="checkbox"/> US Forest Service (Bridgeport/L.V./M.L./Bishop)	
<input type="checkbox"/> US Fish and Wildlife Service	

PUBLIC UTILITIES

<input type="checkbox"/> Contel (Minden/Bishop/Mammoth)
<input type="checkbox"/> Sierra Pacific Power Co.
<input type="checkbox"/> So. Calif. Edison (Bishop/Long Beach)

FIRE DEPARTMENTS

<input type="checkbox"/> Antelope Valley	<input type="checkbox"/> Long Valley
<input type="checkbox"/> Bridgeport	<input type="checkbox"/> Mono City
<input type="checkbox"/> Chalfant Valley	<input type="checkbox"/> Paradise
<input type="checkbox"/> June Lake	<input type="checkbox"/> Wheeler Crest
<input type="checkbox"/> Lee Vining	<input checked="" type="checkbox"/> White Mountain ✓

PUBLIC UTILITY DISTRICTS

<input type="checkbox"/> Antelope Valley Water Dis.	<input type="checkbox"/> Lee Vining PUD
<input type="checkbox"/> Birchim CSD	<input type="checkbox"/> Walker River Irr. Dist.
<input type="checkbox"/> Bridgeport PUD	<input type="checkbox"/> Wheeler Crest CSD
<input type="checkbox"/> Hilton Creek CSD	
<input type="checkbox"/> June Lake PUD	

Copy of Cover sheet to: Applicant Engineer

14 copies total

Bramlette

Dennis Domaille
District 1
Planning Commission
P.O. Box 2727
Mammoth Lakes, Ca 93546

Bill Bramlette
Rt. 4, Box 62
Benton, CA 93512

Jim Stimson
District 2
Planning Commission
P.O. Box 7938
Mammoth Lakes, CA 93546

Scott Burns
Planning Director

Joann Ronci
District 3
Planning Commission
P.O. Box "R"
June Lake, Ca 93529

Rich Boardman
Publics Works Director

Jan Huggans
District 4
Planning Commission
P.O. Box 597
Bridgeport, CA 93517

Ivor Evans
Building

Claudia Silverman
District 5
Planning Commission
P.O. Box 435
June Lake, CA 93529

Health

White Mountain
F P.D.
Rt. 4 Box 128F
Bishop, CA

CALTRANS
500 South Main
Bishop, CA 93514

LAHONTAN
RWQCB
15428 Civic Dr. #100
Victorville, CA 92392

DEPT. FISH & GAME
407 W. Line St.
Bishop, CA 93514

Mailed 4-26-93

M O N O C O U N T Y P L A N N I N G D E P A R T M E N T

HCR 79 BOX 221
MAMMOTH LAKES, CA. 93546
619-934-7504 FAX 619-934-3368

P.O. BOX 8
BRIDGEPORT, CA. 93517
619-932-5217 FAX 619-932-7145

Date: April 22, 1993
To: Responsible/Trustee Agencies
Interested Parties
From: Mono County Planning Department
Re: **REQUEST FOR COMMENTS**

Project Title: Use Permit 93-09/Bramlette

Conversion of an existing historical residence to a gift/antique shop, construction of a natural hot springs bathhouse and outdoor bath tubs, construction of a 1,200 square foot non-commercial garage

The Mono County Planning Department is soliciting your comments and concerns regarding the attached permit application. This initial project consultation is intended to assist us in determining appropriate project conditions and environmental mitigation measures for the project. Your project comments should be sent to the Planning Department no later than **May 10, 1993**. If no comments are received, we will assume that you have no concerns regarding the project.

You are also encouraged to attend the project review meeting before the Mono County Land Technical Advisory Committee scheduled for **May 17, 1993** in the Conference Room next to the Library in Bridgeport. The Committee will be reviewing project conditions and mitigation measures to recommend to the Mono County Planning Commission. If you wish to be notified of the Planning Commission hearing on the project or if you would like additional information, please contact Project Planner Laurie Mitchel at (619) 934-7504.

Your attention to this matter is appreciated.

cc: Applicant

Enclosures: X Application
 X Project Information
 Form
 X Land Use Map
 X Zoning Map
 X Site Plan
 Other: _____

MONO COUNTY PLANNING DEPARTMENT

HCR 79 BOX 221
MAMMOTH LAKES, CA 93546
619-934-7504 FAX-619-934-3368

P.O. BOX 8
BRIDGEPORT, CA 93517
619-932-5217 FAX 619-932-7145

USE PERMIT APPLICATION

APPLICATION #	<u>UP 93-09</u>
DATE RECEIVED	<u>4. 21. 93</u>
FEE RECEIVED	<u>\$ 300</u>
BY	<u>LM</u>
RECEIPT #	<u>22206</u>
CHECK #	<u>1146</u>
CASH	<u> </u>

TO BE COMPLETED BY APPLICANT

NAME OF APPLICANT/AGENT Bill Bramlette

ADDRESS Rte. 4, Box 62 Benton CA 93512
(Street, Box #) (City) (State) (Zip)

TELEPHONE # (619) 933-2224

NAME OF OWNER, IF OTHER THAN APPLICANT Wales G. and MaBelle V. Bramlette

ADDRESS Rte. 4, Box 59 Benton CA 93512
(Street, Box #) (City) (State) (Zip)

TELEPHONE # (619) 933-2224

DESCRIPTION OF PROPERTY

Assessor's Parcel Number(s) 24-240-03

General Plan Designation mixed multiple Zoning general purpose

PROPOSED USE: Applicants should describe the proposed project in detail (Use additional sheets, if necessary). Note: An incomplete or inadequate project description may delay project processing.

Convert use of existing residential structure to commerical (gift, antique, deli shop).

Construct a 1,200 sq.ft. garage (non-commercial) garage for vehicle and equipment storage

and work space. For complete description, refer to the attached project narrative.

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.

Bill Bramlette
Signature
Wales J Bramlette
Signature
MaBelle V. Bramlette

April 1, 1993
Date
APRIL 12, 1993
Date

PROJECT INFORMATION FORM OR PRELIMINARY REVIEW

(To be completed by the Applicant or Representative)

NOTE: Please answer all questions as accurately and completely as possible to avoid possible delays in processing. Attach additional sheets as necessary.

- I. TYPE OF PROJECT** Please check the Permit(s) that have been requested:
- | | | | |
|---|--|--------------------------------------|---|
| <input type="checkbox"/> PUD/PD | <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Land Division (4 or fewer) |
| <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Zone Variance | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> General Plan Amendment | | | |

- Please check type of Project:
- | | | |
|--|--------------------------------------|--|
| <input type="checkbox"/> Mobilehome | <input type="checkbox"/> Condominium | <input type="checkbox"/> Mobilehome Park/RV Park |
| <input type="checkbox"/> Single Family Residence | <input type="checkbox"/> Apartment | <input type="checkbox"/> Conversion |
| <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Other <u>Non-commercial garage</u> |

- Applicant's Name: Bill Bramlette
- Project Title: Benton Hot Springs Gift Shop/Bathhouse/Garage
- Lot Size (sq.ft./ac.): 548.66 acres (no lots) Assessor Parcel #: 24-240-03
- Project Location: Benton Hot Springs, Mono County
- Has your project been described in detail in the project application? Yes No
- Please Specify: (refer to project description narrative)
 Number of Units: _____ Building Height/# of floors: _____
 Number of Buildings: _____ Density (units per acre): _____

Total lot coverage/impervious surface (sq. ft. & %): 4,088 (1,688 existing) sq. ft.

- Buildings (first floor lot coverage /sq. ft. & %): 1,688 sq. ft. existing; new garage 1,200 sq. ft.
- Paved parking & access (sq. ft. & %): None

Landscaping/screening and fencing:

- Landscaping (sq. ft. & %): existing (does not apply)
- Undisturbed (sq. ft. & %): _____

Total parking spaces provided:

- Uncovered: 10 unpaved spaces
- Covered: _____
- Guest/Handicapped: 1 space will be designated

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 possible.)

- 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 use(s)/improvements, such as structures, roads, etc.. Does the Plot Plan show these uses? Yes No refer to attached project

description

3. ACCESS/CIRCULATION:

Name of Street Frontage(s). State Highway 120 East

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 applied for from Public Works/Caltrans? Yes No (existing)

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: refer to project description

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: Undeveloped

South: Residential/store and gas station

East: Residential

West: Undeveloped

B. Will the proposed project result in substantial changes in either 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? refer to attached project description

5. SITE TOPOGRAPHY:

Is the site on filled land? Yes No Describe the site's topography (i.e. landforms, slopes, etc.). refer to attached project description

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 project boundary): refer to attached project description

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): refer to attached project description

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

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: refer to attached project description

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: refer to attached project description

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 of greater than 4' or fills of 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 Public Works Department for a grading permit.

D. Will site grading occur on slopes of 10% or more? 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. N/A

11. AIR QUALITY: Refer to attached project description

A. Will the project have any wood burning devices? Yes No If YES, how many? _____

B. Which fuel sources will the proposed project use? Wood Electric Propane/Gas HOT WATER

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? _____

Refer to attached project description

B. How does the proposed project affect views from existing residential/commercial developments, public lands or roads? Refer to attached project description

C. If any outdoor lighting is proposed with the project, describe the number, type and location.

Refer to attached project description

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 any 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: _____

Site is located within a 100 year flood zone _____

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 either Public Works/Caltrans.
- Stream Alteration Permit from the Department of Fish and Game
- 404 Wetland Permit from Army Corps of Engineers
- Grading Permit from Public Works
- Building Permit from the County Building Department
- Well/Septic from the County Health Department
- Timber Land Conversion from the 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.

- a. Electricity: existing
Underground Overhead service (Show location of existing utility lines on Plot Plan)
- b. Road/Access: existing
- c. Water Supply: existing
- d. Sewage Disposal: existing (septic will be upgraded); no garage restrooms; commercial system will be installed for bathhouse and bathtubs.
- e. Fire Protection: Outside fire protection district; garage will house fire equipment.
- f. School District: No change or impact on existing school system.

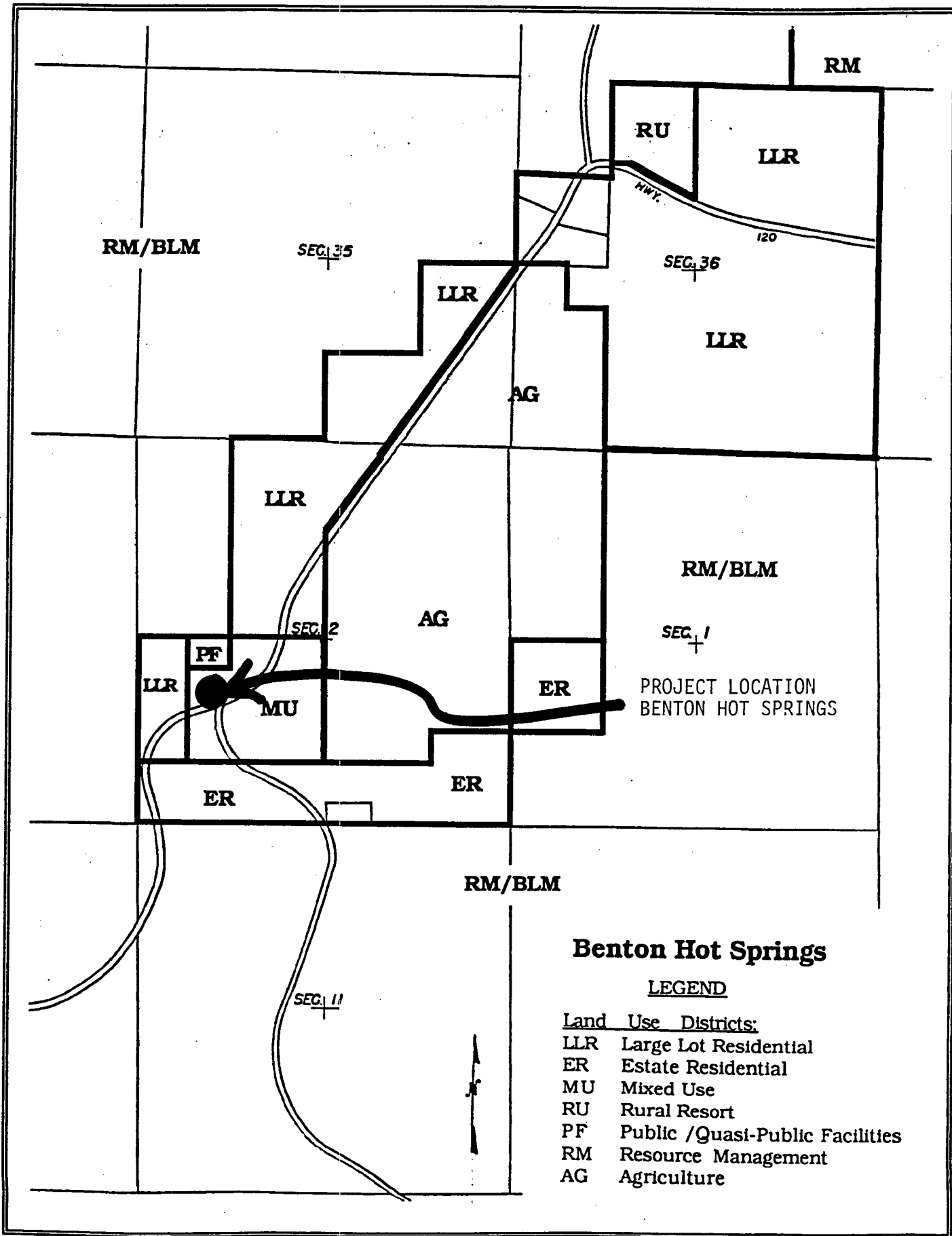
2. If an extension of any of the above is necessary, indicate which service(s), the length of the extension(s), and the infrastructure proposed: none.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: April 12 Signature: William W. Bramlett
For: _____

NOTE: Failure to provide any of the requested information will result in an incomplete application and thereby delay processing.



Benton Hot Springs

LEGEND

Land Use Districts:

- LLR Large Lot Residential
- ER Estate Residential
- MU Mixed Use
- RU Rural Resort
- PF Public /Quasi-Public Facilities
- RM Resource Management
- AG Agriculture

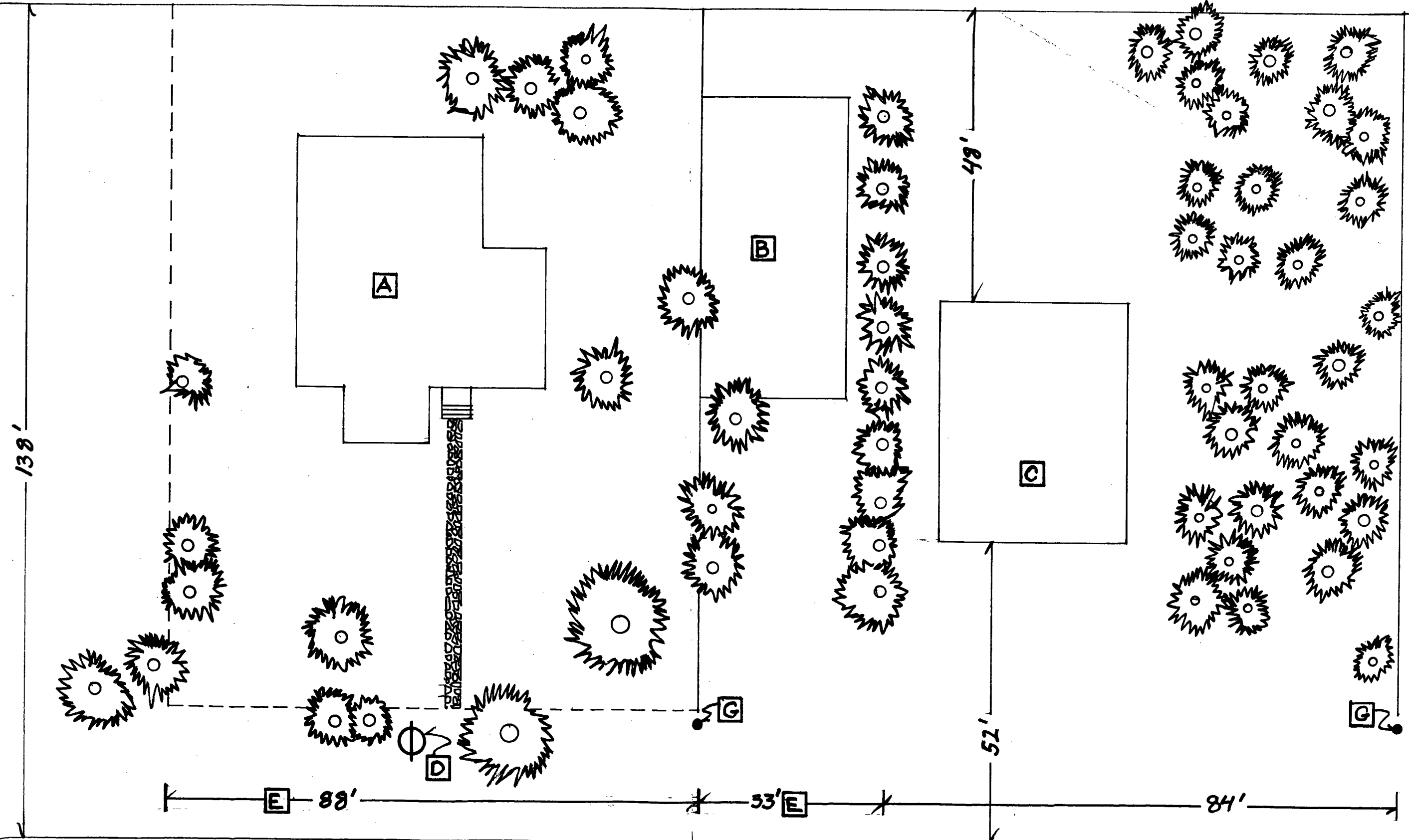
PLOT PLAN**BENTON HOT SPRINGS PROPOSED ACTIONS**

(SCALE 1/16" = 1 FOOT)

- A : EXISTING 1688 SQ FT HOUSE (GIFT/ANTIQUE SHOP)
- B : BATH HOUSE/RESTROOMS (PROPOSED) 24 X 50 FOOT
- C : NON-COMMERCIAL GARAGE 30 X 40 FOOT
- D : SIGN LOCATION
- E : PARKING
- F : WATER "DITCH"
- G : POWER AND TELEPHONE POLES



F



STATE HIGHWAY 120

Project Description

Benton Hot Springs Proposed Projects Gift Shop - Bathhouse & Bath-Tubs - Garage

Proposed Projects

Three distinct, yet related, projects are proposed for Benton Hot Springs. The three projects are: 1) conversion of an existing 1,688 sq. ft. historical structure from residential to a gift/antique shop; 2) construction of a natural hot springs bathhouse (1,200 sq. ft.) and outdoor bath-tubs; and, 3) construction of a 1,200 sq. ft. non-commercial garage. These projects are described in Attachments # 3, 4, and 5, respectively.

General Background

Benton Hot Springs is the oldest town in Mono County. At one time, Benton had a population of more than 2,000 people. Unfortunately, many of the town's historic structures have been lost to natural weathering and old age. Approximately ten historic structures remain. It is the intention of the owners of Benton Hot Springs to preserve and protect the remaining historic properties. It will be necessary for them to develop compatible businesses associated with these historic properties to be able to finance the costs of restoring and protecting the structures. The proposed actions constitute the first step toward preserving Benton's historic properties. Attachment # 2, labelled "Benton Hot Springs Valley Land Use Element", outlines the owner's land use concepts in detail. This direction is currently under consideration for adoption in the Mono County General Plan update process. These projects would complement and support the proposed land use direction.

The main attributes of Benton Hot Springs are historic properties, hot springs, roadside visitor services (gas, store, etc), and the uniqueness of the "old" town. Visitors to Benton want access to the hot springs, to learn about Benton's history, basic visitor services, and to be able to experience the uniqueness of the place. Meeting the desires and needs of visitors while maintaining this uniqueness will be a real challenge. If and when provided, all of these services must be closely controlled and managed.

Project Information

Environmental Setting

1. Vicinity Map: Refer to Map # 1, labelled "Vicinity Map".
2. Existing Development: The proposed uses are located within the town of Benton Hot Springs, sited along Highway 120 and directly opposite the historic Benton Wells Fargo/Store building. During the 1870's, it is reported that the town supported more than 2,000 people. Other uses currently occurring on APN 24-240-03 include: general store, gas station, seven permanent town residences

(rentals), many buildings used for storage, mechanics shop, and farming (alfalfa and irrigated pasture) and livestock grazing. The three proposed projects are shown on the vicinity and plot maps (Maps # 1 & 2) and described in project descriptions (Attachments 3, 4, & 5).

3. Access/Circulation: State route Highway 120 (East) directly borders the project site. All access and parking adjacent to Highway 120 needed for these projects exist. Parking along Highway 120 is established and will occur with or without this project. Parking exists for more than 10 vehicles, which is existing parking for the town visitors. To fit with the rustic and undeveloped town character, a waiver of paving this parking is requested. The garage site is currently used for parking equipment and vehicles.

4. Adjacent Land Uses: Other uses on APN 24-240-03 are compatible with the proposed projects. These "mixed-uses" (as defined in # 2 above) are proposed for a "MIXED-USE" land use designation in the update of the Mono County General Plan. All properties in the general vicinity are owned and managed by a single owner. Benton has traditionally supported a full service town, including commercial and residential. The Benton General Store has been continuously operated for more than 100 years. All current residents of Benton, except the owners, reside in rentals. No adverse change is anticipated on the adjacent land uses.

5. Site Topography: The site is located on level topography of decomposed granite soils. The general area is within a 100 year flood plain. However, the area has been used similar to the proposed uses continuously for more than 140 years.

6. Drainages: One ditch conveying hot water (800 gallons per minute) flows 50 feet north of the project site. No jurisdictional wetlands exist within the project area and no "potential wetlands" of 1 acre or more in size would be impacted.

7. Vegetation: All direct project sites contain non-native vegetation, as the area has been a town-site for more than 140 years. No native vegetation or habitat would be impacted, converted, or otherwise premanently lost. Minor and temporary soil and vegetation disturbance would occur in areas adjacent to the house and project site where septic systems are located. Some sites have no vegetation growing on them.

8. Wildlife: Project is within a developed/modified town-site. These actions would not change any wildlife habitat.

9. Cultural Resources: Existing residential structure is a historic property. It has not been formally evaluated and it is not listed as significant by the State Office of Historic Preservation. Nonetheless, it is the owner's primary objective to preserve, protect, and restore this property. The remains of a 70 year old house adjacent to the Benton Hot Springs House would be salvaged for future restoration projects, as the building is destroyed beyond repair. The structure is not considered to be unique or a significant historic town property (refer to Map # 2 for specific location).

10. Site Grading: See application form.

11. Air Quality: No burning devices will be used to heat any of the projects. Geothermal heating from the natural hot water is (and will be) used for all heating.

12. Visual Aesthetics: These uses and facilities are planned and designed to complement and support the existing historic (rustic) town character and help restore and preserve historic properties. Both new buildings (bathhouse and garage) will be designed to blend with the historic town design. Refer to specific project descriptions in Attachments 3, 4, and 5.

All proposed projects are located within the town proper, clustered within the existing development, and/or well screened from roads and residences. With the exception of lighting in the front and back yards for walks and the sign, no new lighting is anticipated.

13. Natural Hazards: See application form.

14. Other Permits: See application form. It is our intent to design and provide accessible facilities (barrier free). We plan to provide a ramp access to the gift shop within the first year.

15. Services: See application form. The existing house septic will be upgraded. We are working with Mono County Health Department to install this septic for the gift shop. For the bathhouse (which will include restrooms) and outdoor bath-tubs, a separate commercial septic system will be designed and installed to comply with Mono County Health Department guidelines.

Water to serve the bathhouse and outdoor bath-tubs exists. We are working with Mono County Health Department to comply with water quality standards. No drinking water will be provided to the public or workers except for approved bottled water.

Restrictions governing the handling and processing of food make our "deli" plans impractical using our current facilities. Therefore, we will be offering only fully processed and packaged foods and beverages (including bottled water). Hence, no on-site food services will be provided.

**BENTON HOT SPRINGS VALLEY--GOAL**

Preserve the historic, rural, and agricultural character of the Benton Hot Springs Valley.

Policy 1: Preserve and restore historic features of Benton Hot Springs.

Action 1.1: Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 1.2: Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and compliments the town's historic design and character.

Action 1.3: Support the landowner's efforts to convert non-conforming structures (i.e. mobilehomes and trailers) into structures that fit with the historic town character.

Action 1.4: Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code. Support and/or approve variances to local, state, and federal regulations when such variances are determined to be environmentally sound and safe and are consistent with furthering preservation of historic resources.

Policy 2: Maintain the open space and rural character of Benton Hot Springs meadow.

Action 2.1: Encourage grazing and agricultural uses of Benton Hot Springs meadow and irrigated pasture lands, as opposed to intensive development, in order to preserve open space values.

Action 2.2: Support conservation practices and activities to enhance and maintain wildlife, livestock, visual, and recreation benefits. If so desired by the landowner, support conservation and visual easements and tax reduction incentives as affordable means for open space protection. Determine that farming and ranching activities are appropriate uses and activities within these undeveloped areas.

Action 2.3: Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open space areas.

Action 2.4: Support development of additional water sources and ponds to enhance habitat for wildlife and livestock.

Action 2.5: Support actions to mitigate flood damage potential within and adjacent to the historic town.

Policy 3: Encourage uses and businesses that support and compliment, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

Action 3.3: Encourage agricultural activities, such as aquaculture, greenhouse gardening, and field crops, in addition to livestock rearing.

Action 3.4: Allow for the development of short-term recreational vehicle facilities and recreation special events in areas adjacent to the historic town and along Hwy. 120.

Action 3.5: Allow single-family residential development (estate residential and large lot residential) in locations adjacent to existing residential development (Benton Paiute Reservation and Benton historic town) and outside of open space (agricultural) areas.

Action 3.6: Support the establishment of a fire protection district or evaluate annexing Benton Hot Springs to the White Mountain Fire Protection District.

ATTACHMENT # 3

Benton Hot Springs House

Description: The Benton Hot Springs House is located on the opposite side of Highway 120 from the Benton Hot Springs Store (historic Wells Fargo building). It is believed that this wood structure was built in the 1880's from Mono Mills lumber. It was moved from its original location (1/2 mile east) by early Benton residents using a mule team to where it is now located, sometime after the turn of the century.

The Benton Hot Springs House is 1,688 square feet and has been used as a single family residence for at least 80 years. It is single story. Some interior remodeling has occurred and at least one addition has been added to the back of the building.

Desired Future Condition: Stabilize, maintain, and upgrade the building to preserve its historic value into the future.

Opportunities: The structure is of historic interest to area visitors. Potential uses include gift/antique shop, mini-store, and control facility for hot springs bathhouse and outdoor bath-tubs.

Proposed Actions:

1. Convert 1,688 sq. ft. residence to: reception area (200 sq. ft.), storage (360 sq. ft.), office (84 sq. ft.), gift/antique sales display area (732 sq. ft.), and other sales--beverages/sandwiches (312 sq. ft.).
2. Reinforce the foundation, including replacing rock "skirting" around the perimeter.
3. Install a new septic and leach field system.
4. Paint the house and trim in traditional "Benton White and Green".
5. Provide (if not currently adequate) parking in front and to the side of house to accommodate 10 vehicles.
6. Install sign in front of the house (see attached sign plan).
7. Install new flooring and carpeting as needed.
8. Finish front yard wood fence.
9. Construct accessible porches and ramps to the house.

Benton Hot Springs "Bathhouse and Outdoor Bath-Tubs"

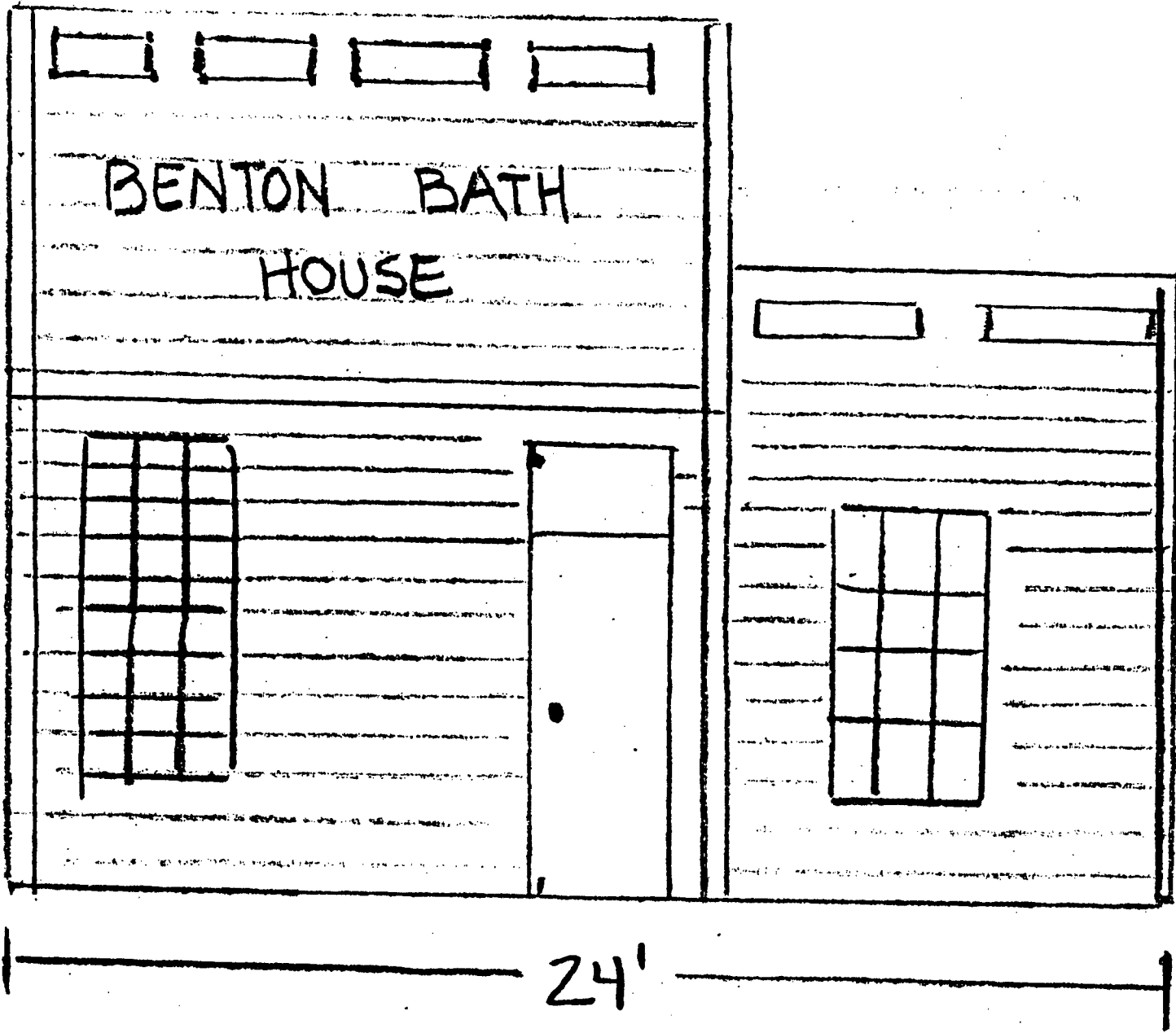
Description: The natural hot springs of Benton have been rated as the "finest and purist in the world". We have no basis for validating this claim. Nonetheless, for more than 140 years, residents of the town have used the 130 degree F. water for drinking and bathing. During this period, no noticeable change in the temperature, quantity, or quality of the water has been measured or recorded. Limited public access and use of this hot water for bathing continues today. The demand for public access has sharply increased over the past ten years.

Desired Future Condition: Provide Benton visitors with opportunities to use and experience the unique natural hot water, both indoors and outdoors. To ensure the safety of visitors, confine and control the areas of use and access.

Opportunities: Construct rustic, yet safe and sanitary, facilities for visitors to use and enjoy the natural hot water for its therapeutic and medicinal values.

Proposed Actions:

1. Construct a "bathhouse" adjacent to the gift shop (see plot plan for location); a 1,200 square foot bathhouse would consist of a combination restrooms and change areas (550 sq. ft.), hot water baths (600 sq. ft.), and storage (50 sq. ft.). The bathhouse facility would be of a historic design, similar to the original Wai Wera Club (see attached conceptual bathhouse design). All bath facilities would be individually controlled (water faucets) and drained and cleaned after each use.
2. In keeping with the rustic historic character of the town, install six outdoor redwood bath tubs (5 ft. dia. X 4 ft. high) and plumb strictly as bath facilities (fitted faucets and drains). The general location for these baths would be to the side and behind the Benton Hot Springs House. Historic redwood water transmission pipe (5 foot dia.) from Southern California Edison Company's hydro-electric power operation in Bishop Creek would be used. These facilities provide a rustic, yet clean and sanitary, bath-tubs. Each bath-tub would be plumbed and set in a cement base to allow for draining and cleaning after each use.



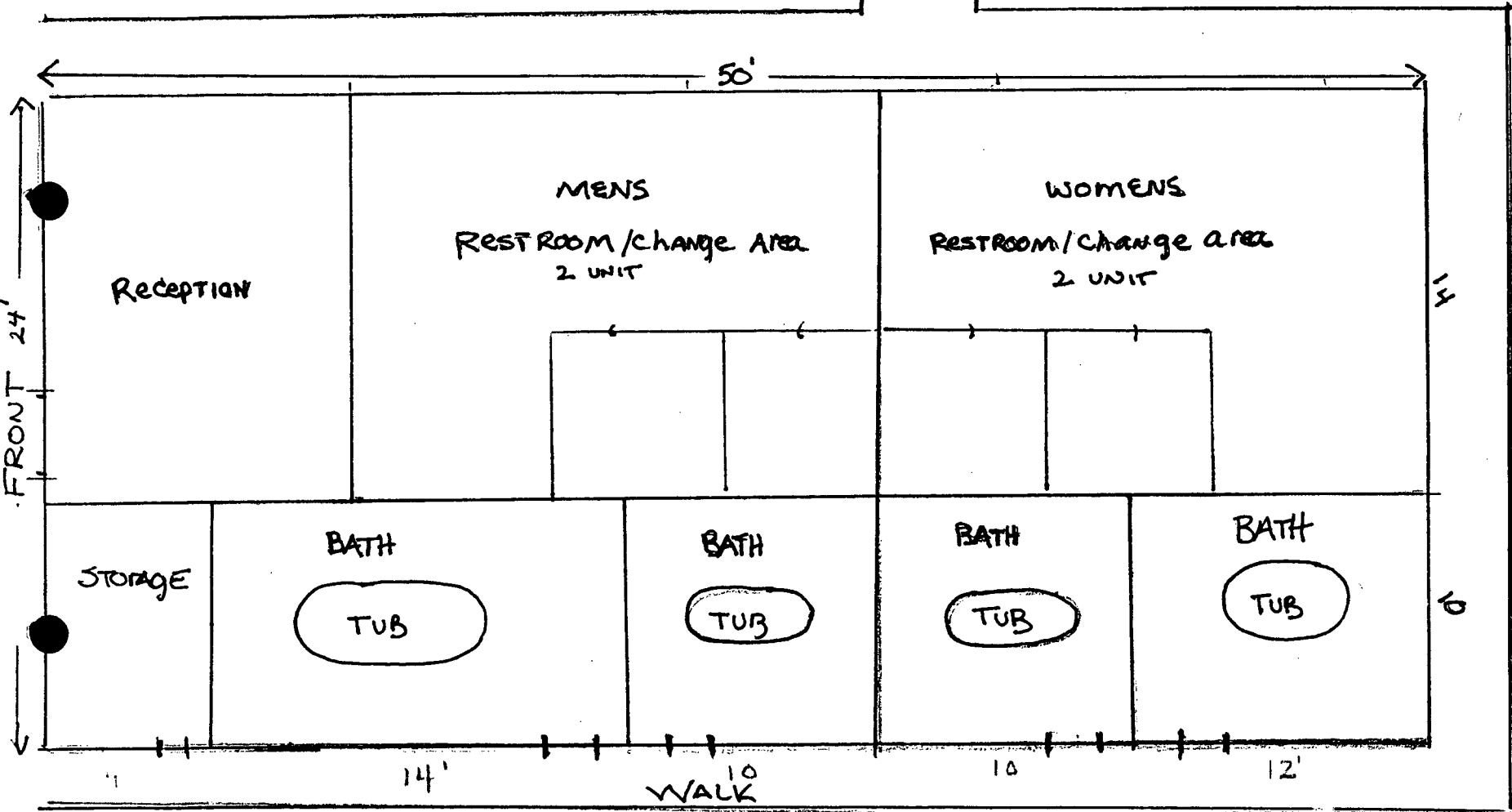
BENTON HOT SPRINGS BATHHOUSE

CONCEPTUAL LAYOUT

TOTAL BATH CAPACITY = 15 PERSONS

TO
GIFT
SHOP
HOUSE

- NOTE:
- * NO SEPARATE SIGN
 - * ACCESS FROM BENTON H.S. HOUSE ONLY
 - * CAPACITY 15 IN BATHS
 - * ACCESSIBLE (barrier free) FACILITY
 - * SEE PLOT PLAN FOR LOCATION



ATTACHMENT # 5

Benton Hot Springs Garage

Description: Work associated with operating and maintaining the old town of Benton and farming and ranching the remaining property requires a great deal of equipment and tools. Work space is needed indoors for making equipment repairs, storing tools and equipment, and securing property.

Desired Future Condition: Provide an indoor workspace with adequate room for using power tools and working on farm equipment and town other "projects".

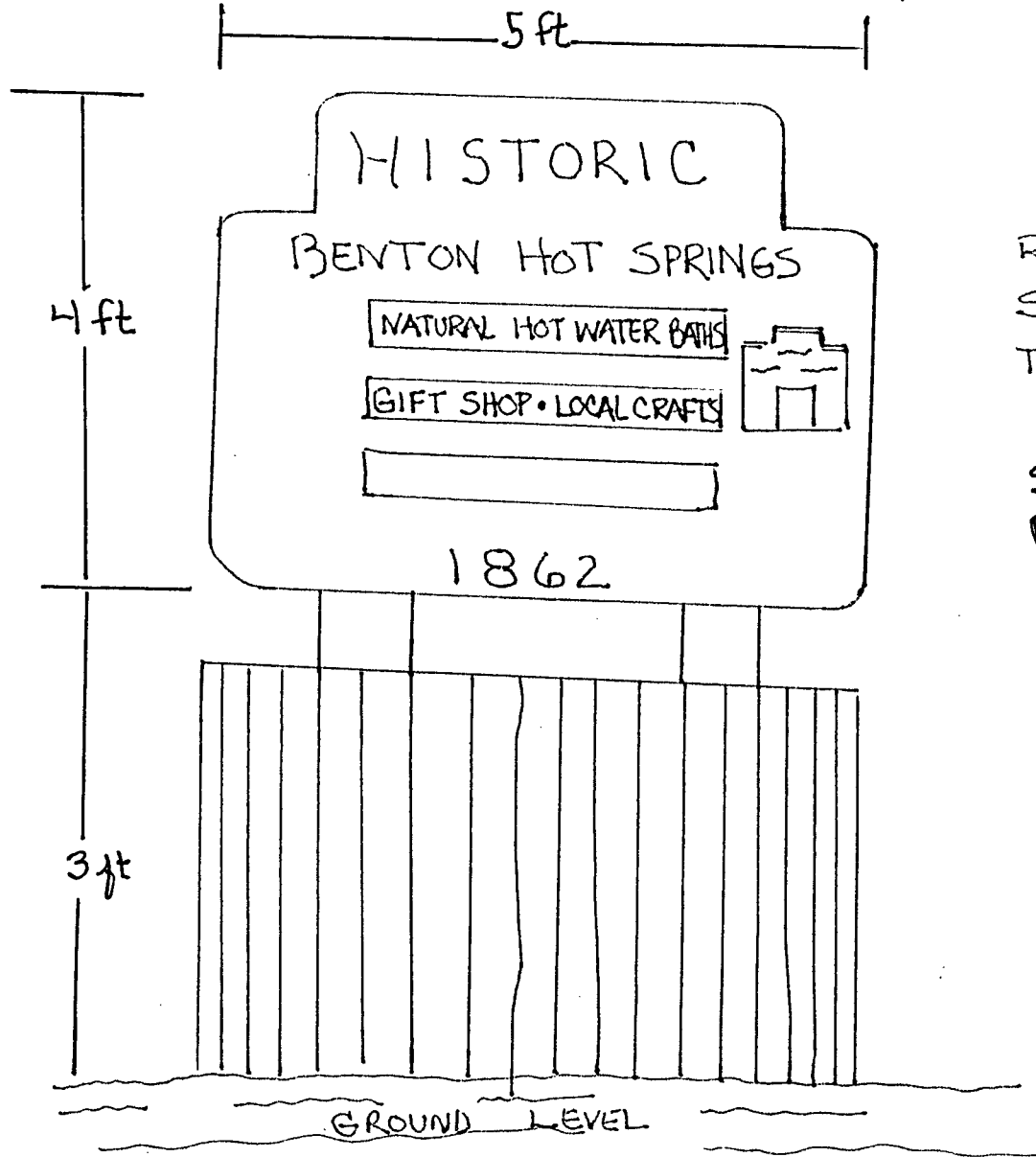
Opportunities: Construct a garage within the clustered development area of the town.

Proposed Actions:

1. Construct a 1,200 square foot (non-commercial) garage to provide adequate indoor workspace (refer to plot plan for location).
2. Use hot water to heat the garage. This would be accomplished by installing floor pipe in a concrete foundation and circulating hot water through the floor.
3. Design the garage to reflect the desired historic-look of the town.
4. Use the garage to store any fire protection equipment available to be stationed in town.

SIGN PLAN

BENTON HOT SPRINGS GIFT/ANTIQUUE SHOP



ROUTED LETTERS
SOLID WOOD SIGN
TWO-SIDES LETTERING

See PLOT PLAN
FOR LOCATION



PHOTO # 1. BENTON HOT SPRINGS HOUSE

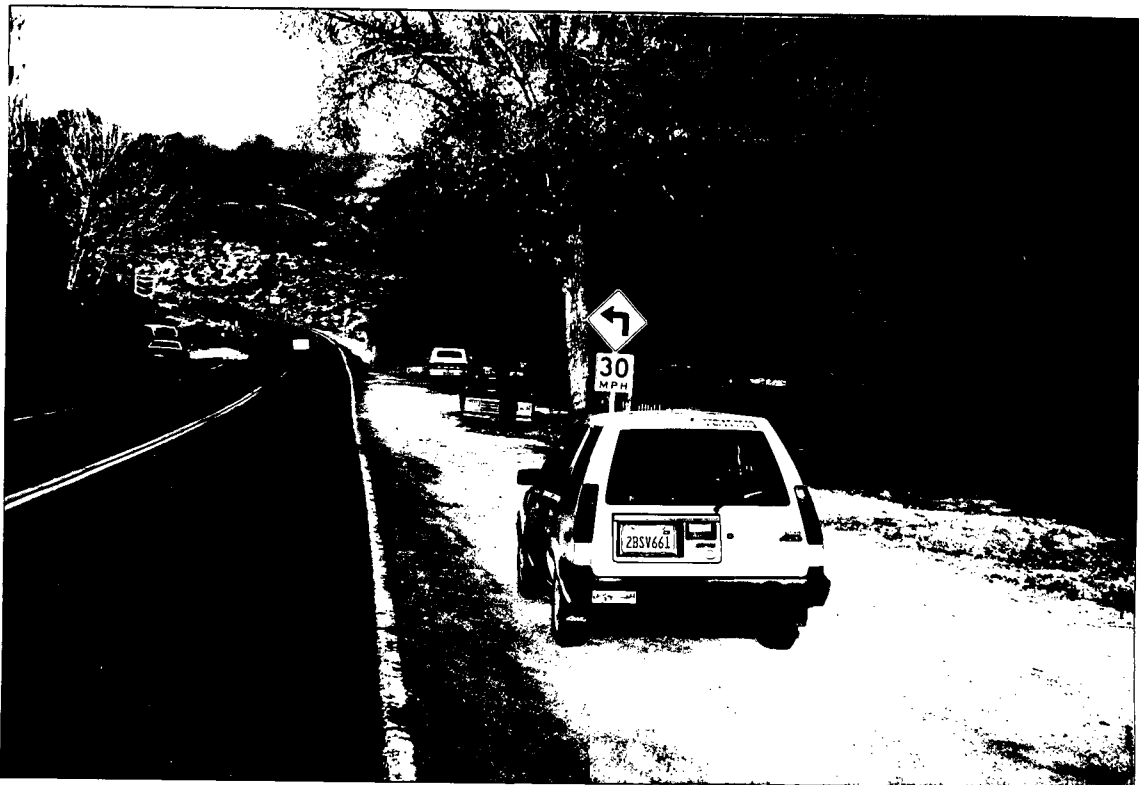


PHOTO # 2. HIGHWAY 120 AND FRONTAGE PARKING



Photo #3. BATH HOUSE / RESTROOM LOCATION



Photo #4. GARAGE LOCATION

Route 4, Box 62
Benton Hot Springs
Benton, California 93512

Ms. Laurie Mitchel
Associate Planner
Mono County Planning Department
HCR 79 Box 221
Mammoth Lakes, California 93546

Dear Laurie:

Enclosed, please find my permit application and fees to convert an existing residence in Benton Hot Springs to a gift/antique shop, construct a bathhouse and outdoor "bath-tubs", and construct a personal use garage (as described in the application). Your recommended changes and additions to the permit application (outlined in your letter dated 12/21/92) are reflected in this application.

I want to thank you for all your guidance and assistance on submitting this application. If you need any other information, please don't hesitate to give me a call at 873-2438.

Sincerely,



Bill Bramlette

M O N O C O U N T Y

P L A N N I N G D E P A R T M E N T

HCR 79 BOX 221
MAMMOTH LAKES, CA. 93546
619-934-7504 FAX 619-934-3368

P.O. BOX 8
BRIDGEPORT, CA. 93517
619-932-5217 FAX 619-932-7145

December 21, 1992

Bill Bramlette
Route 4, Box 62
Benton, CA 93512

Dear Bill:

I've reviewed your use permit application and have the following questions/comments:

Cover Sheet: The General Plan designation is "Mixed Multiple"; the Zoning is "General Purpose".

Project Information Form

- p. 1 Lot Size: according to the information on our assessor's parcel map, APN 24-240-03 is 548.66 acres, not 580+ acres.
- p.2 Access/Circulation: in your discussion of parking you say "Parking exists for more than 10 vehicles, which is historic for the residence and town visitors." What do you mean by that? 10 spaces have historically been utilized or the location of the spaces is historic?
- p. 3 Visual/Aesthetics, "B": You need to discuss the bathing facilities in your answer to this question.

In general, the application needs more detail, including the following:

It would be useful to have some background information on the historic significance of the building to be converted to the gift shop. Also, is the building currently being used as a residence?

What will the conversion of the existing residence entail? Interior remodeling? Any exterior renovations?

I need to know the square footage of floor area for each of the uses in the converted building (in order to calculate how much parking you need), i.e. how many square feet will be deli, how many will be gift shop? Is the entire structure to be converted to these new uses? Is it a 2-story building?

What exactly do you mean by "deli"--primarily a take-out facility? Do you intend to have tables? If so, how many?

Is the garage for your personal use as a storage and workshop facility? You aren't intending to have any commercial garage uses there?

Signs: Are you intending to have only one sign in front of the gift shop? Are you considering a separate sign for the bathhouse? Please provide a drawing of all proposed signs, including measurements, and a description of the materials to be used. Please indicate the location of all proposed signs on the plot plan. I've enclosed a copy of our sign ordinance.

You need to provide a specific description of the bathhouse facilities and to show the exact location of those facilities on the plot plan. Are you intending to provide restrooms in the bathhouse? What do you estimate the maximum occupancy of the bathhouse will be?

Have you talked to the County Health Department about the following:

Whether you need a pool permit?

Requirements for compliance with the American Disabilities Act (ADA)--this may affect the size of bathrooms you are required to provide and you may be required to provide a ramp to the gift shop.

Septic system design and placement and the need for a 100 % replacement field.

Health dept. requirements for the deli.

Please provide a general description of what other uses occur on APN 24-240-03.

Parking: The County Zoning and Development Code requires all parking to be paved and striped; however the Planning Commission can waive or modify this requirement. Do you have any objections to providing paved parking?

Until I have some more information, I can't calculate how many parking places you need. My initial estimate is that ten would be plenty (each space must be 9' x 18'). You will eventually need to indicate on the plot plan where you intend to provide the required parking. You will also need to indicate the access from the parking to the gift shop and the bathhouse.

This may seem like a lot of questions but the more detail we have, the easier the permit is to process.

It looks as if we can process the project as a Categorical Exemption under CEQA, especially if you're not intending to have any commercial uses at the

garage. The fees for a Use Permit and a Categorical Exemption are \$300 (see enclosed fee form).

If you have any questions about any of the above, give me a call at 934-7504.

Once I receive a completed use permit application and the fees, I can begin processing your application. Along with a revised use permit application form, you will need to submit a revised plot plan showing the items requested above (it would be helpful if the plot plan was no larger than 11" x 17"), and a drawing of any proposed signs.

Sincerely,



Laurie Mitchel
Associate Planner

Enclosures

PLANNING DEPARTMENT FEE WORKSHEET

TYPE OF APPLICATION	FILING FEE	PROJECT FEE
DIRECTOR REVIEW	\$100 (\$120 with notice)	
USE PERMIT	\$250	# 250
ZONE VARIANCE	\$250	
ZONE AMENDMENT	\$500	
GENERAL PLAN AMENDMENT	\$500	
PARCEL MAP	\$50 plus development fee of \$200 per lot if one acre or more, or \$50 per lot if less than one acre	
TRACT MAP	\$200 plus \$25 per lot, plus development fee of \$200 per condo, lot or parcel of land (\$300 for June Lake)	
MAP OR USE PERMIT EXTENSION/MODIFICATION	\$100	
LOT LINE ADJUSTMENT	\$50 plus \$50 per affected lot	
MERGER	\$50	
TIME SHARE PROJECT (Note: fees paid at time of recording)	-Estates \$160 per unit -Uses \$110 per unit	
SPECIFIC PLAN	\$1,500	
CERTIFICATE OF COMPLIANCE	\$100	
BOARD/COMMISSION RESOLUTION AMENDMENT	\$250	
RECLAMATION PLAN	\$250	
PENALTY FEE (applicable to applications for uses/projects that have violated code)	Double the base fee	
ENVIRONMENTAL REVIEW		
- Categorical Exemption	\$50	# 50
- Negative Declaration	\$200	
- EIR	\$250 administrative fee plus \$1500 initial deposit for consulting costs	
TOTAL		# 300

NOTE: Projects that incur processing costs that substantially exceed these base fees may be charged an hourly rate to cover the County's processing costs. Planning Department rates are \$40 per hour for technical/professional staff and \$20 per hour for clerical staff. These rates may be applied to both environmental and permit processing costs.

ATTACHMENT 3: COUNTY STAFF “NOTE TO FILE” & WMFPD CONTRACTS

Feb 29
Jan. 21, 00

Mr. Scott Burns
Mono County Planning Director

The purpose of this letter is to clarify and document the current Bed and Breakfast proposal for our Benton Hot Springs project, originally proposed and approved in 1996.

As you may recall, I applied for a use permit to operate a B&B at Benton Hot Springs in 1996 when I had the opportunity to relocate and restore the historical Thompson Ranch House located on LA DWP land in Bishop. However, after receiving all required Mono County approvals to move and use this building for a B&B, but before Inyo County gave their final approval, the building was completely destroyed by fire. At that time, I informed Mono County that I would consider other options for the B&B, either constructing a new facility or restoring the existing motel.

It is our intent, as outlined in Mono County's Land Use Element, to restore historic structures and use facilities for tourism services, including hot springs access and lodging. Since the motel facility already existed and was designed, constructed, and used for visitor lodging since 1948, we made the decision to use it for our B&B. We have invested a great deal in removing trailers and "junk", cleanup, and upgrading the facility (painting, wall-paper, laying tile, and interior decorating and furnishing). We have complied with Mono County Health Department's requirements for operating a B&B. Recently, we applied to Mono County to amend our current OLD HOUSE business license to include a B&B operation.

It is my hope that all conditions originally approved by Mono County for the B&B operation would still be applicable to the motel, except that it is an existing facility and would not require any new building permits.

Diane and I appreciate the cooperation and support by Mono County for making the changes necessary to move Benton Hot Springs toward our vision as outlined in your Land Use Element.

Sincerely,



Bill Bramlette

P.O. Box 950
 Benton, California 93512
 Phone: (760) 933-2252

White Mountain Fire Protection District

*Board of Commissioners
 Ed Frysinger, Chairman
 Cindy Kitts, Secretary
 Steven Benson
 Ed Parkinson*

Mr Bill Bramlette
 P.O. Box 62
 Benton, California 93512

Dear Mr Bramlette,

This letter is to inform you of the agreement between yourself, Bill Bramlette, and the White Mountain Fire Protection District to provide Fire Protection for the buildings owned by Bill Bramlette.

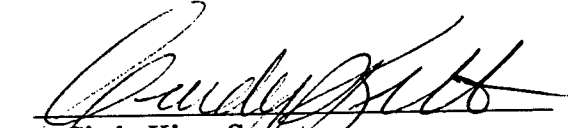
The White Mountain Fire Protection District agrees to provide Fire Protection to the buildings and property owned by Bill Bramlette in Old Benton.

Bill Bramlette agrees to pay a fee of \$200.00 per year to the District, payable by March 1 of each year, until what time the properties in Old Benton are brought back into the Fire District.

With his signature, Bill Bramlette gives the White Mountain Fire Department permission to enter his property for Fire Emergencies.

Signed this 29 Day of Feb, 2000


 Bill Bramlette


 Cindy Kitts, Secretary
 White Mountain Fire Protection District

Code Compliance Division
Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-5450 Fax 924-5458
monocounty@qnet.com

Tom Reichert Code Compliance Officer

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5217 Fax 932-5246
northmono@qnet.com

NOTES FOR SCOTT/GERRY ON BRAMLETTE B&B

- I met with Bill and Diane Bramlette on the night of January 20, 2000 for about 2 ½ hours. We went over the use modification of the use permit that was issued for the Bed and Breakfast by the Planning Commission in April of 1996. I explained that since the final location and building for the permit was not mentioned at the original public hearing there would have to be some follow-up. I said that I had direction from Scott along the lines that if all the original conditions were met, it may be taken care of with just a Note To File and not have to be taken back to the Commission. We then went over the Conditions of Approval.
- Condition #1 says that all necessary permits will be taken out with the Building Department. I advised them that I believed that permits would have been necessary for the new roof, and for the small deck and hot tub that had been put on the structure. They mentioned that they were not aware that simple changes like this would require permits. They realized that new construction would have needed to go through the process, but thought these items too small, or just fixing existing poor conditions. They asked me to speak with the Building Official and see what needed to be done in retrospect. I spoke with Bob Floyd on Friday morning and he directed me to give them a building permit for the deck. He felt it was no use to get the building permit for the roof after the fact because he would not make them change it even if it was put on wrong. So the process is started for the finalizing of condition #1.
- Condition #2 requesting the water system be approved has been done.

- Condition #3 is asking that the parking area be consistent with the plot plan. This is invalid due to the original plot plan not being used. There is adequate parking, but I will get a measurement on it and include that with the note to file.
- Numbers 4 and 5 are for Health Department permits for a new septic system and a permit-to-operate. There is no new system, and Louis issued the permit-to-operate on December 21, 1999.
- Condition 6 is asking for proof of fire protection services. We have the original letter from the White Mountain Fire Protection District when the Gift Shop was opened, however I asked that they get an updated letter from the chief, Jeff Gordon.
- Condition 7 says to get an encroachment permit from Caltrans if needed. This is not needed because Caltrans does not own the right-of-way at the location of the Bed and Breakfast, Bramlettes own it.
- Condition #8 requires that all signs comply with the Mono County Sign Ordinance. At this time there are no signs for the Bed and Breakfast, but they do have plans for future signs. I left a copy of the sign ordinance with them to review. Also they mentioned that they are planning on applying to build some restrooms in the area behind the Gift Shop in the near future. I suggested that perhaps at that time they should apply for another Modification of the Use Permit, and include such things as camping and a sign plan for the whole town at that time. I told them that I felt that at the current time they could add a sign for the B&B to the existing sign in front of the Old House if it did not change the size of that sign.
- Condition #9 states that all conditions stated in the '93 use permit still apply. These conditions are up to date.

- On the possibility of applying for another Modification of Use Permit before the Commission, I had some suggestions. First I mentioned the advantage of a Pre-App meeting perhaps at a LTAC meeting to work over what would be necessary. (sign plan, need for landscape plan?, areas for campsites, etc) I also told them that it was against County Code for anyone to live in an RV in Mono County. I told them that I would look into the possibility for a campsite host to live in an RV with legal hookups during the time of employment at the campsite. They told me that they had not been aware that this was a violation of code, and that the person living in the RV next to the Old House was due to move in mid-February, and at that time they would not replace the tenant. Being as this is in just three weeks, I felt that this was a better solution than I could have hoped for.

I will be looking into the County Code regarding camping and campgrounds for future reference. I will drop off an application today for a building permit to them to start the process for the deck. Once that building permit and the letter from the fire department are in I feel that I can sign off the business license. Let me know any comments or directions regarding these issues. Also if you have any input on having campsites without actually being an RV Park with hookups and all. And also the possibility of a full time RV host slot.

Post Office Box 950
Benton, California 93512

May 9 , 1994

Mr. Bill Bramlette
St. Route 4, Box 59
Benton, CA 93512

Dear Mr. Bramlette:

As you may know, the White Mountain Fire Protection District is the local government district charged with the duty of fire protection in the general areas of Benton and Hammil Valley in Mono County. During the formation of the District, however, the real property which you own was excluded from the District. This means that the District does not receive any portion of the tax revenue generated by your property, and you are not required to pay fire mitigation fees for improvements to your property. It also means that the District is not obligated to provide any fire protection services to you.

The purpose of this letter, which we will be sending out to all owners of withdrawn or excluded lands on an annual basis, is to inform you that we can respond to fires on your property only (1) if we have your express permission and (2) if you agree to pay the actual costs of the fire suppression efforts. Enclosed with this letter is a copy of the fee schedule used for our equipment when it responds to fires on U.S. Government land, and it is the schedule which we will use to bill all private landholders should the District's services be required.

The Commissioners of the District, after careful consideration of the withdrawn lands situation, have decided to offer an alternative to billing owners of withdrawn lands for responding there in the case of a fire, and that is to enter into individual agreements with each owner to respond without additional charge if the landowner agrees to pay an initial annual fee to the District of \$60.00. This figure would have to be reviewed on an annual basis to insure that it reflects a reasonable amount for the provision of services, and you would be notified well in advance of any proposed increases.

If you wish to participate in the annual fee program, please sign the copy of this letter which is enclosed, and return it to the District at the address above. Also include your first fee payment of \$60.00. We have also requested that the Mono County Counsel's

office prepare a waiver and a form of permission to enter onto your property in the case that fire protection services are required. We will forward this waiver agreement as soon as it is ready, and we will need to have

in our files indicating your permission for District fire personnel to come onto your property and engage in fire suppression activities.

If you do not wish to participate, then you should be aware that the District will bill you, on the basis of the enclosed fee schedule, for the actual costs of responding to any fires on your property.

If you have any questions, you can send them in writing to the District, or you can contact either Harry Bryan, Department Chief, or Joe Caddel, the Chair of the Board of Commissioners.

Very truly yours,

WHITE MOUNTAIN FIRE PROTECTION DISTRICT

By: _____

June 23, 1994

Rt. 4, Box 62
Benton, Calif. 93512

White Mountain Fire Protection District
Attention: Joe Caddel
P.O. Box 950
Benton, California 93512

Dear Joe:

This letter is in response to your letter of May 9, 1994, concerning fire protection for my project at Benton Hot Springs.

Your offer to provide fire protection services under an individual agreement at a cost of \$60.00 per year is acceptable to me. Please provide me with the agreement and request for billing.

I would like to take this opportunity to say "thanks" to you and the other Board of Commissioners for proposing a reasonable fire protection option.

Sincerely,

Bill Bramlette

ATTACHMENT 4: DIRECTOR REVIEW 20-002

NOTICE OF DECISION
Director Review 20-002
Restroom Trailer/Bramlette

APPLICANT: William Bramlette

SUBJECT PROPERTY: 55030 Highway 120, Benton, APN 024-240-014

PROPOSAL: Permit placement of one 6'- 6" x 22' restroom trailer on a Mixed Designation (MD) parcel.



Pursuant to the Mono County General Plan, Chapter 31 Director Review Procedures, based upon the following findings, you are hereby notified that Director Review 20-002 has been:

- Granted as requested.
 Granted subject to the attached Conditions of Approval.
 Denied

BACKGROUND

Director Review 20-002 would permit placement of one 6' - 6" x 22' restroom trailer at the five-acre Benton Hot Springs tub sites within the 328-acre parcel (APN 024-240-014). The parcel has Mixed Designation (MD) and the site-specific designation at the tub sites is Mixed Use (MU). The MU designation is intended to provide for a wide range of compatible resident and visitor-oriented residential and commercial uses and allows for "conversion or expansion of existing operations" as a permitted use subject to Director Review.

The eleven tub sites are visited by approximately 25,000 people each year and currently utilize portable restrooms for onsite sanitation needs. The restroom trailer is intended to upgrade the existing sanitary facilities by providing a total of five restrooms (including one ADA compliant restroom) with flush toilets, sinks, and solar-powered lights. The project will install a new septic system per Environmental Health Department requirements and will utilize an existing waterline to provide running water to the proposed trailer. Given that portable restrooms currently exist on site and that the Use Permit 93-09 approved a stick-built restroom facility on this parcel, placement of a restroom trailer is considered an expansion/conversion of existing and approved operations at the tub sites. However, other uses have also evolved over time and a Use Permit Modification is needed to reflect current operations.

DIRECTOR REVIEW FINDINGS

Under Mono County General Plan, Land Use Element, Chapter 31.030, the Community Development Department director may issue a Director Review permit after making all the following findings:

1. *All applicable provisions of the Land Use Designations and Land Development Regulations 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.*

The MU land use designation allows for conversion or expansion of existing operations as a permitted use subject to Director Review. Conversion of the existing portable restrooms to a five-stall restroom trailer will significantly upgrade existing sanitary facilities by bringing the tub sites into compliance with ADA standards, improving on site sanitation, and reducing the potential for environmental impacts to the site by installing a septic system in compliance with Environmental Health Department standards. The parcel is 328 acres and the proposal meets all setback, parking, and lot coverage requirements of the General Plan. See Attachment 1 – Site Plan.

2. *The site for the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use.*

The tub sites are accessed via State Highway 120 and the Tub Access Road, an unpaved private road on the parcel. The addition of a restroom trailer is not expected to generate significant amounts of traffic on the Tub Access Road nor Highway 120 beyond the amount currently generated by tub site users.

Caltrans submitted a comment prior to the February 3, 2020 Land Development Technical Advisory Committee (LDTAC) application acceptance meeting for this project, requesting the project applicant submit an encroachment permit application. The applicant has been referred to Caltrans and is responsible for coordinating with Caltrans to resolve the encroachment permit issue.

3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located.*

The proposed restroom trailer will not generate significant impacts that could be detrimental to public welfare. Upgrading existing portable toilets to the proposed restroom trailer will reduce impacts to the environment and improve public health and safety by bring the tubs site's sanitation facilities into better compliance with Use Permit 93-09, Federal ADA standards, California Building Code, and Environmental Health standards. The proposed location for the trailer cannot be seen from Highway 120 due to the natural topography thereby avoiding any potential visual impacts associated with this project.

4. *The proposed use is consistent with the map and text of this General Plan and any applicable area plan.*

The proposed project supports development consistent with preserving Benton Hot Springs values and uses and is consistent with the General Plan and the Benton Hot Springs Valley Area Plan.

Mono County General Plan, Countywide Land Use Policies

Objective 1.A.

Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural, cultural and recreational resources and that is consistent with the capacities of public facilities and services.

Policy 1.A.1. *Contain growth in and adjacent to existing community areas.*

Objective 1.E.

Provide for commercial development to serve both residents and visitors.

Policy 1.E.1. *Concentrate commercial development within existing communities.*

Action 1.E.1.a. *Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.*

Policy 1.E.2. *Commercial uses should be developed in a compact manner; commercial core areas should be established/retained in each community area, and revitalized where applicable.*

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.*

Mono County Land Use Element, Benton Hot Springs Valley Area Plan

Objective 27.A.

Maintain the character of Benton Hot Springs Valley and provide for compatible land uses.

Policy 27.A.1. *Preserve and restore historic features of Benton Hot Springs.*

Action 27.A.1.a. *Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.*

Action 27.A.1.b. *Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and complements the town's historic design and character.*

Action 27.A.1.c. *Support the landowner's efforts to convert nonconforming structures (i.e., mobile homes and trailers) into structures that fit with the historic town character.*

Policy 27.A.2. *Maintain the open space and rural character of Benton Hot Springs meadow.*

Action 27.A.2.c. *Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open-space areas.*

Policy 27.A.3. *Encourage uses and businesses that support and complement, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.*

Action 27.A.3.a. *Support using Benton Hot Springs' historic structures for residential housing and tourism services.*

Action 27.A.3.b. *Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.*

Action 27.A.3.d. Allow for the development of short-term recreational-vehicle facilities and recreation special events in areas adjacent to the historic town and along SR 120.

Action 27.A.3.j. Encourage economic planning and development that is consistent with preserving Benton Hot Springs values and uses.

5. *The improvements indicated on the development plan are consistent with all adopted standards and policies as set forth in the Land Development Regulations, this General Plan and any applicable area plan.*

The MU land use designation allows for conversion or expansion of existing operations as a permitted use subject to Director Review. Since a stick-built restroom facility was approved under Use Permit 93-09 and portable restrooms currently exist onsite, placement of a restroom trailer is a conversion/expansion of existing and approved operations.

6. *The project is exempt from the California Environmental Quality Act (CEQA).*

Placement of a restroom trail constitutes an expansion/conversion of existing uses previously examined and approved under Use Permit 93-09. The project is consistent with the uses and development examined in the environmental review conducted as part of Use Permit 93-09. Placement of a restroom trail would not create any new or significant environmental impacts beyond the impacts examined from the proposed stick-built restroom facility.

CONDITIONS OF APPROVAL

DR 20-002 is issued with the following conditions:

1. Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
2. Project shall comply with all Mono County Building Division, Planning Division, Public Works Department, and Environmental Health Department requirements.
3. Exterior lighting shall comply with Chapter 23 – Dark Sky Regulations.
4. The applicant shall submit a General Plan Amendment and Use Permit Modification applications to the Community Development Department within one year of the approval date of this Director Review.
5. Termination. A Director Review shall terminate, and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - A. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in compliance with the terms of the Director Review.
 - B. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.
 - C. No extension is granted as provided in Section 31.080.
8. Extension: If there is a failure to exercise the rights of the Director Review within two years of the date of approval, the applicant may apply for an extension for an additional one year. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary. Conditions of Approval for the Director Review may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to this provision is permitted for those Director Reviews approved concurrently with a tentative parcel or tract map; in those cases, the approval period(s) shall be the same as for the tentative map.
9. Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the Director Review or the violation by the owner or tenant of any provision pertaining to the premises for which such Director Review was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permittee at least 10 days in advance of such hearing. The decision of the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.

This Director Review permit shall become effective 10 days following the issuance of the Director's decision. This decision may be appealed within 10 days by filing a written notice of appeal with the secretary of the Planning Commission. If an appeal is filed, the permit will not be issued until the appeal is considered and the Planning Commission renders a decision.

PREPARED BY: Kelly Karl, Assistant Planner

DATE OF DECISION: ~~March 26, 2020~~ April 1, 2020

SIGNED: _____

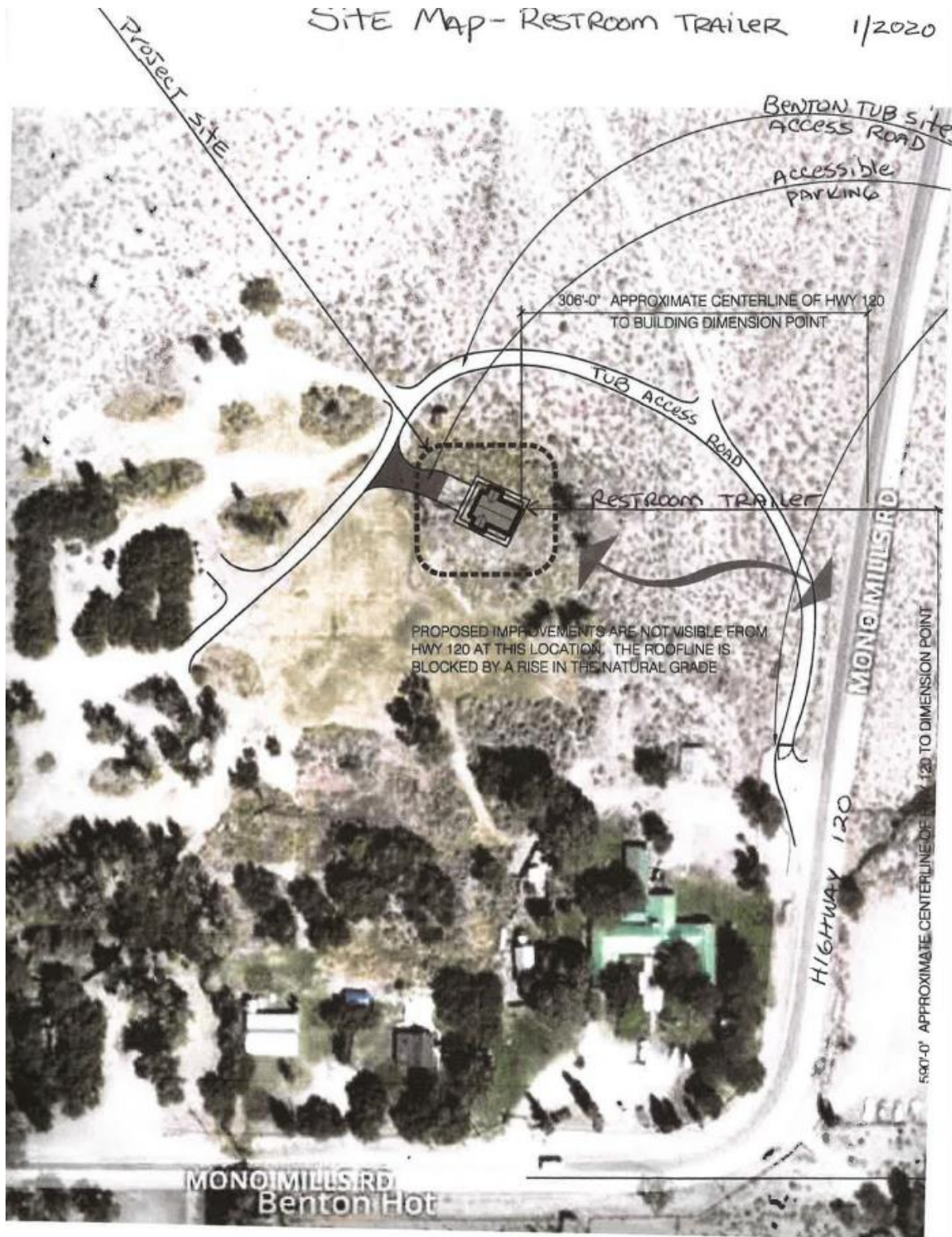
Wendy Sugimura, Community Development Director

Attachment 1 – Site Plan

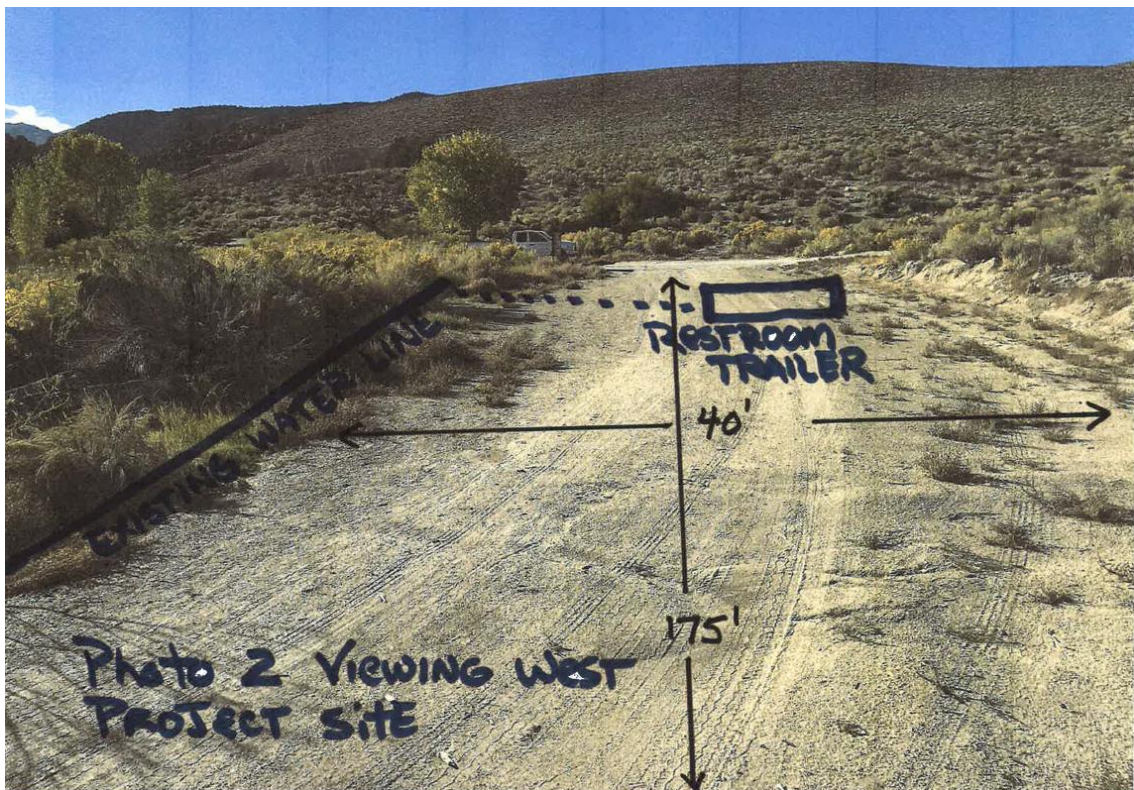
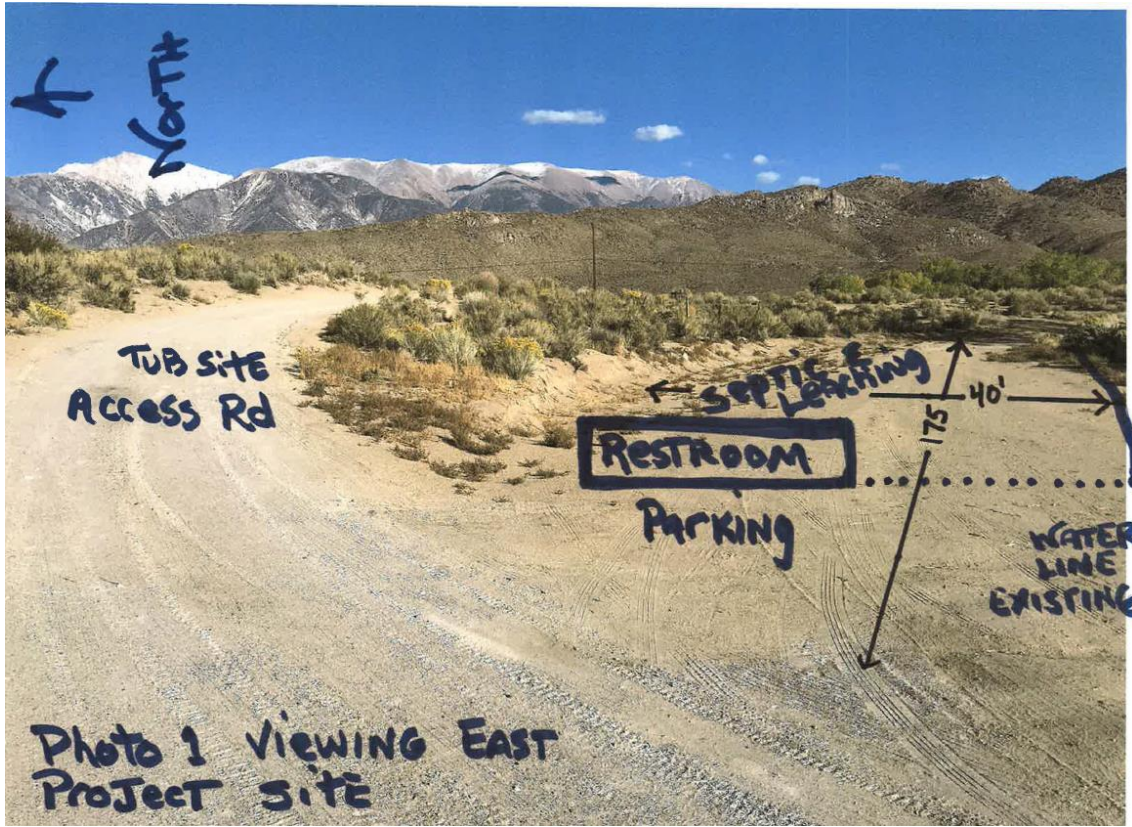
Attachment 2 – Site Photos

Attachment 3 – Restroom Trailer Specifications

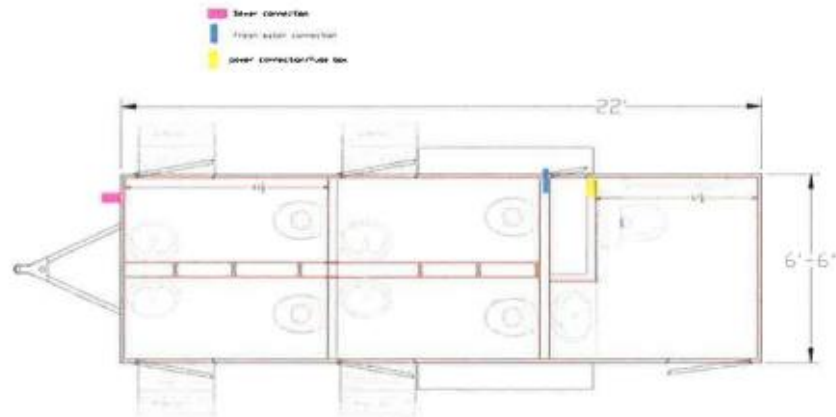
ATTACHMENT 1 – SITE PLAN



ATTACHMENT 2 – SITE PHOTOS



ATTACHMENT 3 – RESTROOM TRAILER SPECIFICATIONS



ATTACHMENT 5: 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

March 29, 2021

To: The Sheet
From: Heidi Wilson
Re: Legal Notice for **April 3** edition

Invoice: Heidi Wilson, 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 **April 15, 2021**. 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 961 8839 9787) where members of the public shall have the right to observe and offer public comment, to consider the following: **9:35 a.m. CONDITIONAL USE PERMIT MODIFICATION 20-002/Bramlette**. The proposal is to modify the existing use permit for Benton Hot Springs located at 55030 Highway 120 (APN 024-240-014) with the following changes: (1) authorize the 12 existing tub sites for 24-hour use/camping; (2) permit the installation and use of three new tub sites for maximum total of 15 tub sites; and (3) allow guests to use recreational vehicles (RVs) at the tub sites (RV hook-ups are not being permitted or installed as part of this proposal). The parcel has a Mixed Designation (MD) and the site-specific designation at the tub sites is Mixed Use (MU). 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> 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 **8 am on Wednesday, April 15**, to ensure timely receipt, by email at cddcomments@mono.ca.gov, or via the livecast meeting (technology permitting). If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

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**Mono County
Community Development Department**

Planning Division

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

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
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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> 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 **8 am on Wednesday, April 14** 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, 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, Associate Planner
PO Box 347
Mammoth Lakes, CA 93546
(760) 924-1809, Kkarl@mono.ca.gov



ATTACHMENT 7: CALTRANS LETTER

From: Rosander, Gayle J@DOT <gayle.rosander@dot.ca.gov>
Sent: Tuesday, March 30, 2021 4:34 PM
To: Kelly Karl <kkarl@mono.ca.gov>
Cc: Winzenread, Stephen M@DOT <stephen.winzenread@dot.ca.gov>
Subject: LDTAC April 5, 2021 Benton Hot Springs Mno 120 pm 55.26

Hi Kelly,

Comments for the upcoming meeting re:

4. ACTION ITEM

- A. USE PERMIT MODIFICATION 20-002/Bramlette** (~ 2:45 pm). Review the draft Conditions of Approval for a modification to the existing use permit for Benton Hot Springs located at 55030 Highway 120 (APN 024-240-014). The following changes are proposed under this use permit modification: (1) authorize the 12 existing tub sites for 24-hour use/camping; (2) permit the installation and use of three new tub sites for maximum total of 15 tub sites; and (3) allow guests to use recreational vehicles (RVs) at the tub sites (RV hook-ups are not being permitted or installed as part of this proposal). The parcel has a Mixed Designation (MD) and the site-specific designation at the tub sites is Mixed Use (MU). *Staff: Kelly Karl*

Operation of the State Highway System includes controlling encroachments, which includes access. Authority for which is contained in the California Streets and Highways Code starting with section 660. Although no formal right-of-way is recorded, Caltrans maintains and operates this portion of State Route 120 under prescriptive rights and is inherently responsible for safety issues.

We have no permit record for the Bramlette property driveway access(es) to SR 120 – a permit we have requested in the past. This current proposal increases the use of the property and hence, the Green Entrance Gate driveway at SR 120. Upgrading the access to current standards (paved apron, 90-deg, etc.) will improve safety for both patrons and through travelers. A paved apron would minimize/eliminate sand and gravel from being tracked on the highway, providing a better surface for bicycle and motor vehicle traction. A 90-degree approach will ensure exiting vehicles have optimal sight distance for improved safety. These features would greatly benefit the additional RV traffic that would occur due to this proposal.

Please condition the project to obtain and fulfill the access requirements of a Caltrans Encroachment Permit for the Green Gate Entrance at SR 120.

Caltrans Encroachment Permit application: <https://dot.ca.gov/programs/traffic-operations/ep/applications>
 Road Connections and Driveway information: [Appendix J.docx \(ca.gov\)](#)

For further permit details, our D9 Encroachment Permit Engineer - Stephen Winzenread may be contacted at 760.874.8348 or stephen.winzenread@dot.ca.gov.

Feel free to contact me with any other questions.

Thank you,
 Gayle Rosander
 External Project Liaison
 Caltrans District 9
 500 South Main Street
 Bishop, CA 93514
 760.874.8330

ATTACHMENT 8: WHITE MOUNTAIN FIRE PROTECTION DISTRICT LETTER

From: White Fire <whitemountainfire@gmail.com>
Sent: Thursday, April 1, 2021 1:06 PM
To: Kelly Karl <kkarl@mono.ca.gov>
Subject: Re: Will Serve Letter Request - Benton Hot Springs (APN 024-240-014)

[EXTERNAL EMAIL]

Hi Kelly,

It is my understanding that this property lies outside the boundaries of the White Mountain Fire Protection District. Several of the ranch land areas were voluntarily withdrawn from the District many years ago. As such, we have no formal agreement to provide fire or EMS protection services to this area. For the District to provide a will serve letter, the property owner would have to work with the county assessor to place the property back into the district and therefore back on the tax roll or provide a suitable mitigation in the form a contract for services.

Sincerely

Dave Doonan
Fire Chief
White Mountain Fire Protection District
(760) 937-0764
whitemountainfire@gmail.com



"We are not judged on our intentions, but on our achievements"