

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

SPECIAL MEETING AGENDA

December 21, 2023 – 9:00 a.m.

Mono Lake Room-Mono County Civic Center
1290 Tavern Rd
Mammoth Lakes, CA

This meeting will be held in person at the location listed above. Additionally, a teleconference location will be available where the public and members of the Commission may participate by electronic means. Members of the public may participate in person and via the Zoom Webinar, including listening to the meeting and providing comment, by following the instructions below.

TELECONFERENCE INFORMATION

1. Bridgeport Teleconference Location- Mono County CAO Conferences Room, First floor Annex 1, 74 N. School Street, Bridgeport, CA 93517.

2. Joining via Zoom

You may participate in the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer

Visit: <https://monocounty.zoom.us/j/81826768071>

Or visit <https://www.zoom.us/> and click on “Join A Meeting.” Use *Zoom Meeting ID*: 818 2676 8071 To provide public comment (at appropriate times) during the meeting, press the “Raise Hand” hand button on your screen and wait to be acknowledged by the Chair or staff. Please keep all comments to 3 minutes.

To join the meeting by telephone

Dial (669) 900-6833, then enter *Webinar ID*: 818 2676 8071

To provide public comment (at appropriate times) during the meeting, press *9 to raise your hand and wait to be acknowledged by the Chair or staff. Please keep all comments to 3 minutes.

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

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

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

3. MEETING MINUTES

- A. Review and adopt minutes of November 16, 2023. (pg. 1)

4. ACTION ITEMS

- A. **UPM 23-003 High Sierra June Lake [9:00 am]** Use permit modification to expand High Sierra's retail-only cannabis operation to also allow cannabis manufacturing (jarring) and distribution (transportation). Applicant proposes expanding into vacant half of their existing commercial building. Currently operating under UP 18-003. An exemption under CEQA Guidelines §15301 and §15303 is proposed. (pg. 3)

- B. **UPM 23-005: June Lake Brewing [9:20 am]**. Use Permit modification to establish a permanent food truck location, formally reestablish indoor tasting room use, and allow for expanded outdoor seating April 15 – November 1. A permanent food truck was previously permitted with UP 15-003 Ohana's; this modification would tie the permanent location to the parcel rather than an individual food truck. An exemption under CEQA Guideline §15301 is proposed. (pg. 35)

5. WORKSHOPS

6. REPORTS

- A. Director (pg. 78)
- B. Commissioners

7. INFORMATIONAL/ CORRESPONDENCE

- 8. **ADJOURN** to January 18, 2024

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

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

*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (1290 Tavern Rd, Mammoth Lakes, CA 93546). Agenda packets are also posted online at www.monocounty.ca.gov / departments / community development / commissions & committees / planning commission. For inclusion on the e-mail distribution list, send request to hwillson@mono.ca.gov

Commissioners may participate from a teleconference location. Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence

with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

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Draft Minutes

November 16, 2023 – 9:00 a.m.

COMMISSIONERS: Roberta Lagomarsini, Jora Fogg, Patricia Robertson

STAFF: Heidi Willson, planning commission clerk; Brent Calloway; principal planner, Paul Roten, public works director; Erik Ramakrishnan, Counsel; Wendy Sugimura, director; Rob Makoske, planning analyst; Aaron Washco, planning analyst

PUBLIC: Paula Richards, Jake Suppa

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE** Meeting called to order at 9:05 am and the Commission lead the Pledge of Allegiance.
2. **PUBLIC COMMENT:** Opportunity to address the Planning Commission on items not on the agenda.
-Paula Richards provided a public comment.

3. MEETING MINUTES

- A. Review and adopt minutes of October 19, 2023.

Motion: Approve the minutes from meeting on October 19, 2023 as presented.

Robertson motion; Fogg second.

Roll-call vote – Ayes: Fogg, Lagomarsini, Robertson. Absent: Bush, Lizza.

Motion passed 3-0 with 2 absent.

4. ACTION ITEMS

- A. Review of Mono County Capital Improvement Program (CIP) and determination of consistency with General Plan (*Paul Roten, Public Works*)
 - Sugimura gave a brief introduction to the Mono County Capital Improvement Program.
 - Roten gave an overview of the Capital Improvement program and answered questions from the Commission.

Motion: Find that the draft 2023 Mono County Capital Improvement Plan is consistent with the General Plan, pursuant to Government Code Section 65403(b).

Lagomarsini motion; Fogg second.

Roll-call vote – Ayes: Fogg, Lagomarsini, Robertson. Absent: Bush, Lizza.

Motion passed 3-0 with 2 absent.

5. WORKSHOPS

- A. 2023 Changes to CalFire Minimum Fire Safe Regulations (*Brent Calloway*)

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COMMISSIONER
Patricia Robertson

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DISTRICT #3
COMMISSIONER
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DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

- Calloway gave a presentation on the 2023 changes to the CalFire fire safe regulations and answered questions from the Commission.

B. Ex-parte communications (*Erik Ramakrishnan*)

- Ramakrishnan gave a presentation on the ex-parte communications and answered questions from the Commission.

6. REPORTS

A. Director

- Sugimura gave a brief overview of the Director report.

B. Commissioners

- Commissioner Robertson gave a report.
- Commissioner Fogg gave a report.
- Chair Lagomarsini gave a report.

7. INFORMATIONAL/ CORRESPONDENCE

- A. #4 Supplemental Excerpt for BOS and Planning Commissioners from Paula Richards
B. Letter to HCD Attorney General Office from Paula Richards

8. ADJOURN at 10:53 am to December 21, 2023

MONO COUNTY

COMMUNITY DEVELOPMENT DEPARTMENT

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

Planning Division

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www.monocounty.ca.gov

December 21, 2023

To: Mono County Planning Commission

From: Rob Makoske, Planning Analyst

Re: Use Permit Modification 23-004 / High Sierra Cannabis Manufacturing & Distribution / Microbusiness (DeCoster)

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA Guidelines §15301 and §15303 and instruct staff to file a Notice of Exemption;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit Modification 23-004 subject to Conditions of Approval.

PROJECT OVERVIEW

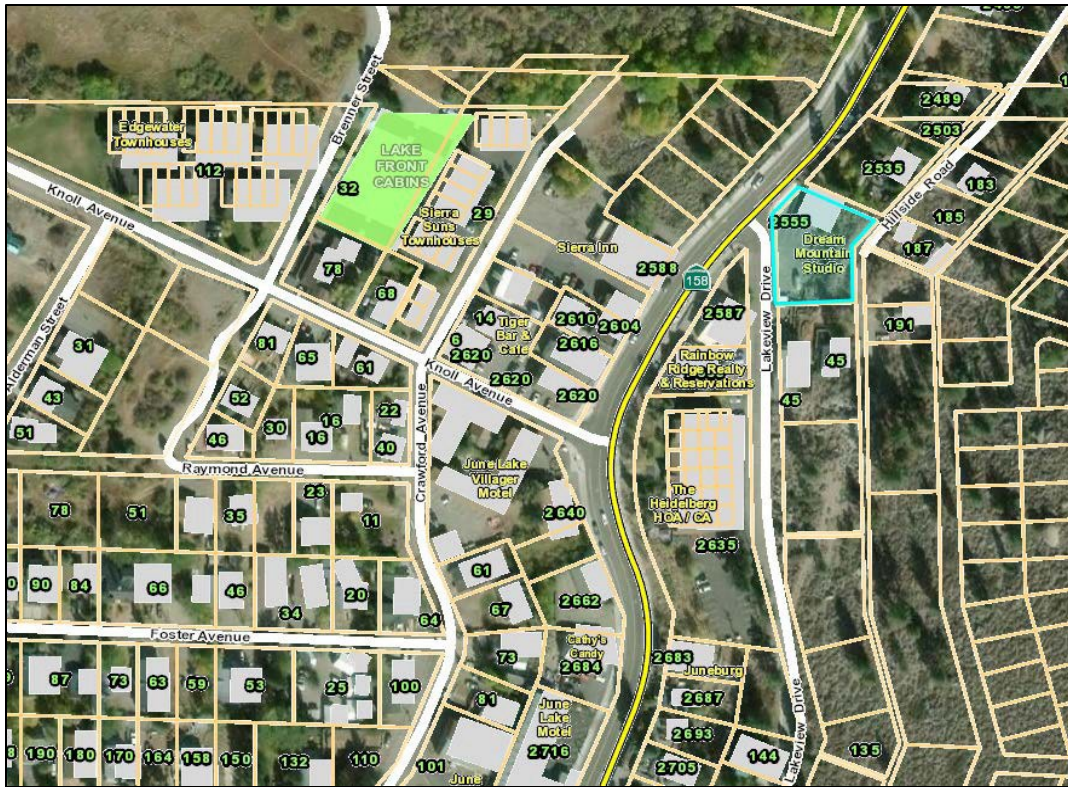
The site is located at 2555 State Route (SR)/Highway 158 (APN 015-085-010) in June Lake, at the intersection of Highway 158 and Lakeview Drive (see Figure 1). Currently, High Sierra operates in one half of the existing commercial building, with the other half currently vacant. Applicant proposes to convert the vacant portion of the building, formerly housing the Insane Audio business, into a non-volatile manufacturing (jarring) area for cannabis products. This application also requests to expand their cannabis use permit to allow for distribution, so High Sierra may transport cannabis from local growers directly to their property for jarring and third-party testing. The existing cannabis retail business sharing the structure would continue to operate after the addition of cannabis manufacturing and distribution.

A key challenge for High Sierra's business model is relying on third parties to distribute locally grown cannabis products to their shelves. Currently, the business is required to contract with a licensed cannabis distribution company from outside the region to pick up the product from farms in Mono County. The product is then tested, jarred, and labeled in Sacramento. Further costs are incurred by then distributing the finished product back to the retail business in June Lake. This process is expensive, logistically challenging, and less than ideal for the environment. It can also be difficult to receive these deliveries in the winter. The logistics of testing the products needs to be fully worked out, but ultimately a licensed testing laboratory can send an employee to a licensed distribution facility to collect samples for testing at its home laboratory which increases efficiency. By allowing High Sierra to expand their operation to allow non-volatile manufacturing and distribution, they will be able to reduce their costs, reduce transportation emissions, and generally contribute more meaningfully toward their goal of a sustainable, local economy.

All applications for commercial cannabis activity must be approved through a Conditional Use Permit (CUP) process. A CUP for retail cannabis is already in place (18-003, see Attachment 4) at this property; this Use Permit Modification seeks to amend the existing use permit to add non-volatile manufacturing and distribution activities in addition to their ongoing retail operation. By engaging in three or more cannabis-related business

activities, High Sierra also seeks to qualify as a microbusiness and obtain a microbusiness license from the State of California and a microbusiness Cannabis Operations Permit from Mono County.

Figure 1: Project Site 2555 Highway 158



PROJECT SETTING

The existing 1,400-square foot commercial building is located on a 14,512-square foot lot at 2555 State Route (SR) 158 (APN 015-085-010). The lot is designated commercial and is surrounded by other commercial lots to the west and south, and single-family residential to the east and north (see Figure 2). The parcel is at the northern terminus of the June Lake commercial core along SR 158, extending west to Crawford Avenue and east to Lakeview Drive, has provided a combination of food, retail, and lodging services.

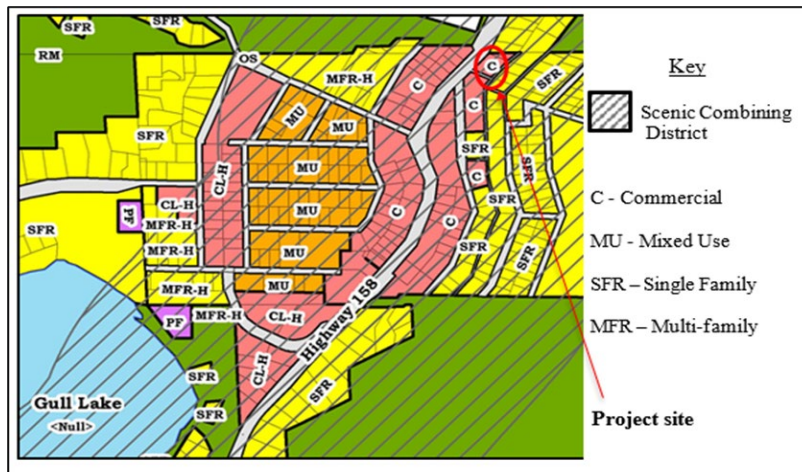


Figure 2: Land Use Designation Map

High Sierra June Lake proposes an expansion of their existing retail cannabis business in their existing commercial structure to add non-volatile manufacturing and distribution, which would collectively be permitted as a microbusiness. The existing retail component would continue to operate out of the half of the building they currently occupy, while the vacant half of the building will be occupied by the non-volatile manufacturing component of their business (see Figure 3). The manufacturing area is fully separated from the retail space and has an existing Radio Frequency Identification (RFID) access control system. The expanded operation will be staffed by High Sierra employees and will not generate any additional traffic, as it will remain closed to the public. The project structure has been used for retail and food services in the past, and currently houses High Sierra's retail cannabis operation. The half of the building to be converted to cannabis manufacturing was formerly operated by Insane Audio, a high-tech car stereo manufacturing business which has relocated out of the June Lake area.

Figure 3: Floor Plan

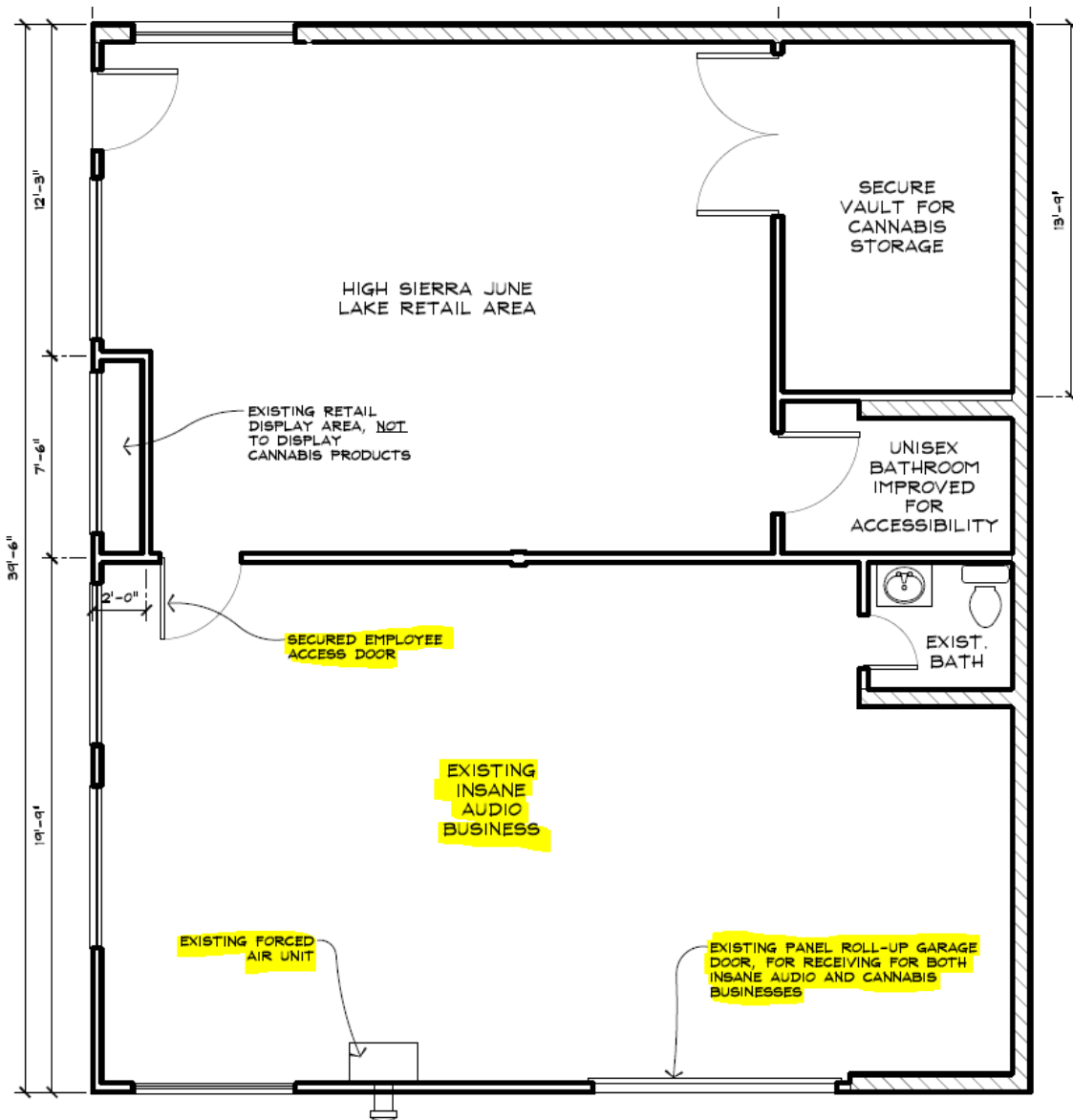


Figure 4: Site viewed from SR 158



Figure 5: Site viewed from intersection of SR 158 and Lakeview Drive



GENERAL PLAN CONSISTENCY

The General Plan Land Use Designation for this property is Commercial I. According to the Mono County General Plan, “the ‘C’ designation is intended to provide for a wide range of uses and services for the resident and visitor including retail, business and professional uses and services in community areas....” Cannabis activities, including manufacturing and distribution, are subject to a use permit and Chapter 13 of the Mono County General Plan Land Use Element, and an operation permit under MCC 5.60.

The proposed development is also consistent with June Lake Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan support the development of commercial cannabis services in the community of June Lake.

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies Objective D

Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

Action 1.1: Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

MONO COUNTY LAND USE ELEMENT, June Lake 2010: June Lake Area Plan Objective B

Promote well-planned and functional community development that retains June L’ke’s mountain-community character and tourist-oriented economy.

Objective C

Contain growth in and adjacent to existing developed areas.

Policy 1: Encourage compatible development in existing and adjacent to neighborhood areas.

Action 1.1: Use the area specific land use maps, specific plans, the Plan Check and Design Review processes to guide development.

Action 1.2: Encourage compatible infill development in the Village and Down Canyon areas.

Objective I

Maintain the June Lake village as the L’op’s commercial core by providing a wide range of commercial and residential uses in a pedestrian-oriented atmosphere.

Objective 1.L.

Provide for commercial cannabis activities in Mono County in a way that protects public health, safety, and welfare while also taking advantage of new business and economic development activities.

Policy 1.L.4. *In recognition of the potential economic benefits of this new industry, encourage the responsible establishment and operation of commercial cannabis activities.*

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) Cannabis manufacturing, distribution, and microbusinesses are permitted in commercial land use designations, subject to Use Permit and compliance with Chapter 13, Cannabis Regulations.
 - b) Adequate site area exists for the proposed use. The project proposes no physical expansion of the current layout. Current lot coverage (calculated by the amount of impermeable surface) is approximately 30 percent, which is well below the maximum allowable for commercial land use designations of 70 percent.
 - c) The project has the capacity to meet parking requirements. Three paved spaces and a paved loading area/ADA space currently exist per the site's current retail requirements (see Figure 6, and Attachment 3 and 4), and only two spaces are required. For the complete analysis of parking requirements, see the analysis of §13.070.I. below. The manufacturing operation will be closed to the public and will require no additional employees. The delivery truck size is undetermined at this time, but will likely not exceed a standard sized vehicle and will be fully compliant with all DCC requirements. The delivery truck can be parked on site in the extra parking space.
 - d) The location of the proposed project is consistent with the June Lake Area Plan's intent for concentrating resident- and visitor-oriented services in commercial core in the June Lake village.
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 parcel is accessed by Lakeview Drive via SR 158 and is adequate for the kind of traffic generated by the proposed use. Lakeview Drive and SR 158 are used for accessing existing commercial businesses in the June Lake commercial core. Parking is sufficient for employees and visitors as the manufacturing area is closed to the public and staffed by the same employees as the retail operation.
 - b) The manufacturing expansion on-site is not open to the public, and not expected to generate significant amounts of traffic to alter existing circulation patterns.
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 use is not expected to cause significant environmental impacts. An existing building is being used and no new construction is proposed. Avalanche danger has been deemed insignificant enough to allow for year-round use during initial review of CUP 18-003.
 - b) The proposed project is subject to a use permit according to the Mono County General Plan's Land Use Element. The use permit process provides the public the opportunity to comment on the proposal; no comments have been received at the time this staff report was written.
 - c) The project complies with General Plan Chapter 13, *Commercial Cannabis Activities*, and General Plan Amendment 17-03: *Commercial Cannabis Policies*, which minimize and mitigate detrimental impacts to the public welfare and injury to property and improvements. See analysis below.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
 - a) Cannabis manufacturing operations are permitted in commercial land use designations, provided they meet the criteria set forth in Chapter 13 and Mono County Code Chapter 5.60.
 - b) The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial uses and services for residents and tourists.

- c) General Plan Amendment 17-03, *Commercial Cannabis Policies*, established policies and actions with the purpose of establishing a regulated commercial cannabis industry in Mono County.

COMPLIANCE WITH MONO COUNTY CANNABIS REGULATIONS (CHAPTER 13)

In addition to General Plan policies and regulations, commercial cannabis activities shall comply with Chapter 13. The following general standards and requirements apply to all commercial cannabis activities permitted in the county:

13.070 C. Site Control

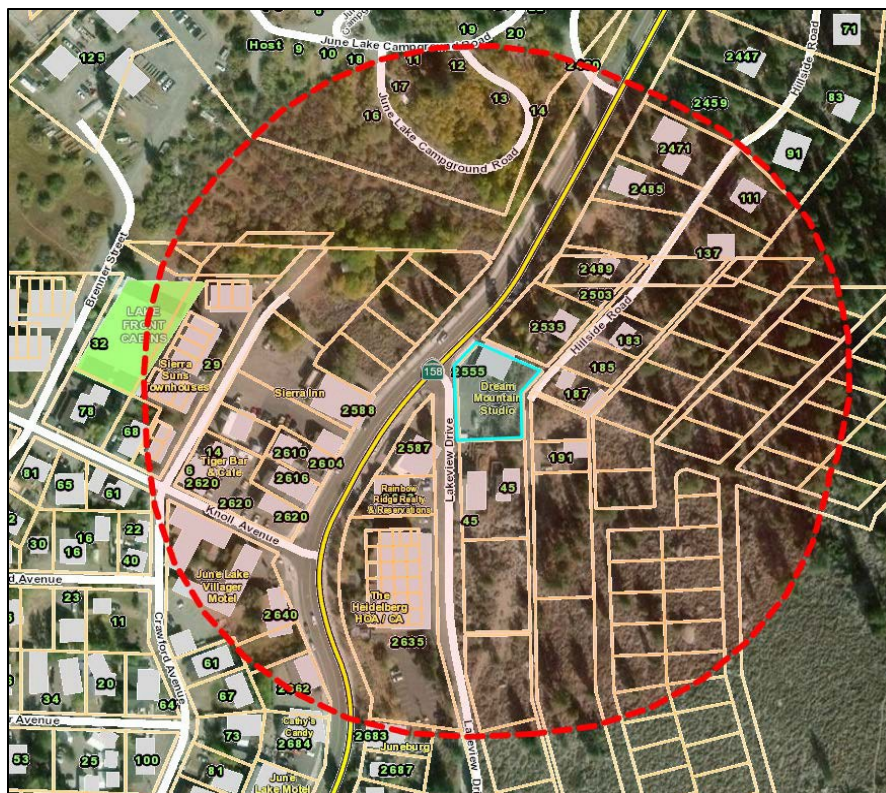
No commercial cannabis activity shall be allowed within six hundred (600) feet of schools providing instruction to kindergarten or any grades 1 through 12, day care or youth centers, parks, ballfields, playgrounds, libraries, community centers, and licensed childcare facilities.

None of the above-mentioned facilities are located within 600 feet of the site. The June Lake community has one school (Our Lady of the Rosary) located at 4479 SR 158, which is 1.9 miles from the project site. The June Lake Community center (also the location for the County's First 5 program), library, and Gull Lake park are over 1,800 feet from the project site. The baseball field in June Lake Highlands is approximately 4,000 feet from the site. Currently the nearest childcare facility is in the June Lake Village area, nearly 1,400 feet from the project site.

The site is immediately surrounded by Commercial and Residential land-use designations. To the north is a commercial property currently occupied with a single-family residence; on the east side is a residential property owned by the applicant; to the south is a commercial property currently occupied with a single-family residence; and to the west are vacant commercial parcels. Single Family Residential, Mixed-Use, and Multi-Family Residential - High land use designations are within the 600-foot radius of the site (see Figure 2 and 6).

In addition to a published notice in The Sheet, property owners within a 300-foot radius of the site were provided 10-day notice of this project. At this time, no comment letters have been received.

Figure 6: 600 ft. radius around site location.



13.070 D. Setbacks

All commercial cannabis activities shall meet existing setbacks established in General Plan Chapter 4 – Land Use Designations and 4.120 Yards and Setbacks.

The structure currently meets setback standards for commercial designations (10' front, 5' rear, 0' side) and the proposal does not include expansion of the existing building footprint. (see Site Plan, Attachment 3).

13.070 E. Odor Control

An odor mitigation plan is required to demonstrate that odors generated by the commercial cannabis activity shall not unreasonably impact adjacent properties and uses, or that odor mitigation measures are not applicable due to lack of cannabis-related odor generation, location or siting, design features, or other factors.

Any non-volatile cannabis manufacturing will take place indoors in a controlled manufacturing area. This area is equipped with a commercial forced air unit with a HEPA filter. Cannabis will be dried and past its most odorous phase prior to pick-up by High Sierra. The Applicant does not anticipate there being any noticeable odor outside of the building.

13.070 F. Signage and Notices

A Sign Plan shall be required to demonstrate compliance with General Plan Land Development Regulations, Chapter 4.190 Signs, and Chapter 7 Signs.

No new / additional signage is proposed with this project. Existing signage was reviewed with the initial Use Permit.

13.070 G. Visual Screening

All Cannabis, Cannabis Products and Cannabis Accessories shall be screened from view from a public right of way to the best of the Permittee's ability.

The proposal states that the interior layout will not allow for any cannabis products to be visible from the street and no cannabis products will be placed in the existing display window. The project will also be required to comply with Mono County Code Chapter 5.60.140 (A), “no cannabis or cannabis products shall be visible from the exterior of the retail premises.” Screening plan remains unchanged from the previously approved Use Permit.

13.070 F. Lighting

All commercial cannabis activities shall comply with General Plan Land Use Element Chapter 23 – Dark Sky Regulations regardless of activity type or Premise location.

The proposal does not include any changes to the existing compliant lighting.

13.070 I. Parking

A Parking Plan depicting availability and requirements for parking shall be submitted. The Plan shall demonstrate the provision of adequate on-site parking for all employees and allow for loading and unloading.

The project has the capacity to meet parking requirements. Currently three paved spaces and a paved loading area/ADA space per the original use permit (see Figure 6, and Attachment 3 and 4) exist on site.

Retail areas require one space for every 200 square feet of gross leasable area but no fewer than two spaces, and the warehouse use requires one space for every 1,000 square feet of gross floor area but no fewer than one space. The existing retail area is 425 square feet and the warehouse area is 625 square feet, requiring a total of four spaces including the loading area/ADA space. In addition, the site falls into the June Lake Central Business District as defined in General Plan Land Use Element §06.090, which allows for a 40% reduction of required off-street parking. The adjusted parking requirement is therefore 1.6 spaces, which is rounded up to two spaces (per Table 06.010). The third space may be used to park the distribution vehicle, and then the ADA space is provided in addition to requirements.

Figure 6: Location of existing parking and loading.



13.070 J. Noise

Noise generation shall comply with the Mono County General Plan Noise Element and Mono County Code, Chapter 10.16.

Proposed non-volatile Cannabis manufacturing (jarring) does not utilize any heavy machinery or other noise-generating equipment, and therefore is not expected to generate noise beyond that of traditional commercial operations in the June Lake commercial core. Jarring and labeling of product requires only non-motorized, non-mechanical, manual labor.

13.090 Cannabis Distribution

In addition to 13.070 requirements, a permit for distribution is subject to the following additional requirements:

A. Indicate truck parking and loading areas;

B. Storage and handling plans; and

C. Closed to general public. Cannabis distribution premises shall be fully enclosed and inaccessible by the general public unless supervised by the permittee.

D. Any other relevant information requested by the Director of the Community Development Department, or his or her designee.

E. The information provided may be held in a confidential file, exempt from disclosure as a public record pursuant to Government Code Section 6255(a).

Site has three existing parking spaces plus one van-accessible handicap space (see the site plan in Attachment 3). Cannabis product will be stored in secured, limited access areas within the RFID access areas formerly operated by Insane Audio. Cannabis will be stored in the manufacturing portion of the building. Cannabis will only be in a vehicle when actively transporting product to High Sierra June Lake. The delivery truck will be under the supervision of High Sierra staff and shall adhere to all DCC guidelines. Distribution premises meet all enclosure and accessibility requirements.

13.100 Cannabis Manufacturing

In Addition to 13.070 requirements, a permit for manufacturing is subject to the following additional requirements:

A. A Cannabis manufacturer shall manufacture cannabis products only; products that do not contain cannabis shall not be manufactured at the same premises.

B. In no case shall any hazardous, flammable, or explosive substances be used to process or manufacture cannabis products on the premises unless all necessary permits have been obtained from all appropriate agencies;

C. Closed to general public. Cannabis manufacturing premises shall be fully enclosed and inaccessible by the general public unless supervised by the permittee.

D. Closed loop system. Cannabis manufacturing using volatile solvents must utilize a closed-loop system certified by a qualified engineer and approved by the County Building Official and local Fire District Chief.

Cannabis manufacturing will be in strict adherence to California Department of Cannabis Control (DCC) guidelines. Only non-volatile manufacturing is proposed at this time and therefore no hazardous, flammable or explosive substances will be used. Only cannabis will be manufactured on the premises. The proposed manufacturing area (formerly insane audio) will be closed to the public and has an existing RFID access control for employees.

13.130 Cannabis Microbusiness

In addition to 13.070 requirements, a permit for a microbusiness is subject to the following additional requirements:

A. A cannabis microbusiness that includes cultivation, manufacturing, distribution and/or retail within one State license shall comply with all permit and operating requirements set forth in this chapter for cannabis cultivation, cannabis distribution, cannabis manufacturing, and cannabis retailer.

B. In reviewing an application for a Use Permit the following additional information may be requested:

- 1. Storage protocol and hazard response plan; and*
- 2. Any other relevant information requested by the Community Development Director or his or her designee.*
- 3. The information provided may be held in a confidential file, exempt from disclosure as a public record pursuant to Government Code Section 6255(a).*

High Sierra June Lake will comply fully with all DCC and Mono County guidelines and permit processes. All product shall be stored in a secured, limited access area at High Sierra June Lake, separately partitioned from the existing retail area. Non-volatile manufacturing requires no hazardous or flammable materials.

ENVIRONMENTAL REVIEW

The project qualifies for a categorical exemption under CEQA Guidelines §15301 and §15303. CEQA Guidelines §15301 exempts existing facilities involving negligible or no expansion of the existing or former use. The former use was the Insane Audio warehouse and manufacturing business. The proposed use continues to be a warehouse and manufacturing businesses, although for cannabis, with no expansion to the structure or use. CEQA Guidelines §15303 exempts the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project proposes no expansion to the building footprint or modifications to the exterior of the structure.

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

Attachments:

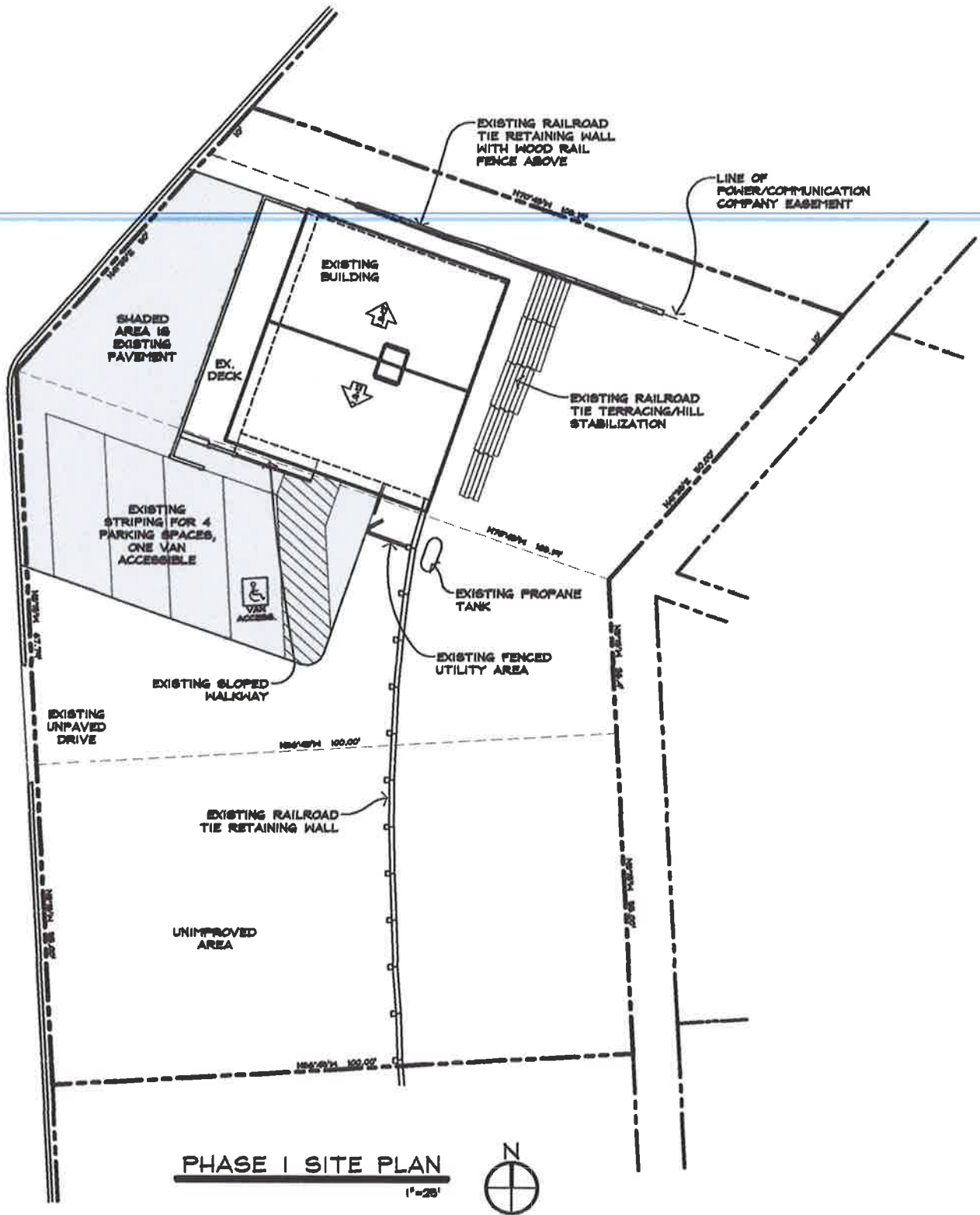
1. Notice of Decision
2. Conditions of Approval
3. Site Plan
4. 18-003 Use Permit
5. Public hearing notice

Conditions of Approval:
Use Permit Modification 23-004 / High Sierra Cannabis Manufacturing, Distribution,
Microbusiness

- 1) All development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 2) Project shall comply with Chapter 13, Cannabis Regulations, which has been provided to the applicant.
- 3) The project shall be in substantial compliance with the site plan as shown on Attachment 3 found in the staff report.
- 4) The distribution vehicle shall comply with all state regulations and requirements.
- 5) All exterior lighting shall be shielded and directed downward and shall comply fully with Chapter 23, Dark Sky Regulations.
- 6) A cannabis manufacturer shall manufacture cannabis products only; products that do not contain cannabis shall not be manufactured at the same premises.
- 7) In no case shall any hazardous, flammable, or explosive substances be used to process or manufacture cannabis products on the premises unless all necessary permits have been obtained from all appropriate agencies.
- 8) Manufacturing premises shall be fully enclosed and inaccessible by the general public unless supervised by the permittee.
- 9) A cannabis microbusiness that includes cultivation, manufacturing, distribution, and/or retail within one State license shall comply with all permit and operating requirements set forth in Chapter 13.
- 10) Project is required to comply with any requirements of the June Lake Fire Protection District. The applicant shall provide a "will serve" letter from the June Lake Fire Protection District indicating the FPD will provide service to the project.
- 11) Project is required to comply with any requirements of the June Lake PUD. The applicant shall provide a "will serve" letter from the June Lake Public Utility District (PUD).
- 12) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 13) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.
- 14) An operation permit under MCC Chapter 5.60 and all applicable state licensing is required prior to commencing operations.
- 15) Appeal. Appeals of any decision of the planning commission may be made to the board of supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development Director within 10 calendar days following the commission action. The Director will determine if the notice is timely and if so, will

transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.

- 16) Termination. A use permit shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all 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. Where 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 reliance 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
- 17) Extension. If there is a failure to exercise the rights of the use permit within two years (or as specific in the conditions) of the date of approval, the applicant may apply for an extension for an additional one year. Only one extension may be granted. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary and schedule it for public hearing. Conditions of approval for the use permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension. Exception to this provision is permitted for those use permits 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.
- 18) Revocation. The Planning Commission may revoke rights granted by a Director Review, and the property affected thereby shall be subject to all of 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 a Director Review was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permitted 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.



PHASE I SITE PLAN
1"=20'

Mono County Community Development Department

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

Planning Division

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

September 20, 2018

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst
Michael Draper, Planning Analyst

Re: Use Permit 18-003 / High Sierra Cannabis Retail (DeCoster)

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and instruct staff to file a Notice of Exemption;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 18-003 subject to Conditions of Approval.

PROJECT OVERVIEW

The site is located at 2555 Hwy 158 (APN 015-085-010) in June Lake, at the intersection of Hwy 158 and Lakeview Drive. The project proposes to convert a portion of the existing 1,400 square foot commercial building into cannabis retail. Currently the building houses Insane Audio, a manufacturing company specializing in premium in-dash multimedia and navigation solutions for off-road vehicles. The existing business would continue to operate in the same capacity after the addition of cannabis retail.

The project proposes two phases. The first phase will utilize a 100-square foot vacant room located on the northwest corner of the structure as a storefront for cannabis retail. No construction improvements will occur during phase one. Phase two includes expansion of the retail area to 475 square feet and the addition of a public restroom with improved accessibility. Neither phase proposes any expansion to the existing building footprint.

All applications for commercial cannabis activity must be approved through a Conditional Use Permit (CUP) process. A CUP for retail cannabis must demonstrate adequate plans for site control, setbacks, odor control, signage, visual screening, lighting, parking, and noise.

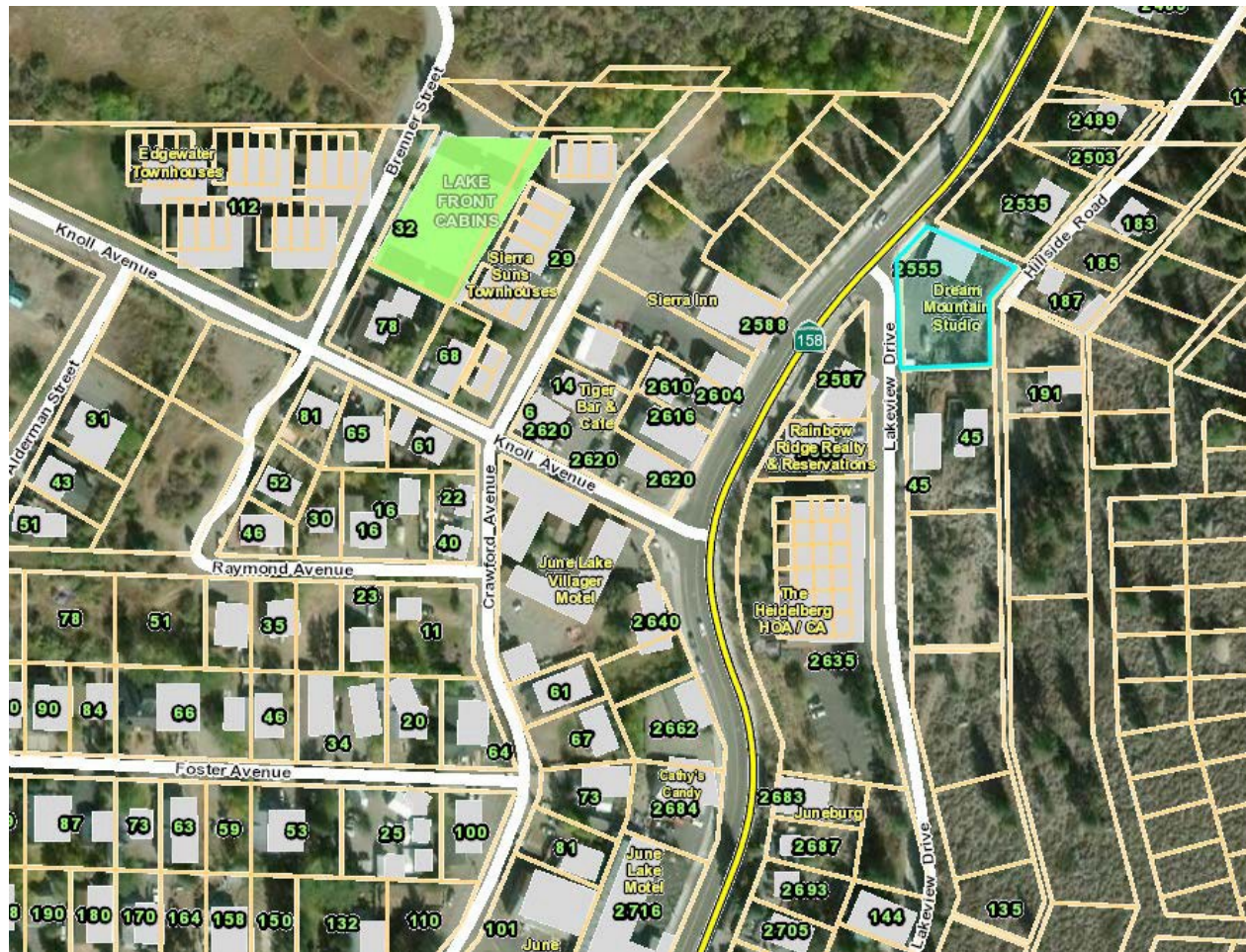
The project qualifies for a Class 3 CEQA exemption (CEQA Guidelines, 15303) as it involves the conversion of a small structure without expansion of the building footprint. An avalanche study was also conducted to provide support that the operation meets Mono County Safety Element guidelines for year-round use in a potential avalanche hazard zone (conditional use area).

PROJECT SETTING

The existing 1,400-square foot commercial building is located on the 14,512 square foot lot at 2555 HWY 158 (APN 015-085-010). The lot is designated commercial and is surrounded by other commercial lots to the west and south, and single family residential to the east and north. The parcel is at the northern terminus of the June Lake commercial core.

Historically, the June Lake commercial core along SR 158, extending west to Crawford Avenue and east to Lakeview Drive, has provided a combination of food, retail, and lodging services. The project structure has been used for retail and food services in the past, and currently houses Insane Audio. The proposed expanded retail use is consistent with both the area's character and the building's historical use.

Figure 1: Location of project. 2555 Hwy 158, June Lake.



Parcel location highlighted in blue

Figure 2: Land designation map.

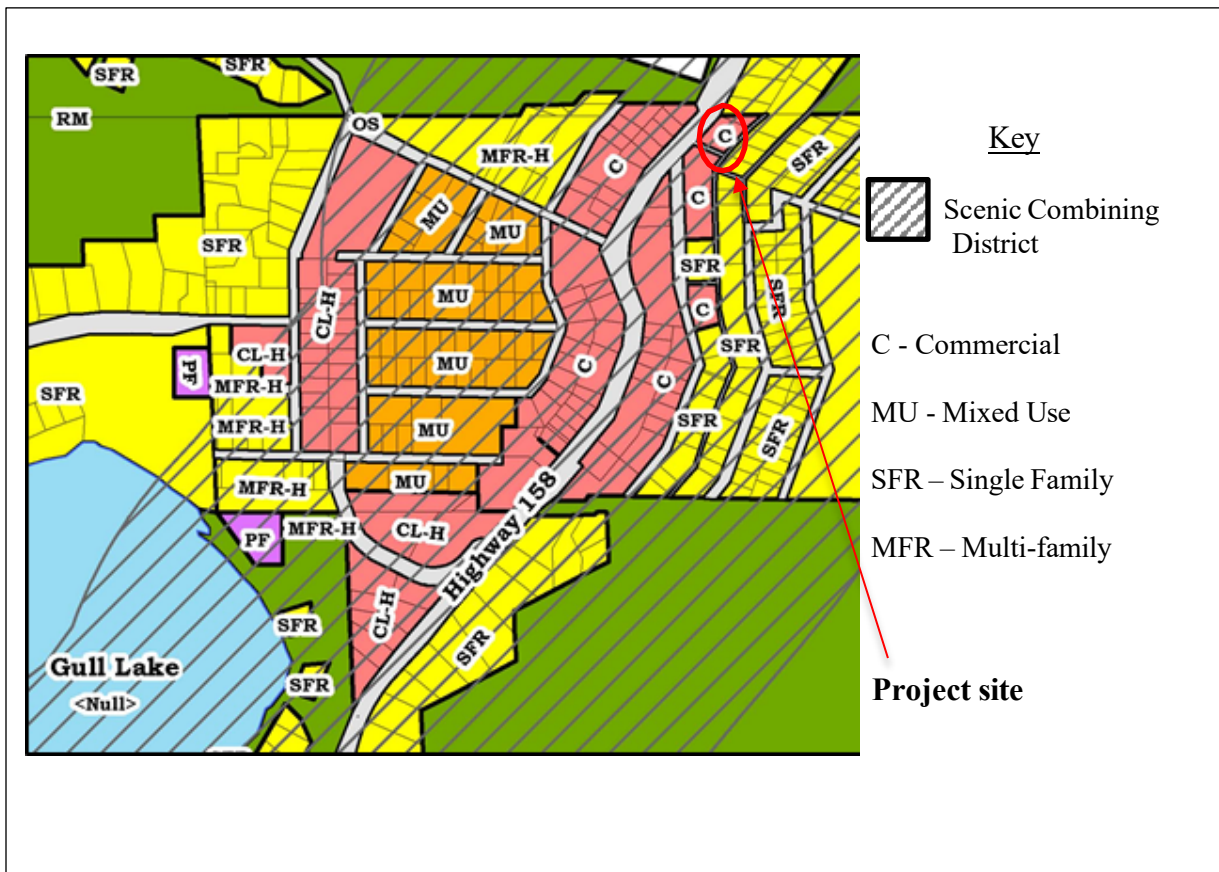


Figure 3: Site viewed from Hwy 158.



Figure 4: Site viewed from intersection of Hwy 158 and Lakeview Drive.



GENERAL PLAN CONSISTENCY

The General Plan Land Use Designation for this property is Commercial (C). According to the Mono County General Plan, “the ‘C’ designation is intended to provide for a wide range of uses and services for the resident and visitor including retail, business and professional uses and services in community areas...” Cannabis activities, including retail, are subject to a use permit and operation permit under MCC 5.60.

The proposed development is also consistent with June Lake Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan support the development of commercial services in the community of June Lake.

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

Objective D

Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

Action 1.1: Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

MONO COUNTY LAND USE ELEMENT, June Lake 2010: June Lake Area Plan

Objective B

Promote well-planned and functional community development that retains June Lake's mountain community character and tourist-oriented economy.

Objective C

Contain growth in and adjacent to existing developed areas.

Policy 1: Encourage compatible development in existing and adjacent to neighborhood areas.

Action 1.1: Use the area specific land use maps, specific plans, the Plan Check and Design Review processes to guide development.

Action 1.2: Encourage compatible infill development in the Village and Down Canyon areas.

Objective I

Maintain the June Lake village as the Loop's commercial core by providing a wide range of commercial and residential uses in a pedestrian-oriented atmosphere.

Objective 1.L.

Provide for commercial cannabis activities in Mono County in a way that protects public health, safety, and welfare while also taking advantage of new business and economic development activities.

***Policy 1.L.4.** In recognition of the potential economic benefits of this new industry, encourage the responsible establishment and operation of commercial cannabis activities.*

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) Cannabis retail is permitted in commercial land use designations, subject to Use Permit and compliance with Chapter 13, Cannabis Regulations.
 - b) Adequate site area exists for the proposed use. The project proposes no physical expansion of the current lay-out. Lot coverage (calculated by the amount of impermeable surface) is approximately 30 percent at project completion, which is well below the maximum allowable for commercial land use designations of 70 percent.
 - c) The project has capacity to meet parking requirements. There currently exists three paved spaces and a paved loading area. The retail area requires one space for every 200 square feet of gross leasable area and warehouse space requires one space for every 1,000 square feet of gross floor area. The retail area is 100 square feet square feet in Phase I and the combined warehouse area for the cannabis operation and Insane Audio is 625 square feet, meaning at least two spaces and a loading area is required. Phase II expands the retail area to 425 square feet requiring one additional parking space. There is room for an additional five spaces beyond the current paved parking (see: Figure 9).
 - d) The location of the proposed project is consistent with the June Lake Area Plan's intent for concentrating resident- and visitor-oriented services in commercial core in the June Lake village.
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 parcel is accessed by Lakeview Drive via Hwy 158 and is adequate for the kind of traffic generated by the proposed use. Lakeview Drive and Hwy 158 are used for accessing existing commercial businesses in the June Lake commercial core. Parking is sufficient for employees and visitors.
 - b) The commercial business is not expected to generate significant amounts of traffic to alter existing circulation patterns.
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 use is not expected to cause significant environmental impacts. No modifications to the existing building are being permitted. Avalanche danger has been deemed insignificant enough to allow for year-round use (see "Avalanche Study" section).

- b) The proposed project is a conforming use according to the Mono County General Plan's Land Use Element. The use permit process provides the public the opportunity to comment on the proposal, and comments are attached to this report.
 - c) Compliance with General Plan Chapter 13, *Commercial Cannabis Activities*, and General Plan Amendment 17-03: *Commercial Cannabis Policies*, the County minimizes and mitigates, to the best of its ability, any detrimental impacts to the public welfare and injury to property and improvements.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
- a) Retail cannabis operations are permitted in commercial land use designations, given they meet the criteria set forth by Chapter 13.
 - b) The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial uses and services for residents and tourists. The project provides an unfilled service for residents and visitors of June Lake.
 - c) General Plan Amendment 17-03, *Commercial Cannabis Policies*, established policies and actions with the purpose of establishing a regulated commercial cannabis industry in Mono County.

COMPLIANCE WITH MONO COUNTY CANNABIS REGULATIONS (CHAPTER 13)

In addition to General Plan policies and regulations, commercial cannabis activities shall comply with Chapter 13. The following general standards and requirements apply to all commercial cannabis activities permitted in the county:

13.70.C. Site control.

No commercial cannabis activity shall be allowed within six hundred (600) feet of schools providing instruction to kindergarten or any grades 1 through 12, day care or youth centers, parks, ballfields, playgrounds, libraries, community centers, and licensed child care facilities.

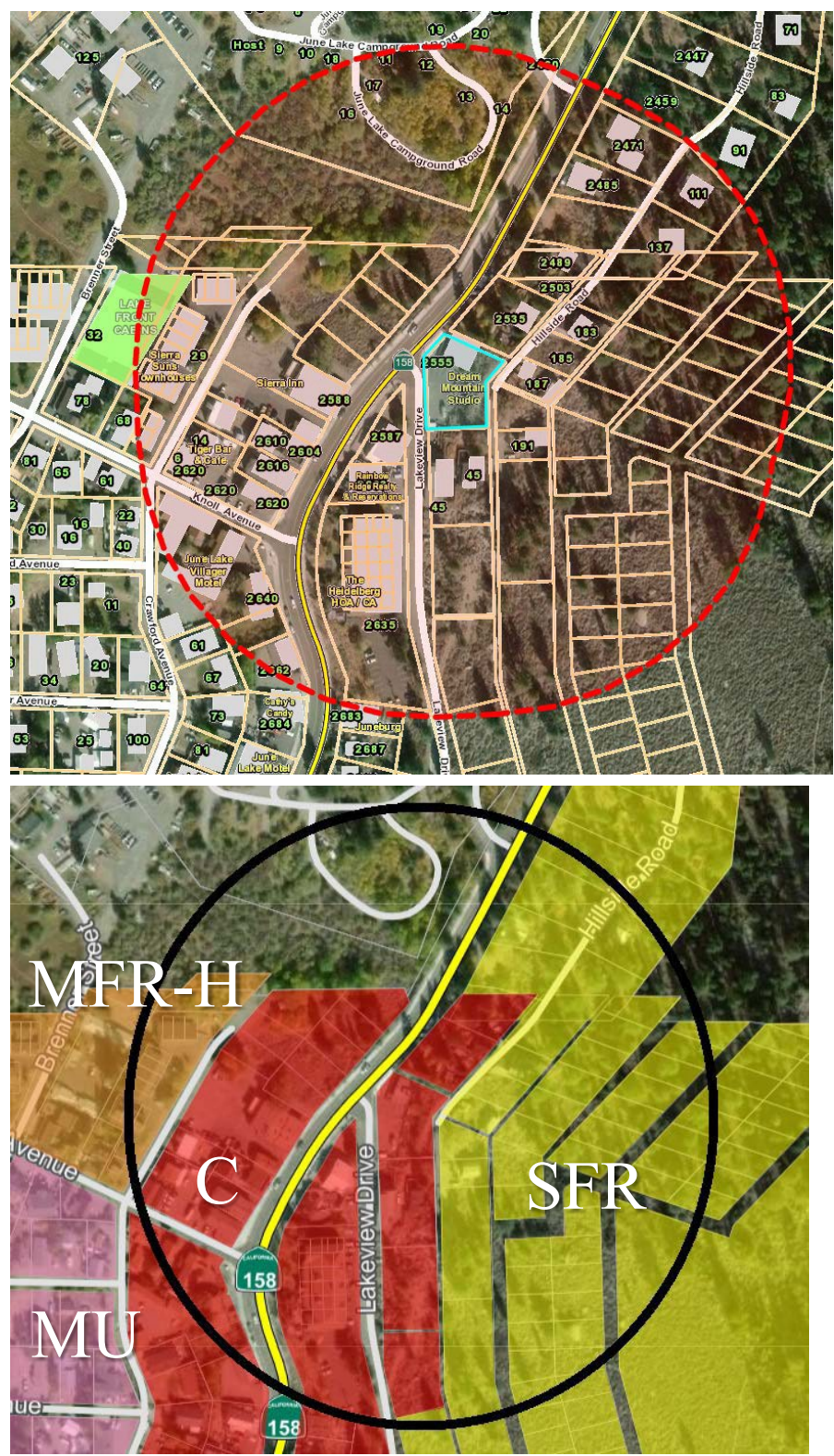
None of the above-mentioned facilities are located within 600 feet of the site. The June Lake community has one school (Our Lady of the Rosary) located at 4479 Hwy 158 and 1.9 miles from the project site. The June Lake Community center (also the location for the County's First 5 program), library, and Gull lake park are over 1,800 feet from the project site. The baseball field in June Lake Highlands is approximately 4,000 feet from the site. Currently there are no existing licensed child care facilities in the community of June Lake.

The site is immediately surrounded by Commercial and Residential land-use designations. To the north is a commercial property currently occupied with a single-family residence; on the east side is a residential property owned by the applicant; to the south is a commercial property currently occupied with a single-family residence; and to the west are vacant, commercial, parcels. Single Family Residential, Mixed-Use, and Multi-Family Residential - High land use designations are within the 600-foot radius of the site (see: Figure 5).

The project was noticed to all property owners within 600 feet of the site. One comment letter was received in opposition to the project. The letter, authored by the property owner of 45 Lakeview Drive and directly south of the project, expresses concern that odors from the retail product will disturb his tenants (Attachment 3).

At this time, one letter in support of the project has also been received (Attachment 4). The letter was written by the property owner of APN 015-075-021, a vacant parcel directly to the west of the project site.

Figure 5: 600 ft. radius around site location.



13.70.D. Setbacks

All commercial cannabis activities shall meet existing setbacks established in General Plan Chapter 4 – Land Use Designations and 4.120 Yards and Setbacks.

The structure currently meets setback standards for commercial designations (10' front, 5' rear, 0' side) and the proposal does not include expansion of the building footprint (see attachment 1: site plan).

13.70.E. Odor control

An odor mitigation plan is required to demonstrate that odors generated by the commercial cannabis activity shall not unreasonably impact adjacent properties and uses, or that odor mitigation measures are not applicable due to lack of cannabis-related odor generation, location or siting, design features, or other factors.

The project is for retail only with no associated growing operation or on-site consumption of product. The store will only sell pre-packaged products from licensed distributors inside the retail premise. No on-site consumption or smoking is permitted. Odor mitigation measures are not applicable due to lack of cannabis-related odor generation.

13.70.F. Signage

A Sign Plan shall be required to demonstrate compliance with General Plan Land Development Regulations, Chapter 4.190 Signs, and Chapter 7 Signs.

No additional sign space will be allocated for the project. Phase I will include adding “High Sierra June Lake” to the existing space below the Insane Audio logo. The sign will be 20” be 72” wide. Phase II will include changing the sign attached to the building to read “High Sierra June Lake” instead of the existing Insane Audio logo. This sign will be 30” by 84”. The change reflects street presence being a greater priority for the cannabis operation compared to the existing Insane Audio business.

Figure 6: Location of Phase I sign addition.



Figure 7: Location of Phase II sign modification from “Insane Audio” to “High Sierra June Lake”.



13.70.G. Visual screening

All Cannabis, Cannabis Products and Cannabis Accessories shall be screened from view from a public right of way to the best of the Permittee's ability.

The proposal states that the interior layout will not allow for any cannabis products to be visible from the street and no cannabis products will be placed in the existing display window. The project will also be required to comply with Mono County Code chapter 5.60.140 (A), “no cannabis or cannabis products shall be visible from the exterior of the retail premises.”

13.70.H. Lighting

All commercial cannabis activities shall comply with General Plan Land Use Element Chapter 23 – Dark Sky Regulations regardless of activity type or Premise location.

The proposal does not include any changes to the existing complying lighting.

13.070I. Parking

A Parking Plan depicting availability and requirements for parking shall be submitted. The Plan shall demonstrate the provision of adequate on-site parking for all employees and allow for loading and unloading.

The project has capacity to meet parking requirements. There currently exists three paved spaces and a paved loading area. The retail area requires one space for every 200 square feet of gross leasable area and warehouse space requires one space for every 1,000 square feet of gross floor area. The retail area is 100 square feet square feet in Phase I and the combined warehouse area for the cannabis operation and Insane Audio is 625 square feet, meaning at least two spaces and a loading area is required. Phase II expands the retail area to 425 square feet requiring one additional parking space for a total of three onsite spaces, which is currently met by the project. There is room for an additional five spaces beyond the current paved parking (see: Figure 9).

Figure 8: Location of existing parking and loading.



Figure 9: Location of potential five additional parking spaces.



13.070J. Noise

Noise generation shall comply with the Mono County General Plan Noise Element and Mono County Code, Chapter 10.16.

The project is not expected to generate noise beyond that of traditional commercial operations in the June Lake commercial core.

ENVIRONMENTAL REVIEW

The project qualifies for a categorical exemption from the provisions of CEQA as the project is considered a Class 3 – Conversion of Small Structure (CEQA Guidelines, 15303). A Class 3 exemption consists of construction and location of limited number 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. Class 3 categorical exemptions specifically include stores, motels, offices, restaurants or similar structures not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. The project proposes no expansion to the building footprint or modifications to the exterior of the structure. The retail use is consistent with current and historical uses for the property.

Avalanche Study

The Mono County Safety Element aims to avoid exposure of people and improvements to unreasonable risks of damage or injury from avalanche hazards:

Objective 4.A.

Limit development that attracts concentrations of people in historical avalanche paths (Conditional Development Areas) during the avalanche season.

Prior to approving new development, other than single-family residential, in conditional development areas, the Planning Commission shall find:

Action 4.A.1.a

Based on a site-specific study by a qualified snow scientist, that the site is not within a potential avalanche hazard.

The site is in a conditional development area based on a 1973 study by Norm Wilson that found the general area to be a Blue Zone, or moderate hazard zone. A site-specific avalanche hazard study was completed specifically for this project in August 2018 by Sue Burak of Snow Survey Associates concluded that the property is in a White Zone. A White Zone is characterized as a low-risk zone with estimated return periods of 300 years or impact pressures less than a gale force wind (21 lbs/ft²). Associated impact pressures with potential White Zone avalanches are considered “relatively harmless to people”. Discrepancies between the Wilson report and the recent study can be attributed to lack of precision and poor photo and mapping quality that existed when the Wilson report was completed.

ATTACHMENTS

- 1- Site Plan
- 2- Avalanche Study
- 3- Letter of Opposition
- 4- Letter of Support

MONO COUNTY**Planning Division****DRAFT NOTICE OF DECISION & USE PERMIT****USE PERMIT:** UP 18-003**APPLICANT:** John DeCoster**APN:** 015-085-010**PROJECT TITLE:** High Sierra Cannabis Retail**PROJECT LOCATION:** 2555 HWY 158, June Lake, CA 93529**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:
EFFECTIVE DATE USE PERMIT**

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:** September 20, 2018

cc: Applicant
 Public Works
 Building
 Compliance

Conditions of Approval:
Use Permit 18-003/High Sierra Cannabis Retail

- 1) All development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 2) Project shall comply with Chapter 13, Cannabis Regulations, which has been provided to the applicant.
- 3) The project shall be in substantial compliance with the site plan as shown on Attachment 1 found in the staff report.
- 4) All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations.
- 5) Project is required to comply with any requirements of the June Lake Fire Protection District. The applicant shall provide a “will serve” letter from the June Lake Fire Protection District indicating the FPD will provide service to the project.
- 6) Project is required to comply with any requirements of the June Lake PUD. The applicant shall provide a “will serve” letter from the June Lake Public Utility District (PUD).
- 7) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 8) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.
- 9) An operation permit under MCC Chapter 5.60 is required prior to commencing operations.

MONO COUNTY PLANNING COMMISSION

PO Box 347
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760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
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www.monocounty.ca.gov

December 4, 2023

To: The Sheet

From: Rob Makoske

Re: Legal Notice for the December 11 edition

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **December 21, 2023**. The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/81826768071> or in-person at the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546, where members of the public shall have the right to observe and offer public comment and to consider the following: **no earlier than 9:00 a.m. Use Permit Modification 23-004/DeCoster**: expand existing retail cannabis operation at 2555 Hwy 158, June Lake, (APN 015-085-010) to include non-volatile manufacturing and distribution. Applicant proposes to expand into vacant half of existing duplex (formerly Insane Audio) to allow on-site jarring of local cannabis products. No expansion of the building footprint is proposed. An avalanche study has been completed for the site and a CEQA exemption is proposed. Land use designation is commercial (C).

INTERESTED PERSONS are strongly encouraged to attend the meeting in-person; and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 or by email at cddcomments@mono.ca.gov, **by 8 am on Thursday, September 21, 2023**. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Secretary to the Planning Commission at, or prior to, the public hearing.

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Mono County Community Development Department

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

Planning Division

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

December 21, 2023

To: Mono County Planning Commission

From: Brent Calloway, Principal Planner

Re: Use Permit Modification 23-005/June Lake Brewing

Recommendation

1. Find that the project qualifies as a Categorical Exemption under CEQA Guidelines §15301 and instruct staff to file a Notice of Exemption.
2. Make the required findings as contained in the project staff report: and approve Use Permit Modification 23-005.

Project Setting

The project is in the June Lake Village which serves as the commercial center for the June Lake Loop. June Lake Brewing (JLB) is located at 101 South Crawford Avenue (APN 015-113-065-000) on a 0.68 double-frontage property between South Crawford Avenue and State Route (SR) 158 and has a Land Use Designation of Commercial (C). Most of the space within JLB’s structure is dedicated to the brewing operation, but also includes two sanitary facilities and a 570-sf tasting room. The June Lake General Store is also located on the property, fronting SR 158, and a walkway exists on the property between SR 158 and South Crawford Avenue. The June Lake General Store also contains two residential apartments. Two food truck operations have been permitted previously on the adjacent parcel and share facilities with JLB and the June Lake General Store. The parcels surrounding the project are designated Commercial (C) and Mixed Use (MU). The four parcels south and west of the project have been recently merged into one parcel (APN 015-113-074-000) under the same ownership and complement this project.

Background

June Lake Brewing was originally permitted to operate as a brewery with a tasting room on parcel 015-113-065-000 in 2013 with Use Permit 13-003. The operation has expanded over the years and several use permit modifications and related permits have been approved allowing for food truck operations, outdoor seating, and the use of several adjacent vacant lots to meet parking and snow storage requirements. Recently, four lots used for parking and snow storage have been successfully merged to facilitate the next phase of development. Table 1 summarizes the permit history of the project.

Table 1

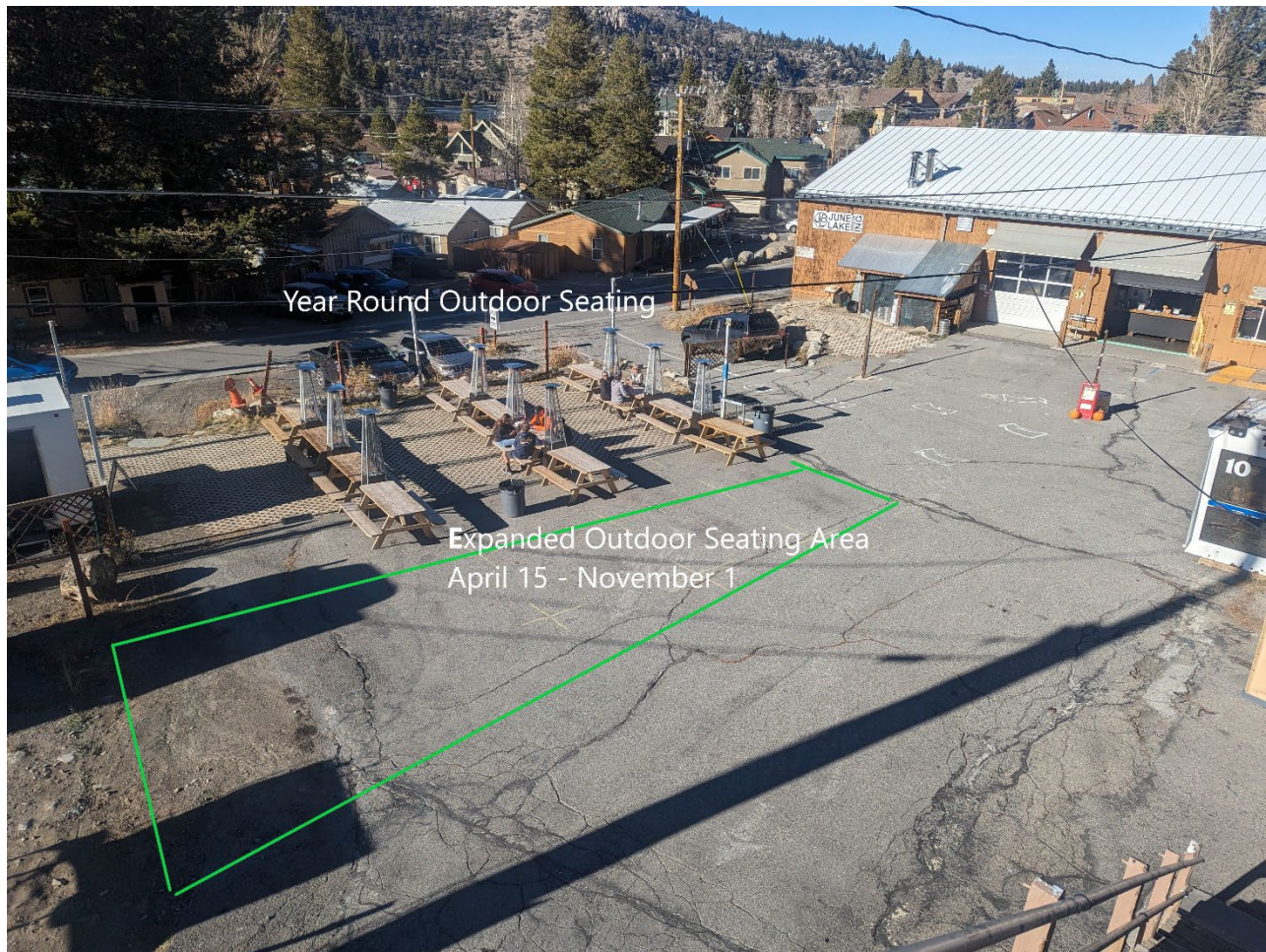
10/10/13	UP 13-003	Brewery and Tasting Room – see Attachment 4
2/27/15	DR 15-003	Temporary operation of Ohana’s food truck
7/9/15	UP 15-003	Permanent operation of Ohana’s food truck – see Attachment 5

4/20/17	UPM 17-001	Modification allowed for outdoor seating
6/20/20	Temp Authorization	Expanded outdoor seating due to COVID-19
12/17/20	UPM 20-003	Permanent expanded outdoor seating, offsite parking & snow storage
5/12/21	DR 12-001	Seasonal operation of La Parilla food truck (April – November)

In August 2023, the operator of La Parilla food truck submitted an application for a Use Permit to operate year-round in the location previously permitted for year-round operation by Ohana’s food truck with Use Permit 15-003. As a Use Permit is a land use entitlement and “runs with the land,” the decision was made to modify the June Lake Brewing Use Permit to designate the former Ohana’s location detailed in UP 15-003 as a permanent food truck location rather than requiring the food truck operator to obtain a Use Permit. In addition to incorporating the permanent food truck location into the June Lake Brewing Use Permit, this modification will formally acknowledge the lifting of COVID-19 restrictions on indoor uses and allow for additional expanded outdoor seating April 15 through November 1.

The most recent Use Permit modification was approved in December 2020 (Use Permit 20-003) and formally permitted an expanded outdoor seating area that was originally allowed under emergency regulations due to the COVID-19 pandemic. At the time the permit was approved, COVID-19 regulations did not allow customers to use the indoor tasting room and thus parking for the indoor tasting room use was not required. As restrictions on indoor uses have been lifted, the indoor tasting room has reopened with seating for 28 customers. Figure 1 displays the year-round outdoor seating area with 72 seats (12 picnic tables). The expanded outdoor seating area (10 additional picnic tables) proposed April 15 – November 1 is adjacent to and west of the year-round outdoor seating area.

Figure 1



Parking

Table 2 details the parking analysis for the proposed modification. This parking analysis incorporates all previous permits and modifications and supersedes all previously approved requirements. In accordance with the General Plan Land Use Element Section 06.090, required parking for customers and employees is reduced by 40% within the Central Business Parking District. With the proposed modification, a total of 27 spaces are required year-round. April 15 – November 1, 39 spaces are required. The proposed project modification provides the required spaces. Figure 2 displays the 27 parking spaces available year-round (green polygons) and 12 additional spaces (39 total) encumbered by snow storage areas and available April 15 – November 1 (blue polygon).

The previous project approvals have allowed for existing unpaved parking spaces to remain unpaved. General Plan Section 06.080.A. requires all parking and driveway areas to be paved with asphalt or similar impervious surface, or a semi-pervious surface approved by the County's Public Works Department. However, General Plan section 6.020.F. allows the Planning Commission to modify the parking standards of General Plan Chapter 6 when "the modification

provides incentive for and benefit to non-residential development and facilitates access by patrons of public transit facilities.” The applicant has requested the paving requirement be modified under this provision, leaving the existing parking surface as is.

June Lake Brewery continues to provide a pathway from South Crawford Avenue through the property to SR 158, which improves access and connectivity in the June Lake Village as a whole and would connect patrons with public transit facilities on the highway (if available). Thus, the provisions of Section 06.020.F. can be met for this project. In addition, the applicant is considering future new construction, and allowing the existing approved parking surfaces to remain prevents new paving from being installed and then demolished a short time later should the new construction move forward. The new construction would require an additional use permit modification.

Table 2.

Use & Parking Requirement	
Year Round	
Tasting Room (28 seats)	9
6 Employees on largest shift	6
Outdoor Seating (72 seats)	24
Total use subject to 40% reduction	39
After 40% reduction (GP LUE 06.090)	23
Residential Units	4
Total Required Spaces Year-Round	27
April 15 - November 1	
Additional Outdoor Seating (60 seats)	20
After 40% reduction (GP LUE 06.090)	12
Total Required Spaces April 15 – Nov 1.	39

Figure 2



Snow Storage

The project has three components that will require snow removal for year-round operations: the 27 required parking spaces, the path of vehicular travel through the project, and the year-round outdoor seating area. The three components total 15,500 square feet of area requiring snow removal (see Table 3 and Figure 3). Snow storage in June Lake is required for 65% of the total area to be removed, which is calculated as 10,075 square feet for the proposed modification. The modification proposes 11,350 square feet of available snow storage, detailed in Table 3, displayed in Figure 4. This snow storage supersedes any previous use permit requirements.

Table 3

Required Snow Storage		Provided Snow Storage	
27 Parking Spaces	5,400 SF	Total Provided	11,350 SF
Path of Travel	7,600 SF		
Outdoor Seating	2,500 SF		
Total	15,500 SF		
Required Storage (65%)	10,075 SF		

Figure 3



Figure 4



Signage

No change of signage will occur with this project.

Noise

The project is required to comply with Mono County Code, Chapter 10.16, Noise Regulations. Use Permit 13-003 identified the hours of operation as follows: Opening can be as early as 10 am Monday through Sunday and closing can be no later than 9 pm Monday through Thursday and 10 pm Friday through Sunday. Operation of the indoor production facility will occur daily between 6 am and 8 pm. The property has had no code violations or complaints to date.

General Plan Consistency

The General Plan Land Use Designation for this property is Commercial (C). According to the Mono County General Plan, “the ‘C’ designation is intended to provide for a wide range of uses

and service for the resident and visitor including retail, business and professional uses and services in community areas....” Permitted uses subject to a use permit under the Commercial land use designation includes retail trade, services, and business services.

The proposed development is also consistent with June Lake Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan support the development of commercial services in the community of June Lake.

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

Objective D: Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

Action 1.1: Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

Policy 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.

Action 2.1: Orient new commercial development in a manner that promotes pedestrian use. Avoid strip commercial development.

Objective H: Maintain and enhance the local economy.

Policy 5: Promote diversification and continued growth of the county's economic base.

Action 5.2: Support the retention and expansion of all viable retail trade, consumer, and business establishments.

Action 5.3: Promote the continued growth of compatible industry on sites designated for industry and commerce.

Action 5.4: Concentrate development in existing communities in order to facilitate community economic growth.

MONO COUNTY LAND USE ELEMENT, June Lake 2010: June Lake Area Plan June Lake Area Plan, Community Development Element

Objective B: Promote well-planned and functional community development that retains June Lake's mountain community character and tourist-oriented economy.

Objective C: Contain growth in and adjacent to existing developed areas, and retain open-space buffers around each area.

Policy 1: Encourage compatible development in existing and adjacent to neighborhood areas.

Action 1.1: Use the area specific land use maps, specific plans, the Plan Check and Design Review processes to guide development.

Action 1.2: Encourage compatible infill development in the Village and Down Canyon areas.

Objective G: Meet the land needs of the commercial/industrial uses

Objective I: Maintain the June Lake village as the Loop's commercial core by providing a wide range of commercial and residential uses in a pedestrian-oriented atmosphere.

June Lake Community Design Guidelines

The proposed project is located in June Lake's commercial core. The June Lake Community Design Guidelines' goal is to retain its village commercial core by promoting development with a broad range of uses, consistent quality of built form, pedestrian-scaled development, and discrete, well-designed parking areas. The project has been designed to blend with the existing built form and scale of the adjacent commercial buildings and provide adequate parking.

Land Development Technical Advisory Committee (LDTAC)

The LDTAC accepted the application for processing on September 18, 2023. The draft conditions of approval were reviewed by LDTAC on December 18, 2023.

Public Hearing Notice

A hearing notice was published in the December 9, 2023, edition of the Sheet. Notices were mailed to property owners within a 300' radius of the project site per LUE Chapter 46. See Attachment 3.

Comments Received

One comment in support of the project has been received at the time this staff report was written. See Attachment 6.

CEQA Compliance

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

The project is considered a modification or minor alternation for the use of the property already developed with structures. The business currently maintains an outdoor patio for patrons. This project will allow for the continued operation of a food truck, expansion of the outdoor seating from April 15- November 1 and continued use of the indoor tasting room.

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) Retail trade and services are listed as permitted uses, or subject to Use Permit within the Commercial designation when a project triggers an increase in parking.
- b) Adequate site area exists for the proposed expanded outdoor seating.
- c) Parking is sufficient for employees, customers, and deliveries. Off-site parking will be provided on an adjacent parcel and the owner will record an easement on the parcel to preserve that parking area as long as the project exists.
- d) The location of the proposed project is consistent with the June Lake Area Plan's intent for concentrating resident- and visitor-oriented services in commercial core in the June Lake village.
- e) In compliance with General Plan Section 06.020.F., the existing unpaved parking surface is permitted to benefit this non-residential development to facilitate access by patrons to public transit facilities (when available) on SR 158.

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 parcel is accessed by South Crawford Avenue, a county-maintained road, and is adequate for the kind of traffic generated by the proposed use. Parking is sufficient for employees, customers, and deliveries. The poor traffic situation throughout the Village will likely remain status quo, but by dedicating parking spots and snow storage, JLB's plan will likely maximize the use of space and make it more accommodating to the overall flow of traveler traffic during peak periods.

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 use is not expected to cause significant environmental impacts. Modifications are to disturbed areas, consistent with how customers use the premise which has not been detrimental to the public or improvements in the area.
- b) The property has a commercial designation appropriate for the use.
- c) The applicant shall comply with all June Lake Fire Department and June Lake PUD requirements. Both agencies received notices for the project.
- d) The proposed project is a conforming use according to the Mono County General Plan's Land Use Element. The use permit process provides the public the opportunity to comment on the proposal, and one comment was received in support of the project. 4.

4. The proposed use is consistent with the map and text of the Mono County General Plan because:

- a. The Commercial land use designation provides for commercial uses such as restaurants and bars.
- b. The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial uses and services for residents and tourists. The project provides for additional retail and encourages a well-rounded economy by providing a variety of commercial options within the June Lake Loop.

This staff report was reviewed by the Community Development Director.

Attachments

1. Notice of Decision
2. Conditions of Approval
3. Public Hearing Notice
4. UP 13-003
5. UP 15-003
6. Comments Received

MONO COUNTY

Planning Commission

NOTICE OF DECISION & USE PERMIT MODIFICATION

USE PERMIT MODIFICATION:

UPM 23-005

APPLICANT: Justin Walsh

ASSESSOR PARCEL NUMBER: 015-113-065-000 & 015-113-074-000

PROJECT TITLE: Use Permit Modification 23-005 June Lake Brewing

PROJECT LOCATION: 101 South Craford Ave. June Lake, CA

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.

Notice is hereby given pursuant to Code of Civil Procedure Section 1094.6 that the time within which to bring an action challenging the County's decision is 90 days from the date the decision becomes final. If no appeal is made to the Planning Commission the Planning Commission decision shall become final on the expiration of the time to bring an appeal (10 days). Notice is also hereby given that failure to exhaust administrative remedies by filing an appeal to the Board of Supervisors may bar any action challenging the Planning Commission's decision.

DATE OF DECISION/USE PERMIT APPROVAL: December 21, 2023

EFFECTIVE DATE USE PERMIT: December 31, 2023

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: December 21, 2023

CC: X Applicant
X Public Works
X Building
X Compliance

DRAFT CONDITIONS OF APPROVAL
Use Permit Modification 23-005 /June Lake Brewing

1. The project shall comply with all conditions of Use Permit 13-003 & 15-003 except parking and snow storage, which are superseded by UPM 23-005.
2. An easement shall be recorded against the parcel APN 015-113-074 for the purposes of snow storage, access, and off-site parking beginning November 1 through April 15 for as long as this project exists.
3. The property shall have no more than 72 outdoor seats for customers November 1 through April 15. The property shall have no more than 132 outdoor seats April 15 through November 1.
4. The project shall provide 27 parking spaces year-round and 39 parking spaces April 15 – November 1 in conformance with the approved parking analysis.
5. The project shall comply with any requirements of the June Lake Public Utility District and the June Lake Fire Department.
6. The project shall comply with provisions of the Mono County General Plan and Mono County Code.
7. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Mono County Building Division, Public Works, and Environmental Health requirements, and any California state health orders.
8. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.
9. Appeal. Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development director within 10 calendar days following the Commission action. The Director will determine if the notice is timely and if so, will transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.7)
10. Termination. A use permit shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - 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 reliance 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.
11. Extension: If there is a failure to exercise the rights of the use permit within two years (or as specified in the conditions) of the date of approval, the applicant may apply for an extension for an additional one year. Only one extension may be granted. Any request for

extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary and schedule it for public hearing. Conditions of approval for the use permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension

12. Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all of 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 permitted 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.

Mono County Community Development Department Planning Division

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

PO Box 8
Bridgeport, CA 93517
760-932-5420, fax 932-5431
www.monocounty.ca.gov

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing December **21, 2023**. The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/81826768071> or in-person at the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546, where members of the public shall have the right to observe and offer public comment and to consider the following: **No earlier than 9:20 a.m. Use Permit Modification 23-005 June Lake Brewery**: Proposal to establish permanent food truck location and allow expanded outdoor seating April – October at June Lake Brewery. 101 South Crawford Ave. June Lake (APN 015-113-065). Applicant proposes a permanent food truck location tied to the site rather than to specific food vendors. Food truck to occupy same location as previously approved vendor. Land use designation is commercial (C).

INTERESTED PERSONS are strongly encouraged to attend the meeting in-person; and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 or by email at cddcomments@mono.ca.gov, **by 8 am on Thursday, December 21, 2023**. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Secretary to the Planning Commission at, or prior to, the public hearing.

Mono County Planning Division
Rob Makoske, Planning Analyst
PO Box 8
Bridgeport, CA 93517
rmakoske@mono.ca.gov
760-924-1813



Project location highlighted in blue.
101 South Crawford Ave. (APN 015-113-065)

Mono County Community Development Department

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

Planning Division

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

October 10, 2013

To: Mono County Planning Commission

From: Gerry Le Francois, Principal Planner
Heather deBethizy, Associate Planner

Re: Use Permit 13-003 / June Lake Brewery

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and instruct staff to file a Notice of Exemption;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 13-003 subject to Conditions of Approval.

PROJECT

The proposal would allow operation of on-site beer production, storage of product, limited on- and off-premise sales of product, a small on-site tasting room with restrooms, and parking. Project would remodel a 3,500-square foot storage building behind the June Lake General Store at 2740 Hwy 158 (APN 015-113-065) in the community of June Lake. The existing building is located on the same parcel as the June Lake General Store. The land use designation is commercial (C).

The subject application is to operate a micro-brewery in conjunction with a tasting room. The commercial land use designation requires a Conditional Use Permit (CUP) for a new business with substantial changes to an existing structure and parking requirements.

The proposed location is occupied by a 3,500-square foot storage building. The building is divided into two sections. The larger left half (~2,560 sq ft) is designated for manufacturing with a maximum occupancy of 38. The smaller section (~570 sq ft) is the tasting room, which includes two gender-specific ADA-compliant bathrooms.

The hours of operation for the tasting room for the purpose of selling of alcohol shall be as follows: Opening can be as early as 10 am Monday through Sunday and closing can be no later than 9 pm



Figure 1: Project Location

Monday through Thursday and 10 pm Friday through Sunday. Manufacturing is allowed daily between 6 am and 8 pm.

The project will operate under a California ABC Type 23 Microbrewery license (https://www.youtube.com/watch?v=pNInPwpOJ_0). Initial production will be 1,500 barrels (bbl), which is ~46,500 gallons per year. The June Lake PUD had indicated it has the capacity to accommodate this production amount without significantly impacting its water supply.

FIGURE 2: PROJECT PARCEL & EXISTING USES

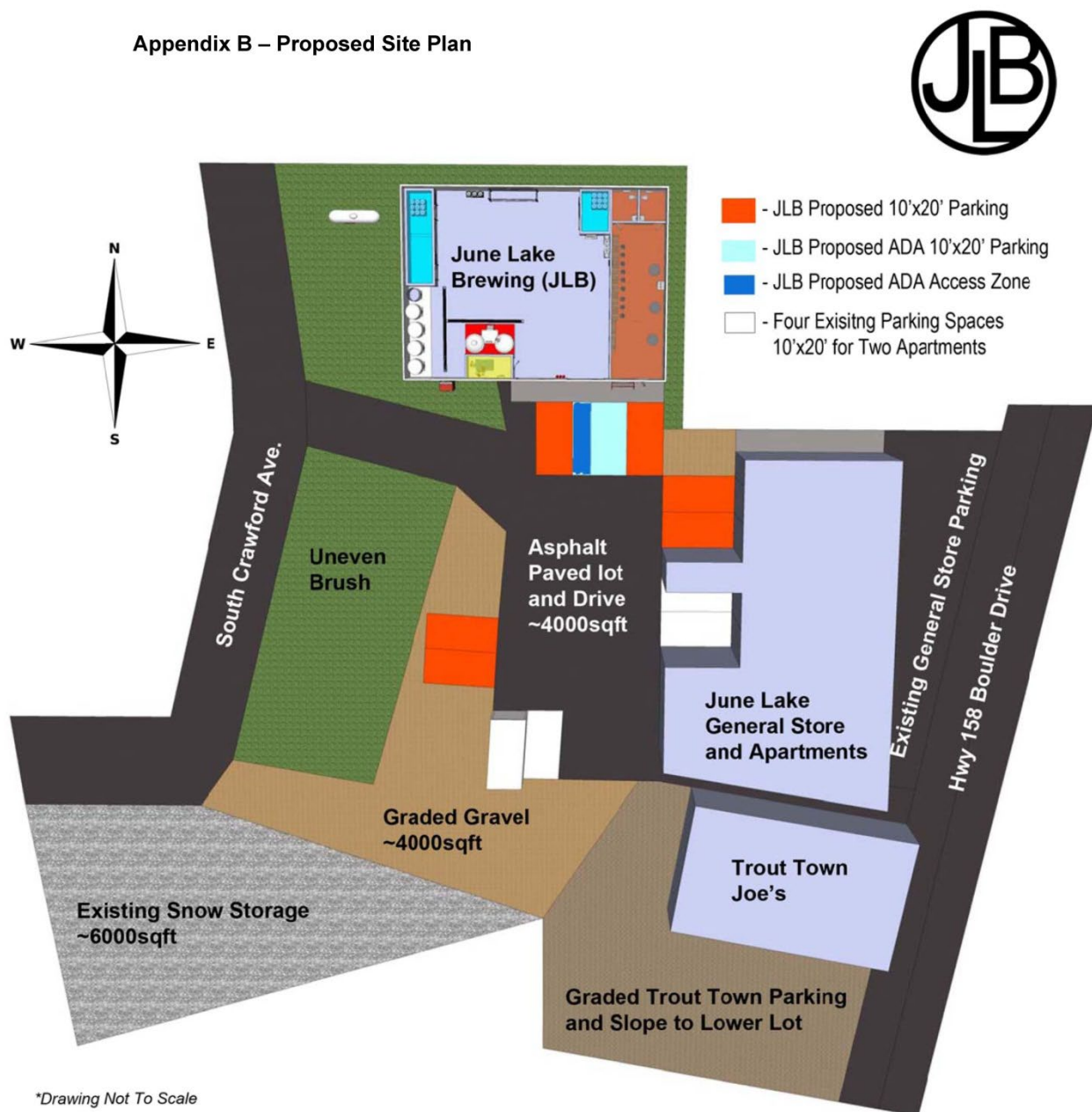
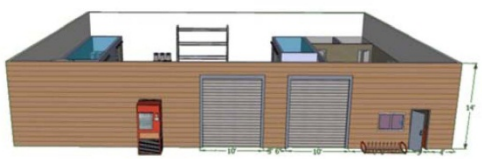
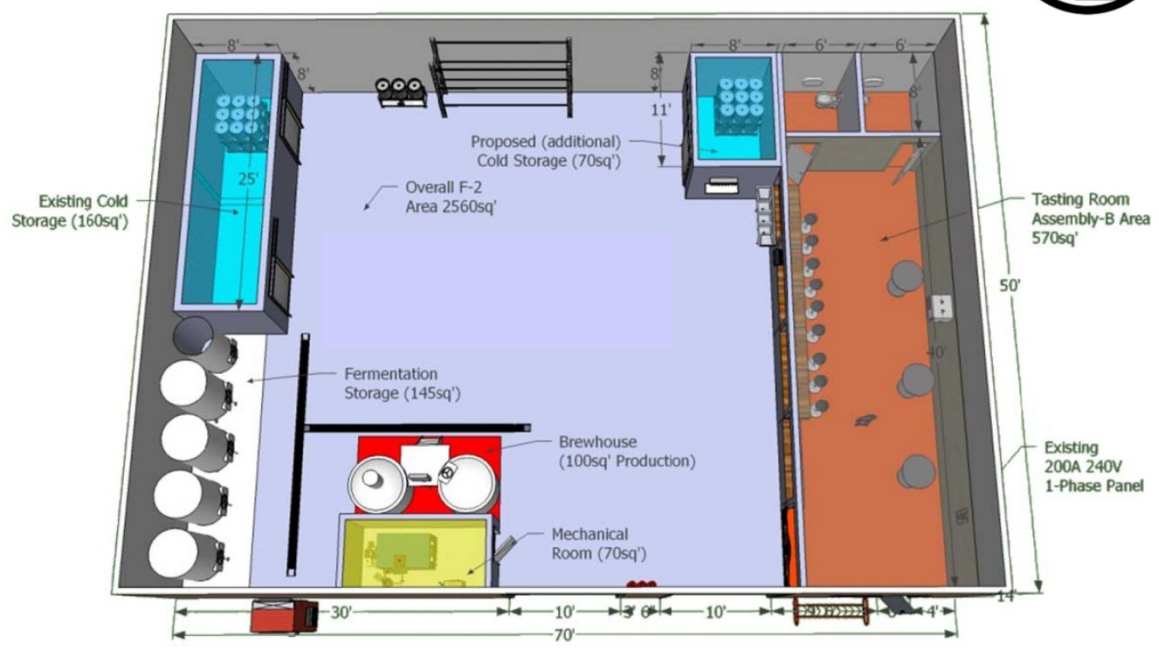


FIGURE 3: FLOOR PLAN

Appendix A – Proposed Floor Plan



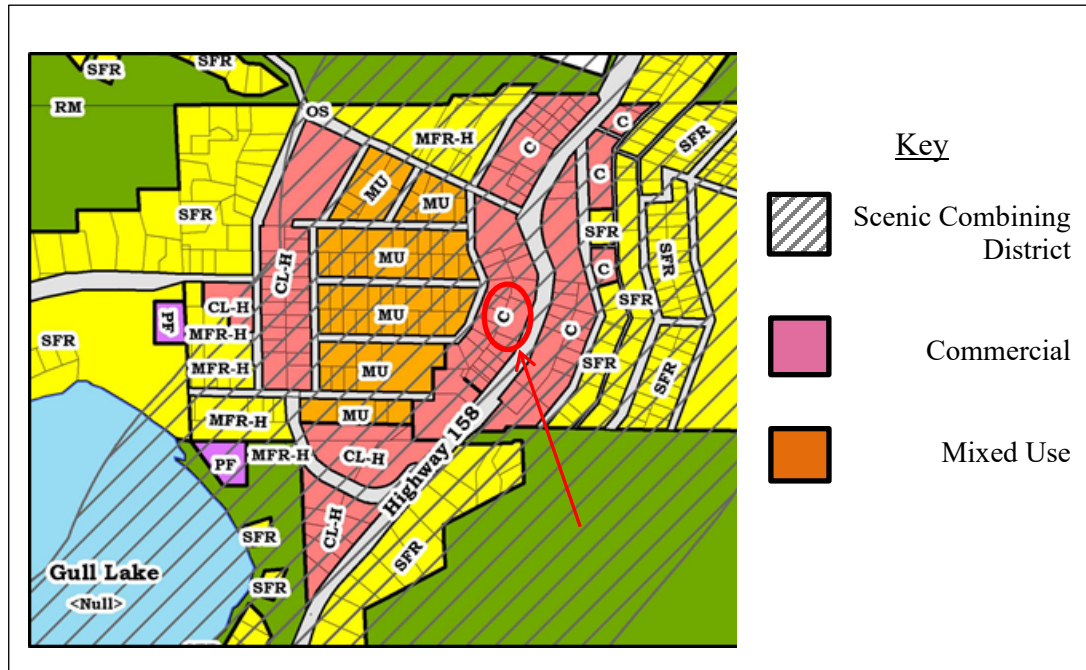
Proprietary and confidential, all rights reserved June Lake Brewing© 2013



PROJECT SETTING

The existing 3,500-square foot vacant warehouse is located behind June Lake General Store (2740 Hwy 158, June Lake, CA 93529), adjacent to S. Crawford Avenue. The project area is located in the June Lake village, which serves as the commercial center for the June Lake Loop. The area has a mix of developed commercial uses along SR 158 and single-family residences to the east of SR 158. A mixed-use area, which is designed to promote smaller-scale retail or office space and rental housing units, is located between June Lake and Gull Lake.

FIGURE 4: LAND USE DESIGNATION MAP



The parcels surrounding the project are also designated Commercial (C) and Mixed Use (MU). The neighborhood's mix of land use designations provides a wide range of compatible residential and commercial uses (see Figure 2). Even with the land use designation as commercial, properties across S. Crawford Ave. have residential use.

The property currently contains the June Lake General Store, two rental units, and vacant office/bank space.



FIGURE 5: GENERAL STORE VIEW

DISCUSSION

The following discusses major components of the proposal and reviews their conformity with General Plan and Planning Commission requirements:

SIGNAGE

Four signs are proposed for the project (see Figures 6 & 7). The first is an addition to the existing freestanding sign for the general store. The freestanding sign is located on Hwy 158 by the storefront entrance.

The next two are attached signs (see Figure 7) mounted flush on the front wall of the existing storage building. According to Chapter 07.030 of the Mono County General Plan's Land Use Element, "the maximum height of the sign shall be 20 feet or the height of the building, whichever is less. A maximum of two attached signs per occupancy is permitted, but in total combined area cannot exceed the maximum permitted."

The sign above the brewery entrance (see Figure 7) is considered a building Identification sign, which is a plaque mounted flush to a building to denote the building's identity. This sign shall not be counted against the allowable sign area. The sign area shall be limited to a maximum size of 8 inches by 48 inches and letters shall not exceed 3 inches.

For all signs, colors should relate to and complement the materials or paint scheme of the buildings, including accenting highlights and trim colors. The number of colors on any sign should be limited to three. The project is proposing a black-and-white sign, and all signs proposed comply with County sign requirements. Any additional future signage will need to comply with Chapter 16, Signs.



FIGURE 6: PROPOSED JLB ADDITION TO EXISTING SIGN

FIGURE 7: PROPOSED FLUSH-MOUNTED AND BUILDING-IDENTIFICATION JLB SIGNS



Proposed Front of Building Signage



Proposed Side of Building Signage

PARKING REQUIREMENTS

Seven paved parking spaces are required for the project, including one handicapped space. Uncovered parking spaces at elevations above 7,000 feet shall be 10’ wide x 20’ long, and the handicapped parking space shall be 14’ wide x 20’ long (allowing for a 5’ loading area). These requirements have been noted on the site plan (Figure 2). A multi-space bike rack will be provided to accommodate customers and employees.

Parking off Crawford Ave. in the rear of the property:

Parking Standards	Required Spaces
3 Employees/Warehouse based on square footage of warehouse	3 parking spaces
570-sq. ft. tasting room	3 parking spaces
Handicapped spaces count as a portion of the total number of parking spaces required.	1 parking space
Existing Apartments	4 parking spaces



NOISE REQUIREMENTS:

Mono County Code, Chapter 10.16, Noise Regulations states:

Table 10.16.070, EXTERIOR NOISE LIMITS
(Levels Not to Be Exceeded More than Thirty Minutes In Any Hour)

Receiving Land Use Category	Time Period	Noise Level (dBA)
Commercial	10 p.m.to7 a.m.	60
	7 a.m.to10 p.m.	65

The project will be conditioned to assure compliance with applicable noise standards. Hours of operation have also been established to avoid impacts during more noise restrictive hours.

GENERAL PLAN CONSISTENCY

As noted above, the General Plan Land Use Designation for this property is Commercial (C). According to the Mono County General Plan, “the ‘C’ designation is intended to provide for a wide range of uses and service for the resident and visitor including retail, business and professional uses and services in community areas....” Permitted uses subject to a use permit under the Commercial land use designation include retail trade, services, and business services.

The proposed development is also consistent with June Lake Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan support the development of commercial services in the community of June Lake.

The following excerpts are various sections of the Mono County General Plan defining and outlining compliance with the permitting of a brewery and tasting room:

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

Objective D

Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

Action 1.1: Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

Policy 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.

Action 2.1: Orient new commercial development in a manner that promotes pedestrian use. Avoid strip commercial development.

Objective H

Maintain and enhance the local economy.

Policy 5: Promote diversification and continued growth of the county's economic base.

Action 5.2: Support the retention and expansion of all viable retail trade, consumer, and business establishments.

Action 5.3: Promote the continued growth of compatible industry on sites designated for industry and commerce.

Action 5.4: Concentrate development in existing communities in order to facilitate community economic growth.

MONO COUNTY LAND USE ELEMENT, June Lake 2010: June Lake Area Plan

June Lake Area Plan, Community Development Element

Objective B

Promote well-planned and functional community development that retains June Lake's mountain community character and tourist-oriented economy.

Objective C

Contain growth in and adjacent to existing developed areas, and retain open-space buffers around each area.

Policy 1: Encourage compatible development in existing and adjacent to neighborhood areas.

Action 1.1: Use the area specific land use maps, specific plans, the Plan Check and Design Review processes to guide development.

Action 1.2: Encourage compatible infill development in the Village and Down Canyon areas.

Objective G

Meet the land needs of the commercial/industrial uses

Objective I

Maintain the June Lake village as the Loop's commercial core by providing a wide range of commercial and residential uses in a pedestrian-oriented atmosphere.

JUNE LAKE COMMUNITY DESIGN GUIDELINES

The proposed project is located in June Lake's commercial core. The June Lake Community Design Guidelines' goal is to retain its village commercial core by promoting development with a broad range of uses, consistent quality of built form, pedestrian-scaled development, and discrete, well-designed parking areas. The project has been designed to discretely blend with the existing built form and scale of the adjacent commercial buildings.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC considered the project on Nov. 5, 2012, as a preapplication, July 15, 2013, as application acceptance, and on Sept. 19, 2013, reviewed the application and draft project conditions.

ENVIRONMENTAL REVIEW

The project qualifies for a categorical exemption from the provisions of CEQA as the project is considered a Class 3 (CEQA Guidelines, 15303). CEQA identifies this as a Class 3 – Conversion of Small Structure exemption. A Class 3 exemption consists of construction and location of limited number 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.

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) Retail trade and services are listed as a Permitted Use, subject to Use Permit within the Commercial designation.
 - b) Adequate site area exists for the proposed use of a 3,500-square foot building.
 - c) Parking is sufficient for retail employees, customers, and deliveries.
 - d) The location of the proposed project is consistent with the June Lake Area Plan's intent for concentrating resident- and visitor-oriented services in commercial core in the June Lake village.
 - e) With conditions, the parking plan and sign plan will conform to all requirement of the General Plan.
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 parcel is accessed by S. Crawford Avenue and is adequate for the kind of traffic generated by the proposed use. Parking is sufficient for employees, customers, and deliveries.
 - b) The micro-brewery and tasting room is not expected to generate significant amounts of traffic to alter existing circulation patterns. June Lake Brewing project is conditioned to comply with noise regulations and is restricted by operating hours.
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:*
 - c) The proposed use is not expected to cause significant environmental impacts. Modifications are to existing building and disturbed areas. The property has a commercial designation appropriate for the use.
 - d) The applicant shall comply with all June Lake PUD requirements and is in support of the project.
 - e) The proposed project is a conforming use according to the Mono County General Plan's Land Use Element. The use permit process provides the public the opportunity to comment on the proposal, and no comments have been received in opposition to the project.
 - f) The hours of operation for the tasting room for the purpose of selling of alcohol shall be as follows: Opening can be as early as 10 am Monday through Sunday and closing can be no

later than 9 pm Monday through Thursday and 10 pm Friday thru Sunday. Operation of production facility will occur daily between 6 am and 8 pm.

4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
- a) The commercial land use designation provides for commercial uses such as retail trade, services, and business services.
 - b) The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial uses and services for residents and tourists. The project provides for additional retail and encourages well-rounded economy by providing a variety of commercial options within the June Lake Loop.
 - c) The General Plan Land Use Element notes that the uses listed as permitted refer to typical land uses allowed within a particular land use category, and serve as examples of permitted uses within the designation. Section 04.030 notes that it is recognized that in the development of comprehensive land use development standards, not all uses can be listed nor can future uses be anticipated. Additional specific uses may be permitted if they are similar to the listed uses, and the Planning Commission shall make the interpretation for uses permitted subject to use permit if found similar to and not more obnoxious to the general welfare than the uses listed. In this instance, the Commission finds (04.030):
 1. That the proposed use is consistent with this general plan and any applicable area plans or specific plans.
 - a) The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial uses and services for residents and tourists. The project provides for additional retail and encourages well-rounded economy by providing a variety of commercial options within the June Lake Loop.
 - b) Objective D of the countywide policies supports commercial development to serve both residents and visitors and to concentrate commercial development within existing communities.
 2. That the proposed use is compatible with the intent of the land use designation and is applicable throughout the county in that designation.
 - a) A micro-brewery and tasting room is similar to the uses permitted listed under the Commercial land use designation. Food services, restaurants, retail stores, services, transportations, public uses, cultural activities, and business services.
 3. The use is capable of meeting the standards and requirements of that designation.
 - a) The project complies with all land use development standards including setbacks, lot coverage, parking, signage, and noise requirements in a Commercial land use designated parcel.

4. That the use will be similar to and not be more obnoxious to the general welfare (i.e., health, safety) than the uses listed within the designation.
 - a) A micro-brewery and tasting room is similar to and not more obnoxious to food services establishments; e.g., restaurants, and retail stores – e.g., liquor store, services and small-agriculture that are permitted under the Commercial Land Use Designation.
 - b) In discussions with staff, the June Lake PUD is supportive of the project and has met requirements for hookups and water use standards.
 - c) The hours of operation for the tasting room for the purpose of selling of alcohol shall be as follows: Opening can be as early as 10 am Monday through Sunday and closing can be no later than 9 pm Monday through Thursday and 10 pm Friday thru Sunday. Operation of production facility will occur daily between 6 am and 8 pm.

MONO COUNTY

Planning Division

DRAFT NOTICE OF DECISION & USE PERMIT

USE PERMIT: UP 13-003

APPLICANT: June Lake Brewing LLC

ASSESSOR PARCEL NUMBER: 015-113-065

PROJECT TITLE: June Lake Brewery and tasting room

PROJECT LOCATION: The project is located at 2740 Hwy 158, June Lake, CA

On November 8, 2012, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Chapter 32.010, Land Development Regulations, of the Mono County General Plan Land Use Element, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit 13-003, Black, subject to the following conditions, at the conclusion of the appeal period.

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:
EFFECTIVE DATE USE PERMIT

October 10, 2013
October 25, 2013

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: October 10, 2013

cc: X Applicant
 X Public Works
 X Building
 X Compliance

Conditions of Approval: Use Permit 13-003/June Lake Brewery

- 1) Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 2) The project shall be in substantial compliance with the site plan as shown on Figures 2 and 3 found in the staff report.
- 3) Project shall include seven parking spaces (as defined in Chapter 6, Parking Standards) as shown on Figures 2 and 3 in the staff report.
- 4) The site shall be limited to the production, consumption and sale of beer in conjunction with the Conditional Use Permit. The applicant shall obtain an appropriate license from the California Department of Alcohol Beverage Control prior to beginning any brewing, tasting or selling of alcohol.
- 5) The hours of operation for the tasting room for the purpose of selling of alcohol shall be as follows: Opening may be as early as 10 am Monday through Sunday and closing can be no later than 9 pm Monday through Thursday and 10 pm Friday thru Sunday. Manufacturing is allowed daily between 6 am and 8 pm.
- 6) The June Lake Brewery may provide occasional music on weekends (Friday, Saturday and Sunday) and seasonal special events at the brewery subject to the noise requirements. A special event permit shall be required for any event that is not contained within the building and/or extends beyond hours approved under the CUP.
- 7) The applicant shall obtain or update encroachment permit from Mono County for S. Crawford Avenue access.
- 8) The project shall operate in compliance with Mono County Code Chapter 10.16 (Noise Regulation).
- 9) All signs shall be in conformance with the Figures 6 & 7 - Sign proposal as outlined above and Chapter 07 of the Mono County General Plan.
- 10) All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations
- 11) Project is required to comply with any requirements of the June Lake FPD. The applicant shall provide a "will serve" letter from the June Lake Fire Protection District indicating the FPD will provide service to the project.
- 12) Project is required to comply with any requirements of the June Lake PUD. The applicant shall provide a "will serve" letter from the June Lake Public Utility District (PUD).
- 13) Project shall comply with all Mono County Building Division and Environmental Health requirements.
- 14) Applicant shall obtain necessary business licenses.
- 15) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

Mono County Community Development Department

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

Planning Division

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

March 12, 2015

To: Mono County Planning Commission

From: Courtney Weiche, Associate Planner

Re: USE PERMIT 15-003/Ohanas 395

RECOMMENDATION

It is recommended that the Planning Commission take the following action:

1. Find that the project qualifies as a Categorical Exemption under CEQA Guideline section 15303 and instruct staff to: file a Notice of Exemption; make the required findings as contained in the project staff report; and approve Use Permit 15-003 subject to Conditions of Approval.

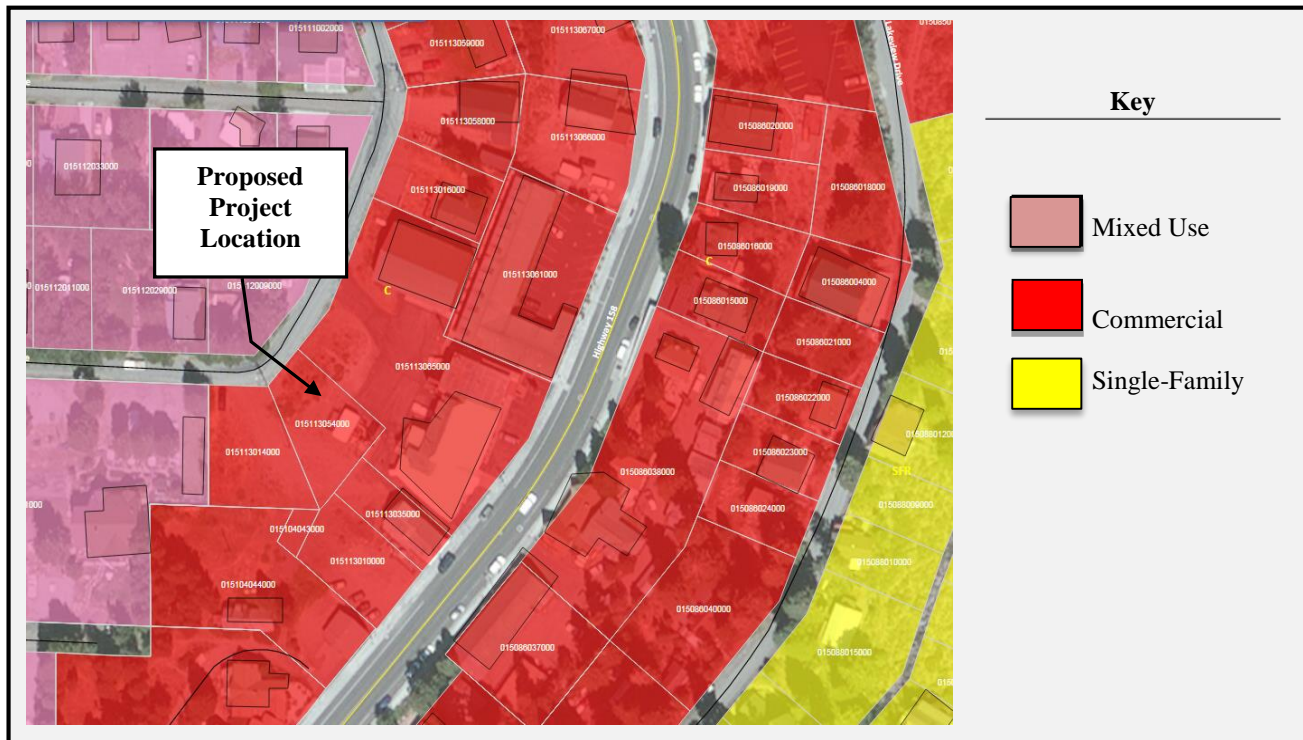
PROJECT

The proposal would allow long term operation of a mobile food trailer, Ohanas 395, on a mostly vacant parcel, adjacent to the June Lake Brewery and the June Lake General Store along Crawford Avenue in the community of June Lake (APN 015-113-054). The proposed use is operation of a mobile food trailer to sell retail food and beverages, to the public from the mobile kitchen, daily, 11am to 7pm. The land use designation is Commercial (C). Currently, the applicant is operating under Director Review DR 15-002 approved in February of this year to operate temporarily (180 days or less) and DR authorization expires at the end of July. Per the Planning Commission workshop and recommendations on proposed General Plan policies for mobile vendor operations, a Conditional Use Permit should be required when an applicant seeks to operate beyond what is considered a temporary use.

**Figure 1: Community
of June Lake**



**Figure 2:
Land Use Designations in June Lake**



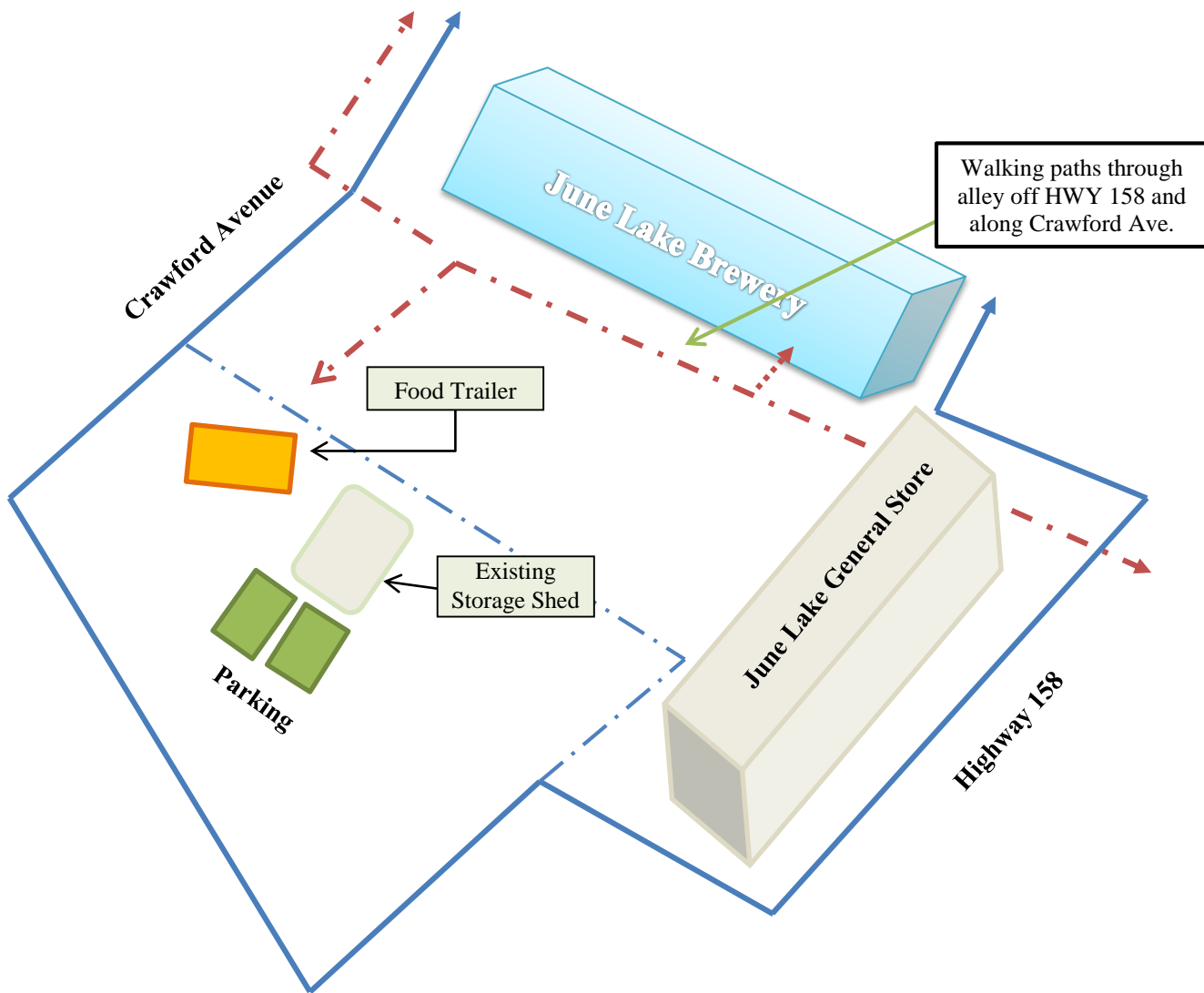
**Figure 3:
View of the proposed project from Crawford Avenue**



PROJECT SETTING

The project area is located along Crawford Avenue in June Lake, within the commercial core and Central Business Parking District. The applicant has an agreement with the exiting property owner to lease a portion of the property. There is an existing Conditional Use Permit on the adjoining property for the June Lake Brewery. The proposed mobile food vendor intends to complement the existing surrounding commercial uses. The applicant has an agreement with the June Lake General Store to serve as their commissary per the California Health and Retail Code.

**Figure 4:
General Layout**



SIGNAGE

The business name is displayed on the front side of the food cart and includes additional graphics (see Figure 5). The proposed signage/graphics are permitted but limited to 50 sq. ft. in size by Chapter 7 of the Mono County General Plan. Attached signs may occupy one square foot for each two lineal feet of business frontage upon which the sign is located. In rural, residential and neighborhood commercial areas, such as this project, the maximum area of any attached sign shall not exceed 50 sq. ft. For all signs, colors should relate to and complement the materials or paint

scheme of the business, including accenting highlights and trim colors. Any additional signage must comply with Chapter 7, Signs.

ADJOINING PROPERTY OWNER NOTICE

A notice to applicable agencies and surrounding property owners within 300 feet was sent June 29th. No comments have been received in opposition of the project. However, 38 letters of support have been received and included as an attachment for reference.

As recognized by the number of favorable comments received, the temporary use of the mobile food cart at the current location appears to be well accepted. However, since mobile food carts are, by definition, not intended for permanent placement, an evaluation of the success of Ohanas long term placement in this central business district location is recommended. A condition requiring a compliance review has been recommended. A condition has also been recommended allowing for minor adjustments to operations, such as cart placement, change in commissary, access improvements and parking via review by the director and applicable county departments.

**Figure 5:
Signage and Graphics**



PARKING REQUIREMENTS

The parking standards that apply to this project are found under commercial food cart parking requirements of Mono County General Plan Chapter 6. Requirements include one space for each employee on the largest shift and one space per three seats provided. At this time, no seating is proposed. There are two employees on staff and both live within walking distance. Unimproved parking is behind the food cart / storage shed and is used more sporadically for the delivery of goods/items by the owner. There are, approximately, enough spaces for 6+ vehicles

on site in this same location. Most patrons walk, ride a bike or use the parking area between Ohanas and June Lake Brewery, as well as the dedicated spaces along Crawford Avenue.

Although the project site has room for parking, parking requirements are minimal. The parcel is located in a Central Business Parking District and is thus allowed to reduce its parking requirements by 40%. Additionally, a maximum of one required off-street parking, space may be substituted for four bicycle parking spaces, which the applicant intends to provide. Therefore, the projects parking requirements are four bicycle spaces.

TABLE 06.020: DRIVEWAY PAVING REQUIREMENTS

Land Use	Lot Size	Access Road Type	Driveway Requirement
Commercial	All sizes	Paved	Asphalt or similar impervious or approved semi-pervious surface
		Dirt or gravel	Graded crushed rock or gravel

06.100 REQUIRED NUMBER OF SPACES

TABLE 06.010

Residential Unit	Two spaces per unit. Three spaces required for SFR in June Lake. Tandem parking allowed for SFR and Accessory Units.
Guest Parking for Multi-Family	One space for each six units, no less than two.
Guest Parking for Mobile-Home Parks	One space for each 10 lots.
Commercial Lodging	One space per sleeping room plus one space for each two employees on largest shift.
Public Assembly (e.g., churches, theaters, community centers)	One space for each four seats, no less than one space for each 100 sq. ft. of largest room.
General Retail, Services & Offices	One space for each 200 sq. ft. of gross leasable floor area. No less than two spaces.
Restaurants, Bars & Food Carts	One space for each three seats plus one space for each employee on largest shift.

NOTES

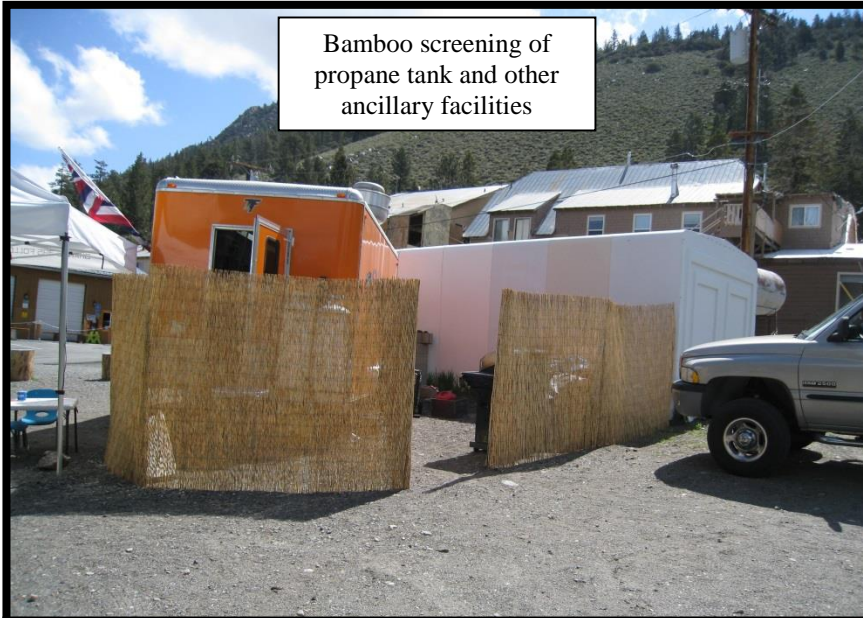
1. Density bonuses are available for enclosed, covered parking, including underground or understory parking.
2. Fractional parts from 0.51 to 0.99 shall be rounded to the next higher number when calculating required spaces.
3. "Gross leasable floor area" or "gross floor area" means the total floor area, not counting hallways, bathrooms or storage/utility.



**Area of Unimproved
Parking**



CUP 15-003/Ohanas 395			
SUMMARY OF PROPOSED USES AND COUNTY REQUIREMENTS			
<u>CHARACTERISTIC</u>	<u>PROPOSED USES</u>	<u>COUNTY REQUIREMENTS</u>	<u>COMMENTS/GENERAL PLAN REQUIREMENTS</u>
Proposed uses	128-sq. ft. food and beverage retail trailer. Takeout food only Hours of operation: 10am-7pm Daily	Commercial (C) Land Use Designation - Permitted use under C LUD Food-service establishments – e.g., restaurants, delis, fast food, bars, etc.	Property is vacant aside from an existing storage shed. Adjoining property includes the June Lake Brewery and June Lake General Store.
General current site characteristics	Applicant and business owner of the June Lake Brewery has agreed to allow employees to use their restroom. Applicant and business owner has agreed to allow the June Lake General Store to be used as their commissary.	Compliance with CUP 15-002/June Lake Brewery	<ul style="list-style-type: none"> • Lot fronts onto paved Crawford Avenue • Restrooms are required for employee only. Agreement with the June Lake Brewery is required per the California Retail Food Code (see condition #1)
Parking	<ul style="list-style-type: none"> • Two parking spaces required • Additional unimproved parking is available on site 	Food Cart Parking Requirements: <ul style="list-style-type: none"> • One space for each employee on largest shift • One space per each three seats (No seats are currently proposed) 	In Central Business Parking Districts 60% of minimum off-street parking requirements for non-overnight commercial uses in accordance with Table 06.010 shall be required A maximum of one required off-street parking space may be substituted for four bicycle parking spaces
Setbacks	There are no proposed new structures; however the cart is located so that it meets any required setbacks for structures.	Front: 10 feet Sides: 0 feet Rear: 5 feet	Proposal meets all required setbacks. In addition, the cart is located approximately 5 feet from the existing storage shed.
Signage/Graphics	Attached sign main frontage: maximum 50 sq. ft. Directory sign: 10 sq. ft.	Chapter 7- Signs	Business name is displayed on front side of the food cart and includes additional graphics. Proposal meets all signage requirements. See Figure 5.



Bamboo screening of propane tank and other ancillary facilities



“EZ-Up” sun shade for patrons during their wait



Behind Ohanas 395 and additional parking



Adjoining Vacant Lot

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC considered the project on June 1, 2015 for application acceptance and recommended moving forward with the conditional use permit process.

ENVIRONMENTAL REVIEW

The project qualifies for a categorical exemption from the provisions of CEQA as the project is considered a Class 3 (CEQA Guidelines, 15303). CEQA identifies this as a Class 3 – Conversion of Small Structure exemption. A Class 3 exemption consists of construction and location of limited number 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.

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:*

Food-service establishments – e.g., restaurants, delis, fast food, bars, etc. are listed as a Permitted Use, subject to Use Permit within the Commercial designation. In addition, the proposal meets Planning Commissions guidance on mobile food vendor operations.

Adequate site area exists for the proposed use and related required parking. The location of the proposed project is consistent with the June Lake Area Plan's intent for commercial development in June Lake.

The location of the proposed project is consistent with the June Lake Area Plan's intent for concentrating resident- and visitor-oriented services in commercial core in the June Lake village.

2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*

The parcel is located off Crawford Avenue in the community of June Lake. The use of the property adds some discernible traffic, but because the use is small scale, impacts are minimal in nature. Residential and lodging uses are within walking distance, and thus impacts are minimal and temporary in nature. Because of its central location, many patrons choose to walk, bike, or skate to the project.

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:*

This project is not expected to impact adjoining property owners, if conducted in accordance with Mono County General Plan standards and conditions of this Conditional Use Permit. Furthermore, the site compliments the existing adjoining June Lake Brewery and is well supported by its patrons and owners. In response to newspaper and property owner notice of the proposal, no comments of opposition have been received. Thirty eight letters of support have been submitted (see attached).

4. *The proposed use is consistent with the map and text of the existing General Plan because:*

As noted above, the General Plan Land Use Designation for this property is Commercial (C). According to the Mono County General Plan, "the 'C' designation is intended to provide for a wide range of uses and service for the resident and visitor including retail, business and professional uses

and services in community areas....” Permitted uses subject to a Conditional Use Permit under the Commercial land use designation include retail trade, services, and business services.

The proposed development is consistent with the June Lake Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan, and supporting Design Guidelines, support the development of commercial services in the community of June Lake:

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

Objective D

Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

Action 1.1: Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

Policy 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.

Action 2.1: Orient new commercial development in a manner that promotes pedestrian use. Avoid strip commercial development.

Objective H

Maintain and enhance the local economy.

Policy 5: Promote diversification and continued growth of the county's economic base.

Action 5.2: Support the retention and expansion of all viable retail trade, consumer, and business establishments.

Action 5.3: Promote the continued growth of compatible industry on sites designated for industry and commerce.

Action 5.4: Concentrate development in existing communities in order to facilitate community economic growth.

MONO COUNTY LAND USE ELEMENT: June Lake Area Plan

June Lake Area Plan, Community Development Element

Objective B

Promote well-planned and functional community development that retains June Lake's mountain community character and tourist-oriented economy.

Objective C

Contain growth in and adjacent to existing developed areas, and retain open-space buffers around each area.

Policy 1: Encourage compatible development in existing and adjacent to neighborhood areas.

Action 1.1: Use the area specific land use maps, specific plans, the Plan Check and Design Review processes to guide development.

Action 1.2: Encourage compatible infill development in the Village and Down Canyon areas.

Objective G

Meet the land needs of the commercial/industrial uses

Objective I

Maintain the June Lake village as the Loop's commercial core by providing a wide range of commercial and residential uses in a pedestrian-oriented atmosphere.

Objective 3.1, Pedestrian-Oriented Streets

To create lively, attractive, functional and pedestrian-friendly streetscapes.

MONO COUNTY

Planning Division

DRAFT NOTICE OF DECISION & USE PERMIT

USE PERMIT: UP 15-003 **APPLICANT:** Robert and Verina McCullough

ASSESSOR PARCEL NUMBER: 015-113-054
PROJECT TITLE: Conditional Use Permit 15-003/ Ohanas 395

PROJECT LOCATION: The project is located along Crawford Avenue in June Lake next to the June Lake Brewery

On July 9, 2015, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Chapter 32.010, Land Development Regulations, of the Mono County General Plan Land Use Element, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit 15-003, Ohanas 395, subject to the following conditions, at the conclusion of the appeal period.

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: July 9, 2015
EFFECTIVE DATE USE PERMIT July 19, 2015

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: July 9, 2013

- cc: Applicant
- Public Works
- Building
- Compliance

CONDITIONS OF APPROVAL: USE PERMIT 15-003/OHANAS 395

1. Project shall comply with all Mono County Building Division and Environmental Health requirements including but not limited to:
 - a) A commissary agreement with the June Lake General Store.
 - b) An agreement to use the June Lake Brewery restrooms for employees.
2. Project shall provide a minimum of four bicycle spaces on-site.
3. All exterior lighting shall be shielded and directed downward to complying with Chapter 23, Dark Sky Regulations.
4. A compliance review by the Code Enforcement Officer shall be conducted one year from date of approval and upon any significant changes to the project as described in this. staff report.
5. Project shall comply with the Planning Commission recommended Mobile Vendor Standards and Guidelines as contained in Attachment A.
6. Minor adjustments to operations, such as cart placement, change in commissary, access improvements and parking may be authorized by the director following consultation with applicable county departments. Significant changes shall be referred to the Planning Commission for use permit amendment.

Attachment A

04.340 Mobile Vendor Standards and Guidelines

The sale of food and other retail items from a motorized vehicle or from a trailer, or from a portable unit, is permitted in Commercial Land Use Designations. Temporary uses (i.e. less than 180 days) may be permitted through a Director Review or Special Event permit. Longer term or permanent operations shall be permitted through a Use Permit. The following standards and guidelines shall apply to all operations:

- A. A permit application shall be submitted and shall include the following:
 - 1. A Plan of Operations as defined in 04.330,
 - 2. The location of the Commissary for food vendors,
 - 3. Renderings of the proposed mobile vendor,
 - 4. A description of vending services including incidental merchandise, sales methods, and the nature of the products, and
 - 5. A copy of current California vehicle registration.
- B. Comply with any applicable California Building Code requirements.
- C. Comply with California Health and Retail Code and Environmental Health Department regulations including:
 - 1. Approval from the Mono County Environment Health Department,
 - 2. Display of required health permits in a visible location, and
 - 3. Provision of a restroom within 200 feet for employees.
- D. The application shall be sent to the applicable Fire Protection District for a compliance review prior to permit approval.
- E. No amplified sound or music is permitted. The project shall operate in compliance with Mono County Code Chapter 10.16 (Noise Regulation).
- F. Signage shall be placed on the food truck. All signs shall be in compliance with Chapter 07 of the Mono County General Plan.
- G. The site shall be kept free of any litter or debris at all times.
- H. Mobile food facility shall be sited in the designated location as listed on the permit.
- I. Bear-proof waste and recycle containers shall be provided for the deposit of food scraps and trash. If the operation occurs only in areas where bears are not present, the bear-proofing requirement may be waived.
- J. Vendors shall not obstruct pedestrian access or vehicle traffic.
- K. If propane is used as a part of the operation, a fire extinguisher shall be kept with the food cart/truck at all times.
- L. Sales shall occur only during hours of operation listed on the permit.
- M. The operation shall not be approved as a home-based business and shall be based out of an appropriate commercial location.
- N. Vending within fire lanes, loading zones, etc. is prohibited.

- O. Comply with all traffic and parking laws.
- P. Placement of tables, chairs, or similar items in the right-of-way (streets or sidewalk) is prohibited.
- Q. Supply or drainage pipes or power supply cords that pertain to the vending operation shall not be placed on or across surface parking or unimproved areas, or be attached to adjoining or nearby buildings, unless the vending operation is located immediately adjacent to the building so that the attached pipes or power cord have minimal exposure and do not present a potential hazard for passersby.
- R. New food vendors should diversity offerings to food not currently being available in the community.

From: [CDD Comments](#)
To: [Brent Calloway](#)
Subject: FW: Support for use permit modification 23-005
Date: Tuesday, December 12, 2023 1:45:53 PM

From: Customer support <info@junelakeaccommodations.com>
Sent: Tuesday, December 12, 2023 1:39 PM
To: CDD Comments <cddcomments@mono.ca.gov>
Subject: Support for use permit modification 23-005

You don't often get email from info@junelakeaccommodations.com. [Learn why this is important](#)

[EXTERNAL EMAIL]

Community Development.

I am writing today in support of June Lake Brewings use permit modification. I am a direct neighbor and have no issue with the modification. Any type of business and food option is good for the town.

Mono County Planning Division*: Current Projects

December 21, 2023

*Does not include transportation, LAFCO, building, code compliance, etc. projects

Completed		
DR	June Lake	Convert existing building to club house with minor retail
LLA	Bridgeport	recorded
Rock Creek Ranch	Swall Meadows	Received determination from California State Department of Housing and Community Development regarding applicant complaint that the County violated state housing law. No violations were identified - see attached email.
Wheeler Crest Design Review Committee	Swall Meadows	Continue to hold regular meetings to approve projects and set up administration
Study of Short-Term Rental Impacts on workforce housing initiated	Countywide	Work is in progress.

Active Planning Permit Applications		
Permit Type	Community	Description
UPM	June Lake	add cannabis manufacturing and packaging - at PC today
UPM	June Lake	Year-round food truck at JLB, memorialize indoor/outdoor seating and parking - at PC today
GPA/SP	Mono Basin	STRs & campground, awaiting applicant approval of CEQA costs
GPA/SP	Sonora Junction	Permit existing nonconforming campground, change LUD from RM to SP, awaiting applicant response
GPA/SP/Cnnbs UP	Tri-Valley	cannabis cultivation, convert RR to SP - recommended for approval by PC, expected to go to Board in Jan.
UP	June Lake	New RV Park (Bear Paw), awaiting applicant response
UP	Walker	RV Storage facility
UP	Bridgeport	500 sf wood shop & 1400 sf caretaker home
DR	Swall Meadows	cargo container for storage
LM	Swall Meadows	being recorded
LM	Walker	merger of RMH parcels
LLA	Coleville	adjust lot lines
LM	June Lake	merger
LM	June Lake	Highlands II

Active Policy/Planning Projects		
Name	Community	Description
Biomass Facility	Mammoth Area	Assist with land use planning issues as necessary; will submit comments on USFS project
Review State Minimum Fire Safe Standards and update General Plan regulations	Countywide	Will be a separate GPA, received determination that new regulations do not apply to existing roads
Whitmore Area Planning	Mammoth Area	Coordinate with Town, USFS, BLM, LADWP on plans to expand recreation uses at Whitmore Recreation Area, including a possible dog park.
Tri-Valley Groundwater Model	Tri-Valley	Manage a state grant to develop a groundwater model in the Tri-Valley - contract with Inyo Water Department to manage project approved on 12/12.
Housing Policy	Countywide	Housing Element tracking and policy development per Board's direction, collaborating with new Housing Manager
Special District Study	Countywide	underway
Multi-Jurisdictional Hazard Mitigation Plan Update	Countywide	underway; in collaboration with the Town of Mammoth Lakes

North County Water Transfer Project	North County	Continuing to work on a program in-house that would describe a water transfer program to benefit Walker Lake
Transportation projects of note	Countywide	regional transportation improvement program approved and submitted; update regional transportation plan; collaborating with Caltrans on Lee Vining and Bridgeport street rehabilitation projects, and traffic calming for Walker Main Street
US 395 Wildlife Crossings	Long Valley	Project committee to construct wildlife crossings on US 395; Caltrans lead
Active Policy/Planning Projects		
Towns to Trails Planning	Countywide	Participate in effort by ESCOG/MLTPA
RVs as residences	Countywide	Board workshop on Dec. 5: direction to consider eliminating two-acre minimum for new RV parks, work on broader GPA, County to work on safe park facility. Lower priority: investigate if existing RV parks could increase stay lengths and/or stay open in winter to be part of the solution.
Revision to Chapter 11	Countywide; Antelope Valley	on hold pending staffing resources
Cannabis Odor Standards	Countywide	Low priority
Sage grouse conservation	countywide	update of Bi-State Action Plan, monitor and comment on USFWS listing in progress, collaborate with DWP on habitat conservation

Acronyms:

AG	Agriculture
BOS	Board of Supervisors
CEQA	California Environmental Quality Act
DR	Director Review
ESCOG	Eastern Sierra Council of Governments
GHG	Greenhouse Gas
GPA	General Plan Amendment
LLA	Lot Line Adjustment
LTC	Local Transportation Commission
LUD	Land Use Designation
MFR-M	Multi-Family Residential - Medium
MLTPA	Mammoth Lakes Trails and Public Access
MU	Mixed Use
PC	Planning Commission
RR	Rural Residential
SP	Specific Plan
STR	Short-Term Rental
UP	Use Permit
VHR	Vacation Home Rental
VMT	Vehicle Miles Traveled

Wendy Sugimura

From: Evans, Jessica@HCD <Jessica.Evans@hcd.ca.gov>
Sent: Tuesday, December 12, 2023 1:26 PM
To: Erik Ramakrishnan; Wendy Sugimura; Brent Calloway; Stacey Simon
Cc: Regehr, Bentley@HCD
Subject: HAU-522/HAU-534 (Mono County) - HCD Case Closed/Technical Assistance

[EXTERNAL EMAIL]

Hi Erik,

Thank you for submitting your case (HAU-522) on behalf of Mono County regarding the property located at APN: 026-330-002-000. The County initially reached out to HCD requesting that the Housing Accountability Unit (HAU) review a proposed housing development project to determine if the County was violating any state housing laws that HCD has enforcement authority e.g., Housing Accountability Act, SB 35, or State Density Bonus Law. The project applicant subsequently submitted a separate request for technical assistance (HAU-534), requesting HCD to review the details of the project processing for any potential State housing law violations.

After meeting with County staff and the project applicant and reviewing documentation provided by both parties, the Housing Accountability Unit (HAU) was unable to identify a clear violation of one or more of the State housing laws for which HCD has enforcement authority. Therefore, the HAU is closing both cases (HAU-522 & HAU-534). Please note, this response should not be interpreted as an endorsement of the applicant's position or that of the local government. The County also requested technical assistance for a question regarding fees. The question is: Can the County charge a cost recovery fee on an hourly basis for actual costs/services incurred to process a SB 35 application?

Per Government Code Section 65913.4(h)(1), "A local government shall not adopt or impose any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval..." This provision prohibits local jurisdictions from charging any *increased* or other fees beyond what is normally required to process a housing development application. For example, if the County has an adopted fee schedule that requires housing development applications to be charged a cost recovery fee on an hourly basis, the County may charge the same fees for a SB 35 application. However, the County may not impose additional fees to process a SB 35 application.

Please let me know if you have any questions.



Jessica Evans, AICP
 Senior Housing Policy Specialist
 Housing Accountability Unit
 Housing Policy Development Division
 Phone: (916) 820-1514