## [EXISTING WORDING of the AV area plan of the general plan]

## [New wordIng for RPAC discussion]

## [*WORDING CHANGES APPROVED PREVIOUSLY BY RPAC IN ITALIC*]

## Planning Area Land Use Policies

### Antelope Valley

**GOAL: Provide for orderly growth in the Antelope Valley in a manner that retains the rural environment, and protects the area's scenic, recreational, agricultural, and natural resources.**

***Objective A***

*Guide future development to occur within the 395 Corridor and existing communities.*

*Policy 1: Discourage subdivisions into five parcels or more outside of community areas. Remainder parcels do not count towards the five parcel total.*

*Action 1.1: Designate land outside of community areas and the US 395 corridor*

*for Agriculture or Resource Management.*

*Action 1.2: Maintain large minimum parcel sizes outside of community areas and the US 395 corridor.*

*Action 1.3: Limit the type and intensity of development in flood plain areas.*

*Action 1.4: Prior to accepting a development application in potential wetland areas, require that the applicant obtain necessary permits from the U.S. Army Corps of Engineers.*

*Policy 2: Provide for a mix of residential, commercial, recreational, institutional, and industrial park land uses, in a manner consistent with the overall goal for the Antelope Valley.*

*Action 2.1: Designate a sufficient amount of land to accommodate tourist and community commercial needs within existing community areas.*

*Action 2.2: Designate a sufficient amount of land to meet the housing and lodging needs of Antelope Valley's residents and visitors.*

*Action 2.3: Designate suitable lands for industrial park uses. Designated industrial park areas should be limited to community serving industrial uses that will have no adverse environmental impacts. All industrial development must be compatible with surrounding land uses. Give consideration to a land swap to consolidate such uses.*

*The US 395 corridor is defined as the area in the Antelope Valley along both sides of US 395, between the West Walker River to the east and the sloping terrain to the west of US 395.*

**Policy 3: Along the US 395 corridor between existing communities, provide for limited development that is compatible with natural constraints and the Valley's scenic qualities.**

***~~Action 3.1~~*~~:~~** ~~[empanel the AVRPAC to recommend and establish]~~ **~~a design review process and standards for development in the US 395 corridor.~~**

***~~Action 3.2~~*~~: Require projects within fault hazard zones to submit a geologic report prepared by a registered geologist. Such reports should focus on locating existing faults, evaluating their historic activity, and determining the level of risk they present to the proposed development. Report recommendations should address measures to reduce risk to acceptable levels. All such reports shall be prepared in sufficient detail to meet the criteria and policies of the State Mining and Geology Board~~**

***Action 3.3*: Maintain the large lot residential nature of the US 395 corridor.**

*~~Action 3.4~~*~~: Uses of a greater intensity than rural residential may be permitted in the US 395 corridor if it is demonstrated that they comply with the following standards:~~

1. ~~The project shall not exceed the noise standards for rural residential uses as defined in the Mono County Noise Ordinance, nor increase substantially the ambient noise levels for adjoining areas. Projects having potential noise impacts shall provide a noise impact study which identifies potential noise impacts, and proposes project alternatives or mitigation measures to mitigate the potential impacts.~~
2. ~~The project shall not violate applicable ambient air quality standards of the Great Basin Unified Air Pollution Control District, contribute substantially to an existing or projected air quality violation, or expose residents or wildlife to substantial pollution concentrations. Projects having potential air quality impacts shall provide an air quality impact study which identifies potential impacts, and proposes project alternatives or measures to mitigate the potential impacts.~~
3. ~~The project shall comply with the requirements of the Mono County Land Clearing, Earthwork and Drainage Facilities Ordinance and the Pollution of Waters Ordinance, as well as with the requirements of the Lahontan Regional Water Quality Control Board. The project shall not substantially degrade water quality; substantially degrade or deplete groundwater resources; contaminate a public water supply; interfere substantially with groundwater recharge; involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected; or cause substantial flooding, erosion, or siltation. Projects having potential for such water-related impacts shall provide a water resource impact study which identifies potential impacts, and proposes project alternatives or measures to mitigate the potential impacts.~~
4. ~~The project shall not have a substantial, demonstrable negative aesthetic effect, and must comply with the design review standards established in accordance with Action 3.1, Policy 3. Projects having potential visual impacts shall provide a visual impact study which identifies potential visual effects, and proposes project alternatives or measures to mitigate the potential impacts.~~
5. ~~The project shall not interfere substantially with the movement of any resident or migratory fish or wildlife species, nor substantially diminish habitat for fish, wildlife or plants. Projects having potential fish and wildlife impacts shall provide an impact study which identifies potential fish and wildlife impacts, and proposes project alternatives or measures to mitigate the potential impacts.~~
6. ~~The project shall not conflict with established or planned recreational uses of the area.~~

**Policy 4: Retain the existing privately owned land base in the Antelope Valley.**

*~~Action 4.1~~*~~: Support a policy of no net loss of private land in the Antelope Valley.~~

***~~Action 4.2~~*~~: Oppose private land acquisitions by federal agencies within the Antelope Valley unless comparable land in the region is made available for disposal to private ownership. Exceptions to this policy may be considered if the land acquisitions are consistent with the overall goal for the Antelope Valley.~~**

***~~Action 4.3~~*~~: Facilitate acquisition of BLM administered public lands south of the county landfill, east of Eastside Lane, and north of Walker, for community expansion, in a manner consistent with the overall goal for the Antelope Valley.~~**

*Policy 5: Encourage the use of alternative energy and communications innovations.*

*Action 5.1: Mobile or satellite-based communication sources may be substituted for conventional land-based sources in satisfying land development conditions.*

*Parcels that will not have conventional land-based sources extended to the property shall have that information prominently noticed on the map.*

*All conventional communication lines subsequently installed shall be underground.*

*Action 5.2: Alternative energy (e.g., solar, wind, water, etc.) systems may be substituted for conventional power in satisfying land development conditions.*

*Parcels that will not have conventional power lines extended to the property shall have that information prominently noticed on the map.*

*Action 5.3: Proposed parcels that have existing street frontage with existing power lines along either side of that street frontage shall not be conditioned with bringing conventional power across the street or onto the property.*

**Objective B**

**Maintain the scenic, historic[[1]](#footnote-1), agricultural, and natural resource[[2]](#footnote-2) values in the Valley.**

**Policy 1: Maintain and enhance scenic resources in the Antelope Valley.**

***Action 1.1*: In order to protect and enhance important scenic resources and scenic highway corridors, designate such areas in the Antelope Valley for Open Space, Agriculture, or Resource Management.**

***Action 1.2*: Encourage private landowners with visually significant property to grant or sell a conservation easement to a land conservation organization to protect the land as open space.**

***Action 1.3*: Continue to use land use designations and subdivision regulations to preserve open space for scenic purposes.**

***Action 1.4*: Conserve scenic highway corridors by maintaining and expanding large lot land use designations in areas within view of scenic highways.**

**Policy 2: Preserve the agricultural lands and natural resource lands in the Antelope Valley.**

***~~Action 2.1~~*~~: Designate existing agricultural lands for agricultural use in the Land Use Element, and initiate associated district Land Use Designations and Land Development Regulations amendments.~~**

***Action 2.2*: In accordance with the California Environmental Quality Act (CEQA), require the preparation of an Environmental Impact Report (EIR) for projects that may convert agricultural lands to other uses.**

***Action 2.3*: Encourage agricultural land owners to utilize the property tax incentives for agricultural land provided for in the county's Williamson Act program.**

***Action 2.4*: Inform owners of critical wildlife habitat areas of the potential for open space easements to protect such areas and of the potential for property tax adjustments.**

**Policy 3: Work with appropriate agencies to manage water resources in a manner that protects natural, agricultural and recreational resources in the Antelope Valley.**

***~~Action 3.1~~*~~: Consider establishing a Groundwater Management District to manage the groundwater resources of the Antelope Valley.~~**

***Action 3.2*: Work with the Lahontan RWQCB and other appropriate agencies to require appropriate actions to ensure that future development does not degrade water quality or impair adequate water quantity in the area. Resources should be sought to provide suitable statistical benchmarks for refresh rates and other technical data for proper agency review.**

***Action 3.3*: Work with the Walker River Irrigation District, adjacent Nevada Counties, and other appropriate agencies in developing a water management plan for Topaz Reservoir.**

**Policy 4: Ensure that an adequate water supply exists for new development projects.**

***Action 4.1*: As a condition of approval, require ~~development~~ projects to demonstrate that sufficient water exists to serve both domestic and fire flow needs ~~of the development~~ and that use of the water will not deplete or degrade water supplies ~~in the surrounding area~~ for wells within a 500’ radius (residential projects creating fewer than five parcels shall be exempt).**

**Policy 5: Work with appropriate agencies to manage fish and wildlife resources within the Antelope Valley.**

**Policy 6: Preserve rural character of lands within the Antelope Valley**

**Action 6.1: Allow the storage of heavy equipment on parcels greater than five acres in the Antelope Valley for personal on-site use or community benefit.**

**Action 6.2: Require approval solely by Antelope Valley voters for residential developments larger than 35 parcels. County costs associated with the election will be paid by the project proponent. County Counsel shall prepare a summary of the issue much as the Legislative Analyst does on state propositions. Other County reviews are unaffected, but no other non-judicial review or approval process may circumvent or override the election decision.**

**Objective C**

**Maintain and enhance natural resource based recreational opportunities in the Valley and the surrounding area.**

**Policy 1: Work with appropriate agencies to maintain or improve natural resource base needed for recreational opportunities in the Antelope Valley and vicinity.**

**Policy 2: Work with appropriate agencies to initiate recreational facility development in environmentally suitable areas.**

***Action 2.1*: Work with the Walker River Irrigation District and other appropriate agencies to develop a recreation management plan for Topaz Lake. Potential issues to address in the plan include:**

* 1. **Provision of a designated boat launch area to provide boat access within California; and**
  2. **Creation of restricted boating areas to provide protected water bird nesting and rearing habitats at the south end of the reservoir.**

**Policy 3: Encourage Trail Easements in the Antelope Valley under the conditions that no coercive methods shall weigh upon project applicants to dedicate trail easements and that eminent domain will not be used to obtain trail easements.[[3]](#footnote-3) “Combined” enjoyment among users such as hikers, bicyclists, off-road vehicles, equestrians and runners shall be encouraged where practical.**

***OBJECTIVE D***

*Maintain and enhance the local economy.*

*Policy 1: Incubate home businesses:*

*Definition: A home business is any enterprise conducted by the resident of a parcel on which the enterprise is conducted.*

*Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in area, absent the determination of an actual nuisance (noise, odor etc.).*

*A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.*

*Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.[[4]](#footnote-4)*

*B. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.*

*C. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.*

*D. Materials used for the business may be stored in the open, but not within the building setback limitations.*

*E. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.*

*F. County health and safety ordinances apply.*

**OBJECTIVE E**

Promote the economic re-vitalization of the Walker and Coleville Main Street districts.

Policy 1: Work with local businesses and the community to develop a Main Street District identity that integrates existing business character into a distinctive core that invites investment and re-vitalization.

Action 1.1: Inventory Main Street assets, strengths and limitations.

Action 1.2: Develop a Main Street Program that builds upon the strengths and assets to serve as a foundation for re-vitalization.

Action 1.3: Utilize grant funding for Main Street Program development.

Policy 2: Encourage district infill that improves connections and integration among businesses and improves the physical appearance of Walker and Coleville Main Streets.

Action 2.1: In development of a Main Street Program, assess and specify opportunities for business growth, infill and access improvements/connections.

Action 2.2: Based on the Main Street Program goals, consider adjustments to guidelines and regulations to better preserve District character and promote business sustainability.

Action 2.3: Specify actions for both public and private sections to work together toward common goals and long term success.

“AV Area Plan Amendment 10-19-2013” RPAC

1. Under the conditions that no coercive methods shall weigh upon project applicants for historic dedications except as allowed under the state Subdivision Map Act and that eminent domain will not be used to obtain such historic preservation. [↑](#footnote-ref-1)
2. Within Objective B, “natural resource” does not include exploitive practices such a mining or drilling extractions. [↑](#footnote-ref-2)
3. Within land divisions of five or more parcels, however, dedications will be made according to the CA Subdivision Map Act. [↑](#footnote-ref-3)
4. Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee’s property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee’s parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee’s parcel.

   The Director of Community Development shall establish reasonable noise and traffic volume standards under which non-compliant business licenses may be revoked. Optionally, noise, dust, odors, vibration, smoke or other substantial nuisance standards may be developed as well. Standards applicable to agricultural uses are separate from these standards. [↑](#footnote-ref-4)