

Conditions of Approval
Use Permit 22-011/Nichols

1. The Use Permit shall only be valid upon approval of the General Plan Amended 22-XXX, the land use designation change, by the Mono County Board of Supervisors.
2. Occupancy shall be limited to two persons per bedroom due to the size of the existing septic system. Increasing occupancy shall require an increase in the septic system's capacity, as permitted by the Environmental Health Department, and a Use Permit Modification. Max occupancy for the one-bedroom unit shall be two people total. Maximum occupancy of the two-bedroom unit shall be four people total. Occupancy shall not exceed six people total.
3. The project shall be in compliance with Mono County General Plan Chapter 26.
4. Exterior lighting fixtures shall comply with Chapter 23 – Dark Sky Regulations, which shall require existing fixtures to be replaced or retrofitted, if necessary, to comply.
5. All rental customers must sleep within the dwelling; customers are not allowed to reside in an RV, travel-trailer, or similar mobile-living unit on the property.
6. Prior to operating, the owner shall obtain a Mono County Vacation Home Rental Permit, Mono County Business License and Mono County Transient Occupancy Tax Certificate. The required Housing Mitigation Ordinance (HMO) fees shall be paid prior to business license issuance.
7. The project shall comply with provisions of the Mono County General Plan, Mono County Code, project description, and all conditions.
8. The 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.
9. 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.
10. 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.
11. 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 or as specified in the conditions. If applicable, time shall be tolled during litigation. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the use permit; B. There is discontinuance for a

continuous period of one year, as determined by the Director, of the exercise of the rights granted; and
C. No extension is granted as provided in Section 32.070.

12. Extensions. 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. 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.

13. Revocation. The Commission may revoke the rights granted by a use permit 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 use permit or the violation by the owner or tenant of any provision pertaining to the premises for which such use permit was granted. Before the Commission shall consider revocation of any permit, the Commission shall hold a public hearing thereon after giving written notice thereof to the permittee at least 10 days in advance of such hearing. The decision of the Commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.