

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

NOTICE OF DECISION Director Review 23-009/Scanlon-Wenzlau RV Use During Construction

Applicant: William Wenzlau and Rebecca Scanlon

Subject Property: APN 064-120-009-000

Proposal: Residential use of an RV during construction of permanent residence.

Pursuant to the Mono County General Plan (MCGP) Land Use Element (LUE), Chapter 31 Director Review Procedures, and per MCGP LUE §04.040 and based upon the following findings, you are hereby notified that Director's Review 23-009 has been:

Granted as requested.

Granted subject to the attached Conditions of Approval.

Denied.

PROJECT DESCRIPTION

The project requests permission for the applicants to temporarily reside in a Recreational Vehicle (RV) during the construction of their residence in Swall Meadows at APN 064-120-009 (Figure 1).

The proposed project parcel is approximately one acre in size and is designated Estate Residential (ER). The applicant has submitted Building Permit B23-063 for the construction of a single-family home.



Figure 1 – Project parcel outlined in green.

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The contiguous parcels to the east and west are approximately an acre as are the parcels to the south across Mountain View Drive. The larger parcel to the north is ER 2 and is approximately 146 acres.

The applicant intends to occupy the RV during construction of the primary residential use on this property. MCGP LUE §04.040 allows for placement and residential use of an RV for up to a year, subject to Director Review permit.

GENERAL PLAN COMPLIANCE FOR DIRECTOR REVIEW APPLICATION

Mono County General Plan (MCGP) Land Use Element (LUE) §04.040 allows for the placement and use of RVs on vacant property “during construction of a main building” and “shall be permitted only for a short duration and shall not exceed one year unless the DR permit is renewed annually following notice to contiguous property owners.”

The applicant has submitted an application for a building permit and B23-063 has been issued to the applicant for the construction of a single family home.

The standard conditions of §04.040 of the MCGP for temporary RV placement have been incorporated as Conditions of Approval for the project.

The RV is not permitted onsite until after construction has begun and is limited to one year from the date the building permit is issued, subject to extension as per MCGP LUE §04.040.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)

The LDTAC reviewed and approved the application for processing as a Director Review on June 19, 2023. The draft conditions of approval for this project were reviewed and recommended for approval by LDTAC on July 6, 2023.

DIRECTOR REVIEW FINDINGS

Under MCGP LUE §31.030, the Community Development Director may issue a Director Review permit after making findings regarding required factors. The following factors and associated findings apply to DR 23-009:

- 1. All applicable provisions of the Land Use Designations and Land Development Regulations are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features.*

The proposed use of the RV during construction will not limit or alter the eventual primary use of a single-family residence. The property is adequate in size to

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accommodate the RV and the footprint for the main residence while maintaining setbacks (see Attachment 1- Site Plan). Conditions of approval require that the RV cannot be onsite until construction has begun and that upon completion of the main residence, the RV use will cease.

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

The existing access and traffic along Mountain View Drive will not be impacted by the placement and temporary residential use of the RV, as the impacts will be like that of a single-family residence.

- 3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located.*

The project will not be detrimental to the public welfare, property, or improvements in the area. The proposed RV placement is setback from front, side, and rear property lines in conformance with SFR setback standards. Project conditions prevent potential impacts to surrounding properties.

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

The use of the RV during construction of the main residence is permitted for up to one year. The residential use is consistent with the single-family residential land use designation of the MCGP. The standard conditions from §04.040 of the MCGP LUE for temporary RV placement have been incorporated as project conditions.

- 5. The improvements indicated on the development plan are consistent with all adopted standards and policies as set forth in the Land Development Regulations, this General Plan and any applicable area plan.*

The property is designated ER and the improvements indicated on the site plan are consistent with the LUD's standards. The use of an RV during construction is an allowable use subject to a Director Review under §04.040.A.3 of the MCGP. Required factors and applicable regulations are applied in the project's conditions of approval.

- 6. The project is exempt from the California Environmental Quality Act (CEQA).*

The project qualifies for a Class 3 CEQA exemption per §15303 New Construction or Conversation of Small Structures, which "consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure".

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(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

The project consists of the placement and use of an RV while a permanent single family residence is under construction; therefore, the project qualifies for a Class 3 CEQA exemption per §15303.

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CONDITIONS OF APPROVAL

DR 23-009 is issued with the following conditions:

1. Public Health Department shall review and approve sanitation methods for the RV use. Potable water may be brought on site and sewage/wastewater will be captured and disposed of at a proper facility; alternatively environmental health will approve well construction and septic system construction on site and applicant may utilize the on-site well and septic system once approved by Public Health.
2. The applicant shall be issued Building Permit B23-063 for the main building prior to RV placement.
3. The RV may not be placed onsite until construction has started.
4. The use of the RV as a residence is limited to one year from the date of the issuance of the building permit per MCGP LUE §04.040 and shall be discontinued after construction of the residence. If there is a demonstrated need, the Director Review may be renewed for one year following application submittal and notice to contiguous property owners.
5. If the RV is to remain on the site following construction of the residence, it must be disconnected from utilities, be in operable condition, and remain vacant when parked on the property.
6. The RV shall be placed in a manner and the property maintained in a fashion that minimizes visual impact to neighboring parcels and along Mountain View Drive. Residential uses shall be contained in the RV and use of night lighting on and outside the trailer shall be minimized, in accordance with Mono County Dark Sky regulations (Chapter 23 of the Mono County General Plan).
7. Appeal. The Director Review permit shall become effective 10 days following the issuance of the Director's decision. During the 10-day period, an appeal may be filed in accordance with Chapter 47. If an appeal is filed, the permit will not be issued until the appeal is considered and a decision is rendered by the Planning Commission. (§31.060)
8. Termination. A Director Review shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - A. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in 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.

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- C. No extension is granted as provided in §31.080.
9. Extension: If there is a failure to exercise the rights of the Director Review within one year of the date of approval, the applicant may apply for an extension for an additional one year. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary. Conditions of Approval for the Director Review may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to this provision is permitted for those Director Reviews approved concurrently with a tentative parcel or tract map; in those cases the approval period(s) shall be the same as for the tentative map.
10. 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.

This Director Review Permit shall become effective ten (10) days following the issuance of the Director's decision. This decision may be appealed within ten (10) days by filing a written notice of appeal with the Secretary of the Planning Commission. If an appeal is filed, the permit will not be issued until the appeal is considered and a decision is rendered by the Planning Commission.

PREPARED BY: Laura Stark, Community Development Analyst

DATE OF DECISION: July 12, 2023

EFFECTIVE DATE: July 23, 2023

SIGNED: Wendy Sugimura
Wendy Sugimura, Community Development Director






DR23-009 DATE CORRECTION

Final Audit Report

2023-07-12

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