

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

AGENDA

January 9, 2014 – 10 a.m.

BOS Conference Room, third floor, Sierra Center Mall, Mammoth Lakes

*Videoconference: Supervisors Chambers, County Courthouse, 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 (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at www.monocounty.ca.gov / boards & commissions / planning commission. For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

3. CONSENT ITEM:

A. APPROVAL OF FINAL PARCEL MAP 32-56/Mead. Parcel Map 32-56, which was approved March 11, 2010, will divide APN 006-120-002, totaling approximately 120 acres, into three lots of 38.71, 38.80, and 38.87 acres, with an open-space easement for lands outside prescribed building envelopes and road access easements. This site is midway between Walker and Bridgeport, approximately two miles off US Highway 395 and accessed off Burcham Flat Road. *Staff: Garrett Higerd & Walt Lehmann, Department of Public Works – p. 4*

4. **MINUTES:** Review and adopt minutes of November 14, 2013 (*no December meeting*) – **p. 1**

5. PUBLIC HEARING:

10:10 A.M.

A. SPECIFIC PLAN AMENDMENT & TENTATIVE TRACT MAP MODIFICATION/Rock Creek Ranch. The proposal is to reduce the number of parcels from 55 to 23, including elimination of the package sewage-treatment facilities, evaporation pond, pool clubhouse and other common elements. In accordance with the California Environmental Quality Act, an addendum to the existing Specific Plan EIR is being utilized. *Staff: Courtney Weiche, associate planner – p. 21*

6. WORKSHOPS:

A. RESOURCE EFFICIENCY PLAN & COUNTY ENERGY PROGRAM PRIORITIES. *Staff: Wendy Sugimura, associate analyst – p. 82*

B. HOUSING ELEMENT UPDATE. *Staff: Brent Calloway, associate analyst*

7. REPORTS:

A. DIRECTOR

B. COMMISSIONERS

More on back...

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

8. INFORMATIONAL: No items.

9. ADJOURN to February 13, 2014

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 in order 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 (Minaret Village Mall, above Giovanni's restaurant). 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 cdritter@mono.ca.gov

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 14, 2013

COMMISSIONERS PRESENT: Scott Bush, Chris Lizza, Mary Pipersky, Dan Roberts, Rodger B. Thompson
STAFF PRESENT: Scott Burns, CDD director; Gerry Le Francois, principal planner (via videoconference); Courtney Weiche, associate planner; Nick Criss, compliance officer; John-Carl Vallejo, deputy county counsel; C.D. Ritter, commission secretary

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Dan Roberts called the meeting to order at 10:10 at the county courthouse in Bridgeport and led the pledge of allegiance.

2. **PUBLIC COMMENT:** None.

3. **MEETING MINUTES:**

MOTION: Adopt minutes of October 10, 2013, as submitted (*Pipersky/Lizza. Ayes: 4. Abstain due to absence: Bush.*)

4. **PUBLIC HEARING:**

A. USE PERMIT MODIFICATION 13-001/June Lake Cross Country Ski Trails. The proposal is to modify Use Permit 12-005/Black (June Lake Cross Country Ski Trails), extending the use permit operations previously allowed only for the 2012 season to a continuous seasonal use. UPM 13-001(UP 12-005) allows public access on APNs 015-010-006, 015-010-004, & 016-094-009 for non-commercial cross country skiing associated with adjacent U.S. Forest Service land. The 40+ acre project consisting of three parcels has a land use designation of Natural Habitat Protection (NHP) and Estate Residential that conditionally allow for such recreational uses. In accordance with the California Environmental Quality Act, an addendum to the June Lake Environmental Impact Report (EIR) was approved for UP 12-005. *Staff: Heather deBethizy, associate planner, & Nick Criss, compliance officer*

Nick Criss noted commission voted to allow one-year trial pending compliance review. Applicants now request permanent seasonal use. Parking is accessed via private property, no vehicle access via Nevada Street. During trial season of 2012, got two complaints re access via Nevada Street. Investigated, observed several sets of tracks, but no vehicles parked along street, so tracks could have been made by residents. Conducted a dozen inspections. Parking for 15 cars is screened from view of homes by thick hedge of willows. Layer of snow on parking area protects vegetation. Signage is strategically placed, snow stakes installed. Compliance Division will continue observation.

Findings dates correct? *No, approved as seasonal use now.* Change dates? *Yes.*

What if land is sold? *Use permit goes with property.* Would one parcel owner have power to stop use permit? *Would need use permit modification.* Scott Burns thought it would be odd to take ownership knowing about cross country skiing and then oppose it.

OPEN PUBLIC COMMENT: None. **CLOSE PUBLIC COMMENT.**

DISCUSSION: None.

MOTION: Approve Use Permit Modification 13-001 as proposed, subject to the Conditions of Approval. (*Bush/Pipersky. Ayes: 5-0.*)

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

B. GENERAL PLAN AMENDMENT 13-004 to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) to allow for nightly rentals at four adjoining parcels, APNs 015-140-035, -034, -033, & -032, along Boulder Drive in the community of June Lake. In accordance with the California Environmental Quality Act, an addendum to the existing General Plan EIR is being utilized. The Planning Commission may recommend that the Board of Supervisors approve the proposed General Plan Amendment. *Staff: Courtney Weiche, associate planner*

Courtney Weiche noted a third TROD application. Notice was sent to adjacent property owners, no formal comments, but some emails on what it means, regulations, etc. Sent Ch. 25 & Ch. 26, and people were more comfortable with it. Don Morton, property owners representative, was present to answer questions, but there were none.

OPEN PUBLIC COMMENT: Don Morton stated the proposed rentals are in keeping with intent of overlay: off road, plenty of parking, snow storage, nice family place. Only one of four owners to move immediately is Millington/Morris. Others participated.

New homes? Some were former USFS structures in land trade. Morton noted very little to bring up to code for Millington/Morris. Older house with quiet occupant. Really old house was rebuilt, remodeled, filmed in Honda commercial. **CLOSE PUBLIC COMMENT.**

MOTION: Approve Resolution R13-07, accepting Addendum 13-04 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 13-004. (Lizza/Thompson. Ayes: 5-0.)

5. **WORKSHOPS:** No items.

6. **REPORTS:**

A. DIRECTOR: 1) Courtney Weiche: Presented Transient Rental Overlay Districts at BOS and attended USFWS workshop on sage grouse in Smith Valley. Distributed map showing front-country lakes with potential ramifications for business owners on Yosemite toad; 82% of privately owned property lies within critical habitat area for sage grouse. Review for frog/toad closes Nov. 18; BOS submitted comments, requesting 90-day extension on sage grouse. Former comments were based on local agencies in Bi-State planning effort to preserve sage grouse. Commendable effort of voluntarily taking positions. Potential exemptions for agricultural and LADWP lands. Two workshops already: public meeting in Bishop same day as BOS considered sage grouse, next day in Smith Valley. At Bishop, USFWS agreed to BOS workshop Dec. 3 at Bridgeport, 2-4 p.m. to discuss potential ramifications. Procedure: Propose listing, economic analysis, final decision, and recovery plan. Listing could impact projects at commission. Sweetwaters clear-cut pinyon for sage grouse, including 100-year-old pines. Bodie and Long Valley populations are healthy, a couple marginal are not capable of getting back to sustainable levels. Hopeful listing could be avoided. Taken along with toads/frogs, there's a cumulative impact. Map shows Mono is getting hit the most. No governor position. Maybe Mono's a sacrificial population, distinct from the rest in the West. Airport Road bike lane is in sage grouse habitat. Maybe not easy CEQA exemptions. USFWS says no impact unless need federal permit, but maybe it's not that simplistic. 2) Nick Criss: Working as SMARA coordinator. Successful at State level. Learned of wholesale change at State due to way Mono was treated. New reporting requirements involve more in-depth annual reports. 3) CAC: Big turnout for Rusty Gregory last week, who outlined June will reopen, proposed plan. Burns saw it as one of most positive meetings, lots of behind-the-scenes work produced good outcome. Kids under 12 ski free; relaxed facial hair policy company-wide. 4) AT&T: Service level in Tri-Valley led to local supervisor working with installing cell tower close to or on fire house property. 5) Parking regulations: BOS approved parking regulations commission recommended, with minor change on chart. 6) Fees: BOS discussed waiving/reducing fees on green (energy efficient) projects. No action, but dovetails with Resource Efficiency Plan in General Plan update. 7) Dog sleds: Operation has continuing issue. BOS expressed concerns with onerous Use Permit. 8) LTC: Updating Regional Transportation Plan as Circulation Element. 9) Mono Basin: Finalized Mono Basin policies last night. Need to update financial element for funding projects. 10) Housing Element: Met with HCD in workshop on update, due by June. Hopeful to have draft to HCD in next several months. Brent Calloway has been working on that.

B. COMMISSIONERS: Roberts: The California County Planning Commissioners Association (CCPCA) annual conference theme was water, held at San Jose State campus. Traditional approaches to water supply have been used up, different approaches are needed. Stanford has its own city, described water reclamation, wells that could sustain, recycling efforts, landscaping. Saw new 49ers stadium under construction and toured recycling plant that produces purple pipe water. It's OK to drink despite psychological barriers. First landscaping, agricultural use, recharge aquifer. Groundwater pumping dropped land by 20'.

Currently, Roberts serves as vice-president. Hierarchy is district representative / district director / vice-president / president elect. Next conference will be held in Merced, and then Mono County. Topic ideas are welcome. Attendees (80 this year) are mostly from rural, sparsely populated areas of central part of state. Tough to get Southern California commissioners, and Northern California is remote (Burns noted the CCPCA capped environmental planner conference at 70). Roberts explained that Southern California is more connected with Eastern Sierra than Central Valley. Metro areas of Sacramento, San Francisco and Los Angeles rarely show up. Most conferences are held in central area.

7. INFORMATIONAL: No items.

8. ADJOURN at 11:13 a.m. to December 12, 2013. Roberts not attend.

Prepared by C.D. Ritter, commission secretary



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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760.932.5440 • Fax 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: January 9, 2014
To: Mono County Planning Commission
From: Garrett Higerd, Assistant Public Works Director
Subject: Parcel Map No. 32-56/Mead

RECOMMENDATION:

Authorize Chair's signature on Parcel Map No. 32-56, indicating its approval.

PROJECT DESCRIPTION:

Tentative Parcel Map 32-56 was approved by the Mono County Planning Commission at a public hearing held on March 11, 2010. The map will subdivide APN 006-120-002-000, totaling 116.38 acres, into three lots of 38.71, 38.80, and 38.87 acres in size. A deed restriction by the owners is noted on the final map for open space in areas not designated for road easements and building envelopes.

The project is located along Burcham Flat Road, off Highway 395, midway between the communities of Walker and Bridgeport. The General Plan designation is Resource Management (RM). A reduced copy of the eight-sheet parcel map is attached as Exhibit 1; a full-sized copy of the final map will be available for review at the meeting.

Construction of subdivision improvements consisting of upgrades to the existing access road, and existing emergency vehicle access roads, have already been completed. A shared well on Parcel 1 has been constructed. The fire suppression water storage tanks and piping to the building envelope sites will be installed during future residential construction. Further, CC&Rs will not be prepared for the project, but development standards and mitigation measures have been referenced on the parcel map. The obligation for funding and maintaining the improvements will be handled by an individual agreement among the property owners to be recorded concurrently with the final map.

The developer has complied with all map conditions and the parcel map is in compliance with the Subdivision Map Act and local ordinances. A narrative of the map conditions, attached as Exhibit 2, presents conditions of approval and method(s) of compliance.

If you have any questions regarding this item, please contact either Walt Lehmann, Engineering Technician III, at 932-5445 or me at 924-1802.

Respectfully submitted,

Garrett Higerd
Assistant Public Works Director

Attachments:

- Exhibit 1 – Reduced Copy of Parcel Map 32-56
- Exhibit 2 – Status of Map Conditions and Compliance Methods

PARCEL MAP 32-56

A SUBDIVISION OF THE NORTH 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 23 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF MONO, STATE OF CALIFORNIA.

OWNER'S STATEMENT

We the undersigned, being all parties having any record title interest in the real property being subdivided, do hereby consent to the preparation and recordation of this parcel map. We also hereby reserve the 20' wide Emergency Vehicle Access Easements "G", "H", "I", "J", and "K" as shown on this map for the exclusive use of emergency vehicles for ingress and egress during an emergency. Further we hereby reserve the 40' wide Road Easements "A", "C" and "E" for roadway and utility purposes for the exclusive use of the Owners of Parcels 1 and 3, and Road Easement "B" for roadway and utility purposes for the exclusive use of the Owners of Parcels 1 and 2, and Road Easement "D" for roadway and utility purposes for the exclusive use of the Owner of Parcels 3, and Road Easement "F" for roadway and utility purposes for the exclusive use of the Owners of Parcels 2 and 3. Further, we hereby reserve as Open Space the areas which are located outside of the Building Envelopes, Roadway Easements and Emergency Access Easements as shown on this map.

George W. Mead, IV
George W. Mead, IV, Trustee of the Mead Family Trust dated 1-14-04

Christine L.H. Mead
Christine L.H. Mead, Trustee of the Mead Family Trust dated 1-14-04

Robert G. McMahon
Robert G. McMahon, Trustee of the McMahon Family Trust dated 12/17/2009

Susan Jeri McMahon
Susan Jeri McMahon, Trustee of the McMahon Family Trust dated 12/17/2009

William L. Osborn
William L. Osborn

NOTARY ACKNOWLEDGEMENT

State of California } ss.
County of Santa Cruz

On October 31, 2013, before me Patricia Ernst, a Notary Public in and for said county and state, personally appeared George W. Mead, IV and Christine L.H. Mead, who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity on behalf of which the persons acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal:

Patricia Ernst COMMISSION #2022034 exp April 26, 2017
Notary Public URS 7960 B Square Dr Aptos, CA 95003

NOTARY ACKNOWLEDGEMENT

State of California } ss.
County of Riverside

On 11 Nov, 2013, before me Lindsay Welty, a Notary Public in and for said county and state, personally appeared William L. Osborn, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity on behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal:

W. Welty #1972103 exp May 15, 2014
Notary Public Postal Connection 42325 Washington St
Palm Desert CA 92211

NOTARY ACKNOWLEDGEMENT

State of California } ss.
County of Ventura

On November 6, 2013, before me Rebekah J. Vieira, a Notary Public in and for said county and state, personally appeared Robert G. McMahon and Susan Jeri McMahon, who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the person, or the entity on behalf of which the persons acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal:

Rebekah J. Vieira
Notary Public 

RECORDER'S CERTIFICATE

Filed this _____ day of _____, 20____, at _____ m., in Book _____ of Parcel Maps at Pages _____ at the request of George Mead IV.

Mono County Recorder

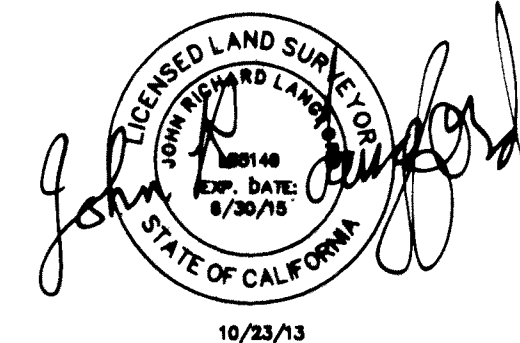
Lynda Roberts
Mono County Recorder

Instrument No.: _____
Fee: _____

SURVEYOR'S STATEMENT

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of George Mead IV on June 7, 2013. I hereby state that this parcel map substantially conforms to the approved or conditionally approved tentative map, if any.

John R. Langford, P.L.S. 5149
Expiration Date: June 30, 2015
Date



COUNTY SURVEYOR'S STATEMENT

This map has been examined by me and the subdivision as shown is substantially the same as it appeared on the tentative map, if required, and any approved alterations thereof. All provisions of the Subdivision Map Act and of any local ordinances applicable at the time of approval of the tentative map, if required, have been complied with; I am satisfied that this map is technically correct.

Brett K. Jefferson
Brett K. Jefferson, Mono County Surveyor
P.L.S. 6267
Expiration Date: 9-30-14
Date: 11/20/13



PARCEL MAP 32-56

A SUBDIVISION OF THE NORTH 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 23 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF MONO, STATE OF CALIFORNIA.

TAX COLLECTOR'S CERTIFICATE

I hereby certify that, according to the records on file in this office, there are no liens against this subdivision, or any part thereof, for unpaid state, county, municipal, local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable. Taxes or special assessments collected as taxes which are a lien but not yet payable are estimated to be in the amount of \$.00 for which receipt of good and sufficient security conditioned upon payment of these taxes is hereby acknowledged.

Rosemary Glazier
Mono County Tax Collector

Rosemary Glazier Date: 12-10-2013
Deputy Tax Collector

SOILS NOTE

A preliminary geotechnical investigation dated March 11, 2011 was prepared by Eastern Sierra Engineering Inc. pursuant to Mono County Code 17.36.090H and Section 66490 of the Government Code. A copy of said investigation is on file with the Mono County Department of Public Works.

PLANNING COMMISSION CERTIFICATE

This Parcel Map has been reviewed by the undersigned and found to be in substantial conformance with the approved or conditionally-approved tentative map. This map is hereby approved, said approval having been ratified by the Mono County Planning Commission on _____, 20__.

_____ Dan Roberts, Chair
Date
Mono County Planning Commission

_____ Scott Burns, Director
Date
Mono County Community Development Dept.

HEALTH DEPARTMENT CERTIFICATE

I hereby certify that this subdivision is approved by the Mono County Health Department.

Louis Molina 12/2/13
Date
Louis Molina
Environmental Health Officer

PARCEL MAP 32-56

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BASIS OF BEARINGS: NORTH as determined from NGS Opus solution using

1. PID AH2502	37°39'13.532"N	119°03'39.184"W
2. PID AF9562	38°02'03.019"N	120°23'09.691"W
3. PID DE6252	39°25'17.998"N	119°45'12.033"W
4. PID DK6399	37°21'07.954"N	120°11'48.276"W
5. PID DE6254	39°32'16.451"N	119°53'09.880"W
6. PID DE6246	37°38'28.798"N	120°59'59.861"W
7. PID DG8529	36°44'20.399"N	120°21'23.702"W
8. PID AH9962	37°39'59.410"N	121°33'29.710"W
9. PID DG5210	38°41'06.128"N	121°45'45.139"W

to determine position at Base Point a 2" Aluminum Cap inscribed LS 5149 Control on a 5/8"x24" long Rebar.
 NGS Opus Latitude & Longitude Base values are:
 38°22'23.00224"N
 119°26'20.05114"W

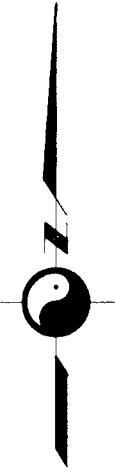
CCS, Zone III (NAD83)(2011)(EPOCH2010.0000) coordinate
 Base values in feet are:
 Northing: 2,324,162.01
 Easting: 6,865,870.62
 Ellipsoid Height: 7,317.50 feet
 Convergence Angle: +0°38'59" @ Base
 True Azimuth= Grid Azimuth + Convergence Angle

Combined Grid Factor: 0.99963819 @ Base
 Ground Distance=
 Grid Distance/Combined Grid Factor

All bearings are true as determined using convergence angle at the Base.
 All distances are ground.

See Sheet 4 of 8 for LEGEND, CORNER DESCRIPTIONS & HISTORY OF SURVEYS.

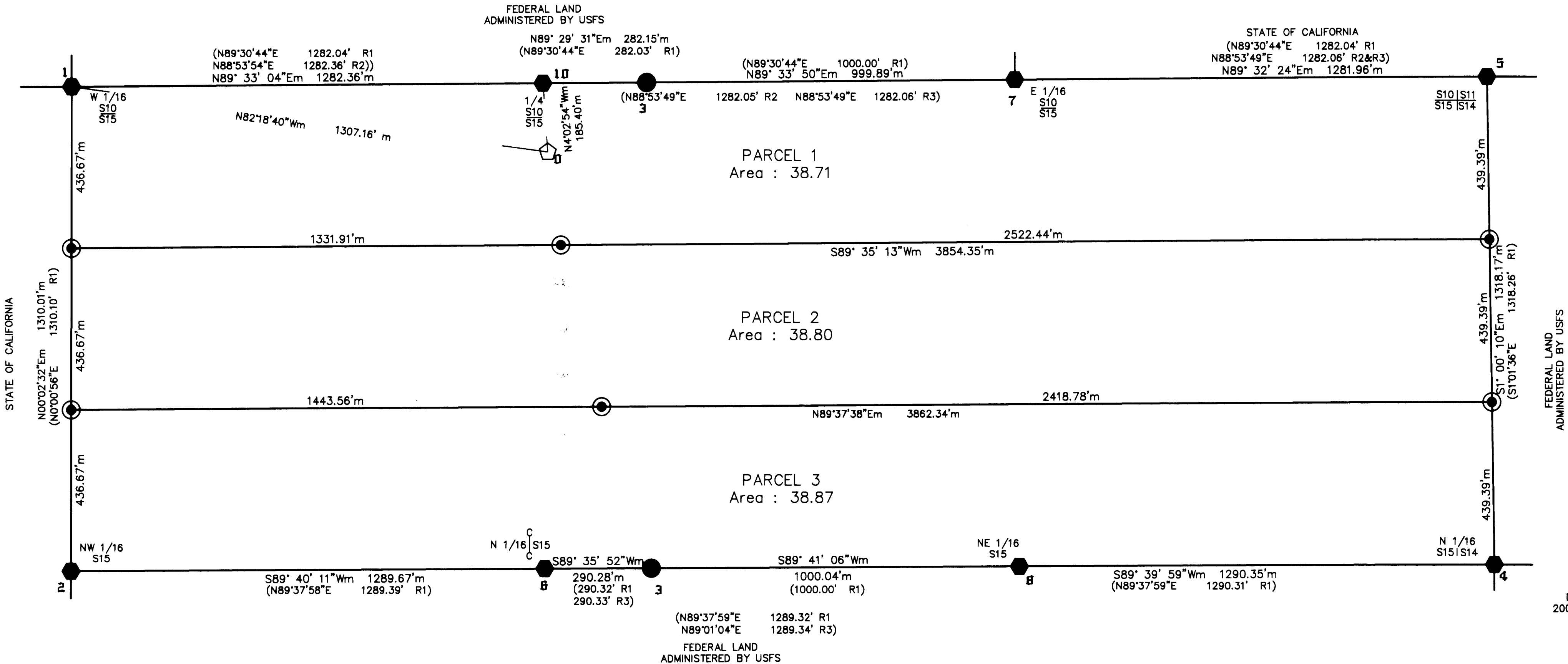
Note: Right-of-way per Acts of Congress dated June 17, 1902 & May 18, 1921, Stats 1921, Page 180 is blanket in nature and the precise location cannot be determined from record.



GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.



DOC #
2005005541

PARCEL MAP 32-56

A SUBDIVISION OF THE NORTH 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 23 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF MONO, STATE OF CALIFORNIA.

CORNER DESCRIPTIONS

- 1 Set 2"Ø aluminum cap inscribed LS5149 on 5/8"Øx24" rebar.
CONTROL
- 1 Found a 3-1/4"Ø USFS aluminum cap up 0.5' inscribed
T6N R23E
W 1/16 S10
S15
PLS 7172
2011
in a 3'Ø rock mound. Accepted as section corner per R2.
- 2 Found a 3-1/4"Ø USFS aluminum cap up 0.5' inscribed
T6N R23E
NW 1/16
S15
PLS 7172
2011
in a 3'Ø rock mound. Accepted as section corner per R3.
- 3 Found a 1" inner diameter iron pipe with tag inscribed
RCE27104 set flush with ground in a 1-1/2"Ø rock mound.
Accepted as section line monument per R1.
- 4 Found a 3-1/4"Ø USFS aluminum cap up 0.3' inscribed
T6N R23E
N 1/16
S15|S14
PLS 7172
2011
in a 3'Ø rock mound. Accepted as section corner per R3.
- 5 Found a 3-1/4"Ø USFS aluminum cap flush with ground inscribed
T6N R23E
S10|S11
S15|S14
PLS 7172
2010
in a 3'Ø rock mound. Accepted as section corner per R2.

Found a 1" inner diameter iron pipe reference mon which bears
N89°32'24"E, 2.98' (3.00' R1) from corner.





Found a 1" inner diameter iron pipe reference mon which bears
S1°00'10"E, 2.96' (3.00' R1) from corner.
- 6 Found a 3-1/4"Ø USFS aluminum cap flush with ground inscribed
T6N R23E
C
N 1/16|S15
C
PLS 7172
2011
in a 3'Ø rock mound. Accepted as section corner per R3.
- 7 Found a 3-1/4"Ø USFS aluminum cap flush with ground inscribed
T6N R23E
E 1/16 S10
S15
PLS 7172
2011
in a 3'Ø rock mound. Accepted as section corner per R2.

- 8 Found a 1" inner diameter iron pipe with tag inscribed
RCE27104 set flush with ground in a 2'Ø rock mound.
Accepted as section corner per R1.
- 10 Found a 3-1/4"Ø USFS aluminum cap flush with ground inscribed
T6N R23E
1/4 S10
S15
PLS 7172
2010
in a 3'Ø rock mound. Accepted as section corner per R2.
- 11 Found a 1" inner diameter iron pipe with tag inscribed
RCE27104 set flush with ground in a 1-1/2"Ø rock mound.
Accepted as section line monument per R1.

HISTORY OF SURVEYS

- R1: Record of Survey Map No. 32-23 recorded on June 12, 1984 in Book 1 of Record of Surveys at Page 98.
- R2: Record of Survey Map No. 32-88 recorded on December 21, 2011 in Book 5 of Record of Surveys at Page 12.
- R3: Record of Survey Map No. 32-87 recorded on December 21, 2011 in Book 5 of Record of Surveys at Page 11.

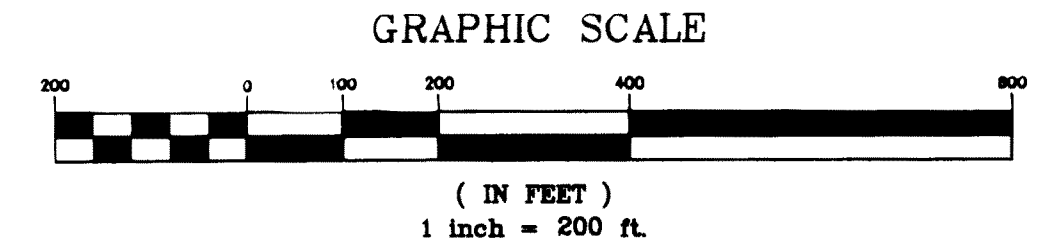
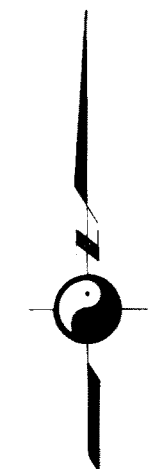
LEGEND

-  Found section corner as noted in CORNER DESCRIPTIONS hereon.
-  Found monument as noted in CORNER DESCRIPTIONS hereon.
-  Set a 2"Ø aluminum cap inscribed LS5149 CONTROL on a 5/8"Øx24" rebar at the Basis of Bearings Opus reference station.
-  Set 2"Ø, aluminum cap inscribed LS5149 on a 5/8"Øx24" rebar.
- m Based on field measurements.
- (R*) Based on record information per HISTORY OF SURVEYS hereon.
- Building, Driveway & Utility Envelope
- Building Envelope

PARCEL MAP 32-56

A SUBDIVISION OF THE NORTH 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 23 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF MONO, STATE OF CALIFORNIA.

SUPPLEMENTAL SHEET



All privately owned and maintained Roadway & Utility Easements are 40' wide and 20' each side of centerline. Emergency Fire Access Easements are 20' wide and 10' each side of centerline

See Sheet 6 of 8 for Emergency Fire Access Easement Centerline Line & Curve Tables.

Road Easement "A"

LINE TABLE		
Line #	Direction	Length
L27	S61°46'32"W	69.71'
L11	S59°29'57"W	73.22'
L12	S40°31'57"W	33.12'
L13	S72°49'37"W	35.62'
L30	S30°20'26"W	4.25'

CURVE TABLE			
Curve #	Delta	Radius	Length
C13	2°16'35"	1000'	39.73'
C14	18°58'00"	600'	198.62'
C15	32°17'40"	100'	56.36'
C16	42°29'11"	100'	74.15'

Road Easement "C"

LINE TABLE		
Line #	Direction	Length
L16	N39°39'46"W	56.85'
L20	N75°01'34"W	12.79'
L28	N69°00'40"W	58.44'
L29	N69°00'40"W	80.17'
L24	N86°34'14"W	112.04'
L25	N48°13'22"W	2.23'

CURVE TABLE			
Curve #	Delta	Radius	Length
C19	35°21'48"	100'	61.72'
C20	6°00'54"	100'	10.50'
C21	17°33'34"	400'	122.59'
C22	38°20'52"	55'	36.81'
C24	8°05'01"	450'	63.49'

Road Easement "E"

LINE TABLE		
Line #	Direction	Length
L4	N42°21'58"E	62.52'
L3	N42°21'58"E	15.55'
L1	N48°34'12"E	48.76'
L2	N38°11'58"E	102.01'

CURVE TABLE			
Curve #	Delta	Radius	Length
C1	6°12'15"	200'	21.66'
C2	10°22'14"	200'	36.20'
C6	14°46'13"	200'	51.56'

Road Easement "F"

LINE TABLE		
Line #	Direction	Length
L32	N3°23'16"W	168.15'

CURVE TABLE			
Curve #	Delta	Radius	Length
C7	26°49'01"	200'	93.61'

Road Easement "B"

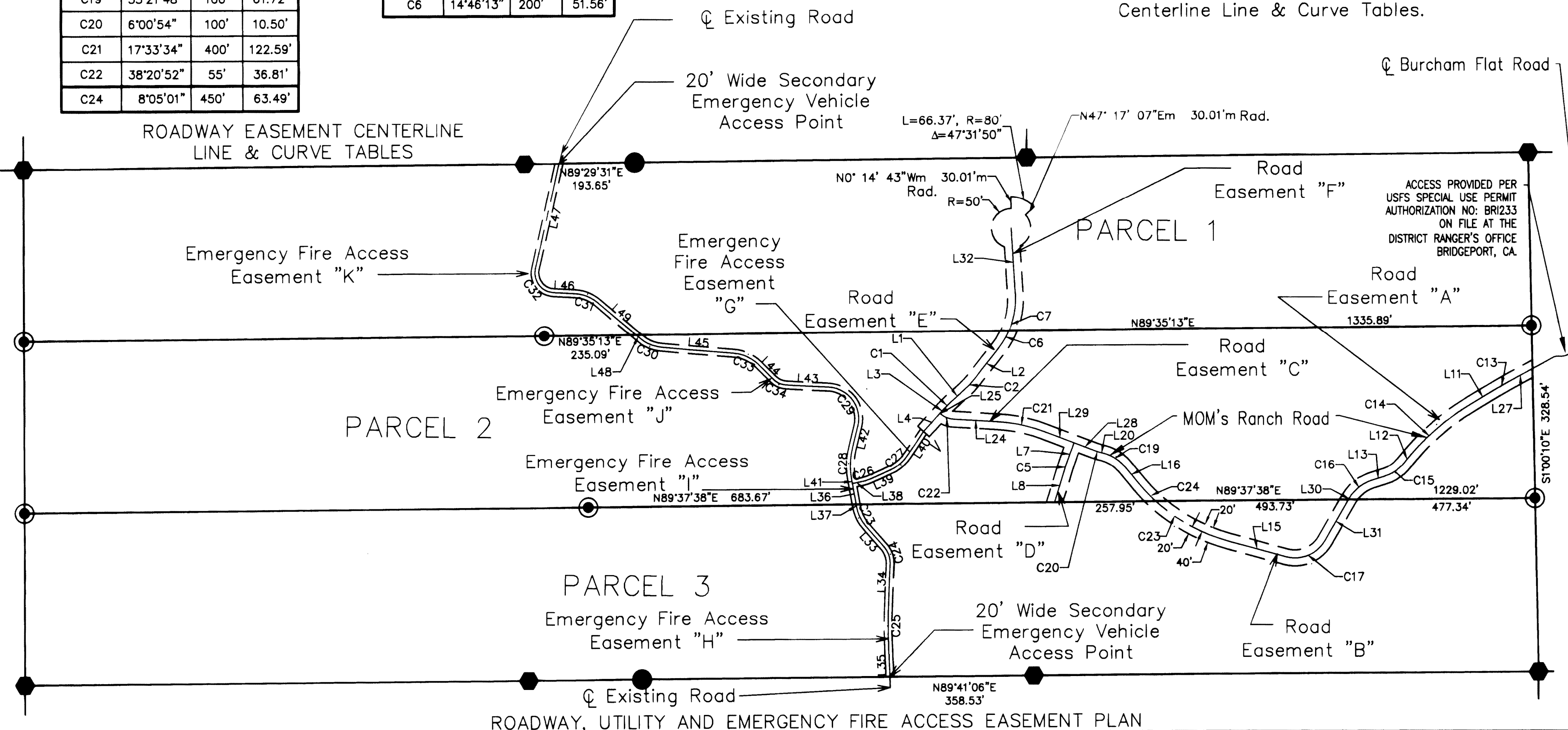
LINE TABLE		
Line #	Direction	Length
L31	S30°20'26"W	119.14'
L15	N74°54'27"W	152.27'

CURVE TABLE			
Curve #	Delta	Radius	Length
C17	74°45'07"	90'	117.42'
C23	76°09'40"	450'	213.32'

Road Easement "D"

LINE TABLE		
Line #	Direction	Length
L7	S19°41'47"W	61.72'
L8	S17°06'37"W	88.83'

CURVE TABLE			
Curve #	Delta	Radius	Length
C5	2°35'10"	200'	9.03'



ACCESS PROVIDED PER USFS SPECIAL USE PERMIT AUTHORIZATION NO: BR1233 ON FILE AT THE DISTRICT RANGER'S OFFICE BRIDGEPORT, CA.

ROADWAY, UTILITY AND EMERGENCY FIRE ACCESS EASEMENT PLAN

PARCEL MAP 32-56

A SUBDIVISION OF THE NORTH 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 23 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF MONO, STATE OF CALIFORNIA.

SUPPLEMENTAL SHEET

Emergency Fire Access Easement "G"

LINE TABLE		
Line #	Direction	Length
L38	N79°36'34"E	22.43'
L39	N66°04'47"E	58.80'
L40	N33°58'31"E	74.59'

CURVE TABLE			
Curve #	Delta	Radius	Length
C26	13°31'46"	100'	23.62'
C27	32°06'16"	100'	56.05'

Emergency Fire Access Easement "H"

LINE TABLE		
Line #	Direction	Length
L33	S41°24'58"E	70.05'
L34	S2°34'06"W	90.82'
L35	S2°35'04"E	61.54'
L37	S10°23'26"E	7.63'

CURVE TABLE			
Curve #	Delta	Radius	Length
C23	31°01'32"	100'	54.17'
C24	43°59'05"	60'	46.08'
C25	5°09'11"	1501'	134.95'

Emergency Fire Access Easement "I"

LINE TABLE		
Line #	Direction	Length
L36	S10°23'26"E	53.92'

Emergency Fire Access Easement "J"

LINE TABLE		
Line #	Direction	Length
L41	N10°23'26"W	8.53'
L42	N13°53'55"E	55.77'
L43	N87°01'11"W	107.92'
L44	N45°06'39"W	54.05'
L45	N85°00'13"W	184.73'
L48	N49°54'30"W	13.99'

CURVE TABLE			
Curve #	Delta	Radius	Length
C28	24°17'22"	200'	84.82'
C29	100°55'07"	80'	140.96'
C30	35°05'43"	100'	61.28'
C33	39°53'34"	100'	69.65'
C34	41°54'32"	50'	36.59'

Emergency Fire Access Easement "K"

LINE TABLE		
Line #	Direction	Length
L46	N87°03'03"W	53.55'
L47	N12°59'15"E	273.13'
L49	N49°54'30"W	128.46'

CURVE TABLE			
Curve #	Delta	Radius	Length
C31	37°08'33"	100'	64.85'
C32	100°02'18"	50'	87.33'

EMERGENCY FIRE ACCESS EASEMENT CENTERLINE CURVE AND LINE TABLES

PARCEL MAP 32-56

A SUBDIVISION OF THE NORTH 1/2 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 23 EAST, MOUNT DIABLO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF MONO, STATE OF CALIFORNIA.

SUPPLEMENTAL SHEET

1. FUTURE RESIDENTIAL DEVELOPMENT SHALL MEET THE REQUIREMENTS OF THE MONO COUNTY GENERAL PLAN AND MONO COUNTY CODE.
2. ALL WOOD-BURNING DEVICES INSTALLED IN THE PROJECT SHALL BE PHASE II EPA CERTIFIED, IN CONFORMANCE WITH THE MONO COUNTY GENERAL PLAN (CONSERVATION/OPEN SPACE ELEMENT, PUBLIC HEALTH AND SAFETY POLICIES, OBJECTIVE A, ACTION 6.1).
3. SUBDIVISION IMPROVEMENTS AND FUTURE RESIDENTIAL DEVELOPMENT SHALL COMPLY WITH FIRE-SAFE REGULATIONS (MONO COUNTY GENERAL PLAN, LAND USE ELEMENT, SECTION VI, LAND DEVELOPMENT REGULATIONS, CHAPTER 22), INCLUDING EMERGENCY ACCESS, EMERGENCY WATER SUPPLIES, SIGNING AND BUILDING NUMBERING, AND VEGETATION MODIFICATION.
4. THE APPLICANT AND/OR ITS CONTRACTOR SHALL STOP WORK AND NOTIFY THE MONO COUNTY COMMUNITY DEVELOPMENT DEPARTMENT/PLANNING DIVISION OF THE LOCAL NATIVE AMERICAN TRIBAL CONTACTS IF ARCHAEOLOGICAL EVIDENCE AND/OR HUMAN REMAINS OR UNMARKED CEMETERIES ARE ENCOUNTERED DURING GROUND-DISTURBING ACTIVITIES. NO DISTURBANCE OF SUCH A SITE SHALL BE PERMITTED UNTIL THE APPLICANT HAS HIRED A CERTIFIED ARCHAEOLOGIST AND AN ARCHAEOLOGICAL SURVEY THAT IDENTIFIES ACCEPTABLE SITE MITIGATION MEASURES IS FILED WITH THE COUNTY PLANNING DIVISION. NATIVE AMERICAN MONITORS SHALL BE ON SITE DURING THE ARCHAEOLOGICAL SURVEY TO ENSURE THE PROPER IDENTIFICATION AND CARE OF CULTURAL RESOURCES. THE DISPOSITION OF ANY RECOVERED ARTIFACTS SHALL BE MADE IN CONSULTATION WITH LOCAL TRIBAL CONTACTS. IN THE EVENT OF THE ACCIDENTAL DISCOVERY OF HUMAN REMAINS, HEALTH AND SAFETY CODE SECTION 7050.5, PUBLIC RESOURCES CODE SECTION 5097.98, AND CEQA GUIDELINES SECTION 15064.5 (d) SHALL BE CONSULTED FOR THE PROPER PROCEDURE TO FOLLOW.
5. PERIOD OF HEAVY CONSTRUCTION AND VEGETATION CLEARING SHALL BE CONFINED JULY 1 TO OCTOBER 15 AND TO DAYLIGHT HOURS FOR MULE DEER MIGRATION AND SAGE GROUSE MITIGATION (OR PER MONO COUNTY CODE 13.08.290, WHICHEVER IS MORE RESTRICTIVE) IN ACCORDANCE WITH MONO COUNTY CODE CHAPTER 10.16 (NOISE REGULATION) IN ORDER TO MINIMIZE IMPACTS TO NOCTURNAL RESIDENT WILDLIFE SPECIES.
6. NOISE LEVELS DURING CONSTRUCTION SHALL BE KEPT TO A MINIMUM BY EQUIPPING ALL ON-SITE EQUIPMENT WITH NOISE-ATTENUATION DEVICES AND BY COMPLIANCE WITH ALL REQUIREMENTS OF MONO COUNTY CODE CHAPTER 10.16 (NOISE REGULATION).
7. DOGS BELONGING TO INDIVIDUALS INVOLVED IN CONSTRUCTION ACTIVITIES SHALL BE PROHIBITED IN THE PROJECT AREA DURING CONSTRUCTION PHASES OR UNDER THE OWNER'S COMPLETE CONTROL AT ALL TIMES.
8. FOR ALL PHASES OF SUBDIVISION AND PARCEL DEVELOPMENT, STORM WATER EROSION CONTROL MEASURES SHALL BE APPLIED TO DISTURBED AREAS AND SHALL INCLUDE THE USE OF BEST MANAGEMENT PRACTICES SUCH AS PLACEMENT OF FIBER BLANKETS, FIBER ROLLS, OR SIMILAR MATERIALS OR EQUIVALENT METHODS. REMOVED TOPSOIL SHALL BE STOCKPILED AND REPLACED OVER DISTURBED AREAS AT³ OR PRIOR TO, THE COMPLETION OF CONSTRUCTION. REVEGETATION OF DISTURBED AREAS SHALL OCCUR AS SOON AS PRACTICAL FOLLOWING CONSTRUCTION AND THE USE OF STABILIZATION MATERIAL OR LANDSCAPING SHALL BE REQUIRED TO REDUCE IMPACTS RELATED TO EROSION. USE OF NATIVE SEED AND/OR NATIVE PLANTS GROWN FROM SEEDS OR SEEDLINGS OBTAINED FROM LOCAL NATIVE STOCK IS ENCOURAGED. REVEGETATED AREAS SHALL BE IRRIGATED AS NECESSARY TO ESTABLISH THE PLANTS.
9. DRAINAGE AND EROSION CONTROL PLANS SHALL BE REQUIRED FOR RESIDENTIAL CONSTRUCTION INVOLVING MORE THAN 5,000 SQUARE FEET OF PAD AREA DISTURBED, INCLUDING SECONDARY OR ACCESSORY STRUCTURES ON ANY ONE PARCEL, AT ANY ONE TIME. DRAINAGE AND EROSION CONTROL PLANS SHALL ALSO BE REQUIRED FOR CONSTRUCTION ON ANY ONE PARCEL THAT CUMULATIVELY EXCEEDS 10,000 SQUARE FEET. IF PLANS ARE REQUIRED THEY SHALL BE DEVELOPED BY THE INDIVIDUAL PROJECT APPLICANT WITH REVIEW AND APPROVAL BY THE DEPARTMENT OF PUBLIC WORKS, COMMUNITY DEVELOPMENT DEPARTMENT/BUILDING DIVISION, AND APPLICABLE FEDERAL AND/OR STATE AGENCIES.
10. FOR ALL PHASES OF SUBDIVISION AND PARCEL DEVELOPMENT, CONTROLS SHALL BE INSTITUTED TO PREVENT WIND EROSION AND PUBLIC NUISANCE CREATED BY DUST. SUCH CONTROLS ARE TO INCLUDE WATERING AND MULCHING OF DISTURBED AREAS OR BY OTHER APPROVED METHODS. CLEARING OF NATIVE VEGETATION SHALL BE LIMITED TO AREAS NECESSARY FOR IMPENDING OR SAME-YEAR CONSTRUCTION.
11. FOR ALL PHASES OF SUBDIVISION AND PARCEL DEVELOPMENT, CONSTRUCTION MATERIAL (ROCK, DEBRIS, ETC.) THAT IS NOT UTILIZED AS FILL MATERIAL IN CONSTRUCTION OF IMPROVEMENTS SHALL BE REMOVED TO A PERMITTED DISPOSAL SITE OR OTHER SITE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. ALL MATERIAL PROPOSED FOR FILL UNDER STRUCTURES SHALL BE APPROVED BY A GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT IN THE PROJECT.
12. FOR ALL PHASES OF SUBDIVISION AND PARCEL DEVELOPMENT, GRADING PERMITS SHALL BE REQUIRED AS SPECIFIED IN MONO COUNTY CODE SECTION 13.08.030, ET SEQ. ACTIVITIES REQUIRING A GRADING PERMIT INCLUDE, BUT ARE NOT LIMITED TO, LAND CLEARING AND GRADING ACTIVITIES THAT CLEAR MORE THAN 10,000 SQUARE FEET, RESULT IN CUTS GREATER THAN 4 FEET OR FILL GREATER THAN 3 FEET, OR INVOLVE MORE THAN 200 CUBIC YARDS OF CUT OR FILL, OR THE ALTERATION OF A DRAINAGE COURSE. PRIOR TO GRADING GREATER THAN 10,000 SQUARE FEET A WILDLIFE ASSESSMENT AND DOCUMENTATION IN CONSULTATION WITH THE DEPARTMENT OF FISH AND GAME, OR THE USFS OR A CONSULTANT SHALL BE DONE FOR BADGER OR NESTING GROUND BIRDS.
13. WHEN USED, LIQUEFIED PETROLEUM GAS (LPG) SHALL BE INSTALLED ACCORDING TO ALL APPLICABLE CODES AND MONO COUNTY CODE 15.04.130 AND 15.04.131.
14. WATER WELL CONSTRUCTION SHALL CONFORM TO CALIFORNIA WELL STANDARDS BULLETIN 74-90 AND WATER WELL PERMIT REQUIREMENTS, AS ESTABLISHED IN CONFORMANCE WITH APPLICABLE PROVISIONS OF THE MONO COUNTY CODE. WELL PERMITS SHALL BE OBTAINED FROM MONO COUNTY ENVIRONMENTAL HEALTH PRIOR TO ANY ON-SITE WATER DEVELOPMENT.
15. A MINIMUM 100-FOOT HORIZONTAL SETBACK SHALL BE PROVIDED FROM ANY LIVESTOCK FACILITY (CORRALS, ETC.) AND ANY ANIMAL OR FOWL ENCLOSURE TO ANY WELL.
16. DOMESTIC ANIMALS AND PETS SHALL BE RESTRAINED AT ALL TIMES, EITHER THROUGH THE USE OF LEASHES, PRIVATE RUNS OR FENCED AREAS. NO ANIMALS SHALL BE ALLOWED TO BE FREE ROAMING, HORSES AND OTHER GRAZING ANIMALS SHALL BE PENNED OR TETHERED.
17. FUTURE RESIDENTIAL DEVELOPMENT SHOULD NOT DOMINATE THE NATURAL ENVIRONMENT AND SHOULD COMPLEMENT EXISTING RURAL CHARACTER. THE SITING OF A PROJECT AND THE SCALE, DESIGN, COLOR AND BUILDING MATERIALS FOR STRUCTURES AND FENCES SHALL HARMONIZE WITH EXISTING DEVELOPMENT IN THE AREA, THE SURROUNDING NATURAL ENVIRONMENT, AND ON-SITE TOPOGRAPHY. THE FOLLOWING DESIGN GUIDELINES ARE ENCOURAGED FOR ALL DEVELOPMENT:
 - A. SELECTED BUILDING AREAS ON EACH LOT SHALL BE SENSITIVITY TO ON-SITE TOPOGRAPHY AND POTENTIAL VISUAL OBSTRUCTIONS.
 - B. ROOFING MATERIALS SHALL BE NON-REFLECTIVE AND SHALL BE IN A NATURAL COLOR AND/OR MUTED TONES (E.G. TAN, BROWN, DARK GREEN, OR SIMILAR COLORS).
 - C. BRIGHT COLORS OR REFLECTIVE MATERIALS SHALL NOT BE USED FOR ANY COMPONENT OF ANY STRUCTURE.
 - D. SIDING MATERIALS SHALL HAVE A NATURAL APPEARANCE COMPATIBLE WITH THE SURROUNDING ENVIRONMENT. THE USE OF INDIGENOUS ROCK IS ENCOURAGED.
 - E. COLORS SHALL BE MUTED EARTH TONES: I.E., DARK TANS, BROWN, GRAYS, OR GREENS. ROOF COLORS SHALL BE MUTED, NON-REFLECTIVE DARK EARTH TONES; I.E. DARK BROWN, DARK GREEN. COLORS AND MATERIALS SHALL BE APPROVED BY THE MONO COUNTY PLANNING DIVISION PRIOR TO ISSUANCE OF A BUILDING PERMIT.
18. EXTERIOR/OUTDOOR LIGHTING ON INDIVIDUAL LOTS SHALL BE DESIGNED AND MAINTAINED TO MINIMIZE THE EFFECTS OF LIGHTING ON THE SURROUNDING ENVIRONMENT IN COMPLIANCE WITH CHAPTER 23 OF THE MONO COUNTY GENERAL PLAN, LAND USE ELEMENT. EXTERIOR LIGHTING SHALL BE LIMITED TO THAT NECESSARY FOR HEALTH AND SAFETY PURPOSES.
19. LANDSCAPING SHALL INCLUDE ONLY NATIVE TREES AND PLANTS NOT TO EXCEED 20 FEET AT MATURE HEIGHT; ON ALL PARCELS TREES SHALL BE WITHIN 100 FEET OF STRUCTURES. ON PARCEL 1 TREES SHALL BE LIMITED TO ONLY THE SOUTH AND WEST SIDE OF THE STRUCTURES.
21. A TRENCH LINE IS ALLOWED WEST AND EAST OF PARCEL 1 FROM THE WELL TO THE NEW BUILDING ENVELOPE LOCATION; THE TRENCH SHALL NOT BE LEFT OPEN OVERNIGHT AND SHALL BE REVEGETATED WITH NATIVE PLANTS FOLLOWING CONSTRUCTION.
22. STORM WATER RUNOFF SHALL BE RETAINED ON-SITE. THE APPLICANT AND/OR DEVELOPER SHALL DEVELOP SITE-SPECIFIC STORM WATER MANAGEMENT FACILITIES TO ADDRESS ON-SITE DRAINAGE. IF CLEARING EXCEEDS ONE ACRE, THE PROPERTY OWNER MUST COMPLY WITH THE LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD REQUIREMENTS FOR A STORM WATER POLLUTION PREVENTION PLAN₂ (SWPPP).
23. BUILDING ENVELOPES SHALL BE LOCATED SUCH THAT NO PORTION OF ANY BUILDING WILL BE VISIBLE FROM U.S. 395.
24. NO STRUCTURES, CORRALS, FENCES OR OTHER SITE DISTURBANCE SHALL OCCUR OUTSIDE THE AREA DELINEATED FOR THE BUILDING ENVELOPES AND THE ACCESS ROADS EXCEPT FOR PARCEL 1 THAT IS ALLOWED TO TRENCH A LINE FROM THE WELL EAST TO WEST TO THE PROPOSED BUILDING ENVELOPE. TO MAINTAIN DEFENSIBLE SPACE, VEGETATION CLEARING/THINNING IS ALLOWED IN THE SETBACKS. PRIOR TO ANY SITE GRADING OR CONSTRUCTION ACTIVITY THE CORNERS OF EACH RESULTING BUILDING ENVELOPE SHALL BE SET IN THE FIELD AND DELINEATED ON THE MAP AND SHALL BE CLEARLY DELINEATED ON AN ONGOING BASIS TO ENSURE THAT THIS MITIGATION REMAINS IN EFFECT THROUGHOUT THE LIFE OF THE PROJECT.
25. THE PROPERTY HAS BEEN IDENTIFIED BY THE MONO COUNTY MEA, FIGURE 20, DEER HERD USE AREA AS BEING IN AN INTENSIVE DEER HERD USE AREA. THE DELINEATED BUILDING ENVELOPES PROVIDE FOR WILDLIFE MOVEMENT OUTSIDE THOSE AREAS. FUTURE RESIDENTIAL DEVELOPMENT SHALL BE ENCOURAGED TO USE FENCE DESIGNS THAT ALLOW MOVEMENT OF WILDLIFE THROUGH THE SITE (NO TALL, SOLID FENCES E.G., BRICK WALLS, WROUGHT IRON, WOVEN WIRE OR CHAIN LINK EXCEPT FENCES WITHIN 100 FEET OF THE STRUCTURE. BARBED-WIRE FENCES SHOULD BE CONSTRUCTED TO U.S. FOREST SERVICE GUIDELINES, WIRE FENCES SHOULD CONSIST OF THREE SINGLE-STRAND WIRES PLACED 20", 30" AND 42" FROM THE GROUND WITH THE BOTTOM WIRE SMOOTH STRAND). TO MINIMIZE IMPACTS OF FENCING ON SAGE GROUSE, ALL NEWLY CONSTRUCTED WIRE FENCES SHALL BE EQUIPPED WITH REFLECTIVE FLIGHT DIVERTERS OR MARKERS THAT FLIP IN THE WIND AND GLOW IN THE DARK TO PREVENT COLLISIONS UNDER LOW LIGHT CONDITIONS. TO PREVENT RAPTORS FROM PERCHING ON FENCE POSTS, CONES SHALL BE PLACED ON TOP OF POSTS.
26. WATER-CONSERVING FIXTURES SHALL BE INSTALLED IN ALL DEVELOPMENT ON-SITE, INCLUDING ALL RESIDENTIAL AND COMMERCIAL STRUCTURES AND IRRIGATION SYSTEMS. IF PROJECT CC&RS ARE PREPARED, THIS REQUIREMENT SHALL BE REITERATED THEREIN.
28. FUTURE PROPERTY OWNERS SHALL BE ADVISED OF THE EFFECTS OF EQUINE-RELATED WEED DISPERSAL AND ENCOURAGED TO USE CERTIFIED WEED-FREE FEED.
- 31.(5) THE PORTION OF THE PARCELS OUTSIDE THE BUILDING ENVELOPES AND THE ACCESS ROADS SHALL BE DEED RESTRICTED TO UNDEVELOPED OPEN SPACE.
37. TO MITIGATE IMPACTS TO WILDLIFE, ACCESSORY DWELLING UNITS MAY ONLY BE PLACED WITHIN THE PROPOSED BUILDING ENVELOPES AND BE NO GREATER THAN 640 SQUARE FEET.

**STATUS OF CONDITIONS OF APPROVAL
& MITIGATION MONITORING PROGRAM**

PARCEL MAP 32-56 / Mead

Condition	Status
DEVELOPMENT STANDARDS AND POLICIES	
<p>1. Future residential development shall meet the requirements of the Mono County General Plan and mono County Code.</p>	<p>Associated with future development; not required prior to final map approval.</p> <p>Condition is listed on the map.</p>
<p>2. All wood-burning devices installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (Conservation / Open Space Element, Public Health and Safety Policies, Objective A, Action 6.1).</p>	<p>Same as status for Condition #1, above.</p>
<p>3. Subdivision improvements and future residential development, shall comply with Fire-Safe Regulations (Mono County General Plan, Land Use Element, Section VI, Land Development Regulations, Chapter 22) including emergency access, emergency water supplies, signing and building numbering, and vegetation modification.</p>	<p>Same as status for Condition #1, above.</p>
<p>4. The applicant and/or its contractor shall stop work and notify the Mono County Community Development Department/Planning Division of the local Native American tribal contacts if archaeological evidence and/or human remains or unmarked cemeteries are encountered during ground-disturbing activities. No disturbance of such a site shall be permitted until the applicant has hired a certified archaeologist and an archaeological survey that identifies acceptable site mitigation measures is filed with the Planning Division. Native American monitors shall be on site during the archaeological survey to ensure the proper identification and care of cultural resources. The disposition of any recovered artifacts shall be made in consultation with local tribal contacts. In the event of the accidental discovery of human remains, Health and Safety Code §7050.5, Public Resources Code §5097.98, and CEQA Guidelines §15064.5(d) shall be consulted for the proper procedure to follow.</p>	<p>Same as status for Condition #1, above.</p>
<p>5. Period of heavy construction and vegetation clearing shall be confined to July 1 to October 15 and to daylight hours for mule deer migration and sage grouse mitigation (or per Mono County Code 13.08.290, whichever is more restrictive) in accordance with Mono County Code Chapter 10.16 (Noise Regulation) in order to minimize impacts to nocturnal resident wildlife species.</p>	<p>Same as status for Condition #1, above.</p>

Condition	Status
<p>6. Noise levels during construction shall be kept to a minimum by equipping all on-site equipment with noise-attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).</p>	<p>Same as status for Condition #1, above.</p>
<p>7. Dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases or under the owner’s complete control at all times.</p>	<p>Same as status for Condition #1, above.</p>
<p>8. For all phases of subdivision and parcel development, storm water erosion control measures shall be applied to disturbed areas and shall include the use of Best Management Practices such as placement of fiber blankets, fiber rolls, or similar materials or equivalent methods. Removed topsoil shall be stockpiled and replaced over disturbed areas at, or prior to, the completion of construction. Revegetation of disturbed areas shall occur as soon as practical following construction and the use of stabilization material or landscaping shall be required to reduce impacts related to erosion. Use of native seed and/or native plants grown from seeds or seedlings obtained from local native stock is encouraged. Revegetated areas shall be irrigated as necessary to establish the plants.</p>	<p>Same as status for Condition #1, above.</p>
<p>9. Drainage and erosion-control plans shall be required for residential construction involving more than 5,000 square feet of pad area disturbed, including secondary or accessory structures on any one parcel, at any one time. Drainage and erosion control plans shall also be required for construction on any one parcel that cumulatively exceeds 10,000 square feet. If plans are required they shall be developed by the individual project applicant with review and approval by the Department of Public Works, Community Development Department / Building Division, and applicable federal and/or state agencies.</p>	<p>Same as status for Condition #1, above.</p>
<p>10. For all phases of subdivision and parcel development, controls shall be instituted to prevent wind erosion and public nuisance created by dust. Such controls are to include watering and mulching of disturbed areas or by other approved methods. Clearing of native vegetation shall be limited to areas necessary for impending or same-year construction.</p>	<p>Same as status for Condition #1, above.</p>
<p>11. For all phases of subdivision and parcel development, construction material (rock, debris, etc.) that is not utilized as fill material in the construction of improvements shall be removed to a permitted disposal site or other site approved by the Department of Public Works. All material proposed for fill under structures shall be approved by a geotechnical engineer prior to placement in the project.</p>	<p>Same as status for Condition #1, above.</p>

Condition	Status
<p>12. For all phases of subdivision and parcel development, grading permits shall be required as specified in Mono County Code Section 13.08.030, <i>et seq.</i> Activities requiring a grading permit include, but are not limited to, land clearing and grading activities that clear more than 10,000 square feet, result in cuts greater than 4 feet or fill greater than 3 feet, involve more than 200 cubic yards of cut or fill, or the alteration of a drainage course. Prior to grading greater than 10,000 square feet a wildlife assessment and documentation in consultation with Department of Fish and Game, or the USFS or a consultant shall be done for badger and ground nesting birds.</p>	<p>Condition satisfied by Grading Permit IP32-56 and Grading Plans on file with Public Works.</p>
<p>13. When used, Liquefied Petroleum Gas (LPG) shall be installed according to all applicable codes and Mono County Code 15.04.130 and 15.04.131.</p>	<p>Same as status for Condition #1, above.</p>
<p>14. Water well construction shall conform to California Well Standards Bulletin 74-90 and water well permit requirements, as established in conformance with applicable provisions of the Mono County Code. Well permits shall be obtained from Mono County Environmental Health prior to any on-site water development.</p>	<p>Condition satisfied by on-site shared well permit #26 07 39. (Application dated 9/07/07)</p>
<p>15. A minimum 100-foot horizontal setback shall be provided from any livestock facility (corrals, etc.) and animal or fowl enclosure to any well.</p>	<p>Same as status for Condition #1, above.</p>
<p>16. Domestic animals and pets shall be restrained at all times, either through the use of leashes, private runs or fenced areas. No animals shall be allowed to be free roaming. Horses and other grazing animals shall be penned or tethered.</p>	<p>Same as status for Condition #1, above.</p>

Condition	Status
<p>17. Future residential development should not dominate the natural environment and should complement existing rural character. The siting of a project and the scale, design, color and building materials for structures and fences shall harmonize with existing development in the area, the surrounding natural environment, and on-site topography. The following design guidelines are encouraged for all development:</p> <ul style="list-style-type: none"> A. Selected building areas on each lot shall be sensitive to site topography and potential visual obstructions. B. Roofing materials shall be non-reflective and shall be in a natural color and/or muted tones (e.g., tan, brown, dark green, or similar colors). C. Bright colors or reflective materials shall not be used for any component of any structure. D. Siding materials shall have a natural appearance compatible with the surrounding environment. The use of indigenous rock is encouraged. E. Colors shall be muted earth tones; i.e., dark tans, brown, grays, or greens. Roof colors shall be muted, non-reflective dark earth tones; i.e., dark brown, dark green. Colors and materials shall be approved by the Mono County Planning Division prior to issuance of a building permit. 	<p>Same as status for Condition #1, above.</p>
<p>18. Exterior/outdoor lighting on individual lots shall be designed and maintained to minimize the effects of lighting on the surrounding environment in compliance with Chapter 23 of the Mono County General Plan, Land Use Element. Exterior lighting shall be limited to that necessary for health and safety purposes.</p>	<p>Same as status for Condition #1, above.</p>
<p>19. Landscaping shall include only native trees and plants not to exceed 20 feet at mature height; on all parcels trees shall be within 100 feet of structures. On parcel 1 trees shall be limited to only the south and west side of the structures.</p>	<p>Same as status for Condition #1, above.</p>
<p>20. The building envelope on parcel 1 shall be moved a minimum 200 feet west.</p>	<p>Condition satisfied by notation & building envelopes shown on the Final Map.</p>
<p>21. A trench line is allowed west to east on parcel 1 directly from the well to the new building envelope location; the trench shall not be left open overnight and shall be revegetated with native plants following construction.</p>	<p>Same as status for Condition #1, above.</p>

Condition	Status
<p>22. Storm water runoff shall be retained on-site. The applicant and/or developer shall develop site-specific storm water management facilities to address on-site drainage. If clearing exceeds one acre, the property owner must comply with the Lahontan Regional Water Quality Control Board requirements for a storm water pollution prevention plan (SWPPP).</p>	<p>Condition satisfied by Erosivity Waiver Certification, dated Sept. 17, 2013, from the State Water Resources Control Board on file with Public Works.</p>
<p>23. Building envelopes shall be located such that no portion of any building will be visible from U.S. 395.</p>	<p>Condition satisfied by building envelopes shown on the Final Map.</p>
<p>24. No structures, corrals, fences or other site disturbance shall occur outside the area delineated for the building envelopes and the access roads except for parcel 1 that is allowed to trench a line from the well east to west to the proposed building envelope. To maintain defensible space, vegetative clearing/thinning is allowed in the setbacks. Prior to any site grading or construction activity the corners of each resulting building envelope shall be set in the field and delineated on the map and shall be clearly delineated on an ongoing basis to ensure that this mitigation remains in effect throughout the life of the project.</p>	<p>Same as status for Condition #23, above.</p>
<p>25. The property has been identified by the Mono County MEA, Figure 20, Deer Herd Use Areas as being in an intensive deer herd use area. The delineated building envelopes provide for wildlife movement outside those areas. Future residential development shall be encouraged to use fence designs that allow movement of wildlife through the site (no tall, solid fences; e.g., brick walls, wrought iron, woven wire or chain link except fences within 100' of the structure. Barbed-wire fences should be constructed to U.S. Forest Service guidelines, wire fences should consist of three single-strand wires placed 20", 30" and 42" from the ground with the bottom wire a smooth strand). To minimize impacts of fencing on sage grouse, all newly constructed wire fences shall be equipped with reflective flight diverters or markers that flip in the wind and glow in the dark to prevent collisions under low light conditions. To prevent raptors from perching on fence posts, cones shall be placed on top of posts.</p>	<p>Same as status for Condition #1, above.</p>
<p>26. Water-conserving fixtures shall be installed in all development on-site, including all residential and commercial structures and irrigation systems. If project CC&Rs are prepared, this requirement shall be reiterated therein.</p>	<p>Same as status for Condition #1, above.</p>

Condition	Status
<p>27. The applicant shall provide a structural fire protection plan and the project shall comply with the following requirements to improve fire protection safety:</p> <ul style="list-style-type: none"> A. Each residence shall have & maintain illuminated house numbers. B. Each parcel shall create defensible space by creating a firebreak of not less than 30 feet on each side of all occupied or habitable structures and by creating a “reduced fuel zone” between 30 and 100 feet from all buildings and structures. C. The developer shall show the placement of water storage tanks on the on the final map. D. Each parcel shall have a standardized propane shutoff box. E. Emergency access easements constructed with surfaces meeting Fire Safe Regulations (Mono County General Plan, Land Use Element, Section VI, Land Development Regulations, Chapter 22) shall be established. Access maintenance shall be covered under a maintenance agreement or CC&Rs 	<p>Associated with future residential development; fire suppression water storage will be sized according to proposed structures.</p> <p>Condition also satisfied by notation of future water tank locations within building envelopes and by emergency access easements shown on final map.</p>
<p>28. Future property owners shall be advised of the effects of equine-related weed dispersal and encouraged to use certified weed-free feed by including a note on the map stating such. If project CC&Rs are prepared, this information shall be included therein. Notification on the map and in project CC&Rs must be satisfied prior to final approval of the map. Future notification requires monitoring over a period of time; usually linked to future development</p>	<p>Same as status for Condition #1, above.</p>
<p>29. Conditions of Approval 1 to 26, or as otherwise required by the County, shall be cross-referenced to map conditions recorded by the County by notation on the map. If project CC&Rs are developed, all uniformly-applied development standards and policies and conditions of approval associated with future development shall be reiterated therein.</p>	<p>On-going conditions are listed on a supplemental sheet of the Final Map.</p>
<p>30. The developer shall provide a soils report and site development geotechnical recommendations to, or request a soils report waiver from, the Department of Public Works. Any such report or request for waiver, acceptable to the Director of Public Works, shall comply with the provisions of Mono County Code Section 17.36.090</p>	<p>Condition satisfied by Soils Suitability Report, prepared by Eastern Sierra Engineering, dated March 11, 2011. Also by Native Material Strength Certification letter by Eastern Sierra Engineering dated June 1, 2011. Copies of which are on file with Public Works.</p>

Condition	Status
<p>31. The portion of the parcels outside the building envelopes and the access roads shall be deed restricted to undeveloped open space. Future notification requires monitoring over a period of time, usually linked to future development.</p>	<p>Condition satisfied by open space easement dedication notation within owner’s statement on Final Map</p>
<p>32. Unless sewage disposal is otherwise provided, installation of individual sewage disposal systems will be required on each parcel at the time of future residential development. Septic systems must be installed 50’ from the property line. Prior to map approval, however, the developer shall submit a soils suitability report, prepared by a California-licensed civil engineer, supporting the suitability of soils for installation of individual sewage disposal systems. At a minimum, the report shall contain one percolation test results and one soil profile results for each new parcel to be created or alternate testing as approved by Mono County Environmental Health. The report shall document, to the satisfaction of Mono County Environmental Health, that the soil structure meets or exceeds applicable state and county standards for siting and installation of individual sewage disposal systems.</p>	<p>Condition satisfied by Soils Report, prepared by Cenozoic Geoscience dated Dec. 20, 2007. A Copy of which is on file with Public Works.</p>
<p>33. Unless water supply is otherwise provided, assurance shall be provided that well water is adequate for domestic use in both quality and quantity as determined by Mono County Environmental Health.</p>	<p>Same as status for Condition #14, above.</p>
<p>34. An existing water well on parcel 1 has an estimated yield of 30 gallons per minute. This is adequate to supply water to three homes. In order to provide legal rights to parcels 2 and 3 the developer shall provide necessary easements that follow existing access roads for existing and proposed utility service. Ongoing maintenance shall be covered under a maintenance agreement or CC&Rs.</p>	<p>Condition satisfied by easements and notations shown on Final Map. Maintenance Agreement to be recorded concurrently with Final Map.</p>
<p>35. To mitigate impacts to wildlife no towers or poles exceeding 10’ are to be erected on the property for any purpose excepting those provided by California State Assembly Bill 1207 for small wind generators. Such wind generator towers shall be equipped with perch-exclusion devices.</p>	<p>Same as status for Condition #1, above.</p>
<p>36. Parcels 1 through 3 shall be a minimum net lot size of 40 acres each.</p>	<p>Condition satisfied by notations on final map.</p>
<p>37. To mitigate impacts to wildlife, secondary units may only be placed within proposed building envelopes and be no greater than 640 square feet.</p>	<p>Condition stated on supplemental sheet of Final Map.</p>

Condition	Status
<p>38. The developer shall provide a 20-foot-wide emergency access easement to the adjoining property for secondary emergency egress and ingress to the subdivision. This access point to the parcel shall remain clear of obstacles with the exception of CDF approved break-away fencing. If used, the installation and maintenance cost of any such fencing shall be the responsibility of the subdivision property owners.</p>	<p>Condition satisfied by emergency access easements and notations shown on final map.</p>
<p>39. The developer shall construct improved subdivision streets in accordance with Mono County Road Improvement Standards for Class I residential drives (Plates 1 & 2 for road grades less than and greater than 7%, respectively). Subdivision roads shall also be designed and constructed to satisfy minimum Fire Safe Regulations (Mono County General Plan, Land Use Element, Section VI, Land Development Regulations, Chapter 22). Construction plans for roads, drainage facilities, utilities, and related improvements shall be prepared by a California-licensed civil engineer and submitted to the Department of Public Works for review and approval. All costs for improvement installation, testing, inspections, and any related reports, plans, specifications, and amendments thereto, shall be the responsibility of the developer.</p>	<p>Subdivision roads were built to minimum fire-safe standards and inspected by Public Works staff. Approved Improvement Plans and the variance for reduced road width is on file with Public Works.</p>
<p>40. The developer shall furnish a drainage report prepared by a California-licensed civil engineer to present the hydrologic analyses and hydraulic design of drainage facilities to be constructed for the subdivision.</p>	<p>Condition satisfied by approved Improvement Plans prepared by licensed engineer.</p>
<p>41. The developer shall furnish a Storm Water Pollution Prevention Plan (SWPPP) and submit a Notice of Intent to comply with provisions of the State Water Resources Control Board's NPDES Permit for Construction Activities. A letter of clearance and/or waste discharge requirements from the Lahontan Regional Water Quality Control Board is required prior to commencing any grading activities or other site disturbance.</p>	<p>Same as status for Condition #22, above.</p>
<p>42. Since subdivision streets will be privately owned and maintained, the developer shall furnish a document establishing maintenance obligations for approval by the Mono County Department of Public Works. Maintenance obligations shall be either incorporated into project CC&Rs developed for the subdivision or a separate agreement to be subsequently entered into with individual lot owners for the ongoing routine repair, and maintenance of subdivision streets and drainage facilities (pursuant to California Civil Code Section 845).</p>	<p>Maintenance Agreement to be recorded concurrently with Final Map.</p>

Mono County Community Development Department

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January 9, 2014

To: Mono County Planning Commission

From: Courtney Weiche, Associate Planner

Re: Rock Creek Ranch Specific Plan Amendment 13-002 and Tentative Tract Map 37-56 Amendment

I. RECOMMENDATION

Staff recommends that the Planning Commission consider adoption of Resolution R14-01 taking the following actions and recommending that the Board of Supervisors:

Approve Specific Plan Amendment 13-002 and Tentative Tract Map 37-56 Amendment subject to the findings contained in Planning Commission Resolution R14-01.

II. PROJECT BACKGROUND

The Rock Creek Ranch Specific Plan, Tentative Tract Map (TTM) 37-56, and Final Environmental Impact Report (FEIR) were adopted by the Mono County Board of Supervisors on May 12, 2009. This approval established a land use plan and development standards for the Rock Creek Ranch site.

The Rock Creek Ranch site is a 55.4-acre parcel in the unincorporated community of Paradise in southern Mono County. The site is about 20 miles southeast of the town of Mammoth Lakes, 15 miles northwest of the city of Bishop, one mile west of US Highway 395, and one mile north of the Inyo/Mono county boundary. No commercial enterprises exist in the community of Paradise.

Since the tentative tract map was approved, the County suspended the housing mitigation requirements of Mono County Code Chapter 15.40, including any requirements imposed as conditions of approval for the Tentative Map. The suspension arose in response to changed market conditions that have increased the stock of affordable housing within the county and reduced the need for housing mitigation. The applicant has since modified the conditions of approval to reflect the existing housing mitigation ordinance requirements. The County and subdivider entered into a Housing Mitigation Agreement in August 2012 (see Attachment A).

The approved Housing Mitigation Agreement stipulated the Board of Supervisors must approve an amendment to the Tentative Map and Specific Plan, requiring the elimination of the five 'density bonus' lots to be dedicated for affordable housing purposes, with the gross area of those lots divided amongst the remaining lots. A separate environmental review/analysis was required to amend the Tentative Tract Map and the Specific Plan to reflect the direction and approval of the Housing Mitigation Agreement.

In May 2013, the Board of Supervisors approved Specific Plan Amendment 13-001 and Tentative Tract Map 37-56 modification which eliminated the five "density bonus" lots to be dedicated for affordable housing and the 11 lots deed-restricted to include accessory dwelling units. Instead, accessory units are

permitted on all lots subject to compliance with the Mono County General Plan Chapter 16, Accessory Units.

The applicant has since determined that due to recessionary economic conditions nationwide, the development plans embodied in the Rock Creek Ranch Specific Plan (including Amendment #1) are no longer responsive to residential market demands in Mono County. The applicant is now seeking approval of a second amendment to the Rock Creek Ranch Specific Plan and Tentative Tract Map that will better respond to residential market conditions.

III. SUMMARY OF PROPOSED PROJECT MODIFICATIONS

The proposed map and specific plan amendment incorporate a number of modifications designed to reduce overall land use intensity. The number of lots would be reduced from 55 to 23, the area designated as open space would be reduced from 20.05 to 12.61 acres, the 3.05-acre common-area recreation lot would be eliminated, the access road would be reduced in length and area (from 4.98 to 2.07 acres) and realigned, sanitation would be provided by individual septic tanks rather than a package treatment plant, and the water system would be managed by a newly created mutual water company or similar type of water provider.

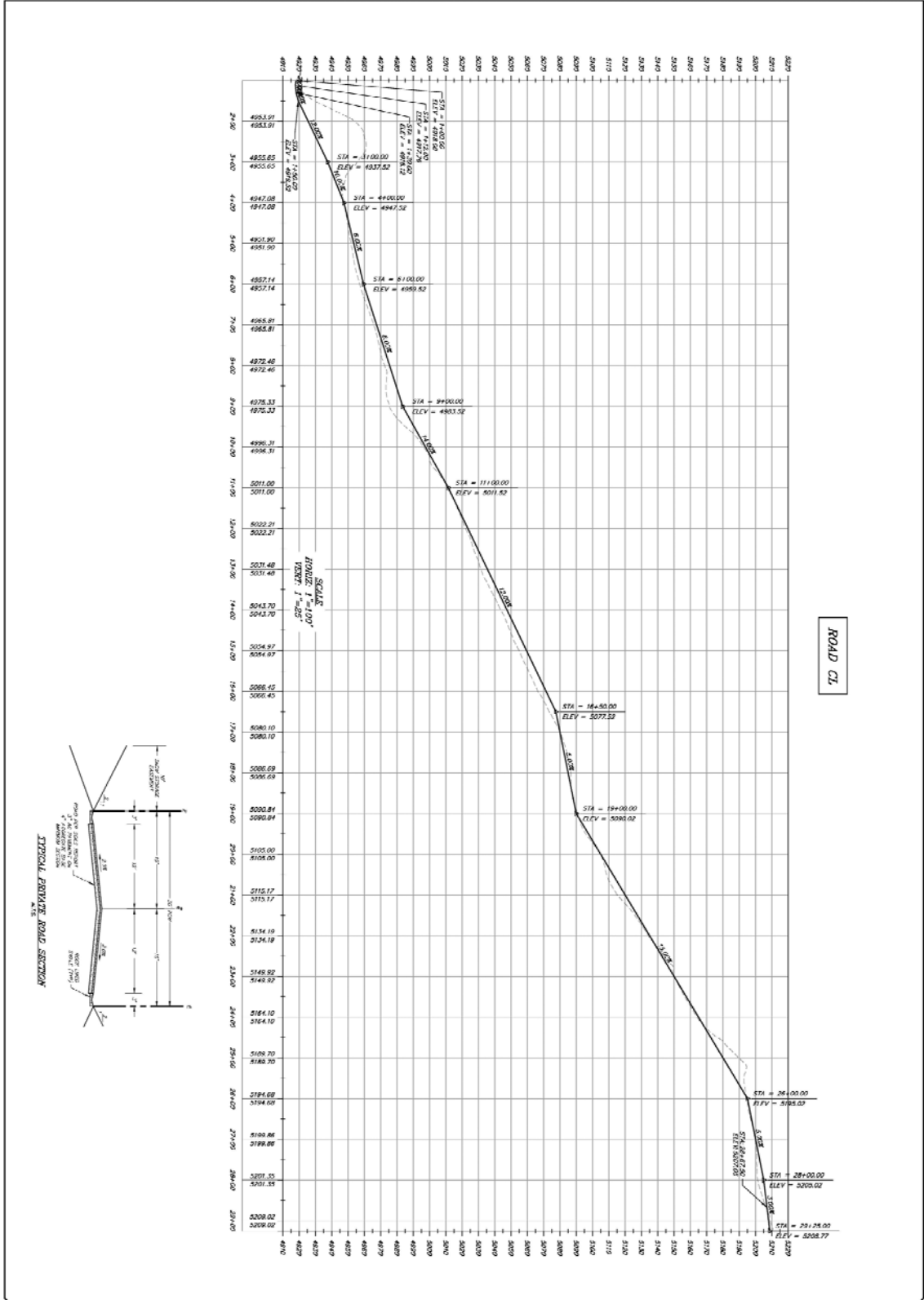
If the commission chooses to approve the proposed changes to the Specific Plan and Tentative Tract Map, and recommend the Board of Supervisor consider these changes, Resolution R14-01 makes the required findings.

IV. LDTAC

The Land Development Technical Advisory Committee met Aug. 5, 2013, to review a preapplication for the SP & TTM amendment addressing the reduction in density. The original application proposed a straight internal road, with a maximum 12% grade and cul-de-sac. The Department of Public Works had concerns with a straight road during icy conditions and suggested adding curves to help decrease speed. As a result of comments received at the meeting, the applicant redrew the map to add curves to the road. Due to topographical constraints, the roadway redesign increased maximum gradients from 12% to 15% [see Road Profile exhibit].

The LDTAC met again Nov. 18, 2013, to review the proposed Conditions of Approval, Tentative Tract Map changes, and revised Specific Plan. Public Works felt the road, as designed, was acceptable under County road standards. The LDTAC noted that the low elevation in Paradise and south-facing aspect mitigate many issues related to snow and ice on a potentially steeper road. However, it is important to note that the Paradise Fire Protection District (PFPD) has jurisdiction for this project. The conditions of approval for the Tentative Tract Map require a “will serve” letter from PFPD prior to Final Map approval.

Both County staff and the applicant have sent copies of the project proposal throughout the process to both the PFPD and Cal Fire. Paradise Fire Chief Mike House, in the process of reviewing the project, has indicated potential concerns with the maximum allowed grade of 15%, and is currently verifying that existing equipment can service the project with the grade as proposed. Chief Chris Hardy, of Cal Fire, was satisfied once the applicant agreed to add an alternate fire access easement on the east side of the project that will serve as a secondary route to the emergency access gate onto adjoining BLM lands.



<p>DATE: 11/14/13 TIME: 11:58 AM USER: matthew.lehman</p>	<p>PROJECT: 13-001 SHEET: 22/25</p>	<p>SCALE: 1" = 100' VERTICAL: 1" = 25'</p>	<p>ROAD PROFILE ROCK CREEK RANCH PREPARED FOR: MATTHEW LEHMAN</p>
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V. COMMUNITY INPUT

On Dec. 29, Supervisor Fred Stump received correspondence from Liz O'Sullivan (a resident of Paradise) requesting affirmation that water service to Rock Creek Ranch will be entirely separate from the water services provided to the Paradise community through Lower Rock Creek Mutual Water Company. In response to this correspondence, the Specific Plan and project Conditions of Approval have been modified to emphasize that: a) water service to the Rock Creek Ranch project will be provided through an independent mutual water company or similar type of water provider; b) the Rock Creek Ranch water provider will be responsible for compliance with all applicable laws and regulations; c) the Rock Creek Ranch HOA shall be solely responsible for all costs related to the water system; and d) the project CC&Rs shall notify owners and buyers of this responsibility.

VI. ENVIRONMENTAL REVIEW

The Rock Creek Ranch Specific Plan Final Environmental Impact Report (FEIR) was approved May 12, 2009. CEQA Guidelines Section 15164 (a) provides that "the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

An Addendum to the Final Environmental Impact Report has been prepared by the County's environmental consultant, Bauer Planning and Environmental Services. The Addendum concludes that under CEQA guidelines section 15162, the proposed project amendments do not substantially change the project impacts or require major revisions to the FEIR.

VII. ENCLOSURES

- 1) Specific Plan Amendment 13-002
- 2) Draft Conditions of Approval
- 3) Addendum to the Rock Creek Ranch FEIR
- 4) Resolution R14-01
- 5) Approved Housing Mitigation Agreement

For the Rock Creek Ranch Specific Plan and Environmental Impact Report visit:
<http://monocounty.ca.gov/planning/page/specific-plans>

TTM 37-56 / Rock Creek Ranch
REVISED CONDITIONS OF APPROVAL

Uniformly Applied Development Standards and Policies

1. Future residential development shall meet the requirements of the Mono County General Plan.
 - a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department
 - c. Applicant/Property Owner
 - d. Design

2. All wood-burning appliances installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (Conservation/Open Space Element, Public Health and Safety policies, Objective A, Action 6.1).
 - a. Generally associated with future development. Requires monitoring over a period of time.
 - b. Community Development Department/Environmental Health
 - c. Applicant/Property Owner
 - d. Design

3. The project proponent shall stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. Additionally, future residential construction/development shall require the contractor/owner to stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as the applicant hires a qualified consultant, and an appropriate report filed with the County Planning Division identifies acceptable site mitigation measures.
 - a. Generally associated with future development but may occur anytime while construction is in progress. Requires monitoring over a period of time.
 - b. Community Development Department
 - c. Applicant/Property Owner
 - d. Design/Ongoing

4. Construction shall be limited to daylight hours (or the hours allowed by Mono County Code 13.08.290, whichever is more restrictive) in accordance with Mono County Code Chapter 10.16 (Noise Regulation) in order to minimize impacts to nocturnal resident wildlife species, such as mule deer. [Also refer to Conditions of Approval #32, #37, #38, #55, #59, #60, #61, and #62].
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department
 - c. Applicant/Property Owner
 - d. Design/Ongoing

5. Noise levels during construction shall be kept to a minimum by equipping all on-site equipment with noise-attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department
 - c. Applicant/Property Owner
 - d. Design/Ongoing

6. During all phases of construction, erosion-control measures shall be applied to disturbed areas and shall include the use of Best Management Practices such as placement of fiber blankets, fiber rolls, filter fencing, or similar materials. Removed topsoil shall be stockpiled and replaced over disturbed areas at, or prior to, the completion of construction. Redistribution of topsoil and revegetation of disturbed areas shall occur as soon as practical following construction and the use of stabilization material or landscaping shall be required to reduce impacts related to erosion. Use of native seed and/or native plants grown from seeds or seedlings obtained from local native stock (or native-compatible seed and/or plants) is required. Revegetated areas shall be irrigated as necessary to establish the plants. [Also refer to Conditions of Approval #8, #49, #63 and #68].
 - a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Department of Public Works
 - c. Applicant
 - d. Design / Ongoing

7. Construction material (rock, debris, etc.) that is not utilized as fill material in the construction of improvements shall be removed to a permitted disposal site or other site approved by the Department of Public Works. All material proposed for fill shall be approved by a geotechnical engineer prior to placement in the project.
 - a. Must be made part of the subdivision improvement plans approved for the project.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

8. The applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) with BMPs and submit a Notice of Intent (NOI) to the Lahontan Regional Water Quality Control Board in compliance with provisions of the State Water Resources Control Board's Storm Water NPDES Permit for Construction Activities. The project shall comply with the Lahontan Basin Project Guidelines for Erosion Control. The developer shall furnish approved copies of the SWPPP and NOI to the Department of Public Works and shall consult with all responsible State and federal agencies prior to its issuance of a grading permit for construction of subdivision improvements. [Also refer to Conditions of Approval #6, #49 and #68].
 - a. Must be satisfied prior to approval of the final map or as otherwise noted above.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

9. For all phases of the subdivision and parcel development, controls shall be instituted to reduce the impact of dust. Such controls shall include watering and mulching of disturbed areas, or any other approved methods. Initiation of revegetation efforts should commence as soon as practical after construction. [Also refer to Condition of Approval #71].
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/ Department of Public Works
 - c. Applicant/Property Owner
 - d. Design/Ongoing

10. Grading permits shall be required as specified in Mono County Code Section 13.08.030 et seq. Activities requiring a grading permit include, but are not limited to, land-clearing/grading activities that will clear more than 10,000 square feet or require any cuts greater than 4 feet or fill greater than 3 feet. Construction requiring more than 200 cubic yards of cut or fill will also require a grading permit. [Also refer to Condition of Approval #11].
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of grading, driveway and/or road improvements, and residential construction.
 - b. Department of Public Works
 - c. Applicant/Property Owner

d. Design/Ongoing

11. Drainage and erosion-control plans shall be required of future residential construction involving more than 5,000 square feet of pad area disturbed, including secondary or accessory structures on any one parcel, at any one time. Drainage and erosion-control plans shall also be required for future residential construction that cumulatively exceeds 10,000 square feet. If plans are required, they will be developed with the individual project applicant with review concurrence by the Mono County Public Works and Planning Department. [Also refer to Conditions of Approval #6, #8, #11, #12 and #49].
 - a. Requires monitoring over a period of time, usually linked to future development.
 - b. Community Development Department/and applicable federal and/or state agency
 - c. Applicant/Property Owner
 - d. Design/Ongoing

12. A drainage plan for the project shall be submitted prior to the approval of the Tract Map. The drainage plan shall include drainage easements, retention basins, as necessary, designed in conformance with the requirements of the Lahontan Regional Water Quality Control Board. [Also refer to Conditions of Approval #6, #8, #11, #49 and #68].
 - a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

13. The project proponents shall provide the Mono County Department of Public Works with a "will serve" letter from the Liquefied Petroleum Gas service provider indicating that the project complies with their requirements and that they will provide service to the proposed parcels. When and if used, Liquefied Petroleum Gas shall be installed according to all applicable codes and Mono County Code. There shall be a standardized shutoff location for emergency use established for each parcel.
 - a. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy. [Note: Requires monitoring over a period of time, and is generally associated with future development.
 - b. Department of Public Works
 - c. Applicant/Property Owner
 - d. Design

14. All outdoor lighting shall comply with all applicable provisions of the Mono County General Plan Chapter 23 Dark Sky Regulations. [Also refer to Conditions of Approval #59 and #79].
 - a. Generally associated with future development. [Note: Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.]
 - b. Community Development Department
 - c. Applicant/Property Owner
 - d. Design

15. All utilities (e.g. electricity, telephone, communications conduit, etc.) shall be extended to each parcel. With the exception of telecommunication towers, all new on-site utility extensions shall be installed underground and shall be constructed in a manner so as to allow the installation of additional communications infrastructure through existing conduits. All service connections shall be placed such that the proposed roadway will not have to be cut up for service connections to future residences. SCE shall provide a tentative plan of service as to electrical and telephone service being provided and there shall be a standardized electrical shutoff location for emergency use established for each parcel.
 - a. Must be satisfied prior to approval of final map or bonded for.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

16. The developer shall provide necessary easements for existing and proposed utility service within the subdivision. All existing easements shall be shown on the final map. [Also refer to Conditions of Approval #12, #17, #20, #23, #28, #30, #31, #36, #40, #41, and #54].
 - a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works / Environmental Health
 - c. Applicant
 - d. Design

17. The project proponent shall confer with local postal authorities to determine requirements for locations of cluster mailboxes. The applicant shall provide a letter from the postal authorities stating their satisfaction with road names and box locations in the development, or a release from the necessity of providing cluster mailboxes. If clustering or special locations are specified, easements, concrete bases or other mapped provisions shall be included in the development area.
 - a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

18. An air quality permit shall be obtained from the Great Basin Unified Air Pollution Control District for subdivision improvements. The developer shall provide a copy of the permit to the Department of Public Works prior to its issuance of a grading permit for construction of subdivision improvements. [Also refer to Conditions of Approval #71 through #74].
 - a. Must be satisfied prior to approval of final map or as otherwise noted above.
 - b. Community Development Department
 - c. Applicant
 - d. Design

19. The project, as well as future development, shall comply with California State Fire Codes as well as with the Mono County Fire-Safe Regulations (Mono County General Plan, Land Use Element, Section VI, Land Development Regulations, Chapter 22) pertaining to emergency access, signing and building numbering, emergency water supplies and vegetation modification. [Also refer to Conditions of Approval #24, #35, #57, #62, #65, #66, #67 and #69].
 - a. Requires monitoring over time; usually linked to future development associated with approved residential construction. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department
 - c. Applicant / Property Owner
 - d. Design / Ongoing

20. All dedications, easements and improvements proposed to be furnished by this Tentative Tract Map including road, drainage, utility and offsite easements and improvements must be in place, or a subdivision agreement and security guarantee fully executed, prior to recordation of the Final Map. [Also refer to Conditions of Approval #12, #16, #17, #22, #23, #28, #30, #31, #36, #40, #41, and #54].
 - a. Must be satisfied prior to approval of final map.
 - b. Public Works
 - c. Applicant
 - d. Design

21. The subdivider shall construct improved roads within the subdivision in accordance with the County Road Improvement Standards for a Typical Section for a Rural Subdivision (Plate No. 8 Typical Section Rural Subdivision--Mono County Road Improvement Standards, 1981). All road improvement costs, including design, plans and specifications, permitting, testing, inspections, and any related reports shall be the

responsibility of the subdivider. Engineered plans, specifications and cost estimates shall be submitted to the Department of Public Works for review and approval. A subdivision agreement shall be executed with the County to guarantee construction. [Also refer to Conditions of Approval #10, #15, #17, #20, #22, #24, #30, #32, #33, #36, #38, #39, #40, #41, #45, #60, #67, #69, and #70].

- a. Must be satisfied prior to approval of final map.
- b. Department of Public Works/Paradise Fire Protection District
- c. Applicant
- d. Design

22. & 23. Conditions intentionally left blank.

Project Specific Conditions

24. The water system shall have at least two points at which an intertie can be accomplished with the existing LRCMWC system for fire flow purposes. One intertie point shall be placed in the vicinity of the existing LRCMWC water storage tank, and a second intertie point shall be extended to the western property boundary where the private project road intersects Lower Rock Creek Road. [Also see Conditions of Approval #36, #64 and #67

- a. Must be satisfied prior to approval of final map.
- b. Department of Public Works/Paradise Fire Protection District
- c. Applicant
- d. Design

25. Well improvements shall be undertaken in accordance with recommendations outlined in the Summary of Well Operations Domestic-Supply Water Well No. 2 prepared by Richard C. Slade, May 2007. Assurance shall be provided at the time of the final map recording that well water is adequate for domestic use in both quality and amount. [Also see Conditions of Approval #46 and #51].

- a. Must be satisfied prior to approval of final map.
- b. Department of Public Works
- c. Applicant
- d. Design

26. The proposed project will require the installation of individual sewage disposal systems on each parcel. The applicant shall submit a soils suitability report, prepared by a registered civil engineer licensed in the state of California, supporting the suitability of soils for the installation of individual sewage disposal systems. The report shall contain, at a minimum, two percolation test results and two soil profile results for each new parcel to be created, or alternative testing that has been approved by the Mono County Environmental Health. The report shall document, to the satisfaction of the Environmental Health Department that the soil structure meets or exceeds applicable state and county standards for siting and installation of individual sewage disposal systems.

- a. Must be satisfied prior to approval of final map.
- b. Department of Public Works/Environmental Health
- c. Applicant
- d. Design

27. The siting of individual waste disposal systems shall comply with the Lahontan Regional Water Quality Control Board's (RWQCB) criteria contained in the Water Quality Control Plan for the Lahontan Region. Leach fields and septic tanks shall be sited a minimum of one hundred (100) feet from any domestic well. Leach fields shall be located a minimum of fifty (50) feet from any drainage course. Alternative systems, if necessary, shall be reviewed and approved in conformance with RWQCB's requirements.

- a. Must be satisfied prior to approval of final map.
- b. Department of Public Works/Environmental Health
- c. Applicant

d. Design

28. Recognizing efforts to consolidate with the LRCMWC have been unsuccessful, water service to Rock Creek Ranch shall be provided by an independent mutual water company or a similar type of water provider. The water service provider shall be responsible for routine inspection and testing of the water treatment and delivery system, and compliance with all conditions of approval. The water service provider shall file a report with the Mono County Health Dept. on an annual basis or as required by the Health Department, and shall be the responsible entity in the event remedial actions are required for any aspect of the water production, storage, treatment, or distribution facilities. Rock Creek Ranch lot owners shall be solely responsible for payment of all maintenance, operating, inspection and reporting costs, and the Rock Creek Ranch CC&Rs shall notify Rock Creek Ranch residents and potential buyers of this responsibility. [Also refer to Conditions of Approval #24, #36, #64 and #67].
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works/Environmental Health
 - c. Applicant
 - d. Design
29. Rock breaking and rock crushing activities, if required, shall be restricted to the portion of the site defined by lots 1-3, 7, and 13-23; crushed rock piles shall be placed west of crushing operations to reduce noise propagation toward existing homes. Note: Rock work activities are subject to OSHA (Occupational Safety Hazard Association) requirements. [Also refer to Condition of Approval #75].
- a. Requires monitoring over a period of time.
 - b. Department of Public Works
 - c. Applicant
 - d. Design/Ongoing
30. The subdivider shall convey an easement or license to the county, approved as to form by the county counsel, for access to the on-site wells for ground water monitoring purposes. All proposed easements shall be shown on the tract map. [Also refer to Conditions of Approval #10, #15, #17, #20, #21, #24, #31, #32, #33, #36, #38, #39, #40, #41, #45, #60, #67, #69, and #70].
- a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
31. Open space easements for all open space areas shall be recorded on the final maps for the project. The final map shall note that permitted land uses within the open space easements shall be limited to undisturbed natural uses and trails (for non-motorized access only, except for emergency purposes). [Also refer to Conditions of Approval #10, #15, #17, #20, #24, #30, #32, #33, #36, #38, #39, #40, #41, #45, #60, #67, #69, and #70].
- a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
32. To minimize direct mortality impacts to deer from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer. A 25-mile per hour speed limit shall be enforced on residential streets in the proposed project. [Also refer to Conditions of Approval #4, #37, #38, #55, #56, #58, #59, #60, #61 and #62].
- a. Requires monitoring over time.
 - b. Community Development Department/Department of Public Works
 - c. Applicant
 - d. Design/Ongoing
33. Building envelopes shall be established and dimensioned on a supplemental sheet of the Final Tract Maps for all lots. [Also refer to Conditions of Approval #38, #40 and #44]

- a. Requires monitoring over time; usually linked to future development associated with approval of grading, driveway and/or road improvements, and residential construction.
 - b. Department of Public Works/Community Development Department
 - c. Applicant / Property Owner
 - d. Design / Ongoing
34. A housing mitigation agreement shall be recorded with the county recorder and said agreement shall become a part of the recorded covenants, conditions, and restrictions (CCRs) that govern the use of the property.
- a. Must be satisfied prior to approval of final map.
 - b. Community Development Department
 - c. Applicant
 - d. Design
35. The project proponents shall provide the Mono County Department of Public Works with a "will serve" letter from the Paradise Fire Protection District indicating approval of the project, e.g. fire hydrants, that the project complies with the FPD's requirements and that the FPD will provide service to the proposed parcels. The developer shall also furnish documentation from the district indicating that subdivision improvements satisfactorily meet district requirements. [Also refer to Conditions of Approval #19, #24, #57, #62, #65, #66, #67 and #69].
- a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
36. Any improvements to access easements are to be constructed simultaneously with all other infrastructure improvements; this includes roadside paths, access pathways between lots, and paths connecting to Lower Rock Creek. Any improvements to the path that connects the LRCMWC water tanks to Rock Creek and the Rock Creek Canyon project shall be designed to avoid damage to the subsurface LRCMWC water lines in this area. [Also refer to Conditions of Approval #24, #35, #57, #62, #65, #66, #67 and #69].
- a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
37. Parcel grading operations, structural foundation work, framing work and similar heavy construction activities shall be restricted to the period between May 15 and October 1 to minimize disturbance to migrating and wintering deer. [Also refer to Conditions of Approval #4, #32, #38, #55, #56, #59, #60, #61 and #62].
- a. Must be satisfied prior to approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
38. Within the CC&Rs, it shall be clearly noted that: dimensioned building site envelopes and setbacks have been delineated on each lot; new trails, roads, or other encroachments shall not be made onto surrounding public lands except with the concurrence of BLM; absent such concurrence, access shall be on existing, established routes only; and information/educational materials such as maps and signs regarding this condition and a notice informing residents of the presence of the deer migration corridor, including prohibitions on feeding wildlife or allowing pets to roam off individual lots shall be provided to lot owners at time of sale. [Also refer to Conditions of Approval #33, #40 and #44].
- a. Must be satisfied prior to approval of final map. This information must be made part of the information given to buyers.
 - b. Department of Public Works/Community Development Department
 - c. Applicant
 - d. Design

39. All utility elements, road improvements, structures, parking, fencing, landscaping, irrigation systems, colors, materials, and other features shall be in full compliance with all applicable provisions of the Rock Creek Ranch Specific Plan 03-02, as amended. [Also refer to Conditions of Approval #33, #40 and #44].
- a. Requires monitoring overtime.
 - b. Community Development Department
 - c. Applicant
 - d. Design/Ongoing
40. The developer shall make an offer of dedication for a 30-foot wide right of way for road, drainage and utility purposes for the access roads shown on the Tentative Tract Map. Slope Maintenance Easements dedicated to Mono County shall be noted and dimensioned on the Final map for cut and fills. [Also refer to Condition of Approval #41].
- a. Must be satisfied prior to approval of the final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design/Ongoing
41. A 5-foot easement shall be created on each side of the primary access road for the purpose of snow storage. [Also refer to Condition of Approval #40].
- a. Must be satisfied prior to approval of the final map.
 - b. Public Works Department
 - c. Applicant
 - d. Design/Ongoing
42. Consistent with objectives identified in the Mono County General Plan, the developer shall contribute in-lieu fees for the Paradise Transfer Station that are approximately proportional to subdivision impacts on disposal and recycling capacity at the facility. The “fair share” cost for in-lieu fees shall be \$7,100. Improvements partially funded by the developer for the Paradise Transfer Station shall be initiated by the County within five years from the date of final map recordation. Should the County fail to encumber in-lieu fees posted by the developer within that period, or should the proportional share of the actual improvements be less than \$7,100, the County shall refund the remaining amount to the developer.
- a. Must be satisfied prior to final approval of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
43. The CC&Rs for the project shall include reasonable restrictions on the installation and orientation of solar energy systems so as to minimize reflection and glare visible from the communities of Swall Meadows and Paradise. Such restrictions shall not significantly increase the cost of the system(s) or significantly decrease their efficiency or specified performance, unless an alternative system of comparable cost, efficiency, and energy conservation benefits is allowed, in accordance with California Civil Code section 714.
- a. Must be satisfied prior to final approval of final map.
 - b. Community Development Department
 - c. Applicant
 - d. Design/Ongoing
44. The CC&Rs for the project shall require that domestic animals be restrained at all times through the use of leashes or within private fenced areas. Project CC&Rs shall require that pets be under owner control at all times. No domestic animals shall be allowed to roam freely. All pet enclosures shall comply with requirements of the Specific Plan including §V.B.e¹, V.D.i(iv)² and V.D.i(vii).³ [Also see Conditions of Approval #58 and #62].

¹Animals and pets, subject to standards in the adopted General Plan, except that domestic animals shall be restrained at all times consistent with the requirements of Specific Plan §V.D.i.i-vii (i.e., the maximum fenced area shall not exceed 20% of the area inside the building setback on each lot), and constructed with materials allowed in this section. Such fencing shall incorporate a wire mesh into the 3 wood rails allowed in §3.6.5.i(i) above. At no time shall pets be allowed to roam freely.

². All residential fencing shall be a maximum of 5 feet high and constructed of three wood rails. Rock may be used only on the fencing posts. ‘Trex’-type lumber may be used, but all-plastic lumber shall not be permitted. Pet fencing shall be within the confines of the fenced area allowed in Section V.D.i(iii) directly above, and shall consist of a wire mesh incorporated into the 3 wood rails allowed herein.

- a. Must be satisfied prior to approval of final map.
 - b. Community Development Department
 - c. Applicant
 - d. Design/ongoing
45. One access point shall be created between the emergency access loop road and the offsite BLM access road. [Also refer to Condition of Approval #38].
- a. Must be satisfied prior to approval of final map.
 - b. Community Development Department
 - c. Applicant
 - d. Design
46. The property owner or the Rock Creek Ranch Homeowners Association may be permitted to install a telecommunications tower/facility in the vicinity of the LRCMWC water tanks via use permit to facilitate telecommunication service capability. [Also refer to Condition of Approval #15].
- a. Must be satisfied prior to approval of final map.
 - b. Community Development Department
 - c. Applicant
 - d. Design/ongoing

Project Specific Conditions Incorporated from Final EIR Mitigation Program

#	CONDITION INCORPORATED FROM FINAL EIR MITIGATION PROGRAM
46	WQ 5.1-1a (WELL IMPROVEMENTS): Rock Creek Ranch well improvements shall be undertaken in accordance with recommendations outlined in the <i>Summary of Well Construction Operations Domestic-Supply Water Well No. 2</i> prepared by Richard C. Slade, May 2007. [Also refer to Condition of Approval #23].
47	WQ 5.1-1b (WATER METERS): Individual water meters shall be installed at each residential connection in order to provide for long-term accurate water usage data. [Also refer to Condition of Approval #24].
	WQ 5.1-3 (WATER QUALITY): If additional sampling is mandated by DHS, the project engineers recommend that further pumping development be performed prior to that sampling. Further testing for aluminum and iron is also recommended at that time also to determine whether remnant drilling muds were the cause of the slightly excessive detections of these metals.
48	WQ 5.1-3b (ODORS): Treatment shall be provided to eliminate the light hydrogen sulfide odors that were noted in the pumped discharge during testing of the new well.
49	WQ 5.1-4a (BMP PROGRAMS): A Best Management Practices Program (BMPP) shall be implemented during all construction stages. The BMPP shall include pre-construction and post-construction practices for stormwater management and for the prevention of erosion, sedimentation, and contamination resulting implementation of all project elements. BMPP measures shall at a minimum include: (1) disposal of all construction wastes in designated areas outside the path of storm water flows; (2) minimizing the footprint of construction zones and prompt installation of erosion controls; (3) stabilizing disturbed soils with landscaping, paving or reseeded to reduce or eliminate the risk of further erosion; (4) perimeter drainage controls to direct runoff around disturbed construction areas; (5) internal erosion controls to allow direct percolation of sediment-laden waters on the construction site; and (6) bid specifications that require regular inspection and maintenance of all equipment used during construction. The project shall comply with state requirements by preparing a Stormwater Pollution Prevention Plan and obtaining a NPDES General Construction Stormwater Permit for the project construction areas. [Also see Conditions of Approval #6, #8, #50, #63 and #68].
50	WQ 5.1-4b (SOIL CONSERVATION): The CC&Rs shall require a soil conservation plan for each individual lot at the time of the grading permit application to provide for the conservation of soil resources and the control and prevention of soil erosion associated with landscaping activities and the use of trails and open space areas within and adjacent to the project site. [Also see Conditions of Approval #6, #8,#49, #63 and #68].
51	WQ 5.1-5 (GEOTECHNICAL REVIEW): A qualified engineer shall be retained to ensure compliance with all specifications set forth in the <i>Preliminary Geotechnical Investigation prepared for Rock Creek Ranch by Sierra</i>

³ The project is subject to leash laws intended to minimize impacts on important deer habitat. The leash laws require that pets be leashed or restrained with fencing at all times when out of doors. Dog enclosures must be capable of preventing the dog(s) from straying onto public land or adjacent properties. Pet fencing shall be within the confines of the fenced area allowed in this section (i.e., the maximum fenced area shall not exceed 20% of the area inside the building setback on each lot), and constructed with materials allowed in this section. Such fencing shall incorporate a wire mesh into the 3 wood rails allowed in §3.6.5.i(i) above.

	<i>Geotechnical Services, Inc. (October 10, 2007).</i> " [Also see Condition of Approval #25].
52	WQ 5.1-6 (OVERLAND FLOWS): The drainage system for Rock Creek Ranch shall be designed to provide an overland flow path for runoff volumes and flushing flow discharges that exceed the 20-year storm design capacity of the dry wells. The overland flow path will intercept and direct flows to locations where runoff collects under current conditions. [Also see Condition of Approval #12].
BOTANY	
53	BOT 5.2-2a (LANDSCAPE CONTROLS): Landscaping in Rock Creek Ranch shall comply with the following: a. Landscaping shall consist of plant materials that are native to the Mono County region and have value to native wildlife, and nonnative species that are compatible with native plant materials, have low propagation characteristics and are not invasive; b. All landscaping shall be maintained in a neat, clean, and healthy condition, and c. During building permit review, each residential lot application shall be accompanied by a landscaping plan that identifies plant materials to be used for the residential building pad as well as any cut and fill slopes for the residential street; vegetation retention shall be designated on each individual lot landscape plan consistent with Mitigation measure WILD 5.3-1b.. [Also see Condition of Approval #6].
WILDLIFE	
54	WILD 5.3-1a (OPEN SPACE EASEMENTS): Open space easements for all open space areas shall be recorded on the final maps for the project. The final maps shall note that permitted land uses within the open space easements shall be limited to undisturbed natural uses and trails for non-motorized access only (except for emergency purposes). [Also see Conditions of Approval #31, #50 and #62].
55	WILD 5.3-1b (RETENTION OF NATIVE VEGETATION): (a) Natural vegetation shall be designated and retained except where it must be removed for project development; (b) Project CC&Rs shall incorporate the following requirement which mandates that homeowners landscape with native vegetation and prohibits use of invasive plant species for landscaping in order to minimize the degradation of deer habitat: <i>"Areas disturbed during construction shall be revegetated with native species in order to establish deer habitat as soon as possible following construction. Revegetation of disturbed areas shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be monitored for a period of five years to ensure the success of the project and shall be replanted if necessary;"</i> (c) vegetation retention shall be designated on each individual lot landscape plan. [Also see Conditions of Approval #6, #53, #54, #57 and #63].
56	WILD 5.3-1c (NO DOGS DURING CONSTRUCTION): Dogs belonging to construction workers shall be prohibited in the project area during construction. [Also see Conditions of Approval #44 and #58].
57	WILD 5.3-1d (LIMITATIONS ON VEGETATION CLEARING): Property owners shall refrain from clearing native vegetation except as necessary for construction or fire safety. [Also see Conditions of Approval #6, #10, #53, #54, #55 and #63].
58	WILD 5.3-1e (PET RESTRAINTS): Domestic animals shall be restrained at all times through the use of leashes or within private fenced areas. Project CC&Rs shall require that pets be under owner control at all times. No domestic animals shall be allowed to roam freely. [Also see Conditions of Approval #44 and #56].
59	WILD 5.3-1f (LIMITS ON EXTERIOR NOISE & LIGHTING): To minimize impacts on deer and other wildlife, all exterior lighting and noise in Rock Creek Ranch shall comply with Mono County code requirements. [Also see Condition of Approval #14 and #79].
60	WILD 5.3-4a (DEER SIGNAGE): To minimize direct mortality impacts to deer from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer. A 25-mile per hour speed limit shall be enforced on residential streets in the proposed project.
61	WILD 5.3-4b (LIMITS ON CONSTRUCTION TIMING): Parcel grading operations, structural foundation work, framing work and similar heavy construction activities shall be restricted to the period between May 15 and October 1 to minimize disturbance to migrating and wintering deer. [Also see Condition of Approval #37].
LAND USE, RELEVANT PLANNING & RECREATION	
62	LU 5.5-1a (DEER HABITAT PROTECTION): The Rock Creek Ranch Specific Plan and CC&Rs shall include the following provisions to minimize impacts on important deer habitat: a. Leash laws requiring that pets be leashed or fenced in at all times when out of doors; b. Prohibition against removal of blackbrush scrub in open space areas except where required for fire safety; c. Informational handouts concerning habitat protection to be provided to homeowners along with CC&Rs; d. Prohibition against recreational off-highway vehicle use in open space areas unless for emergency purposes. [Also see Conditions of Approval #4, #32, #37, #38, #55, #59, #60 and #61].
63	LU 5.5-1b (CONSERVE NATIVE SOILS): As part of the Grading Permit application, the applicant shall prepare a Soil Conservation Plan to protect native soils for use as a plant growth medium. The plan shall require that (a) native soils be stockpiled during construction and used for subsequent revegetation, and (b) stockpiled soils be protected from degradation during the construction and maintained in a condition suitable for reuse. [Also see Conditions of

	Approval #6, #8, #49, #50 and #68].
64	LU 5.5-1c (WATER SERVICE PROVIDER): The project applicant is encouraged to annex into Lower Rock Creek Mutual Water Company or, if infeasible, water system elements of Rock Creek Ranch shall be integrated with those of LRCMWC to accomplish equivalent public health and safety objectives as outlined in Mitigation Measure UTIL 5.8-3a (requiring two intertie points). [Also see Condition of Approval #24, #27, #36 and #67].
PUBLIC SERVICES AND UTILITIES	
65	UTIL 5.8-1a (FIRE DEPARTMENT TT MAP REVIEW): A copy of the amended Tentative Map shall be provided to Paradise FPD for review and comment prior to final approval. [Also refer to Conditions of Approval #19, #24, #35, #57, #62, #66, #67 and #69].
66	UTIL 5.8-1b (FIRE DEPARTMENT CC&R REVIEW): A copy of the CC&Rs shall be provided to Paradise FPD for review and comment prior to final approval. [Also refer to Conditions of Approval #24, #35, #57, #62, #65, #67 and #69].
67	UTIL 5.8-3a (WATER SYSTEM INTERTIE): The Rock Creek Ranch water system shall have at least two points at which an intertie can be accomplished with the existing LRCMWC system for fire flow purposes. One intertie point shall be placed in the vicinity of the existing LRMWC water storage tank, and a second intertie point shall be extended to the western property boundary where the private project road intersects Lower Rock Creek Road. [Also see Condition of Approval #24, #27, #36 and #64].
68	UTIL 5.8-11 (BMP PROGRAMS): A BMP Program shall be implemented during all construction stages with pre-construction and post-construction practices for stormwater management and for the prevention of erosion, sedimentation, and contamination resulting implementation of all project elements. BMP measures shall at a minimum include: (1) disposal of all construction wastes in designated areas outside the path of storm water flows; (2) minimizing the footprint of construction zones and prompt installation of erosion controls; (3) stabilizing disturbed soils with landscaping, paving or reseeding to reduce or eliminate the risk of further erosion; (4) perimeter drainage controls to direct runoff around disturbed construction areas; (5) internal erosion controls to allow direct percolation of sediment-laden waters on the construction site; and (6) bid specifications that require regular inspection and maintenance of all equipment used during construction. The project developer shall comply with state requirements by preparing a Stormwater Pollution Prevention Plan and obtaining a NPDES General Construction Stormwater Permit for the project construction areas. [Also refer to Conditions of Approval #6, #8, #49, and #63].
TRAFFIC AND CIRCULATION	
69	TFFC 5.9-1a (ROAD CLOSURE RESTRICTIONS): Roadway closures shall not be permitted on any street or highway unless written approval is first obtained from the Public Works Department, Police Department and Fire Department. Where such approvals are granted, all details governing the closures shall be recorded in a manner acceptable to the Mono County Public Works Department. [Also refer to Conditions of Approval #19, #31, #54 and #70].
70	TFFC 5.9-1b (MAINTAIN ROAD CLEARANCE): At all times, adequate clearance shall be maintained within the Lower Rock Creek right-of-way to permit the safe passage of emergency vehicles and evacuating vehicles. Measures to ensure emergency access shall be recorded in a manner acceptable to the Mono County Public Works Department. [Also refer to Conditions of Approval #19, #31, #45, #54 and #69].
AIR QUALITY	
71	AQ 5.10-1 (DUST CONTROL MEASURES): The project applicant shall comply with best-available dust control measures (BACM) that call for watering of all active construction areas at least twice daily throughout project construction phases, plus at least two of the following additional BACM: (a) require that all haul trucks be covered, or that a minimum freeboard of 2 feet be maintained at all times; and/or (b) Pave all parking and staging areas, or water such areas at least 4 times daily; and/or (c) Sweep or wash public access points within 30 minutes of dirt deposition; and/or (d) Cover all on-site dirt/debris stockpiles, or water the stockpiles a minimum of twice daily; and/or (e) Suspend all construction operations on any unpaved surface when winds exceed 25 mph; and/or (f) Hydroseed or otherwise stabilize all cleared areas that would remain inactive for more than 96 hours after clearing is completed; and/or (g) Use of low-VOC4 paints (not to exceed 100 grams of VOC per liter). [Also refer to Condition of Approval #9].
72	AQ 5.10-2 (ENERGY CONSERVATION & LANDSCAPING): The project will contribute incrementally to global GHG emissions implicated in global warming. Use of energy conserving construction practice beyond the minimum requirements of the California Building Code is encouraged through participation in one of several existing certification programs. Use of enhanced landscaping for carbon dioxide uptake is also encouraged, provided such

⁴ VOC=volatile organic compounds.

	landscaping is consistent with Specific Plan standards and mitigation measures contained in Sections 5.2 (Botany) and 5.3 (Wildlife) of this EIR. [Also refer to Conditions of Approval #6, #39, #49, #50, #53, #55, #68 and #73].												
73	AQ 5.10-3a (GREENHOUSE GAS EMISSIONS): The Specific Plan will incorporate voluntary energy conserving practices and enhanced landscaping. (Advisory measure). [Also refer to Conditions of Approval #6, #39, #49, #50, #53, #55, #68 and #72].												
74	AQ 5.10-3b (REGULATORY COMPLIANCE): The project shall comply with any applicable greenhouse gas emission reduction strategies adopted by the California Air Resources Board or other responsible agencies.												
NOISE													
75	N 5.11-1a (LIMITS ON ROCK CRUSHING): Rock breaking and rock crushing activities, if required, shall be restricted to the portion of the site defined by lots 1-3, 7, and 13-23; crushed rock piles shall be placed west of crushing operations to reduce noise propagation toward existing homes. [Also refer to Condition of Approval #29].												
76	N 5.11-1b (NO BLASTING DURING INVERSIONS): Blasting activities shall not be conducted during thermal inversions or periods when wind speeds exceed 25 mph.												
77	N 5.11-1c (BLASTING PROCEDURES): During blasting, the following procedures shall be followed: (a) Use of surface detonating cords shall be kept to a minimum, (b) all blasts shall be initiated from deep within the blast hole; (c) adequate burden, spacing and stemming shall be maintained on all explosive charges; (d) face heights kept to the minimum practical level; and (e) a delay of 9 ms or greater shall be provided in the timing of blasts from adjacent holes.												
78	N 5.11-1d (SOUND LIMITS): To avoid structure damage on adjoining properties, the following sound limits recommended by U.S. Bureau of Mines shall be observed: <i>SOUND LEVEL METER SCALE</i>												
	<table border="1"> <thead> <tr> <th>LEVEL</th> <th>LINEAR PEAK</th> <th>C-PEAK</th> <th>A-PEAK</th> </tr> </thead> <tbody> <tr> <td>Safe Level</td> <td>128 Db (.007 psi)</td> <td>120 Db</td> <td>95 Db</td> </tr> <tr> <td>Maximum</td> <td>136 Db (.018 psi)</td> <td>130 Db</td> <td>115 Db</td> </tr> </tbody> </table>	LEVEL	LINEAR PEAK	C-PEAK	A-PEAK	Safe Level	128 Db (.007 psi)	120 Db	95 Db	Maximum	136 Db (.018 psi)	130 Db	115 Db
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AESTHETIC RESOURCES													
79	AES 5.12-2 (AESTHETIC DESIGN): The Rock Creek Ranch Specific Plan incorporates numerous provisions that are specifically intended to minimize impacts on Scenic Highway 395. Additionally, the project design has been substantially altered to minimize intrusiveness on views from Scenic Highway 395. These provisions will reduce visual impacts but not to a level that is less than significant.												
80	AES 5.12-3 (AESTHETIC DESIGN): The Rock Creek Ranch Specific Plan incorporates numerous provisions that are specifically intended to minimize visual impacts on the existing Paradise community. Additionally, the project design has been substantially altered to minimize intrusiveness on views from developed homesites and vantage points within Paradise. These provisions and modifications would reduce visual impacts on the existing community, but not to a level that is less than significant												
81	AES 5.12-4 (OUTDOOR LIGHTING): The Rock Creek Ranch Specific Plan and CC&Rs shall incorporate all applicable provisions of the Mono County Outdoor Lighting Ordinance. [Also refer to Conditions of Approval #4, #14, and #59].												
82	AES 5.12-5 (GLARE): The Rock Creek Ranch Specific Plan requires use of materials, colors and design elements for all structures (including solar panels) that will minimize the potential for glare. These requirements would reduce potential light and glare impacts to less than significant levels, and no supplemental mitigation is required. [Also refer to Condition of Approval #43].												

ADDENDUM TO THE FINAL EIR



FOR THE ROCK CREEK RANCH PROJECT

STATE CLEARINGHOUSE #2004012014

LEAD AGENCY:

Mono County Planning Department
Post Office Box 347
Mammoth Lakes, CA 93546

JANUARY 2014

INTRODUCTION AND BACKGROUND

On 12 May 2009, the Mono County Board of Supervisors certified the Final EIR for the Rock Creek Ranch project located in the community of Paradise. The Board also on that date approved the Rock Creek Ranch Specific Plan and Tentative Tract Map 37-56. The approved project allowed for the 54.64-acre property to be subdivided into 60 lots, which included deed-restricting five lots for affordable housing and deed-restricting 11 lots for accessory dwelling units consistent with the Housing Mitigation Ordinance in effect at that time. Subsequent to project final map approval, the Housing Mitigation Ordinance was suspended by the Mono County Board of Supervisors. The applicant entered into a Housing Mitigation Agreement with the Board of Supervisors on August 7, 2012 that removed the requirement to provide the five affordable housing lots. A condition of the Housing Mitigation Agreement required the applicant to amend the Tentative Tract Map and Specific Plan to reflect the reduction of lots to 55. In accordance with the California Environmental Quality Act (CEQA), an addendum was prepared to address the project changes associated with Amendment #1. The Board of Supervisors approved Amendment #1 to the Rock Creek Ranch Specific Plan and Tentative Tract Map on May 7, 2013.

Largely as a result of recessionary economic conditions nationwide, the development plans embodied in the Rock Creek Ranch Specific Plan (including Amendment #1) are no longer responsive to residential market demands in Mono County. The applicant is now seeking approval of a second amendment to the Rock Creek Ranch Specific Plan that will better respond to residential market conditions.

DESCRIPTION OF PROPOSED MODIFICATIONS

The proposed Rock Creek Ranch Specific Plan Amendment #2 incorporates a number of modifications designed to reduce overall land use intensity. As summarized in Table 1, the number of lots would be reduced from 55 to 23, the area designated as open space would be reduced from 20.05 to 12.61 acres, the 3.05 acre common area recreation lot would be eliminated, the access road would be reduced in length and area (from 4.98 to 2.07 acres) and realigned, sanitation would be provided by individual septic tanks rather than a package treatment plant, the water system would be managed by a newly created mutual water company instead of a maintenance district, and the defined building pads would be replaced by defined setbacks on all lots. Table 1 summarizes changes to the Specific Plan associated with Amendment #2.

Table 1
Revisions to the Rock Creek Ranch Proposed in Amendment #2

<i>SPECIFIC PLAN FEATURE</i>	<i>ORIGINAL SPECIFIC PLAN (2009)</i>	<i>SPECIFIC PLAN AMENDMENT #1 (2012)</i>	<i>PROPOSED SPECIFIC PLAN AMENDMENT #2 (2014)</i>
Total Number of Lots	60	55	23
Total Number of Affordable Lots	5	0	0
Number of Required Secondary Units	11	0	0
Acreage Designated as Open Space	20.05	20.05	12.61
Common Area Recreation Lot Acreage	3.05	3.05	0
Total Acreage within Buildable Area	7.97	7.97 (approx.)	17.96

Percentage (Acreage) of Total Land in the Designated Buildable Areas Subject to Disturbance	100% (7.97 acres)	100% (approx. 7.9 acres)	40% (7.15 acres)
Primary Access Road ROW Acreage	4.98	4.98	3.07
Emergency Loop Road Acreage	NA	NA	0.87
Total Disturbed Acreage	16.01	16.01 (approx.)	11.09
Sanitation System	Package Treatment Plant	Package Treatment Plant	Septic System
Water System	Maintenance District	Maintenance District	Mutual Water Company
Allowable Buildable Area	Defined Building Pads	Defined Building Pads	Setbacks

The reduction in open space acreage (from 20.05 to 12.61 acres) is due to elimination of common open space areas in favor of increased private and undisturbed open space as well as the increase in lot sizes. The reduced total disturbance area is due primarily to a reduction in the allowed disturbance area within each buildable area from 100% to 40%, which reduced the total disturbed acreage from 16.01 acres to 11.09 (calculated by multiplying total acreage in the buildable area by the allowed disturbance percentage within the buildable area, and then adding the access road and loop road acreage).

CEQA PROVISIONS FOR PREPARING AN ADDENDUM TO A FINAL EIR

The California Environmental Quality Act (CEQA §15164[a]) states:

"(a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

In turn, §15162 states that preparation of a subsequent EIR is required where one or more of the following occurs:

"(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:*
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative."*

Provided in the sections that follow is an assessment of whether any of the above CEQA requirements would necessitate preparation of a subsequent EIR to address changes proposed with Rock Creek Ranch Specific Plan Amendment #2.

SIGNIFICANT UNAVOIDABLE IMPACTS IDENTIFIED IN ROCK CREEK RANCH FINAL EIR

Results of the analyses contained in the Final EIR for the Rock Creek Ranch project indicated that project implementation would have potentially significant and unavoidable adverse direct and cumulative environmental impacts on the following resources:

- Critical mule deer habitat
- Mule deer movement along a regional migration corridor of which the project is a part, and
- Visual quality and visual unity of views from Lower Rock Creek Road, some points along the Highway 395 scenic corridor, and portions of the community of Paradise

The changes proposed with Amendment #2 were reviewed by Dr. James Paulus to assess the effect of Amendment #2 on these significant environmental impacts. Dr. Paulus notes that the proposed shift from a larger number of smaller lots to fewer relatively large lots will be a net benefit for wildlife and habitat. This benefit will result from a more widely intact High Desert Blackbush Scrub community and from an anticipated reduction in the incidence of harassment and other disturbances to the use of this habitat.

Further, Dr. Paulus notes that the reduced number of lots and greater distance between houses will attenuate disturbance to wildlife resulting from activity, noise and lighting, and is likely to substantially reduce collision frequency as well as the interactions between deer and domestic pets thereby increasing the chance that overwintering deer can utilize browse habitat. Finally, Dr. Paulus indicates that there are no changes in the overall status of the relevant species or environmental factors that would in themselves necessitate reevaluation of the potential changes to biological resources. A copy of the Dr. Paulus’s biological resources analysis is provided as an attachment to this Addendum.

POTENTIALLY SIGNIFICANT IMPACTS IDENTIFIED IN ROCK CREEK RANCH SPECIFIC PLAN FINAL EIR

In addition to the significant and unavoidable impacts above, the Final EIR identified potentially significant impacts that would be reduced to less-than-significant levels through adopted mitigation measures. As shown in Table 2, all of the potentially significant impacts would be reduced, eliminated or unchanged if the proposed Amendment #2 is approved and implemented as proposed; no impact would be increased by approval and implementation of Amendment #2.

**Table 2
COMPARISON OF POTENTIALLY SIGNIFICANT IMPACTS FOR ADOPTED
SPECIFIC PLAN & PROPOSED SPECIFIC PLAN AMENDMENT #2**

IMPACT OF CURRENT PROJECT	IMPACT OF PROPOSED AMENDMENT #2
SOILS AND HYDROLOGY	
IMPACT WQ 5.1-1: The Project will place increased demands on groundwater resources.	Decreased number of units will reduce demands on groundwater resources
IMPACT WQ 5.1-3: The Quality of the Groundwater Supply Meets Applicable Standards but may require further testing.	No change
IMPACT GEO 5.1-4: Earthwork activities and long-term use of the site would pose a risk of erosion & sedimentation and a loss of permeable soils due to grading and construction activities.	50% reduction in grading quantities will reduce risk of erosion, sedimentation and loss of permeable soils.
IMPACT GEO 5.1-5: Project would be exposed to seismic & volcanic hazards; risk of tsunami, seiche, liquefaction, land- slide & avalanche would be less than significant.	No change
BOTANICAL RESOURCES	
IMPACT BOT 5.2-2a: Invasive species may be introduced as a result of project implementation.	Decrease in allowed disturbance area will reduce potential for impacts associated with invasive species.
IMPACT BOT 5.2-2b: Invasive species may replace native habitat as a result of spray irrigation of open space with tertiary treated effluent from the package treatment plant.	Impact avoided altogether due to elimination of package treatment plant.
WILDLIFE RESOURCES	
IMPACT WILD 5.3-1: Project implementation would result in the loss of native communities and wildlife.	Reduction in total disturbed area will reduce loss of native communities & wildlife.
IMPACT WILD 5.3-4: Project implementation would interfere with migration patterns of the Round Valley Deer Herd.	Reduction in maximum allowed fenced area will reduce interference with migration patterns.
LAND USES, RECREATION & RELEVANT PLANNING	
IMPACT LU 5.5-1a: Project conflicts with Land Use Element Policy to conserve critical habitat.	No change
IMPACT LU 5.5-1b: Project may conflict with Land Use Element Policy to annex into existing service districts.	No change
PUBLIC SERVICES AND UTILITIES	

IMPACT UTIL 5.8-1: Increased demand on fire protection services	No change
IMPACT UTIL 5.8-2: Propane Tank Farm poses Public Safety Risks	Impact avoided altogether due to elimination of propane tank farm.
IMPACT UTIL 5.8-3: increase in Fire Flow Water Service Demands	No change
IMPACT UTIL 5.8-11: Hazardous materials used during construction	Reduced impact
TRAFFIC AND CIRCULATION	
IMPACT TFFC 5.9-1: Construction traffic may cause short-term congestion & roadway hazards.	Reduced impact
AIR QUALITY	
IMPACT AQ 5.10-1: Short-term increase in construction emissions	No change
IMPACT AQ 5.10-3: Greenhouse gas emissions.	Reduced impact
IMPACT AQ 5.10.4a: Odor impacts from the sanitation treatment process.	Impact avoided altogether by elimination of package treatment plant.
IMPACT AQ 5.10-4b: Odor impacts from the tertiary water staging pond & recreational pond.	Impact avoided altogether by elimination of package treatment plant
AESTHETIC RESOURCES	
IMPACT AES 5.12-2: Project would have a significant adverse visual impact on Lower Rock Creek Road and segments of the Highway 395 Scenic Corridor.	Reduced impact
IMPACT AES 5.12-3: The project would have a significant adverse impact on aesthetic values in the existing Paradise community.	Reduced impact
IMPACT AES 5.12-4: The project would have an adverse impact on dark sky visibility.	Reduced impact
IMPACT AES 5.12-5: The project would generate glare from windows and solar panels.	Reduced impact

CONCLUSION

Based on the considerations and analyses presented above, and based on the provisions contained in CEQA §15164[a]), it is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that shall an Addendum to the certified Final EIR for Rock Creek Ranch is the appropriate CEQA document for the proposed second amendment to the Rock Creek Ranch Specific Plan.

CEQA §15164(c-e) states that *"an Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence."*

All of the mitigation measures adopted by the Mono County Board of Supervisors as part of the May 2009 Final EIR certification remain in full force and effect, with the exception of the three adopted mitigation measures, as listed in Table 3, that are rendered inapplicable to the Rock Creek Ranch project with approval of the second amendment.

**Table 3
Mitigation Measures Rendered Inapplicable with approval of
Rock Creek Ranch Specific Plan Amendment #2**

ADOPTED MITIGATION MEASURE	BASIS FOR ELIMINATION OF MITIGATION MEASURE
MITIGATION UTIL 5.8-2 (Propane Tank Farm Siting): The propane tank farm shall be situated down-gradient of all home sites on or near the project site.	Amendment #2 eliminates propane tank farm from project design.

MITIGATION AQ 5.10-4a (Odors from Treatment Plant): A secondary carbon filtration system shall be incorporated into the tertiary package sanitation system, and maintained over time, to remove and treat odors resulting from the treatment process and ensure that objectionable odors are not released into the atmosphere.

Amendment #2 eliminates package treatment plan from project design.

MITIGATION AQ 5.10-4b (Odors from Treatment Plant): A standby aeration system shall be kept in the maintenance building for use in the event that stagnant conditions develop in the tertiary water staging pond and/or recreational area ponds.

Amendment #2 eliminates package treatment plan from project design.

MITIGATION BOT 5.2-2b (Weed Abatement): Open space areas used for spray irrigation with surplus recycled water supply shall be subject to an ongoing landscape control program designed to prevent the establishment of non-native species that could spread to the surrounding environments. Species that will be eradicated upon discovery include any non-native species not established in the open space area prior to project implementation. Weed control will be accomplished to the maximum extent feasible by rotating water spreading applications within the open space area designated as suitable for spray irrigation. Ponding and long-term surface saturation will be avoided to the maximum extent feasible. If populations of new non-native species nevertheless appear, they shall be controlled through mechanical or accepted herbicidal practices.'

Amendment #2 eliminates package treatment plan from project design.

DRAFT

**ADDENDUM TO THE FINAL EIR
FOR THE ROCK CREEK RANCH PROJECT**

**BIOLOGICAL RESOURCE ANALYSIS
ATTACHMENT**

DRAFT

November 7, 2013

To: Sandra Bauer
Bauer Planning and Environmental Services
1271 Tropicana Lane
Santa Ana, CA 92705

From: Jim Paulus
PO Box 2657
Oakhurst, CA 93644

RE: Rock Creek Ranch Specific Plan Update – Biological Resources Analysis

Ms. Bauer,

I have reviewed a recently proposed update to the Rock Creek Ranch TTM (specifically, DWG 2215_TTM, page 2 of 3, dated Oct. 28, 2013, and associated materials), which I received from your office via email. Upon completing this review, and comparison with the July 18, 2008 document "Rock Creek Ranch Specific Plan and Draft EIR", and with information I gained from our telephone conversation this morning, I believe I have sufficient basis for giving an opinion regarding whether impacts to biological resources at the project site will be substantially changed should the proposed project be implemented as revised.

One potential cause of impact identified in the 2008 document, irrigation of otherwise undisturbed Open Space, has been rendered irrelevant by removal of this element from the project description. As the associated potential impact of causing proliferation and spread of non-native plant species through applied irrigation has now been eliminated, the mitigation measure BOT 5-2-2b can be entirely deleted. Similarly, removal of the Common Area element from the project removes any need for Condition b (irrigation and monitoring) of the mitigation measure BOT 5-2.2a, and the wording for that Condition (only) should be deleted.

The proposed shift from a larger number of smaller lots to fewer relatively large lots will be a net benefit for wildlife. In terms of vegetation displacement by impervious surfaces, total loss of habitat (consisting of 100% High Desert Blackbush Scrub) would decrease from (worst-case) 30 acres to (worst-case) 9.3 ac. The area potentially fenced off from wildlife use would decrease from 8 acres to 3.6 ac, and the spacing between these enclosures would be more diffuse. If all of the previously formulated Conditions stated in the 2008 document of BOT 5-2.2a (except b, see above) are included unchanged in the updated SP, and if the wording/intent of the mitigation measure WILD 5.3-1(a-f) is not altered substantially to reduce the provision of habitat for wildlife, then a more widely intact High Desert Blackbush Scrub will result, and the incidence of harassment and other disturbance that may periodically inhibit use of this habitat will very likely be decreased.

The 2008 DEIR analysis concluded that impacts to the Round Valley deer herd would be significant and unavoidable, due specifically to loss of foraging and migration route habitat, an increased possibility of direct mortality due to collisions, and habitat degradation caused by increases in human activity, noise, night lighting, and harassment by domestic pets. Conversion of scrub vegetation to houses, roads and fenced yards will be substantially reduced under the proposed project revision. Greater distances that will be available between houses under the revised project will attenuate ongoing disturbance due to activity, noise, and lighting. As the number of lots will be reduced by about 2/3, interactions between deer and domestic pets likely will be substantially reduced in frequency, allowing a better chance that overwintering deer can become accustomed to the altered landscape and thereby utilize browse plants between houses and within the Open Space easement area if mitigation measure WILD 5.3.4(a-b) is left unchanged. Collision frequency likewise should be substantially reduced. The 2008 DEIR prediction that migrating deer will change their route upon their encountering the project remains viable; however the reduction in maximum allowable fenced area from 8.0 to 3.6 acres and greater spacing between houses may help alleviate the potential for this impact. While it is not possible to revisit the DEIR conclusion that impacts to the Round Valley herd could be significant, it would be logical to conclude here that no addition or increase to these types of impacts should be expected if the revised project were instead implemented.

If there are additional changes to the project, such as addition of a new element that would increase any of the potential project impacts discussed above, please bring them to my attention and I will revise this analysis accordingly. For now, I see only net benefit due to substantive reductions in all of the elements that were causing the potential impacts as identified in the 2008 analysis. Furthermore, I am not aware of any recent changes in the overall status of the relevant species or environmental factors that would in themselves necessitate reevaluation of the potential impacts to biological resources. Thank you for asking my opinion on this development. I would be happy to assist further as I can, should you find need for refinement to the project in order to bring about the best possible minimization of impacts to the area's plants and animals.

Sincerely, Jim Paulus, Ph.D.

DRAFT
ROCK CREEK RANCH
SPECIFIC PLAN AMENDMENT #2



LEAD AGENCY:

Mono County Planning Division
Post Office Box 347
Mammoth Lakes, CA 93546
Contact: Courtney Weiche 760.924.1803
cweiche@mono.ca.gov

SPECIFIC PLAN CONSULTANT:

Bauer Planning & Environmental Services, Inc.
220 Commerce, Suite 230, Irvine, CA 92602
Contact: Sandra Bauer ☎714.508.2522
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PROJECT APPLICANT/OWNER:

C & L Development
Paradise, California
matthew.lehman@verizon.net

JANUARY 2014

I. BACKGROUND

The Rock Creek Ranch Specific Plan and Tentative Tract Map 37-56 were approved by the Mono County Board of Supervisors on May 12, 2009. The approved project allowed for the 54.64-acre property to be subdivided into 60 lots, which included five lots that were deed-restricted for affordable housing, and eleven lots that were deed-restricted for accessory dwelling units. All sixteen of the deed-restricted lots were provided in compliance with requirements of a Housing Mitigation Ordinance in effect at that time of project approval.

During July of 2011 the Housing Mitigation Ordinance was suspended by the Mono County Board of Supervisors. The applicant entered into a Housing Mitigation Agreement with the Board of Supervisors on August 7, 2012 that removed the requirement to provide the five deed-restricted affordable housing lots as well as the requirement for eleven lots to be deed-restricted for accessory dwelling units. A condition of the agreement required the applicant to amend the Tentative Tract Map and the Specific Plan to reflect the reduction of lots from 60 to 55. Specific Plan Amendment #1 was approved by the Board of Supervisors on May 7, 2013. In accordance with the California Environmental Quality Act, an addendum was prepared to address the project changes associated with Amendment #1.

Largely as a result of recessionary economic conditions nationwide, the development plan embodied in the Rock Creek Ranch Specific Plan is no longer responsive to residential market demands in Mono County. Accordingly, the applicant is now seeking approval of a second amendment to the Rock Creek Ranch Specific Plan.

II. SUMMARY OF PLAN AMENDMENTS

Table 1 below summarizes changes to the Specific Plan associated with Amendment #2.

**Table 1
Revisions to the Rock Creek Ranch Proposed in Amendment #2**

<i>SPECIFIC PLAN FEATURE</i>	<i>ORIGINAL SPECIFIC PLAN (2009)</i>	<i>SPECIFIC PLAN AMENDMENT #1 (2012)</i>	<i>PROPOSED SPECIFIC PLAN AMENDMENT #2 (2014)</i>
Total Number of Lots	60	55	23
Total Number of Affordable Lots	5	0	0
Number of Required Secondary Units	11	0	0
Acreage Designated as Open Space	20.05	20.05	12.61
Common Area Recreation Lot Acreage	3.05	3.05	0
Total Acreage within Buildable Area	7.97	7.97 (approx.)	17.96
Percentage (Acreage) of Total Land in the Designated Buildable Areas Subject to Disturbance	100% (7.97 acres)	100% (approx. 7.9 acres)	40% (7.15 acres)
Primary Access Road ROW Acreage	4.98	4.98	3.07
Emergency Loop Road Acreage	NA	NA	0.87
Total Disturbed Acreage	16.01	16.01 (approx.)	11.09
Sanitation System	Package Treatment Plant	Package Treatment Plant	Septic System
Water System	Maintenance District	Maintenance District	Mutual Water Company
Allowable Buildable Area	Defined Building Pads	Defined Building Pads	Setbacks

The reduction in open space acreage (from 20.05 to 12.61 acres) is due to elimination of common open space areas in favor of increased private and undisturbed open space as well as the increase in lot sizes. The reduced total disturbance area is due primarily to a reduction in the allowed disturbance area within each buildable area from 100% to 40%, which reduced the total disturbed acreage from 16.01 acres to 11.09 (calculated by multiplying total acreage in the buildable area by the allowed disturbance percentage within the buildable area, and then adding the access road and loop road acreage).

III. PROJECT LOCATION

The Rock Creek Ranch project is located on a 54.64-acre parcel in the community of Paradise in southern Mono County. As a whole, Mono County is dominated by lands that are owned by the public and managed by various federal, state and local entities: the *General Plan* estimates that approximately 94% of the county land area is publicly owned, including 88% that is managed by federal agencies. Mono County is surrounded by 5 counties including Inyo County to the south (the Inyo County line is about 1 mile south of the Rock Creek Ranch Specific Plan area), as well as Fresno, Madera, and Alpine Counties on the west. The entire eastern Mono County boundary adjoins the State of Nevada.

The project site, known to many as "East Ridge," is privately owned property located on unincorporated land. The site adjoins the old Paradise Resort & Restaurant, which is no longer in operation and for which development approvals were granted in 2010 allowing a total of thirteen residential lots and two lots dedicated for public use (one for trailhead parking and one for permanent open space).

Farther to the west and northwest are approximately 132 privately owned residential parcels that comprise the unincorporated community of Paradise; the Paradise Fire Station is located about one-third mile to the northwest. There are no commercial enterprises in the community of Paradise. The project site fronts onto Lower Rock Creek Road, and is about 20 miles southeast of the Town of Mammoth Lakes, 15 miles northwest of the City of Bishop, 1 mile west of Highway 395, and 1 mile north of the Inyo/Mono County boundary.

The project site is currently undeveloped except for several graded (but not paved) access roads, test wells that were constructed to evaluate water supply and water quality, the Lower Rock Creek Mutual Water Company (LRCMWC) easement at the northwest corner, and several groundwater drilling sites and structures that were used to determine adequacy of onsite wells to meet project water demands. The LRCMWC easement is occupied by a subsurface 110,000-gallon potable water storage tank, and distribution lines leading westward to existing homes in the community of Paradise. The regional location and local area are depicted in Exhibits 3-1 (Regional Location Map), 3-2 (Local Vicinity Map), and 3-3 (Project Environs).

IV ROCK CREEK RANCH SPECIFIC PLAN

IV.A PURPOSE, STATEMENT AND ISSUES ADDRESSED

The purpose of the Rock Creek Ranch Specific Plan is to establish a formal link between implementing policies of the Mono County General Plan and the Rock Creek Ranch development proposal. Specific Plan #03-02 will establish all zoning regulations and govern all subdivision, public works project and development activity on the site. This Specific Plan sets forth in text and diagrams (1) the distribution, location and extent of land uses and essential facilities and utilities to serve the site, (2) the standards and criteria by which development will proceed including standards for the conservation, development and use of natural resources, and (3) specific measures for implementing all applicable regulations, programs, public works projects and financing activities.

The project applicant and developer is C & L Development, LLC. The Specific Plan text was prepared by Bauer Planning and Environmental Services Inc., working with and under contract to the Mono County Community Development Department.

IV.B DETAILED STATEMENT OF THE PURPOSE OF THE SPECIFIC PLAN¹

A Specific Plan is a tool referenced in the California Government Code for the systematic implementation of the general plan. Adoption of a SP is a legislative act, similar to adoption of a General Plan or zoning ordinance. Once adopted, the Specific Plan establishes a formal link between implementing policies of the general plan and the specific development proposal for a given area. California Government Code (CGC) §65450-565457 requires that a Specific Plan must be consistent with the adopted

¹ The basic contents, organization and structure of this Specific Plan, as well as much of the information provided regarding Specific Plans, have been drawn from the following source: *The Planner's Guide to Specific Plans*, prepared by the California Governor's Office of Planning and Research, 1400 Tenth Street, Sacramento, CA 95814.

General Plan as well as any applicable Airport Land Use Plan. In turn, all subsequent site subdivision, development, public works projects and zoning regulations must be consistent with provisions of the Specific Plan.

Within the context outlined above, the regulations contained in this Rock Creek Ranch Specific Plan provide for development of the Rock Creek Ranch in a manner that reflects the spirit and intent of the development regulations of the Mono County General Plan, which also represents zoning within Mono County. These regulations set forth in text and diagrams: (1) the distribution, location and extent of land uses including Open Space, (2) the distribution, location and extent of essential facilities and utilities to serve the site, including transportation and access roads, (3) the standards and criteria by which development will proceed including standards for the conservation, development and use of natural resources, (4) implementation measures including regulations, programs, public works project and financing measures to carry out Specific Plan elements, and (5) a clear statement of the relationship of this Specific Plan to the Mono County General Plan.

IV. PLANNING AREA INFORMATION AND ENVIRONMENTAL CHARACTERISTICS

The site is currently characterized by undeveloped open space in the Rock Creek area of southern Mono County. Vegetation includes a riparian corridor along Lower Rock Creek that occupies about one-half acre of land in the northwestern-most property boundary. The majority of the site is xeric, with desert scrub vegetation. The site also contains an unpaved access road and gate, plus numerous informal trails, granitic rocks and small boulders, and a number of rock mounds and soil pits created during prior soil and percolation testing activities. No prior formal uses of the site have been recorded, nor have any formal development applications been filed with the county prior to the initial application submitted by C&L Development in 2003.

Offsite drainage enters the site from upgradient areas on the north and east. Drainage then crosses the site as sheet flow, exiting to the south and west. There are no distinct drainage swales or ditches on the site. The tributary area is estimated to be about 18-acres, and the total historic contribution to runoff from the site during a 25-year storm is calculated to be 25.76 cubic feet per second (cfs). The site is located outside of any designated flood zone and there are no defined natural drainage courses on the buildable portion of the site; Rock Creek flows through the northwestern-most portion of the site, and is designated in the Specific Plan as an open space area.

Most of the project site supports a contiguous stand of open scrub vegetation that is classified as High Desert Blackbush Scrub. Big Sagebrush Scrub can be found on thin strips of terrain west of the Lower Rock Creek riparian zone and between the base of the steep slope and Lower Rock Creek Road. The relatively small portion of the study area that is immediately adjacent to Lower Rock Creek is classified as Water Birch Riparian Scrub. The natural communities form the basis of wildlife habitats on the site, which include mourning dove, Steller's jay, white-crowned sparrow, common raven, northern flicker, and black-tailed jackrabbit. Evidence of coyote and mule deer was found throughout the site, and several bat species are known to occur in the immediate vicinity including fringed myotis, long-legged myotis, Yuma myotis, little brown bat, and spotted bat. The archaeological report concludes that there are no significant cultural resources on the site. A detailed discussion of the project planning area and environmental characteristics is provided in other sections of this document.

IV.D OBJECTIVES, POLICIES AND REGULATORY CONSIDERATIONS

The primary objective of the Rock Creek Ranch Specific Plan is to fulfill the *General Plan* vision for ultimate development of the Paradise community. An important secondary objective is to provide enhanced reliability and fire safety to the Rock Creek Ranch project and the community of Paradise through interconnections between project water supplies (which will be privately owned and managed by a mutual water company) and water supplies serving the community at large (which are provided by Lower Rock Creek Mutual Water Company).

CGC §65507 authorizes a legislative body to adopt an ordinance or resolution requiring that a Specific Plan be prepared when it is in the public interest to do so. Additionally, the Subdivision Map Act recommends the adoption of a Specific Plan prior to

approval of a land project involving a residential subdivision of 50 or more parcels in a sparsely populated area.² Mono County has applied these regulations to require Specific Plans under certain conditions and in certain areas, including the community of Paradise.

The original Rock Creek Ranch Specific Plan proposed a development of 60 units in a semi-clustered configuration to conserve open space. In conjunction with Specific Plan Amendment #1, the plan was reduced to 55 units but remained otherwise substantially the same as the original plan layout. The current Specific Plan Amendment #2, which further reduces the plan to 23 lots, is subject to the provisions of the approved Specific Plan as modified herein. As noted in the General Plan Land Use Element, a Specific Plan is 'intended to function as an implementation mechanism for the General Plan and, once adopted, becomes a part of the General Plan.' Where adopted, Specific Plans precede all other land use actions including subdivisions, tentative maps, land use changes, and other related actions.

The CGC (Title 7, Division 1, Chapter 3, Article 8) describes requirements for preparation and content of Specific Plans. These requirements mandate that a Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan, as well as text and diagram(s) that specify all of the following in detail: (1) the distribution, location, and extent of the uses of land, including open space, within the area covered by the plan; (2) the distribution, location, extent and intensity of major components of public & private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan; (3) standards and criteria by which development will proceed, & standards for the conservation, development, and use of natural resources, where applicable; (4) a program of implementation measures including regulations, programs, public works projects, & financing measures needed to carry out items (1), (2), and (3).

CGC §65457 further provides that any residential development project that implements and is consistent with a Specific Plan for which an EIR has been certified after January 1980 is exempt from further CEQA requirements unless disqualifying events are found to apply. Disqualifying events include: (a) substantial changes that require major revisions of the EIR; (b) substantial changes with respect to circumstances under which the project will be undertaken that require major revisions in the EIR; and/or (c) new information becomes available that was not known and could not have been known when the EIR was certified. Approval of this Specific Plan Amendment #2 does not involve any disqualifying event and an Addendum to the Final EIR has therefore been prepared.

Specific Plan adoption generally occurs by Ordinance, but can also occur through a resolution. Adoption establishes the role of the Specific Plan as a set of zoning regulations intended to provide direction as to the type and intensity of uses permitted and associated design criteria.

IV.E RELATIONSHIP OF THE SPECIFIC PLAN TO THE GENERAL PLAN

Like zoning, a Specific Plan must be consistent with the General Plan Land Use Element and, once adopted, becomes a part of the General Plan. The Specific Plan implements the General Plan Land Use Element by setting specific standards and regulations to govern permitted land uses, future subdivision, lot dimensions, parking, open space and all other uses proposed for the site. The Mono County General Plan Land Use Element provisions for Estate Residential development have served as a model for Rock Creek Ranch, though the Specific Plan also incorporates some changes from these source materials.

Consistency with provisions of the General Plan is ensured through subsequent Site Plan Review procedures established herein. The review process provides for county review of detailed plans for each lot in Rock Creek Ranch, and provides assurance that each lot will be planned, constructed and maintained in a manner that conforms to this Specific Plan and is compatible with the surrounding environs. In keeping with Land Use Element §02.1060, site plan review will occur as part of the building permit review process. Unless specifically noted under Subsection H below ('Exceptions'), provisions of this Specific Plan are in accordance with General Plan Land Use Element provisions for Estate Residential uses.

² *Mono County General Plan, Chapter 36, Processing-Specific Plans.*

IV.F RELEVANT PLANNING ISSUES, OPPORTUNITIES AND CONSTRAINTS

To set the framework for development of appropriate objectives, policies and actions, the Mono County General Plan identifies and evaluates issues, opportunities and constraints that shape development potential within the unincorporated area. The analyses include identification of issues that affect the county as a whole, as well as issues that are specific to land uses in the special planning areas and those applicable to the county's Airport Land Use Plans for the airport facilities in Bridgeport, Lee Vining and Mammoth Lakes. Rock Creek Ranch is not in the vicinity of any of the airport planning areas, nor does it fall within any of the special planning areas for which Area Plans have yet been developed, although development of an Area Plan for the community of Paradise has been initiated and will likely be completed during 2014.

IV.G PROJECT CONSISTENCY WITH THE SPECIFIC PLAN

All planning and development actions in Rock Creek Ranch are required to be consistent with the conditions outlined in this Specific Plan. This requirement applies to initial development and later redevelopment of individual residential lots, roads, open space lands, utilities, and infrastructure improvements including the LRCMWC facilities located on this site but serving areas outside of Rock Creek Ranch. The Mono County *General Plan* requires, in §36.050, that land development projects close to one another must be considered jointly under a single plan so that cumulative effects can be assessed.

During 2010, the Mono County Board of Supervisors approved the Rock Creek Canyon project, located on the site of the old Paradise Lodge and adjoining the western boundary of Rock Creek Ranch. The approved Tentative Tract Map and Specific Plan for Rock Creek Canyon contains a total of 14 parcels including twelve residential lots and two lots that will be available for public use (one for trailhead parking and one for permanent open space). As in previous similar situations (where one adjacent submittal occurred much earlier than a later submittal), the county conducted the joint review required by §36.050 as part of the Rock Creek Canyon review process.

IV.H PROJECT PHASING

The applicant proposes to complete all site improvements in a single phase. Improvements would include grading of roads and infrastructure improvements to develop on-site water and drainage systems, and installation of other utility systems (power, communication, etc.). The applicant has prepared a timeline in which grading would be initiated approximately six months following approval of Specific Plan Amendment #2 by the Mono County Board of Supervisors, and construction of individual residential lot improvements would be undertaken upon completion of grading. The schedule for build-out of the 23 single-family lots would depend on the rate at which the individual parcels are sold. Permitted land uses on all of the parcels would be governed by the Specific Plan, which reflects the uses described above. Any proposed change to the approved site uses would require County approval of an amendment to the Specific Plan, including additional environmental documentation if and as required to comply with the California Environmental Quality Act (CEQA).

V. ROCK CREEK RANCH SPECIFIC PLAN LAND USE PLAN CONCEPT³

V.A DESCRIPTION OF ROCK CREEK RANCH LAND USE PLAN

The Tentative Tract Map (Exhibit 3-4) and the Specific Plan Map (Exhibit 3-5) depict the location and layout of the 23 residential lots and ancillary uses within the project site, and Exhibit 3-6 highlights the setbacks that define the area within which individual home improvements must be contained for each lot.

The Tentative Tract Map incorporates two open space lots: Lot A (40,450 square foot [sf] lot at the south end of the site) and Lot B (an 11.68-acre lot at the northwestern end of the site). These open-space areas will provide a buffer between site uses and surrounding land uses including the community of Paradise located to the west, and public lands managed by the Bureau of Land Management to the north and east and by LADWP on the south.

³ The content and organization of this Specific Plan have been drawn from *The Planner's Guide to Specific Plans*, prepared by the California Office of Planning & Research, 1400 Tenth St., Sacramento.

The project is served by a single access road from Lower Rock Creek Road that will provide direct access to each residential lot as well as easements and infrastructure improvements. An informal trail system will allow residents to safely access Lower Rock Creek and the public hiking and biking trails along the Lower Rock Creek corridor.

Table 2 summarizes the area of each of the proposed single family lots within Rock Creek Ranch. As shown, the Rock Creek Ranch residential lots will range in area from 20,150 sf (Lot 23) to 57,598 sf (Lot 14); the average lot size is 34,015 sf. Exhibit 3-7 shows the approved color palette, which focuses on warm earth tones that will be compatible with native soil and plant materials on the site.

**Table 3-3
ROCK CREEK RANCH RESIDENTIAL LOT SIZES (sf)**

LOT #	LOT SIZE	LOT #	LOT SIZE
1	36,724	13	45,785
2	38,677	14	57,598
3	37,586	15	39,331
4	34,677	16	34,398
5	29,452	17	34,591
6	28,733	18	32,968
7	34,748	19	38,325
8	37,010	20	35,928
9	29,109	21	22,848
10	25,172	22	21,664
11	31,021	23	20,150
12	35,843		

Table 3-4 profiles the area to be set aside in Rock Creek Ranch for open space and infrastructure improvements (note that all acreages are estimates and may be slightly modified as the detailed utility specifications and design plans are finalized during plan check reviews). As shown, the total area of open space is 12.61 acres. An estimated 2.07 acres will be used for road improvements, 1.44 acres will be used for water improvements, and approximately 39.96 acres will be set aside for residential lots (17.96 acres of which will be within building setbacks and 7.18-acres of which will be within the allowed building disturbance area. Exhibit 3-5, the Specific Plan Map, provides detailed diagrams of access and water system improvements.

**Table 3-4
PROPOSED OPEN SPACE & INFRASTRUCTURE IMPROVEMENTS**

PROJECT LOT/ELEMENT	AREA
Open Space Areas on NE & SW (excludes water storage, wells & access)	11.17 ac
<i>Subtotal-Dedicated Open Space</i>	<i>11.17 ac</i>
Road Right of Way acreage	2.07 acres
Water facilities (tanks, wells & access)	1.44 acres
<i>Subtotal-Roads and Utilities</i>	<i>3.51 acres</i>
Residential Lot Area Total	39.96 acres
Area within Residential Setbacks	17.87 ac
<i>Subtotal-Residential Lots</i>	<i>39.96 acres</i>

V.B IMPLEMENTING REGULATIONS AND ORDINANCES

The following uses are permitted in Rock Creek Ranch subject to site plan review and approval of a Building Permit:

- a. **Residences:** Single-family dwellings.
- b. **Gardens:** Small scale food production for personal use.

- d. **Accessory Structures:** Accessory buildings and uses, provided that such uses are customarily incidental to any of the permitted uses, located on the same lot, and constructed simultaneously with or subsequent to the main building. All other accessory uses shall be subject to director review.
- e. **Pets:** Animals and pets, subject to standards in the adopted General Plan, except that domestic animals shall be restrained at all times consistent with the requirements of Specific Plan §V.D.i.i-vii (i.e., the maximum fenced area shall not exceed 20% of the area inside the building setback on each lot), and constructed with materials allowed in this section. Such fencing shall incorporate a wire mesh into the 3 wood rails allowed in §3.6.5.i (i) above. At no time shall pets be allowed to roam freely.
- f. **Home Occupations:** Home occupations, subject to standards in the adopted General Plan.
- g. **Open Space:** Open space uses including trails and paths, subject to Regulations in §V.H.
- h. **Water Facilities:** Water facilities, subject to the Regulations of §V.I.2.
- i. **Solar:** Private solar energy systems, subject to the Regulations of §V.D.k.

V.C USES PERMITTED SUBJECT TO DIRECTOR REVIEW

The following uses shall be permitted subject to review by the Mono County Planning Director:

- a. **Accessory Structures:** Construction of an accessory structure prior to construction of the main building.
- b. **Other:** Any other use that is found by the Planning Commission to be compatible with the purpose and objectives of this Specific Plan.

V.D RESIDENTIAL DEVELOPMENT STANDARDS

The following residential site development standards shall apply:

- a. **Minimum Lot Area:** 20,000 square feet net.
- b. **Maximum Number of Residential Lots:** 23 lots.
- c. **Building Lot Width:** The minimum average lot width shall be 150 feet
- d. **Building Lot Depth:** The minimum average lot depth shall be 200 feet.
- e. **Building Height Limit:** 28 feet above the preconstruction existing grade at any given point of the site, inclusive of all utilities and ornamentation.
- f. **Maximum Lot Coverage:** Maximum lot coverage shall be 40% of the total buildable area.
- g. **Maximum Landscape Coverage:** 15% of lot acreage.
- h. **Setbacks:** Structural improvements on each residential lot shall be confined to the buildable area designated in Exhibit 3-6. All setback distances are to be calculated from the adjoining property lines.
- i. **Fencing:**
 - i. All fencing on residential lots shall be constructed of wood materials.
 - ii. Fencing shall be permitted only inside the setbacks designated for each lot.
 - iii. The maximum fenced area shall not exceed 20% of the area inside the building setback on each lot.
 - iv. All residential fencing shall be a maximum of 5 feet high and constructed of three wood rails. Rock may be used only on the fencing posts. 'Trex'-type lumber may be used, but all-plastic lumber shall not be permitted. Pet fencing shall be within the confines of the fenced area allowed in Section V.D.i (iii) directly above, and shall consist of a wire mesh incorporated into the 3 wood rails allowed herein.
 - v. Fencing for water systems shall be adequately screened and constructed of materials and dimensions as required for safety and security.
 - vi. Fencing shall not be placed so as to restrict access to public lands, and fencing shall not block any extensions of right-of-way easements or non-motorized bike or pedestrian paths that extend through to public lands.
 - vii. **Pet Restraints:** The project is subject to leash laws intended to minimize impacts on important deer habitat. The leash laws require that pets be leashed or restrained with fencing at all times when out of doors. Dog enclosures must be capable of preventing the dog(s) from straying onto public land or adjacent properties. Pet fencing shall be within the confines of the fenced area allowed in this section (i.e., the maximum fenced area shall not exceed 20% of the area inside the building setback on each lot), and constructed with materials allowed in this section. Such fencing shall incorporate a wire mesh into the 3 wood rails allowed in §3.6.5.i (i) above.
- j. **Energy and Water Conservation:** Energy conservation features shall be consistent with current building code standards.

- k. **Solar systems:** Solar systems are strongly encouraged and shall comply with the following standards and/or current building code requirements:
 - i. Solar PVC systems are encouraged to be fully integrated into the roof system
 - ii. Solar panels shall not extend more than 5" above the roof line.
 - iii. Conduit and wiring shall be screened from view or painted to blend with the roofing material.
 - iv. Any inverter boxes shall be screened from view or painted to blend with roofing materials.
- l. **Deer Protection:** Parcel grading operations, structural foundation work, framing work and similar heavy construction activities shall be restricted to the period between May 15 and October 1 to minimize disturbance to migrating and wintering deer.
- m. **Biological Resource Protection:** Domestic animals shall be restrained with fencing or leashes and kept under owner control at all times. Under no circumstances shall domestic animals be allowed to roam freely.
- n. **Waste Management:** The CC&Rs shall provide information about waste management and disposal.
- o. **Best Management Practices (BMPs):** BMPs shall be utilized in the construction of each individual home site to minimize or prevent erosion, sedimentation, and contamination. BMPs shall comply with the special conditions outlined in §5.3 of the Rock Creek Ranch Draft EIR⁴ and shall also include: (1) short-term storage of all construction wastes areas outside the path of storm flows and disposal at a permitted transfer station or landfill; (2) minimizing the footprint of construction zones and prompt installation of erosion controls; (3) stabilizing disturbed soils with landscaping, paving or reseeding to reduce or eliminate the risk of further erosion; (4) perimeter drainage controls to direct runoff around disturbed construction areas; (5) internal erosion controls to allow direct percolation of sediment-laden waters on the construction site; and (6) regular inspection and maintenance of all equipment used during construction.

V.E LANDSCAPING AND SCREENING

Landscaping is intended to maintain a sense of visual continuity with surrounding lands and properties. The following standards and requirements shall apply:

- a. **Plant Materials:** Landscaping within Rock Creek Ranch shall consist of plant materials that are native to the Mono County region and have value to native wildlife, and non-native species that are compatible with native plant materials, have low propagation characteristics, are drought tolerant, and are not invasive.
- b. **Landscape Irrigation:** Permanent irrigation on residential lots shall be limited to a maximum 15% of lot area. Water conserving irrigation systems are encouraged in the residential lots to minimize irrigation water demand.
- c. **Landscape Maintenance:** All landscaping shall be maintained in a neat, clean, and healthy condition.
- d. **Landscape Plan:** As part of building permit review, each individual residential lot application shall be accompanied by a landscaping plan that demonstrates compliance with regulations in this Specific Plan. Invasive species shall be prohibited within any portion of Rock Creek Ranch.
- f. **Protections for Native Vegetation:** Property owners shall be prohibited from clearing native vegetation except as shown on the approved landscape plan, subject to current laws and regulations concerning fire safety and habitat protection.

V.F BUILDING MATERIALS AND COLORS

The following list of Building Materials and Colors are intended as a means of establishing a community that is able to maintain a level of continuity and overall desirable appeal. The guidelines being set forth are not intended to discourage creativity or personal desirability, but rather to offer a method of protecting the overall integrity of the community and individual owner's investments. Deviations from the items contained herein must be approved by the local Home Owners Association.

- a. **Roofs:** Roofs must meet county fire codes and must be made of non-reflective material except where using fully integrated solar roofing. Acceptable roofing types include Comp Shingle, corrugated metal (dark or rust), Dark Tile, slate

⁴ Measures in §5.3 require (a) that construction activities be restricted to the period between May 15 and October 1 (to minimize disturbance to deer); (b) areas disturbed during construction shall be revegetated with native species in order to establish deer habitat as soon as possible following construction, and revegetation of disturbed areas shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be monitored for a period of five years to ensure the success of the planting and shall be replanted if necessary; and (c) dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases.

and shake if fireproof. Other types of roof must be approved by the Rock Creek Ranch Homeowners Association (HOA). Sky lighting is acceptable if integrated into the roof. Solar panels that rise more than 5 inches above the roof plane are not acceptable.

- b. **Driveways:** All driveways shall be paved with materials that are typical to the area, such as concrete, pavers, asphalt, brick and stone. Use of 'turf stone' and/or other runoff-reducing materials is encouraged.
- c. **Siding:** All siding materials shall meet current fire and building codes. Wood, engineered composite wood (i.e. Hardi), shake, shingle, log, timber, stone, brick, and steel (i.e. rusted corrugated metal) are all examples of allowable type siding. Vinyl, lapboard, and other siding with seams are not acceptable. Stucco should be limited to 25% of the total siding.
- d. **Home styles:** Homes must be built of conventional wood and/or steel methods including log or timber. Mountain, ranch and craftsman style architecture is encouraged as well as use of environmentally "green" materials and concepts (i.e., passive solar and water conservation techniques). This section outlines the basic architectural guidelines to be enforced by the HOA. Colors or color patterns not found appropriate by a majority of the home owners is subject to change at the cost of the owner. The CC&Rs will provide a more complete set of guidelines.
- e. **Color Themes:** Colors should be consistent with colors that are found to be predominant in the natural surroundings. Colors apply to all aspects of building improvements. The approved Color Schedule was shown previously in Exhibit 3-7. The two bottom rows of the color schedule are appropriate for trims and accents but not for primary home colors. Natural and wood-colored stains are also acceptable. Variations can be submitted to HOA for approval. (See attached color schedule for specific color codes). The primary colors used should include earth tones such as Greens, Browns, Tans, Brownish Reds, Dark Grays, natural woods, natural stains and other colors that are consistent, and blend with the natural surroundings. Bright colors, deviations, and reflective materials are not acceptable without HOA approval.
- f. **Color Schedule:** Specific Paint Color codes that are acceptable for Rock Creek Ranch are found within the Sherwin Williams "Fundamentally Neutral" color pallet. These colors are identified as SW6000-SW6280. Any colors outside these color pallets must be approved by the Rock Creek Ranch HOA. All of the colors within the palette are acceptable as the primary color for a home, with the exception of the following Sherwin Williams codes, which may be used as trim or accent colors:

**Table 3-5
Approved Trim and Accent Colors⁵**

SW6022	SW6043	SW6064	SW6140	SW6217	SW6259
SW6023	SW6049	SW6065	SW6147	SW6224	SW6270
SW6024	SW6050	SW6070	SW6154	SW6231	SW6271
SW6028	SW6051	SW6071	SW6168	SW6232	SW6274
SW6029	SW6052	SW6084	SW6175	SW6238	SW6279
SW6030	SW6056	SW6091	SW6182	SW6239	SW6280
SW6035	SW6057	SW6105	SW6196	SW6245	
SW6036	SW6058	SW6112	SW6203	SW6252	
SW6042	SW6063	SW6126	SW6210	SW6253	

V.G LIGHTING STANDARDS

All outdoor lighting within the Rock Creek Ranch project shall comply with requirements set forth in Chapter 23 of the Mono County Code, the Dark Sky Ordinance.

V.H OPEN SPACE DEVELOPMENT STANDARDS

- a. **Minimum acreage:** Dedicated open space areas shall be recorded on the final maps with a requirement that permitted land uses within the dedicated open space easements shall be limited to undisturbed natural uses and trails (for non-motorized access only, except for emergency purposes). These areas shall be deeded to, and managed by, the HOA.
- b. **Fencing:** Fencing shall be prohibited in any dedicated open space area.
- c. **Landscaping:** Plant materials in the open space areas shall be limited to existing native plants. Where replanting is necessary due to disturbance during construction, the landscaping shall be limited to plant materials that are native to the Mono County region and have value to native wildlife.

⁵ SW = Sherwin Williams

- d. **Landscape Irrigation:** A temporary irrigation system shall be provided for any disturbed portions of the dedicated open space areas. The temporary system shall remain in place until the county finds that supplemental irrigation is no longer required to maintain plant viability, and shall then be removed.
- e. **Lighting:** No lighting shall be permitted in the dedicated open space areas.
- f. **Off-Highway Vehicle (OHV) Use:** OHVs shall not be permitted within the public open space areas except for maintenance, emergency or public safety purposes.
- h. **Habitat Protection Guidelines:** The Covenants, Conditions and Restrictions (CC&Rs) shall contain information on project habitat values and habitat protection as a means to educate homeowners and safeguard native resources.
- i. **Open Space:** The CC&Rs shall contain information to inform residents of the nature and extent of natural hazards in the project area, and ways to minimize the associated public health risks.

V.I INFRASTRUCTURE DEVELOPMENT STANDARDS

V.I.1 Access and Transportation

a. Street Standards

- i. All interior roads in Rock Creek Ranch shall be offered for dedicated to the county, paved, privately maintained and improved to standards adequate for public safety and access; the streets shall be maintained as private streets if the county does not accept the offer of road dedication.
- ii. Appropriate dedications for rights-of-way and/or easements shall be required on the Subdivision Map for project streets, utilities, drainage, snow storage, etc., in conjunction with the project phases.
- iii. Private roads shall meet or exceed minimum Fire Safe Standards and shall provide for an appropriate maintenance entity, such as the HOA or a community services district, prior to the recordation of a Subdivision Map.
- iv. The interior street serving Rock Creek Ranch shall have a minimum overall right-of-way of 30 feet.
- v. Two travel lanes shall be provided, with one lane for each travel direction. Each of the two lanes shall have a minimum paved width of 12 feet with a minimum three-foot-wide rock-lined drainage swale on the shoulder (see Specific Plan §V.I.3).
- vi. Access points, street crossings, stop signs, barrier posts, and other signs, markings, and measures shall be installed as appropriate to enhance safety.
- vii. A five-foot wide easement for snow storage shall be provided alongside each lane of the primary internal roadway.
- viii. The primary interior street serving Rock Creek Ranch shall have one public access onto Lower Rock Creek Road.
- ix. An emergency access road shall be provided that creates a loop connecting the primary road terminus with the southernmost segment of the primary road. The emergency access road shall be constructed with an aggregate base and decomposed granite or native materials capable of handling a 40,000-pound load, and shall have one 9-foot wide lane in each direction with a total easement width of 24-feet.
- x. A secondary emergency access may be provided across public lands upon approval by the appropriate agency.
- xii. Interior slopes on the primary access road shall not exceed a maximum grade of 15.0%.
- xii. Interior slopes on the emergency access road shall not exceed a maximum grade of 16.0%.

b. Parking Standards

- i. All parking shall be provided in accordance with Mono County General Plan requirements.
- ii. On-street parking shall be prohibited.
- ii. Driveways shall be paved and designed to minimize grades so that year-round access is assured and on-street parking avoided.
- iii. Lot owners shall be encouraged to store all RV units, boats, trailers, ATVs, snowmobiles and similar items in a fully-enclosed structure that is integrated with the residential structure, or in an attached parking structure that conforms to the design of the primary residence.

c. **Signage Standards:** Sign standards for the internal road serving Rock Creek Ranch shall be the same as required for rural residential roads, except that the following additional provisions shall also apply:

- i. To minimize direct mortality impacts to deer from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer.
- ii. A 25-mile per hour speed limit shall be established on residential streets in the proposed project.

V.I.2 Water Facilities

a. Water Standards

- i. Water facilities within Rock Creek Ranch shall conform to the following Specific Plan requirements.
- b. Mutual Water Company or Similar Water Service Provider**
 - i. An independent mutual water company or similar type of water service provider shall be created by the developer of Rock Creek Ranch. The water service provider shall be responsible for routine inspection and testing of the water treatment and delivery system, and compliance with all conditions of approval as contained in the Mitigation Implementation & Monitoring Program and/or other approvals granted by County or State agencies. The water service provider shall file a report with the Mono County Health Dept. on an annual basis or as required by the Health Dept. Rock Creek Ranch lot owners shall be solely responsible for payment of all maintenance, operating, inspection and reporting costs.
 - ii. The mutual water company shall be the responsible entity in the event remedial actions are required for any aspect of the water production, storage, treatment, or distribution facilities. All remedial activities shall be undertaken in a timely manner as determined by the Health Department. Rock Creek Ranch lot owners shall be responsible for the payment of all remedial actions.
 - iii. Toxic materials used in water treatment, storage or delivery shall comply with all relevant laws and regulations governing use, storage and disposal.
 - iv. Individual water production wells shall be prohibited in Rock Creek Ranch.
 - v. The project CC&Rs shall notify Rock Creek Ranch residents and potential buyers that the project Homeowners' Association is solely responsible for all funding, operation, maintenance and reporting obligations associated with the water service system.
- c. Design Standards:**
 - i. Water production, storage and delivery facilities shall be concealed from view through underground construction, berms and use of materials that conform to the architectural standards and colors outlined in this Specific Plan. The colors used shall be taken from the darkest colors of the surrounding landscape.
 - ii. Lighting at the water production and storage facility shall be limited to motion sensor lighting as required for security.
 - iii. Fencing at the water production and storage facility shall conform to the development standards in Specific Plan §V.D.i and shall be architecturally compatible with the residential area, consistent with requirements for public safety and security.

V.I.3 Drainage Facility Development Standards

- a. **Standards:** All interior streets shall be constructed with a minimum three-foot wide rock-lined roadside and shall include culverts fitted with flared end sections, drop inlets, and other drainage structures as necessary to collect and convey storm waters generated by the 20-year event.
- b. **Discharges:** Storm water quantities exceeding predevelopment levels shall be retained on-site. The off-site discharge of any pre-development flow quantities shall be routed through a sediment basin prior to discharge.
- c. **Management:** All drainage facilities shall be managed and maintained by a private maintenance entity such as the HOA or a community services district.

V.I.4 Solid Waste Disposal Development Standards

- a. **Standards:** The project CC&Rs shall include a provision that any commercial waste disposal bin (i.e., "dumpster") provided for long-term residential use (i.e., rather than one-time construction use) shall be stored within a three-sided enclosure with gate to provide visual screening. Structure design and construction materials shall conform to standards established by this Specific Plan and shall be approved by the HOA.

V.I.5 Additional Provisions

- a. **Best Management Practices (BMPs):** BMPs shall be utilized throughout the construction of project infrastructure to minimize or prevent erosion, sedimentation, and contamination. BMPs shall comply with the special conditions

outlined in Draft EIR §5.3,⁶ and shall also include: (1) short-term storage of all construction wastes areas outside the path of storm flows and disposal at a permitted transfer station or landfill; (2) minimizing the footprint of construction zones and prompt installation of erosion controls; (3) stabilizing disturbed soils with landscaping, paving or reseeding to reduce or eliminate the risk of further erosion; (4) perimeter drainage controls to direct runoff around disturbed construction areas; (5) internal erosion controls to allow direct percolation of sediment-laden waters on the construction site; and (6) bid specifications that require regular inspection and maintenance of all equipment used during construction.

VI. ROCK CREEK RANCH EASEMENTS

The following easements have been recorded on the project site prior to development of Rock Creek Ranch and may affect all or part of the property:

VI.A SOUTHERN CALIFORNIA EDISON COMPANY (SCE)

- An easement for existing underground or aerial electric and communication lines to SCE per 101/172 O.R.

VI.B LOWER ROCK CREEK MUTUAL WATER COMPANY

- An easement for water pipelines and incidental purposes, reservoir, and pumping plant system to Lower Rock Creek Mutual Water Company per 107/16 O.R.
- An easement for water pipelines, reservoir, and pumping plant system to LRCMWC per 199/325 O.R.
- An easement for water tank to Lower Rock Creek Mutual Water Company per 285/585 O.R.
- An easement for construction, operation and maintenance of a waterline, well and equipment, and access thereto, to Lower Rock Creek Mutual Water Company per 706/127 O.R.
- An easement for construction, operation and maintenance of a waterline, well and equipment, and access thereto, to Lower Rock Creek Mutual Water Company per 706/129 O.R.
- An easement for construction, operation and maintenance of a waterline, well and equipment, and access thereto, to Lower Rock Creek Mutual Water Company per Inst. #2003004318.

VII. OTHER PROVISIONS

VII.A ELECTRICITY

SCE provides electricity to the project region. Onsite power lines will be placed below-grade.

VII.B PROPANE TANKS

Gas service to Rock Creek Ranch lots shall be served through individual propane tanks.

- Location:** Each propane tank shall be located in accordance with county regulations and screened from off-site view by approved vegetation or fencing. Fuel distribution lines shall be constructed underground.
- Maintenance:** Propane tanks shall be maintained by the propane provider; no easement will be required.
- Screening:** The project CC&Rs shall include a provision that any individual propane tank shall be screened from view from any abutting lot, street or highway.
- Design and Construction:** The design and construction materials of such screening shall conform to Fire Department standards for public safety as well as the standards established by this Specific Plan, and shall be approved by the HOA.

⁶ Measures in §5.3 require (a) that construction activities be restricted to the period between May 15 and October 1 (to minimize disturbance to deer); (b) areas disturbed during construction shall be revegetated with native species in order to establish deer habitat as soon as possible following construction, and revegetation of disturbed areas shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be monitored for a period of five years to ensure the success of the project and shall be replanted if necessary; and (c) dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases.

VII.C SCREENING OF MECHANICAL AND ELECTRICAL EQUIPMENT

Excepting solar panels, exterior components of plumbing, processing, heating, cooling and ventilation systems, and transformers shall not be visible from any abutting lot, street or highway.

VII.D ANTENNAS

With the exception of individual TV satellite antennas (which are exempt), dishes, transmitters and antennas shall be allowed subject to approval of the Rock Creek Ranch HOA. Where permitted, such features shall be placed within the height limits described above, and shall be wholly screened from view by architecturally compatible landscaped berms, plantings, walls, solid fencing, or a combination of these materials.

VII.E TOXIC MATERIALS

Except as otherwise provided in this Specific Plan, no toxic materials handling shall be permitted within Rock Creek Ranch except for small quantities of domestic products that are available in retail outlets. Such permitted uses shall comply with all relevant laws and regulations governing use, storage and disposal.

VII.F WOOD-BURNING APPLIANCES

Residents, tenants and owners shall be prohibited through deeds of sale and/or lease agreements from installing wood-burning appliances (including fireplaces) that do not comply with current standards for control of particulate emissions.

VII.G STRUCTURAL FIRE PROTECTION

All structures in Rock Creek Ranch shall comply with current requirements of the Paradise Fire Protection District for structural fire protection.

VII.H SIGN STANDARDS

Unless otherwise noted herein, all sign provisions in Rock Creek Ranch, including permitted and prohibited signage, shall be governed by provisions in General Plan Land Use Element Chapter 7 (page II-327).

VIII. IMPLEMENTING REGULATIONS AND ORDINANCES

VIII.A CAPITAL IMPROVEMENT PLAN

Project improvement costs, exclusive of land acquisition, are estimated by the project applicant to be \$1,534,995 (in 2014 dollars). Cost components include \$260,000 for grading, \$276,595 for paving, \$132,000 for drainage improvements, \$566,400 for water improvements, \$300,000 for underground utilities and a 15% contingency reserve of \$230,249. Private financing will cover the cost of most project improvements; the applicant may seek financing assistance from state, local and/or federal agencies for the construction of some project elements including the water system, and wind and solar energy improvements.

VIII.B FEES AND FINANCING MEASURES

CGC §65456 allows a legislative body to impose a charge on persons seeking approvals required to be consistent with an adopted specific plan. Consistent with this provision, Mono County has adopted a fee schedule for processing and review of Specific Plan documents. All required fees have been paid. All capital improvements and project elements will be privately financed. No public funds will be used in planning, construction, operation or maintenance of any Rock Creek Ranch improvements or facilities.

VIII.C PHASING PLAN

All road and infrastructure improvements for Rock Creek Ranch are to be constructed in a single phase; these shall include grading and paving of roads, all water improvements, and open space improvements. Residential lot grading and building improvements will be the responsibility of future lot owners and phased in accordance with lot sales and the plans of individual buyers.

IX. SPECIFIC PLAN AMENDMENT PROCEDURES

IX.A MAJOR AMENDMENTS

The process of amending a specific plan is generally the same as that for amending a General Plan. Accordingly, the county or the owner or owners of any single lot or lots within Rock Creek Ranch may initiate an amendment to this Specific Plan. Major Amendments must be approved by the Planning Commission and the Board of Supervisors, and must follow the procedures outlined below.

- a. The amendment shall be in accordance with CGC §65500-65507, and Mono County Code §19.46.
- b. The amendment shall be in compliance with CEQA requirements.
- c. Modifications to the subdivision plan after approval of Tentative Tract Map #37-56 shall be in accordance with the California Subdivision Map Act and Mono County procedures for implementation of the Map Act.

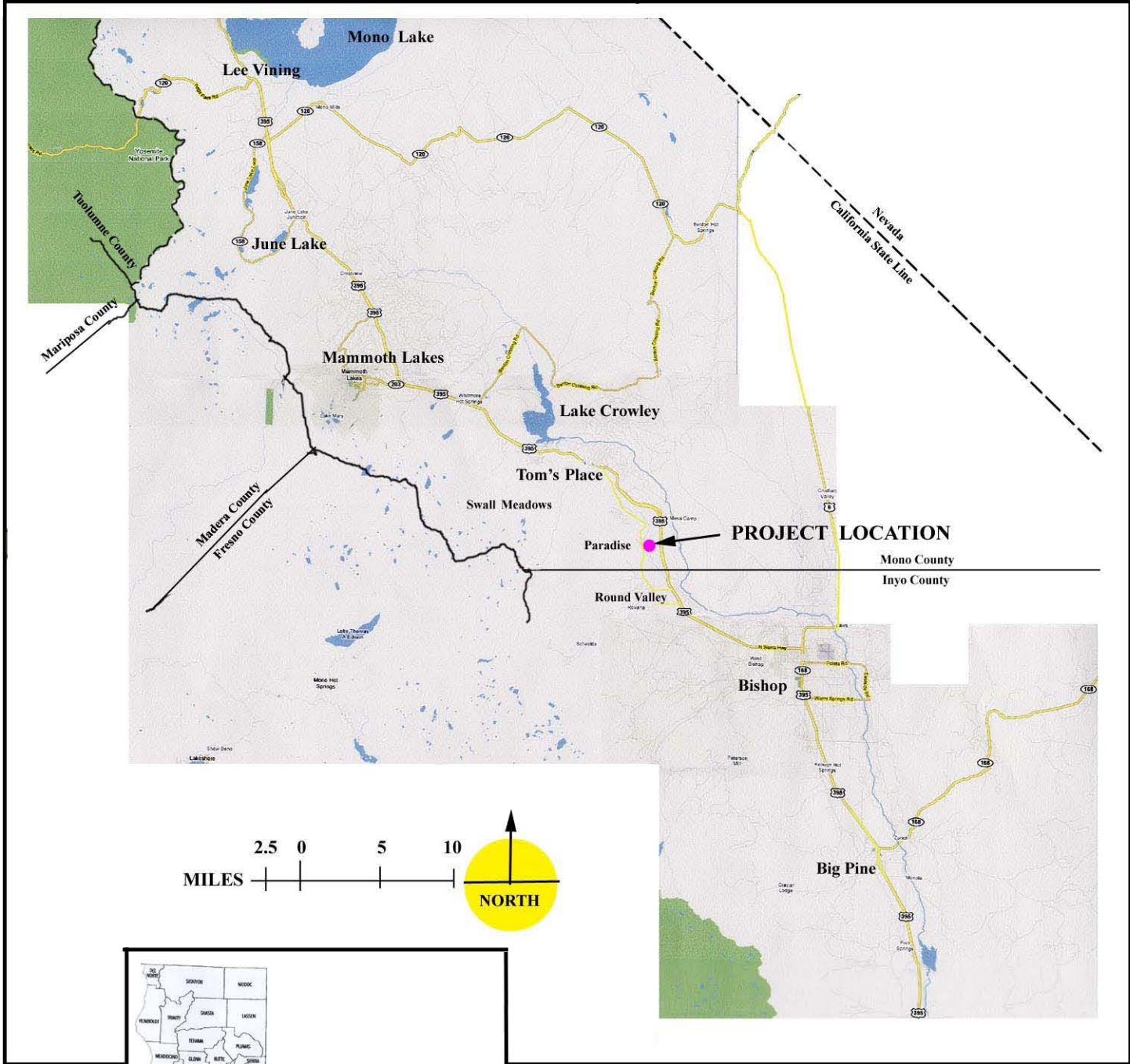
IX.B MINOR MODIFICATIONS

Minor modifications to the Specific Plan may be approved by the Community Development Director. Minor modifications may include changes in architectural colors or details, minor modifications to the street layout or public facility improvements, minor changes to utility placement or layout, minor changes to trail placement, as well as minor modifications to the subdivision plan (such as lot line adjustments and divisions) and other similar changes. Minor modifications to the subdivision plan, such as lot line adjustments and divisions, shall not require an amendment to this Specific Plan provided the Mono County Planning Director finds the modification is consistent with the general nature and intent of this Plan.

X. SPECIFIC PLAN ENFORCEMENT

X.A SUBDIVISION REQUIRED

No development of the property shall occur, nor shall any permit related to such development (e.g., building permit, grading permit) be issued unless and until the property is subdivided in accordance with this Specific Plan.



Regional Location Map



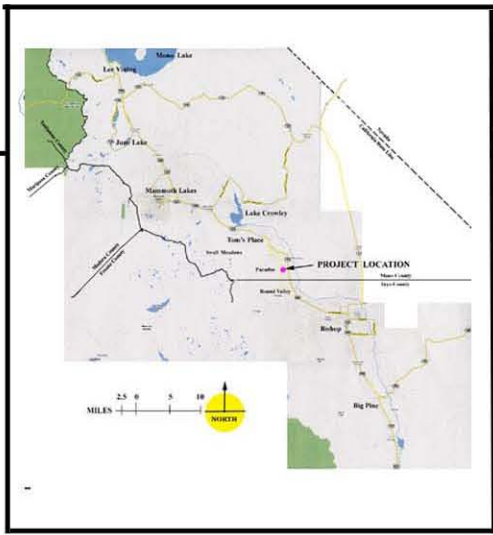
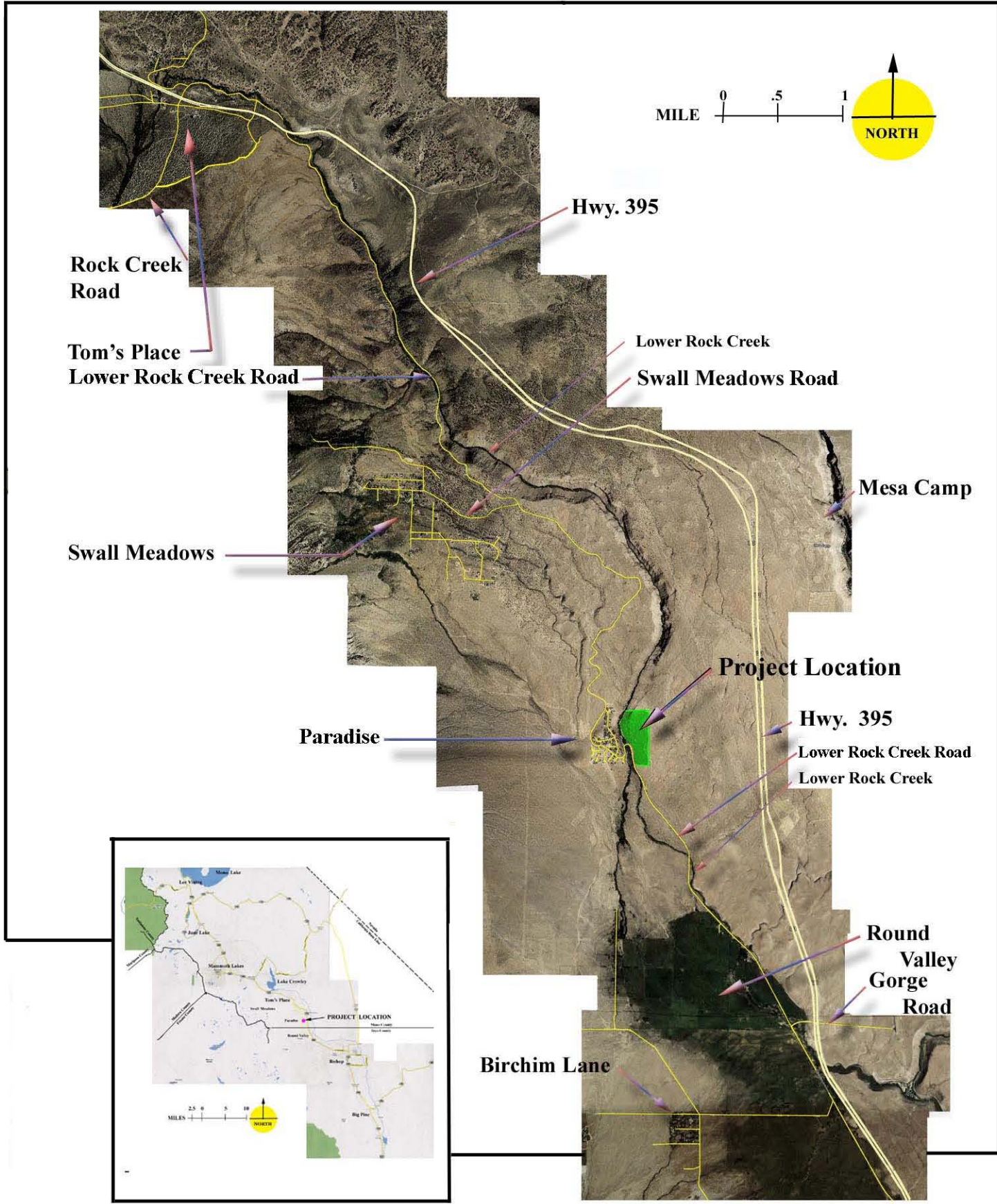
California Map



BAUER PLANNING & ENVIRONMENTAL SERVICES, INC.

ROCK CREEK RANCH EIR

EXHIBIT 3-1



Regional Location Map

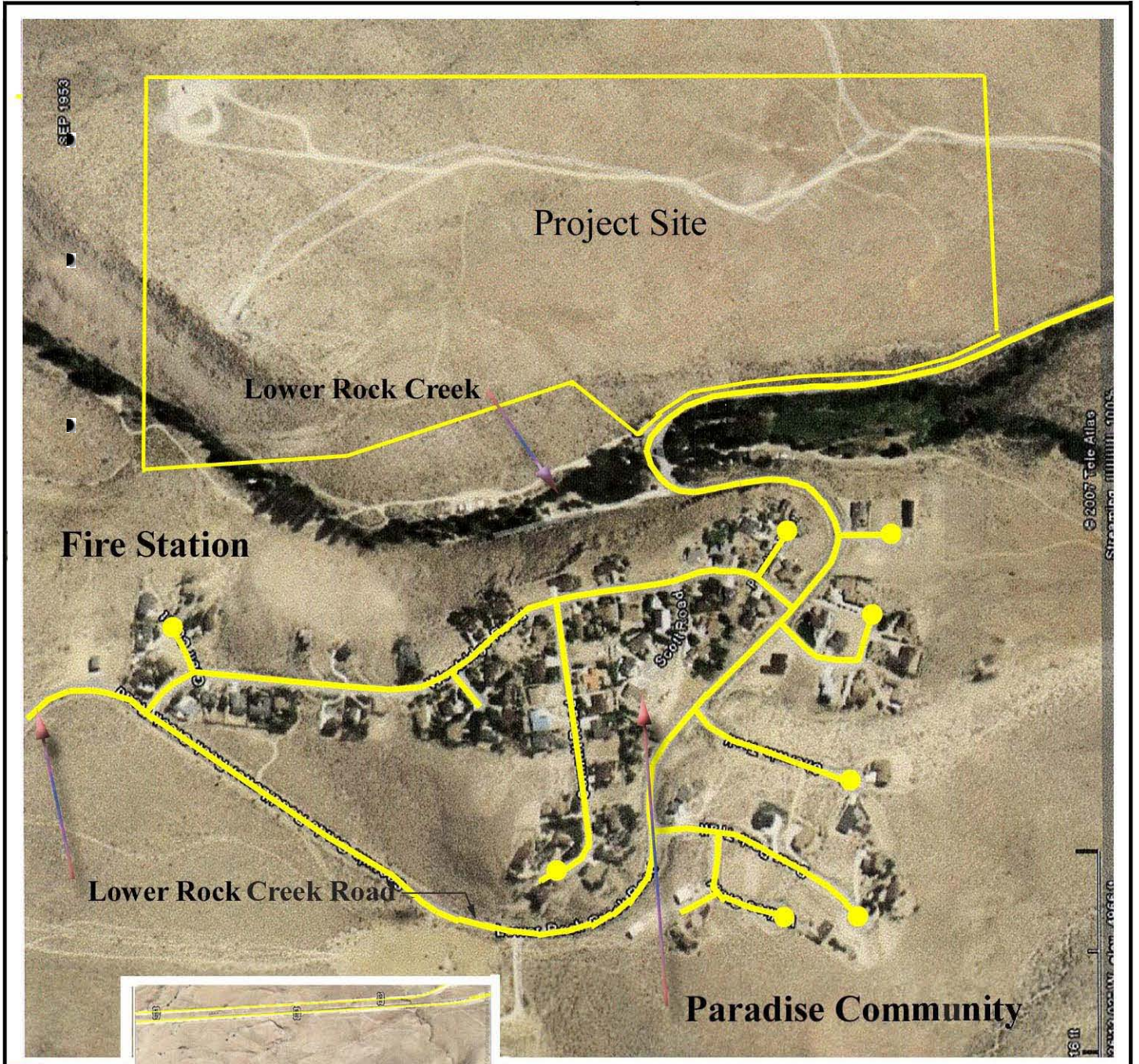
Local Vicinity Map

ROCK CREEK RANCH EIR

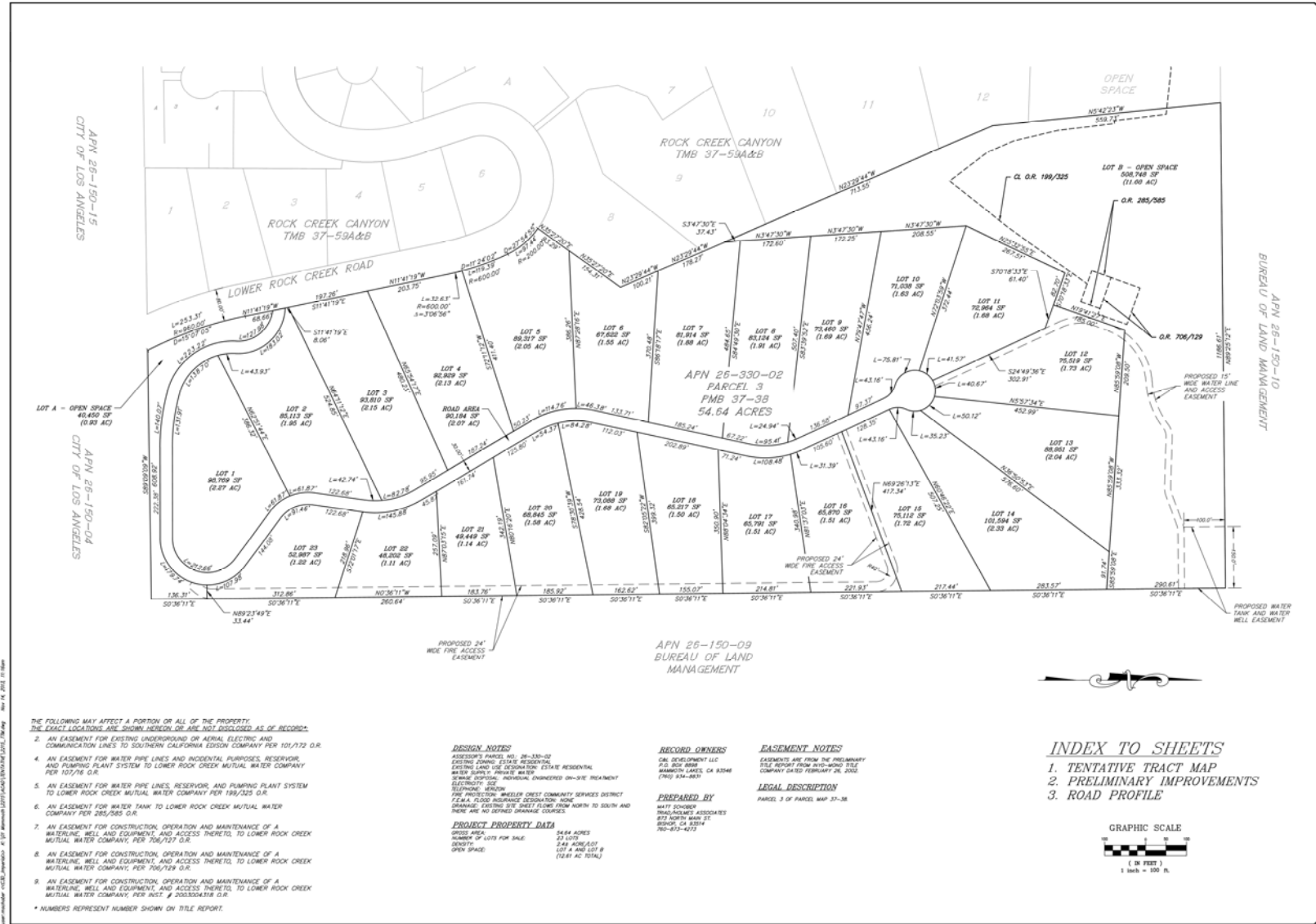
EXHIBIT 3-2



BAUER PLANNING & ENVIRONMENTAL SERVICES, INC.



Project Location and Environs Map



TENTATIVE TRACT MAP
ROCK CREEK RANCH
PREPARED FOR: MATTHEW LEHMAN

land/air/marine assoc.
land engineering
land surveying

11/14/13
7=100'
MS
2215
2215, TTM
1
3 SHEETS

EXHIBIT 3-4. TENTATIVE TRACT MAP

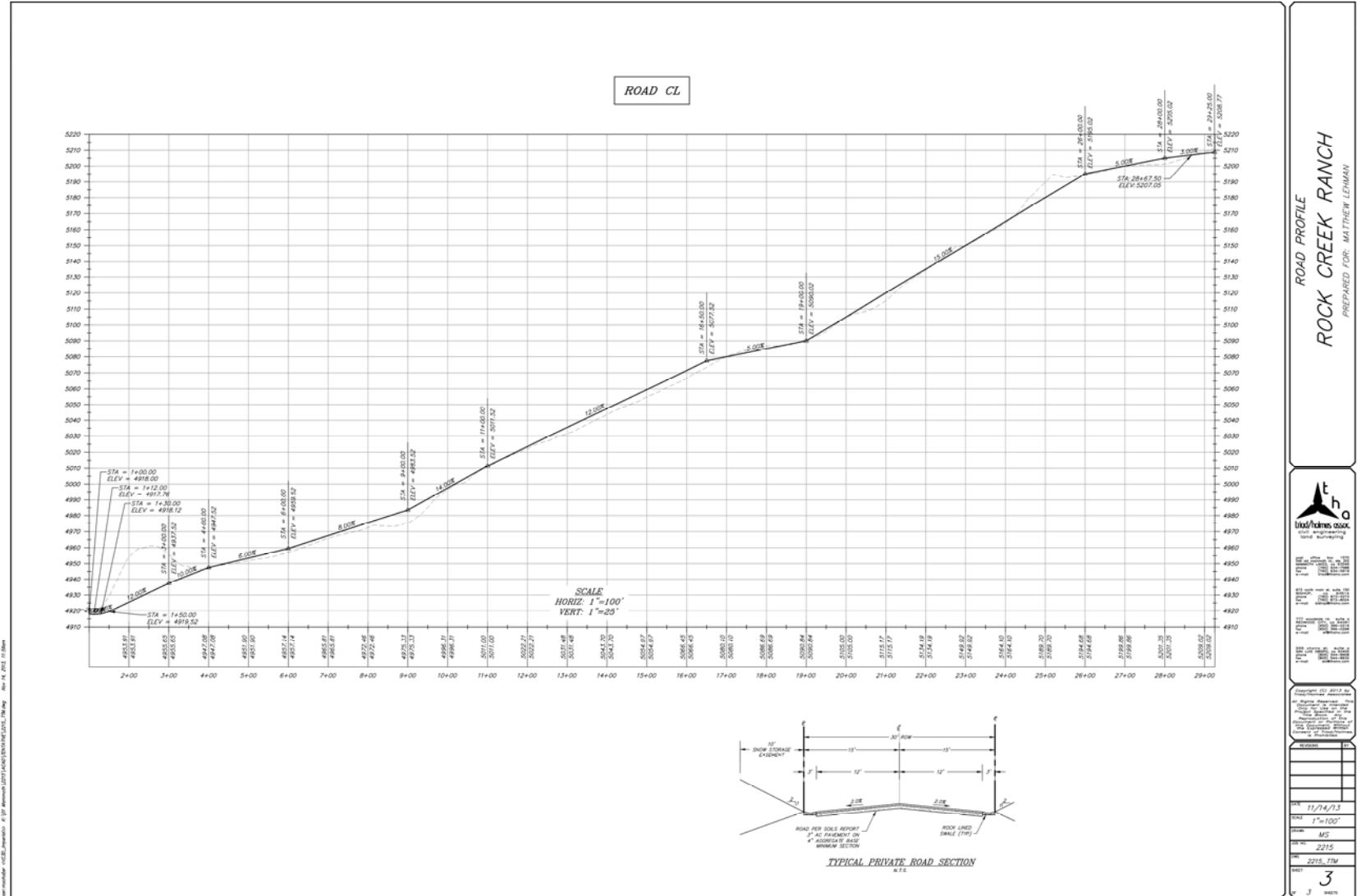
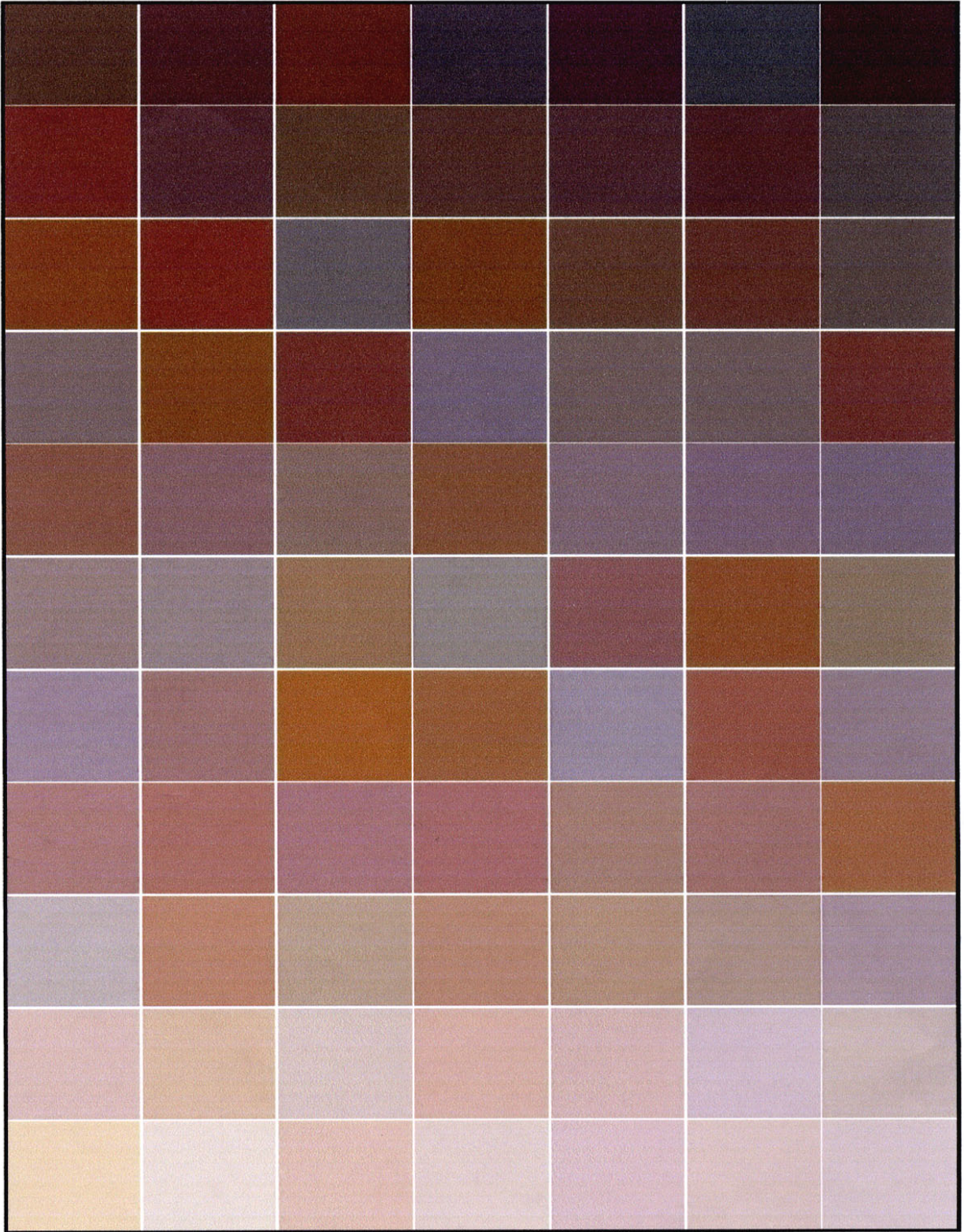


EXHIBIT 3-7 –ROAD PROFILE



General Earth Tone Color Schedule



BAUER PLANNING & ENVIRONMENTAL SERVICES, INC.

ROCK CREEK RANCH EIR

EXHIBIT 3-7

)

RESOLUTION R14-01

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION RECOMMENDING
APPROVAL OF ROCK CREEK RANCH SPECIFIC PLAN AMENDMENT 13-002
AND SECOND AMENDMENT TO TENTATIVE TRACT MAP 37-56**

WHEREAS, on May 12, 2009, the Mono County Board of Supervisors approved the Rock Creek Ranch Specific Plan and Tentative Tract Map 37-56 for the Rock Creek Ranch subdivision; and

WHEREAS, on May 9, 2013, the Board of Supervisors approved Amendment 13-001 to the Rock Creek Ranch Specific Plan and also approved an amendment to Tentative Tract Map 37-56, which eliminated five bonus deed-restricted lots for affordable housing, thereby reducing the total number of lots from 60 to 55 ("Amended Tentative Map"); and

WHEREAS, the subdivider has proposed a second map amendment that would further reduce the number of lots on Tentative Map 37-56 to 23, and would eliminate the package-sewage treatment facilities, evaporation pond, pool, clubhouse and other common elements shown on the Amended Tentative Map ("Second Amended Tentative Map"); and

WHEREAS, proposed Specific Plan Amendment 13-002 would make changes to conform the Rock Creek Ranch Specific Plan to the Second Amended Map and would make other minor technical changes and clarifications to the Rock Creek Ranch Specific Plan; and

WHEREAS, Section 15164 (a) of the California Environmental Quality Act (CEQA) Guidelines provides that "the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred"; and

WHEREAS, Mono County has determined that an addendum to the Final Environmental Impact Report (FEIR) is the appropriate level of environmental review under CEQA guidelines sections 15162 and 15164 because none of the conditions described in Section 15162 have occurred; and

WHEREAS, the Mono County Planning Commission did, on January 9, 2014, hold a noticed and advertised public hearing to hear all testimony relevant to Rock Creek Ranch Specific Plan Amendment 13-002 and Second Tentative Map Amendment.

**NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION DOES HEREBY
RESOLVE AS FOLLOWS:**

Having taken into consideration staff recommendations, public comment, and all other evidence and testimony before it, the Mono County Planning Commission recommends approval of Specific Plan Amendment 13-002 and Second Amended Tentative Tract Map 37-56, reducing the density from 55 to 23 lots, eliminating the package-sewage treatment facilities, evaporation pond, pool, clubhouse and other common elements, and making conforming modifications to the Specific Plan to reflect the elimination of those lots and facilities, finding that:

1 A. *The change in the Specific Plan and Tentative Tract map, including the design and improvements*
2 *and reducing the density from 55 to 23 lots, including elimination of other common elements, is*
3 *consistent with the text and maps of the General Plan because:*

4 The changes to the Specific Plan are consistent with General Plan policies that direct the County to
5 utilize the specific plan process for large-scale projects and of the Land Use Element to contain
6 growth in and adjacent to existing community areas (LU Element Objective A, Policies 1, 2).

7 The adopted Specific Plan and Tentative Tract Map were found to be consistent with the General
8 Plan when adopted in 2009. The proposed changes are reasonable and compatible with
9 surrounding and proposed development and do not alter the adopted Specific Plan or Map in a
10 manner that makes it inconsistent with the text or maps of the General Plan.

11 B. *The site of the proposed changes is physically suitable for the type and density of land uses*
12 *permitted within the Specific Plan and map because:*

13 The site is adjacent to existing residential development, and either has or will be required as a
14 condition of final map approval, to develop adequate infrastructure (utilities, roads) and is suitable
15 for the proposed residential uses (LU Element, Objective A, Policy 1, Actions 1.2). The design
16 meets standards for both the physical layout and density and no easements are impacted. This
17 amendment reduces the density and eliminates other development components, thus improving the
18 suitability of the project for the site.

19 C. *The change to the Specific Plan is reasonable and beneficial at this time and not likely to cause*
20 *serious public health problems because:*

21 The property land use designation is Specific Plan (SP). The adopted SP was found to be
22 consistent with the General Plan when adopted in 2009. The proposed changes are reasonable and
23 compatible with the surrounding and proposed development and will help to clarify the regulations
24 governing future development of the property.

25 D. *The change to the Specific Plan and map will not have a substantial adverse effect on surrounding*
26 *properties or result in substantial environmental damage or injure fish and wildlife or their*
27 *habitat because:*

28 An FEIR for the project was approved in 2009. None of the conditions described in CEQA
29 Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. The changes
30 of this amendment reduce environmental impacts and will not adversely affect surrounding
properties.

PASSED AND ADOPTED this 9th day of January 2014, by the following vote of the Planning
Commission, County of Mono:

AYES :
NOES :
ABSENT :
ABSTAIN :

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Dan Roberts, Chair
Mono County Planning Commission

ATTEST:

APPROVED AS TO FORM:

C.D. Ritter, Commission Secretary

Stacey Simon, Assistant County Counsel

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Mono County Counsel
P.O. Box 2415
Mammoth Lakes, CA 93546

**HOUSING MITIGATION AGREEMENT BETWEEN
THE COUNTY OF MONO AND C & L DEVELOPMENT, INC.
FOR TENTATIVE TRACT MAP NO. 37-56**

The Parties to this Housing Mitigation Agreement ("Agreement") are the County of Mono ("County"), a political subdivision of the State of California, and C & L Development, Inc. ("Subdivider"), a California corporation.

This Agreement is entered into for the purpose of setting forth the housing mitigation requirements for the Rock Creek Ranch project ("Project") in accordance with the conditions of approval ("Conditions") for Tentative Tract Map No. 37-56 ("Tentative Map"), in particular Condition Number 32 which relates to housing mitigation requirements.

WHEREAS, Condition Number 32 requires Subdivider to provide housing mitigation in one of the following forms: (1) alternative mitigation as set forth in section 15.40.060 of the Mono County Code or which the County may adopt following Tentative Map approval and to which the Subdivider agrees to be subject; or (2) by constructing five affordable units on lots dedicated for that purpose, paying housing mitigation fees in the amount of \$59,082, and deed restricting eleven residences within the Project for secondary dwelling units; and

WHEREAS, Condition 32 further requires that a housing mitigation agreement be entered into and recorded between County and Subdivider which sets forth Subdivider's specific obligations with respect to housing mitigation for the Project; and

WHEREAS, since the Tentative Map was approved, the County has suspended the housing mitigation requirements of Mono County Code Chapter 15.40, including any requirements imposed as a condition of approval of a Tentative Map, in response to changed market conditions which have increased the stock of affordable housing within the County and to stimulate development and construction activity; and

WHEREAS, County and Subdivider now wish to enter into a housing mitigation agreement which complies with Condition Number 32 and sets forth the mutual understanding and agreement of the parties with respect to the provision of affordable housing by the Project;

NOW THEREFORE, in consideration of the mutual covenants, promises and obligations contained herein, the Parties agree as follows:

1. Provided that the Board of Supervisors has approved an amendment to the Tentative Map, and corresponding amendments to the Rock Creek Ranch Specific Plan, which eliminate the five lots dedicated for affordable housing purposes (with the gross area of those lots divided amongst the remaining lots), County and Subdivider agree that compliance by Subdivider with the following shall satisfy the requirements of Condition number 32 and shall constitute full and complete compliance with the County's housing mitigation requirements for the Project:

Secondary units shall be allowed on the property to the full extent authorized by the Mono County General Plan and/or applicable health and safety requirements, and shall not be otherwise prohibited or restricted.

2. This Agreement shall be recorded and is binding on Subdivider and its heirs, assigns and successors in interest of any kind or nature.

3. Subdivider shall defend, indemnify, and hold harmless County, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the County's acts or omissions with regard to this Agreement or the approval of any amendment to the Tentative Map as described herein.

4. This Agreement, and any deed restriction entered into pursuant hereto, constitutes the entire agreement of the Parties as to its subject matter. This Agreement may be amended only by written agreement executed by the Parties with the same formalities. No waiver of any provision of this Agreement shall constitute a waiver of any other provision or a continuing waiver of the waived provision. Any waiver shall be in a writing authorized by the Party granting the waiver.

5. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which constitute one and the same written instrument. This Agreement shall be governed by the laws of the State of California. The venue for actions based on this Agreement shall be the Superior Court of the State of California, County of Mono.

6. This Agreement is executed voluntarily by the Parties, without duress or undue influence on the part of or on behalf of any of them. The Parties acknowledge that each has been represented by counsel with respect to the negotiation and preparation of

this Agreement or that they have voluntarily waived the right to such representation. The Parties further acknowledge that they are fully aware of the contents of this Agreement and of its legal effect.

7. This Agreement shall be effective on the date it is executed by the Chair of the Mono County Board of Supervisors, provided the signatories of Subdivider have first executed the same and such signatures have been notarized.

COUNTY OF MONO

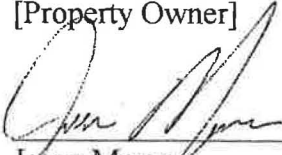
**C & L DEVELOPMENT
SUBDIVIDER**

Chair
Board of Supervisors

Matthew T. Lehman
[Member & Property Owner]

Annette Capurro
[Property Owner]


Randall Capurro
[Property Owner]


Jason Moore
[Property Owner]

APPROVED AS TO FORM:

Mono County Counsel

State of California, County of ORANGE
Subscribed and sworn to (or affirmed) before me
on this 23rd day of July, 2012
by JASON MOORE
personally known to me or proved to me on the
basis of satisfactory evidence to be the person(s)
who appeared before me.

Signature: 
NOTARY PUBLIC



this Agreement or that they have voluntarily waived the right to such representation. The Parties further acknowledge that they are fully aware of the contents of this Agreement and of its legal effect.

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COUNTY OF MONO

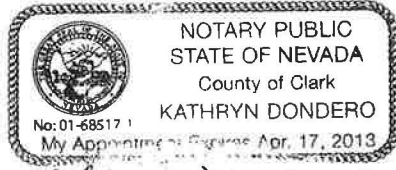
**C & L DEVELOPMENT
SUBDIVIDER**

Chair
Board of Supervisors

Matthew T. Lehman
[Member & Property Owner]

Signed before me this 10th day
of Sept, 2012 in
Clark County, State of Nevada

Annette Capurro
Annette Capurro
[Property Owner]



Kathryn Dondero
- for Annette only -

Deceased.
Randall Capurro
[Property Owner]

Jason Moore
[Property Owner]

APPROVED AS TO FORM:

Mono County Counsel

STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH — VITAL STATISTICS

CERTIFICATE OF DEATH

2012012893

STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

PARENTS

DISPOSITION

TRADE CALL

CERTIFIER

REGISTRAR

CAUSE OF DEATH

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE -> STATING THE UNDERLYING CAUSE LAST

1a. DECEASED-NAME (FIRST,MIDDLE,LAST,SUFFIX) Randall V CAPURRO		2. DATE OF DEATH (Mo/Day/Year) August 13, 2012		3a. COUNTY OF DEATH Clark	
3b. CITY, TOWN, OR LOCATION OF DEATH Las Vegas		3c. HOSPITAL OR OTHER INSTITUTION -Name(if not either, give street and number) The Heights of Summerlin LLC		3e. If Hosp. or Inst. Indicate DOA,OP/Emer. Rm. Inpatient(Specify) Inpatient	
4. SEX Male		5. RACE White (Specify)		6. Hispanic Origin? Specify No - Non-Hispanic	
7a. AGE-Last birthday (Years) 69		7b. UNDER 1 YEAR MOS DAYS		7c. UNDER 1 DAY HOURS MINS	
8. DATE OF BIRTH (Mo/Day/Yr) November 30, 1942		9a. STATE OF BIRTH (If not U.S.A., name country) Nevada		9b. CITIZEN OF WHAT COUNTRY United States	
10. EDUCATION 13		11. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) Married		12. SURVIVING SPOUSE (if wife, give maiden name) Annette B COMPAGNONI	
13. SOCIAL SECURITY NUMBER 530-26-3892		14a. USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even If Retired) Owner / Operator		14b. KIND OF BUSINESS OR INDUSTRY Insurance	
15a. RESIDENCE - STATE Nevada		15b. COUNTY Clark		15c. CITY, TOWN OR LOCATION Las Vegas	
15d. STREET AND NUMBER 1708 Bayonne Drive		15e. INSIDE CITY LIMITS (Specify Yes or No) Yes		Ever in US Armed Forces? Yes	
16. FATHER/PARENT - NAME (First Middle Last Suffix) Louis J CAPURRO			17. MOTHER/PARENT - NAME (First Middle Last Suffix) Genevieve DONDERO		
18a. INFORMANT- NAME (Type or Print) Annette B CAPURRO		18b. MAILING ADDRESS (Street or R.F.D. No, City or Town, State, Zip) 1708 Bayonne Drive Las Vegas, Nevada 89134			
19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify) Cremation		19b. CEMETERY OR CREMATORY - NAME Palm Crematory		19c. LOCATION City or Town State Las Vegas Nevada 89101	
20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such) BART BURTON SIGNATURE AUTHENTICATED		20b. FUNERAL DIRECTOR LICENSE 50		20c. NAME AND ADDRESS OF FACILITY Palm Mortuary-Cheyenne 7400 W Cheyenne Las Vegas NV 89129	
TRADE CALL - NAME AND ADDRESS					
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title) SIGNATURE AUTHENTICATED JULIE WU MD			22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)		
21b. DATE SIGNED (Mo/Day/Yr) August 15, 2012		21c. HOUR OF DEATH 21:55		22b. DATE SIGNED (Mo/Day/Yr)	
21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)		22c. HOUR OF DEATH		22d. PRONOUNCED DEAD (Mo/Day/Yr)	
22e. PRONOUNCED DEAD AT (Hour)		23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print) JULIE WU MD 3750 S. Jones Las Vegas, NV 89103			
23b. LICENSE NUMBER 11544		24a. REGISTRAR (Signature) NINETTE HARRINGTON SIGNATURE AUTHENTICATED		24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr) August 16, 2012	
24c. DEATH DUE TO COMMUNICABLE DISEASE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).) PART I (a) Cardiopulmonary arrest DUE TO, OR AS A CONSEQUENCE OF: (b) Dementia with Lewy body DUE TO, OR AS A CONSEQUENCE OF: (c) DUE TO, OR AS A CONSEQUENCE OF: (d) 			
PART II OTHER SIGNIFICANT CONDITIONS-Conditions contributing to death but not resulting in the underlying cause given in Part 1.		26. AUTOPSY (Specify Yes or No) No		27. WAS CASE REFERRED TO CORONER (Specify Yes or No) Yes	
28a. ACC., SUICIDE, HOMICIDE, UNDET. OR PENDING INVEST. (Specify)		28b. DATE OF INJURY (Mo/Day/Yr)		28c. HOUR OF INJURY	
28d. DESCRIBE HOW INJURY OCCURRED		28e. INJURY AT WORK (Specify Yes or No)		28f. PLACE OF INJURY- At home, farm, street, factory, office building, etc. (Specify)	
28g. LOCATION STREET OR R.F.D. No		CITY OR TOWN		STATE	

STATE REGISTRAR

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents as authorized by the State Board of Health pursuant to NRS 440.175.

NOT VALID WITHOUT THE RAISED SEAL OF THE SOUTHERN NEVADA HEALTH DISTRICT

Lawrence K. Sands, D.O., M.P.H.

Registrar of Vital Statistics

By: *[Signature]*

Date Issued: **AUG 17 2012**

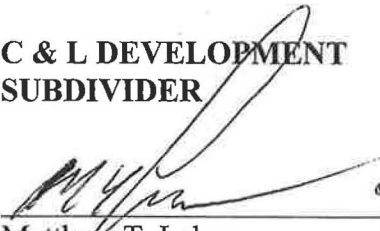
this Agreement or that they have voluntarily waived the right to such representation. The Parties further acknowledge that they are fully aware of the contents of this Agreement and of its legal effect.

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COUNTY OF MONO

Chair
Board of Supervisors

**C & L DEVELOPMENT
SUBDIVIDER**



Matthew T. Lehman
[Member & Property Owner] 9/18/2012

Annette Capurro
[Property Owner]

Randall Capurro
[Property Owner]

Jason Moore
[Property Owner]

APPROVED AS TO FORM:

Mono County Counsel

**SEE ATTACHED
NOTARIAL CERTIFICATE**

ACKNOWLEDGMENT

State of California
County of MONO

On September 18, 2012 before me, J.A. MARKHAM, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Matthew T. Lehman
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature J. A. Markham (Seal)



this Agreement or that they have voluntarily waived the right to such representation. The Parties further acknowledge that they are fully aware of the contents of this Agreement and of its legal effect.

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COUNTY OF MONO



Chair
Board of Supervisors

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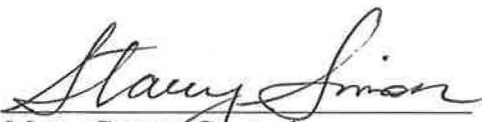
Matthew T. Lehman
[Member & Property Owner]

Annette Capurro
[Property Owner]

Randall Capurro
[Property Owner]

Jason Moore
[Property Owner]

APPROVED AS TO FORM:



Mono County Counsel

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

January 9, 2013

To: Mono County Planning Commission

From: Wendy Sugimura, Associate Analyst
Scott Burns, Director

Re: Resource Efficiency Plan Workshop

ACTION REQUESTED

1. Conduct workshop; and
2. Provide comments and any desired direction to staff.

BACKGROUND

The Resource Efficiency Plan is intended to function in the same manner as the more commonly known Climate Action Plan, but is focused specifically on meeting the requirements of a Greenhouse Gas (GHG) Emissions Reduction Plan as set forth in the California Environmental Quality Act (CEQA) §15183.5. The County's main goals are to 1) meet CEQA requirements for the General Plan Update, 2) provide a robust enough GHG analysis and set of mitigation measures to enable tiering and/or CEQA streamlining by future development projects, and 3) identify and prioritize mitigation measures that result in cost savings and/or a high return on investment for community residents and/or government operations in addition to reducing emissions.

The purpose of this workshop is to update the Planning Commission on resource efficiency planning efforts and report on the December 17 Board of Supervisors meeting on the topic (see attached staff report). Special thanks to the multiple staff and departments that have been participating in this collaborative effort, including Jim Leddy, Leslie Chapman, Joe Blanchard, Tony Dublino, Gerald Frank, Megan Mahaffey, Louis Molina, Tom Perry, Jeff Walters, and Vianey White. PMC (Pacific Municipal Consultants) is the consulting firm providing technical assistance.

Please contact Wendy Sugimura at 760.924.1814 or wsugimura@mono.ca.gov with any questions.

ATTACHMENT

Board of Supervisors Dec. 17 staff report

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

December 17, 2013

To: Mono County Board of Supervisors

**From: Wendy Sugimura, Associate Analyst
Scott Burns, Director**

Re: Workshop on Resource Efficiency Plan

Action Requested

Review Resource Efficiency Plan targets and proposed greenhouse gas emission (GHG) reduction measures, and establish the following reduction targets:

- Community Emissions: 15% below 2005 levels
- County Government Operations: 15% below 2010 levels.

Background

The goals of the Resource Efficiency Plan are to 1) meet state law¹ for analyzing greenhouse gas (GHG) emissions in the California Environmental Quality Act (CEQA) documentation for the General Plan Update, and 2) provide energy and resource reduction measures that result in cost savings for the County and local residents. While the County is legally required to address GHG emissions, a significant benefit is that the analysis can be used to streamline CEQA studies for future development through tiering (§15183.5). Goal #2 provides direct financial benefits to the County by reducing the cost of operations, and to residents by providing measures to reduce the cost of living.

The purpose of this workshop is to introduce the Resource Efficiency Plan and the GHG emission inventory, reduction target, and proposed reduction measures required by state law. A secondary purpose is to focus specifically on the subset of information related directly to energy and resource reduction initiatives, which also connects to other ongoing Board discussions relating to the County vehicle fleet, facilities, and green project incentives.

Special thanks to the multiple staff and departments that have been participating in this collaborative effort, including Jim Leddy, Leslie Chapman, Joe Blanchard, Tony Dublino, Gerald Frank, Megan Mahaffey, Louis Molina, Tom Perry, Jeff Walters, and Vianey White. PMC (Pacific Municipal Consultants) is the consulting firm providing technical assistance.

Fiscal Impact

Staff time and the consultant associated with developing strategies and policies for the Resource Efficiency Plan and General Plan Update are covered by the Sustainable Communities Grant through the Strategic Growth Council (California Department of Conservation). Staff time associated with implementing cost-saving programs will be covered by department budgets. Specific program descriptions and the associated cost-benefit analyses will be brought back at future Board meetings.

¹ AB 32, the Global Warming Solutions Act of 2005.

Discussion

The Resource Efficiency Plan contains four components: 1) government and community GHG consumption inventories, 2) GHG emission forecast and reduction targets, 3) GHG reduction measures, and 4) a monitoring and reporting tool.

The inventories were developed for government operations in 2010 and local community activities in 2010 and 2005 using accepted industry standards that rely on data records such as electrical, propane, gasoline and diesel usage; solid waste amounts, etc. Community emissions in 2010 totaled 141,260 metric tons of carbon dioxide equivalent (MTCO₂e) emissions, of which 11% or 15,920 MTCO₂e of those emissions were generated by County government operations (see Table A). Total emissions from Mono County constituted 0.031% of statewide GHG emissions in 2010, but the county’s per capita emission rate was 0.5% higher than the statewide rate.

Table A: 2010 Government Operation Emissions by Sector

Sector	GHG Emissions (MTCO ₂ e)	Percentage of Total
Facilities	1,430	9%
Public lighting	30	<1%
Vehicle fleet and equipment	1,800	11%
Solid waste	11,100	70%
Employee travel	1,560	10%
Total*	15,920	100%

** Due to rounding, totals may not equal the sum of individual sectors.*

A “business-as-usual” forecast was then developed, and an initial reduction target for community emissions has been proposed at 15% below 2005 levels by 2020, which would require a reduction of 42,690 MTCO₂e/year. For government operations, a target of 15% below 2010 levels by 2020 has been proposed, requiring a reduction of 4,310 MTCO₂e/year. These targets are consistent with state law (AB 32), and a monitoring and reporting tool will be developed to assess progress.

In order to achieve the second goal of providing energy and resource reduction measures that result in cost savings, the consultant is extracting the data specific to energy consumption from the above inventories. A similar target of 15% below 2005 levels for community energy consumption and 15% below 2010 levels for County energy consumption is suggested.

In order to achieve these targets, specific policies and programs need to be identified, developed, funded, and implemented. The consultants (PMC) proposed a variety of GHG emission reduction strategies based on the emission sectors and best practices, which have been grouped into three tables: 1) Easy Measures (some are already in progress), 2) Challenging Measures, and 3) Difficult Measures. Those measures specifically relating to the goal of providing cost savings from energy conservation are checked in the “Energy” column. To provide a sense of the financial impact to implement, a general cost concept is provided for each measure as follows:

⌘ = potential to fund in annual department budgets

⌘⌘ = additional funding needed

⌘⌘⌘ = Capital Improvement Program (CIP) project

As these GHG and energy consumption reduction measures are further developed, more cost-benefit and return-on-investment information will be provided to the Board.

TABLE 1: EASY MEASURES

Strategies	Policies & Programs	Energy	\$
Education, outreach, collaboration, information sharing and technical assistance	<ul style="list-style-type: none"> • Work with non-profits, utility providers, etc. to provide technical assistance, financial incentives, and programs. • Provide access to information, resources, and programs via a dedicated County website. • Promote, encourage and support energy efficient technologies, measures, upgrades, and programs. • Actively outreach, educate, and accept feedback. • Collaborate regionally on energy conservation. 	X	\$
Financial incentives	<ul style="list-style-type: none"> • Develop a County PACE (Property Assessed Clean Energy) financing program to provide residents with access to capital for energy projects. 	X	\$ to \$\$
County facilities	<ul style="list-style-type: none"> • Reduce energy consumption through whole-building audits to identify upgrades and retrofits with the most benefits. • Pursue/continue energy efficiency best practices, such as low energy lighting and lighting systems, cool roofs, energy management software, energy star appliances and equipment, smart meters, etc. • Pursue renewable energy generation opportunities on County properties. 	X	\$ to \$\$\$
Private sector green building practices	<ul style="list-style-type: none"> • Offer incentives, such as fee waivers, prescriptive designs, etc., for renewable energy generation or other green projects. • Work with utility providers on financial incentive programs. • Offer technical assistance, education, information, etc. on green building practices and training. 	X	\$
Land use and open space	<ul style="list-style-type: none"> • Encourage development in and adjacent to existing communities, infrastructure, and transportation/transit corridors. • Manage open space to prevent fire and erosion. 		\$
Agricultural practices	<ul style="list-style-type: none"> • Encourage and support locally-grown food and community gardens. • Encourage best practices in fertilizer and pesticide use, and carbon fixation/sequestration. • Provide land use policies to promote the preservation of farmland, open space, and sensitive lands. 		\$
Solid Waste	<ul style="list-style-type: none"> • Increase composting and recycling activities. • Seek opportunities to capture methane emissions and/or install renewable energy systems. • Reduce paper use. 	X	\$ to \$\$
Water and wastewater resources	<ul style="list-style-type: none"> • Encourage gray water systems. • Encourage installation of water conservation measures. 	X	\$\$

	<ul style="list-style-type: none"> • Work with local water districts to track usage and encourage conservation, and with wastewater service providers on efficiency. • Encourage community package treatment systems over septic tanks. • Promote low-impact development solutions for water run-off. 		
Transportation & commuting	<ul style="list-style-type: none"> • Provide alternatives to travel in single-occupancy vehicles: transit, car/van pools, rideshare programs, bicycle programs & infrastructure, walkable communities. • Provide incentives to car/van pool, ride transit, rideshare, bike, etc. • Offer alternatives, such as flexible schedules, telecommuting, locker & shower facilities, bicycle storage, etc. 	X	\$ to \$\$\$
County fleet operations	<ul style="list-style-type: none"> • Improve fleet efficiency standards. • Reduce fuel consumption, for example via technology, staff coordination, vehicle maintenance, carpooling, etc. • Promote the use of off-road vehicle maintenance best practices. 	X	\$\$

TABLE 2: CHALLENGING MEASURES

Strategy	Policies & Programs	Energy	\$
Financial incentives	<ul style="list-style-type: none"> • Use County funds to provide direct financial incentives for energy upgrades, such as rebates or prizes. 	X	\$\$
County facilities	<ul style="list-style-type: none"> • Require green building certifications for all new buildings and renovations. • Require new buildings and renovations to exceed Title 24 standards. 	X	\$\$
Private sector green building practices	<ul style="list-style-type: none"> • Require installation of Variable Frequency Drive water pumps. • Require energy/water audits and retrofits at the time of sale or major remodel. 	X	\$
Utility-scale renewable energy generation	<ul style="list-style-type: none"> • Identify suitable locations for utility-scale renewable energy generation. 	X	\$
Solid Waste	<ul style="list-style-type: none"> • Develop a green procurement policy to reduce waste, etc. 	X	\$
Transportation	<ul style="list-style-type: none"> • Encourage/develop/require electric vehicle charging infrastructure. Make any government infrastructure available for public use. • Provide incentives for employees to purchase and/or contractors to use fuel efficient or alternative fuel vehicles. 	X	\$\$\$

TABLE 3: DIFFICULT MEASURES			
Strategies	Policies & Programs	Energy	\$
Private sector green building practices	<ul style="list-style-type: none"> • Adopt “reach” codes requiring stricter energy standards in advance of State Building Code regulations, such as net zero energy, or exceed Title 24 or CALGreen water conservation requirements. • Efficiencies achieved via economies of scale, such as bulk discounts for solar photovoltaic systems. 	X	\$
Solid waste	<ul style="list-style-type: none"> • Adopt a 75% diversion goal (over the current 50% requirement). • Reducing waste from commercial operations, such as banning single-use bags and polystyrene containers. • Additional regulatory measures, such as fines for contaminating recycling streams. 		\$\$
Transportation & Commuting	<ul style="list-style-type: none"> • Construction of natural gas infrastructure. • Parking demand management strategies, such as preferred parking for employees using transit, pay parking, etc. 	X	\$\$\$
Water resources	<ul style="list-style-type: none"> • Recycled water use for County landscaping 	X	\$\$

Based on Board discussion, the targets and reduction measures will be adjusted, included, or excluded from the Resource Efficiency Plan. Staff will continue to develop energy/resource conservation measures that provide cost savings, and bring back program specifics with cost-benefit or return-on-investment analyses within the context of this Plan.

A draft of the Resource Efficiency Plan is expected to be completed in early February 2014, and can be reviewed with the Planning Commission and, if desired, the Regional Planning Advisory Committees (RPACs) prior to being brought back to the Board.

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