

MONO COUNTY PLANNING COMMISSION

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AGENDA

January 17, 2019 – 10 a.m.

Supervisors Chambers, County Courthouse, Bridgeport

* **Teleconference:** Due to a power outage scheduled by Southern California Edison during this meeting, videoconferencing with the Town/County Conference Room in Mammoth Lakes will not be available. A phone connection of uncertain quality will be available but interested persons should consider attending the Bridgeport site.

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 Pizzeria). 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.

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

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

3. **MEETING MINUTES:** Review and adopt minutes of December 20, 2018 – *p. 1*

4. CONSENT ITEM

A. FINAL APPROVAL OF PARCEL MAP 18-001MC/Bauer: Approval of Parcel Map 18-001MC will divide APN 016-143-045-000, totaling 0.96 acres, into two parcels of 0.47 and 0.49 acres in size. The project is in the community of June Lake, Down Canyon, adjacent to Hwy. 158. Access is via Wyoming Street and California Street, which are private roads. Water and sewer services are to be provided by the June Lake PUD. The land use designation is Single-Family Residential (SFR). The Tentative Parcel Map was approved at a public hearing conducted by the Planning Commission on April 5, 2019. *Staff: Garrett Higerd and Walt Lehmann – p. 5*

5. PUBLIC HEARING

10:05 A.M.

A. GENERAL PLAN AMENDMENT 19-01 consists of two parts:

A) Multi-Family Residential (MFR) Land Use Designation: The amendment proposes to adjust minimum lot sizes for developments to match current density standards. For example, the minimum lot size for condominium developments of three or more units on MFR-L parcels would be changed to 3,750 square feet per unit to match the 15 dwelling units per acre allowance and eliminate the current minimum lot size of two acres (87,120 square feet). The amendment allows for greater consistency across MFR parcels, creates flexibility to build on smaller MFR parcels, and encourages more efficient use of land. The amendment also includes language for permitting

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Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

historically allowed transient rental use in existing MFR units with no new construction proposed. This amendment does not affect the regulation of single-family units on residential land use designations, which is governed by Chapter 25 of the Land Use Element. *Staff: Bentley Regehr – p. 19*

B) Short-Term Rentals: The amendment refines Chapter 25 policies and regulations related to short-term rentals, defined as rentals for 30 days or less, in residential land use designations by eliminating Type II rentals (non-owner-occupied rentals with approvals that run with the land) throughout Mono County. Approvals of short-term rentals specific to the owner, whether owner-occupied (Type I) or non-owner occupied (Type III), may be permitted subject to Area Plan policies and permit approvals. In accordance with State law, an addendum to the existing General Plan EIR is being utilized for this project pursuant to the California Environmental Quality Act. *Staff: Wendy Sugimura – p. 55*

6. WORKSHOP: None

7. REPORTS

A. DIRECTOR

B. COMMISSIONERS

8. INFORMATIONAL

9. ADJOURN to regular meeting February 21, 2019

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

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

*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

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Commissioners may participate from a teleconference location. Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

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DRAFT MINUTES

December 20, 2018

COMMISSIONERS: Scott Bush, Chris I. Lizza, Roberta Lagomarsini, Mary Pipersky, Dan Roberts

STAFF: Wendy Sugimura, CDD director; Bentley Regehr, planning analyst; Jake Suppa, compliance analyst; CD Ritter, PC secretary

TELECONFERENCE: Gerry Le Francois, principal planner; Nick Criss, compliance officer; Michael Draper, planning analyst; Christy Milovich, assistant county counsel; Sheriff Ingrid Braun; Supervisor Jennifer Halferty

GUESTS: Patti Hamic-Christensen, Mike Curti, CJ Haramis, Pat Espinosa, Kerry Roeser, Don Morris, Eric Edgerton, Marye Roeser, Paul Christensen, Lou Roeser

1. CALL TO ORDER: Chair Scott Bush called the meeting to order at 10:03 a.m. at the board chambers in Bridgeport with teleconference to Town/County Conference Room in Mammoth Lakes.

2. PUBLIC COMMENT: No items

3. MEETING MINUTES

MOTION: Adopt minutes from Nov. 15, 2018, as amended: 1) Item 4A

4. PUBLIC HEARING

CONDITIONAL USE PERMIT 18-004/Tilth Farms: Proposal for cultivation of cannabis on Agriculture (AG-10) parcel located at 108432 Hwy 395, Coleville (APN 002-450-024). Cultivation will occur on six-acre area within the 166-acre property and will not exceed two acres of total canopy area. Canopy area will be divided among a medium outdoor grow and two smaller mixed light cultivation areas. A CEQA 15183 exemption is proposed. *Staff: Bentley Regehr*

Bentley Regehr presented project on 166-acre property north of Walker community. Two acres of canopy area within six-acre project site. All plants will be grown within hoop structure. Project must comply with Ch. 13 of Land Use Element. A 600' buffer around property. Odor control hard to analyze objectively. Mono has 300' setback regulations, but odor has different components outside 300'. Nearest residence 1,700' from grow area. Prevailing south winds blow odors away from residences. Complaint about medical grow on this property. No odors verified beyond 50'.

Other counties: Humboldt = 600' buffer, Santa Barbara County = 1,500' buffer (largest in California). Odor analysis differs.

Signage: No issues.

Visual screening: Hoop houses, film and fabric coverings.

Lighting: All natural, no electrical power.

Parking: Southwest corner has 20 spaces. Sufficient for loading.

CEQA review: Cannabis issues no different from other agricultural uses.

Conditions of approval: Standard for use permits plus compliance with Ch. 13 and Mono County Code.

Will-serve letter from Antelope Valley FPD. Caltrans requested encroachment permit. Recommended approval.

Historical use? Medical grow in past, not regulate non-medical grow.

Sugimura recalled alfalfa as permitted use in past.

Milovich clarified that medical grow was personal, not commercial.

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OPEN PUBLIC COMMENT: Patty Hamic-Christensen, Walker resident, was associated with project as RPAC member. Supported potential of increasing tax base, improving income in community. Got to know applicant, kept in touch. Trying to comply in clear, transparent manner. Requested tour of grow site, went there, escorted by staff out to area for guided tour. Close to harvest when odors most prolific. Didn't notice till very close to grow area. As citizen supported approval.

Mike Curti, farmer/rancher in Antelope Valley many years. Crops limited. Bring more income, revenues down. Lot of work, costs lots. Also considering growing. Farm/ranch community favors it.

CJ Harimas, on N. River Lane, residence closest to project. Exempt from CEQA due to uniqueness of crop? Things more controversial, more environmental impact, questions other counties/states have come across. Recommended EIR, more studies. Economic benefits, job creation (Edgerton said 20 jobs but maybe three). Findings: no significant environmental impacts, 15183 cited. Filed complaint about distinct cannabis odor for weeks on end, multiple times during day. Inadequate for code officer to visit once. Many variables on regulating odor. Other places exposed to litigation. Supported growing cannabis, but odor can really impact community. Claim that distance prevents smelling it is broad, general statement. Wanted to be on record for concern about odor control, prevalence of problems in other counties. Code came for one-time determination but so many factors control actual impact on residents. Will call code every single day when smells odor. Security plan? House is on public row on river. Look 30' away to hoop house. No fencing, barbed wire fence torn down. During medical grow, never saw another person monitoring/guarding grow. Could have grabbed as many plants as wanted, taken down river. Residents concerned about someone getting access to grow, thoroughfares for teens trying to get plants.

Odor biggest concern? *Security and odor*. Bush noted cattle were there. *Cannabis smell very pungent*

If cattle in future, oppose it? *Harimas described cow manure as part of natural smell in valley. Not as annoying as dead skunk. Misunderstanding about earlier medical grow, counted more than 100, while Mono stated 50 plants. He could smell 50, so 99 would be more so.*

Pat Espinosa on N. River Lane. Access by permission to walk dogs, never smelled. Not concerned with odor.

Kerry Roeser, N. River Lane property borders project. Concerned about people going through there. Wind comes in all directions, directly east, directly affected. Huge difference between cattle, sheep, garlic, etc. Hoop houses, strong odor, type of labor force. During trimming, transients, security issue, different type of people. Huge cultural/social detrimental impact to rural community. Studied other small country towns. How will it change community? Social impact? Research in that area. Winds horrific in all directions. Believed Mono needs to look at proper siting, whole community, schools, churches. Appropriate for area? Decided by people who don't live here. Adamantly opposed to any permitting in valley.

Don Morris, resident to north. Trying for open mind. Edgerton went through every process, did due diligence, addressed every concern. Hard process, multiple steps, idle threats of litigation, code violations. Factors already dealt with. Have opposition to revoke permit. Many factors of mitigation. Listening to opposition, respects opinions, multiple properties in area. This piece of property except two adjoining residences is ideal. Gone through State process. Not going away. People coming on board, why Mono drag its feet? Supported moving forward.

Lagomarsini noted Edgerton went to RPAC, discussed two+ years. Medical grow brought up? *Haramis: Code didn't know of medical grow in valley. Started smelling it, looked around. Brought up.*

Sugimura described RPAC as advisory, does not evaluate projects. Knowing level of concern, did agendize updates on development project activities, including cannabis. Site plan, level of detail not to RPAC, no evaluation. Notice sent 10 days in advance to 300' buffer, public notice in newspaper for use permit.

Eric Edgerton, proponent, CEO of Tilth Farms. Looking forward to benefiting Walker/Coleville. First met with Mono two years ago, on RPAC, community participation. Well suited by size and buffers, benefit to area.

Permanent resident? *Yes*. Projects in other locations? *Edgerton was consultant in cannabis industries. Had grow in Placerville.*

Other odor prevention? *Edgerton: Expanding from 300' to 1,700'. Agriculture zone so free-range hogs would mask odor. Ozone, other perfumes. Good grasp on mitigating odor complaints. Highly visible, easy to point at, anyone over age 21 could grow. Harvest crop in segments to reduce odor.*

Other plants/activities to mask odor? *Edgerton: USDA grant for berries. Manure has pungent odor.*

On 166-acre property, grow on two acres? *Edgerton: Some plants 10' tall. Maybe 900 plants.*

Legally if full grow, how many acres? *Edgerton: Up to 44 acres, original use permit. More palatable, work into expansions as move along. Starting behind other counties, see how market goes.*

Intend to expand? *Edgerton: Nursery, distribution, manufacturing, retail. All plants to distributors. Bakersfield and Oakland.*

K. Roeser: Is Edgerton full time? Sits on RPAC. How will Walker, which is based on summer tourism, deal with odor? Three churches, big residential community of valley. Tourists want odor in mountain community?

Marye Roeser, adjoining property since 1967. Many concerns, opposed. Adjoins on east side of river, no road accesses his property, so crosses Roeser's property. No contact with Edgerton, had no idea using locked gate to access his property. Even took in camping trailer. Lock and chain on gate, access to water master. No idea his lock was on Roeser's gate. 100 acres adjoin another grow, so encroached upon in two directions. Concerns not just odor, but security, attraction of people going in back way. Parties at big slough, bonfires safety concern. Impacts on law enforcement, protecting not only Edgerton grow but elements attracted to area accessing from another direction. Why protecting watershed, wells, environment, endangered species not a concern? Societal changes not considered all that much. Retired teacher from Coleville schools 20 years. Traumatic experiences with pot-smoking students. Schools promote "just say no to drugs." Suddenly cannabis is big thing, a benefit. How change direction with schools? Prepare for change in our culture, message giving students.

Bush: Passed by vote of people, that's why we're here today. People wanted society to move toward.

Lizza: Easement for access? *No.*

K. Roeser: Mono OK'ed use, but not grow. *Bush indicated both.*

Paul Christensen: Great lengths for distance between. Like to see project go through if done in proper way. Impressed with Edgerton's involvement in community. Another grow application. Difficult for a while but work out kinks so benefit.

Lou Roeser supported previous opponents. Adjacent on eastern boundary. Observation of growing, development in other areas, detrimental effects can be devastating to county. Seeing growth changes, cabbage farming negative aspect to society/community. Circulated opposition petition to BOS with 70 signatures. Project totally detrimental to youth walking close by, attraction that would hurt rural residential community. Submitted arguments/opinions. Six pages of reasons why not to have project.

Hamic-Christensen lived in big city. Surprised at agriculture grows around Antelope Valley, people never associate with negative/defective. Been there way before her. Destabilize is alarmist. It's been there. Not believe this grow will end this community, could benefit. When has anything produced any jobs in this community? Half-empty/half-full. Not deteriorated, made less safe. If it goes south, would be shut down. Closest to getting approval to see how it's going to function. So much negativity.

M. Roeser understood Edgerton wanted to grow 1,500 plants, two other grow applications. Her understanding was medical is six plants/individual. If so, difference between six and 1,500, plus more applicants.

Morris thought Roesers did great job on petition. Not their first petition. Where are 70 participants at this point? River Lane does not represent entire community of Walker/Coleville; it's a residential tract area. Petition not represent entire community, just River Lane residents, some of whom favor project. Not venue to protect property rights of adjacent owners.

Sugimura noted petition is for another project. No comments on this project. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Bush noted when workers were fingerprinted, none came back with criminal problems.

Sheriff Braun cited decision that employees not be subject to background checks.

Milovich stated Mono has list of employees, not live scanned, not background checked.

Sugimura noted security plan under operations permit, approval by sheriff's office. Kept confidential under state law. Social impacts had during year-long discussion. Legal through vote of people of state, but

local jurisdiction could set its own regulations. Option on table, discussed among communities, including Antelope Valley RPAC.

Lengthy report in packet justifies not doing full CEQA? *Regehr indicated 15183 covers General Plan EIR.*

Lagomarsini asked about well depth, water quality, impact on wildlife. *Regehr: Looked at, could be addressed later.*

Lizza expressed tremendous respect for speakers, pioneer Roeser family, expressing thoughts honestly. Looking at cannabis issues, compares to alcohol with proven negative impact on society and individuals yet choose to accept and regulate it. Protect minors from it. Celebrate and promote distilleries, breweries, embrace entrepreneurial spirit. Reasons society chooses. Believe project almost ideal due to engagement in community, transparent process. Threat of tobacco organizations coming into corporate coffers. Proponent represents industry of young, passionate entrepreneurs committed to promoting industry in productive manner. Supported project.

Lagomarsini: Shared Roeser's concerns. If allow things to become legal, regulate. Supported project.

Pipersky: Mono has put lot of effort into this, listened to people for couple years. Completely agreed with concern about odors. Bothers her when in such areas. Adopted most restrictive buffer zone for this project. Significant but unavoidable impact of project. Odor is only concern. Go forward. Supported project.

Sugimura indicated 15183 because of no impacts. No documented numerical threshold on odor. If PC determines would need EIR, go back.

Roberts: Negative attitudes from many years when banned. Many used cannabis all along, not criminal element. One thing that led to passing was somewhat less harmful than alcohol. Approved project for grain to use in distillery, didn't see big objections to that. Gone through whole year process on regulations on land use, tried to address all concerns including odor. Cannabis is a crop. Appreciable support for Edgerton, spoken well of. Supported project.

Bush: Heard pros and cons in his district. Passed by over 60% in CA, by 2-1 vote in Mono County, not mere 50-49. Society does change; e.g., differences in marriage, driver license laws. Accommodate change, get used to it. If people want it, don't tell people no. Supported project.

Sugimura indicated an operations permit to BOS in January, not a public hearing so will not be noticed. Keep eye on BOS agendas.

MOTION: Find that project qualifies as exemption under CEQA guideline 15183 & instruct staff to file Notice of Determination; make required findings as contained in project staff report; file encroachment permit with Caltrans; & approve Use Permit 18-004 subject to Conditions of Approval (*Lizza/Roberts. Ayes: 5-0.*)

6. WORKSHOP

7. REPORTS

A. DIRECTOR -- 1) New staffers: Kelly Karl, Hailey Lang (natural resources, grant applications, Hwy 158 multi-modal, hydrogeologic model in Long Valley for sage grouse). **2) LADWP:** Supported grant application, met with Bi-State on water management. Land has lots transportation experience. Cannabis permits, including petition project. Another Antelope Valley application. **3) Tioga Inn SP:** Admin draft of subsequent EIR at end of year, public release February-March. **4) Four STR applications.** **5) Variance/use permit/tract map in June Lake;** another in June Lake as well. Housing interest. **6) Planning applications:** Very busy. Can't do all analysis in time for January meeting (GPAs for MFR land use changes, Type II moratorium that expires in February). Bridgeport Valley and Antelope Valley RPAC recommendations needed.

B. COMMISSIONERS -- None

8. INFORMATIONAL -- None

9. ADJOURN at noon to regular meeting January 17, 2019

Prepared by CD Ritter, PC secretary



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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Date: January 17, 2019
To: Mono County Planning Commission
From: Garrett Higerd, County Engineer
Subject: Parcel Map No. 18-001MC, Bauer

RECOMMENDATION:

Authorize Chair's signature on Parcel Map No. 18-001MC, indicating its approval.

PROJECT DESCRIPTION:

Tentative Parcel Map 18-001MC was approved by the Mono County Planning Commission at a public hearing held on April 5, 2018. The map will subdivide APN 016-143-045-000, totaling 0.96 acres, into two lots of 0.47, and 0.49 acres in size.

The project is in the down canyon area of June Lake, adjacent to Highway 158, and accessed from California Street, which is an unimproved private road along the northern property line. The General Plan designation is Single Family Residential (SFR) with a minimum parcel size of 7,500 square feet (0.17 acres). A reduced copy of the two-sheet parcel map is attached as Exhibit 1; a full-sized copy of the final map will be available for review at the meeting.

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

Staff is proposing that construction of approximately 114 feet of one-lane roadway extending from Wyoming Street and a drainage swale will be deferred until after the Final Map records and a new residence is constructed on Parcel 2. Staff believes that approving the map prior to the construction of this road is acceptable in this case for several reasons; First, the improvements are relatively minor and will primarily benefit Parcel 2. Second, the improvements cannot be constructed now because of the winter weather and are only needed after Parcel 2 is developed. Third, an engineered improvement plan has been approved, a grading permit has been issued, and the project proponents have expressed that they intend to move quickly to construct a new house on parcel 2 and the road improvements. Fourth, the project proponents have agreed to a note on the map that directs the County to withhold any Certificate of Occupancy for building permits until the improvements are complete.

CC&Rs will not be prepared for the project, but ongoing development standards and mitigation measures have been referenced on a Notice of Development Conditions that will

be recorded concurrently with the Final Map. The Notice of Development Conditions for PM 18-003MC are attached as Exhibit 3.

The parcel map now requires approval by the Planning Commission.

If you have any questions regarding this item, please contact either Walt Lehmann, Engineering Technician III, at (760) 932-5445 or me at (760) 924-1802.

Respectfully submitted,

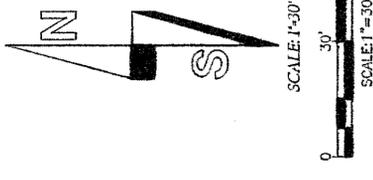


Garrett Higerd
County Engineer

Attachments:

- Exhibit 1 – Reduced Copy of Parcel Map 18-001MC
- Exhibit 2 – Status of Map Conditions and Compliance Methods
- Exhibit 3 – Notice of Development Conditions

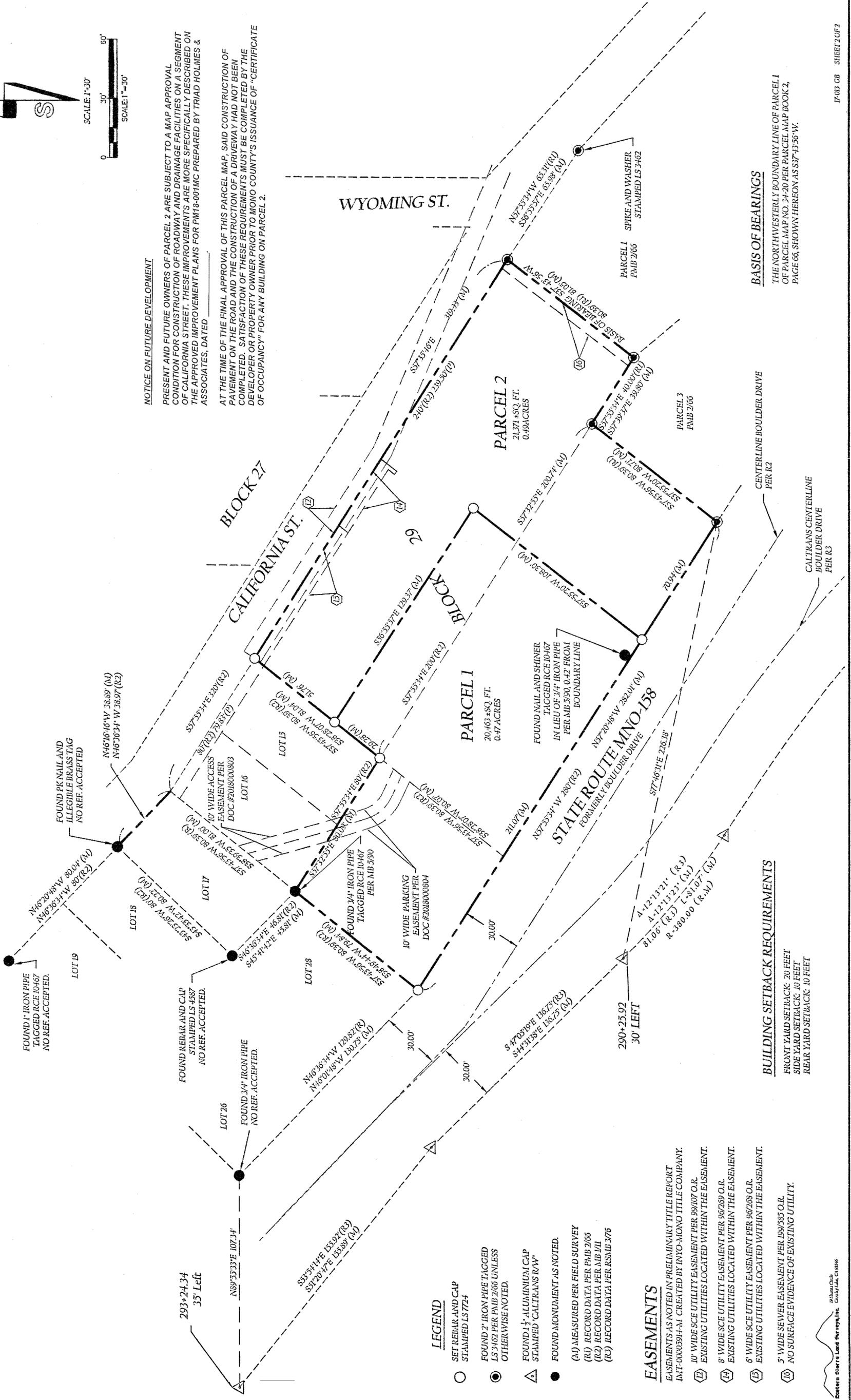
PARCEL MAP NO. 18-001MC



NOTICE ON FUTURE DEVELOPMENT

PRESENT AND FUTURE OWNERS OF PARCEL 2 ARE SUBJECT TO A MAP APPROVAL CONDITION FOR CONSTRUCTION OF ROADWAY AND DRAINAGE FACILITIES ON A SEGMENT OF CALIFORNIA STREET. THESE IMPROVEMENTS ARE MORE SPECIFICALLY DESCRIBED ON THE APPROVED IMPROVEMENT PLANS FOR PM18-001MC PREPARED BY TRIAD HOLMES & ASSOCIATES, DATED _____

AT THE TIME OF THE FINAL APPROVAL OF THIS PARCEL MAP, SAID CONSTRUCTION OF PAVEMENT ON THE ROAD AND THE CONSTRUCTION OF A DRIVEWAY HAD NOT BEEN COMPLETED. SATISFACTION OF THESE REQUIREMENTS MUST BE COMPLETED BY THE DEVELOPER OR PROPERTY OWNER PRIOR TO MONO COUNTY'S ISSUANCE OF "CERTIFICATE OF OCCUPANCY" FOR ANY BUILDING ON PARCEL 2.



LEGEND

- SET REBAR AND CAP STAMPED LS 724
- FOUND 2" IRON PIPE TAGGED LS 3462 PER PNB 2/66 UNLESS OTHERWISE NOTED.
- △ FOUND 1 1/4" ALUMINUM CAP STAMPED "CALTRANS R/W"
- FOUND MONUMENT AS NOTED.
- (M) MEASURED PER FIELD SURVEY
- (R) RECORD DATA PER PNB 2/66
- (R1) RECORD DATA PER MB/JII
- (R2) RECORD DATA PER KSM/JI 3/76

EASEMENTS

- EASEMENTS AS NOTED IN PRELIMINARY TITLE REPORT LMT-0000594-M CREATED BY INYO-MONO TITLE COMPANY.
- ① 10' WIDE SCE UTILITY EASEMENT PER 99/107 O.R.
- ② EXISTING UTILITIES LOCATED WITHIN THE EASEMENT.
- ③ 8' WIDE SCE UTILITY EASEMENT PER 96/269 O.R.
- ④ EXISTING UTILITIES LOCATED WITHIN THE EASEMENT.
- ⑤ 6' WIDE SCE UTILITY EASEMENT PER 96/269 O.R.
- ⑥ EXISTING UTILITIES LOCATED WITHIN THE EASEMENT.
- ⑦ 5' WIDE SEWER EASEMENT PER 199/535 O.R.
- ⑧ NO SURFACE EVIDENCE OF EXISTING UTILITY.

BUILDING SETBACK REQUIREMENTS

- FRONT YARD SETBACK: 20 FEET
- SIDE YARD SETBACK: 10 FEET
- REAR YARD SETBACK: 10 FEET

BASIS OF BEARINGS

THE NORTHWESTERLY BOUNDARY LINE OF PARCEL 1 OF PARCEL MAP NO. 34-20 PER PARCEL MAP BOOK 2, PAGE 66, SHOWN HEREON AS S77°43'56" W.

STATUS OF CONDITIONS OF APPROVAL
& MITIGATION MONITORING PROGRAM

PARCEL MAP 18-001MC / Bauer

Condition	Status
DEVELOPMENT STANDARDS AND POLICIES	
<p>1. Future residential development shall meet the requirements of the Mono County General Plan.</p>	<p>Associated with future development; not required prior to final map approval.</p> <p>Condition is listed on separate instrument to be recorded concurrently with the Final Map.</p>
<p>2. The project, as well as future development, shall comply with 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</p>	<p>Same as status for Condition #1, above.</p>
<p>3. 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, Action 23.A.6.a.).</p>	<p>Same as status for Condition #1, above.</p>
<p>4. The applicant and/or his contractor shall stop work and notify the County and 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 such time as the applicant hires 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 §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. Construction shall be limited to daylight hours (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. 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 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. To prevent wind erosion and public nuisance created by dust, property owners shall refrain from clearing native vegetation except as necessary for impending or same-year construction.</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 reduce the impact of dust. Such controls are to include watering and mulching of disturbed areas or by other approved methods. Initiation of revegetation efforts should commence as soon as practical after construction.</p>	<p>Same as status for Condition #1, above.</p>
<p>11. 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. Construction resulting in the alteration of a drainage course also requires a grading permit.</p>	<p>Same as status for Condition #1, above.</p>

Condition	Status
<p>12. Drainage and erosion-control plans shall be required of residential construction and any permits required by Lahontan 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, plans will be developed by the individual project applicant with review and concurrence by the Mono County 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>13. When used, Liquefied Petroleum Gas (LPG) shall be installed according to all applicable codes and Mono County Code 15.04.056.</p>	<p>Same as status for Condition #1, above.</p>
<p>14. The developer shall inform future owners and developers of project mitigation measures as a means of reducing or eliminating development impacts to less-than-significant levels. These minimum development standards shall be cross-referenced to map conditions recorded concurrently with the Final Map, but shall also be included in project CC&Rs, if CC&Rs are required.</p> <ul style="list-style-type: none"> A. Construction activities shall take place only during daylight hours or per Mono County Code 13.08.290, whichever is more restrictive. B. Noise levels shall be in conformity with Mono County Noise Standards. Construction equipment shall be adequately muffled. C. Homeowners’ dogs shall be restrained by leashes or contained within fenced areas or yards. D. Dogs belonging to construction workers shall be prohibited in the project area during construction or be under the owner’s complete control at all times. E. Vegetation removal should be limited to disturbance necessary for construction of residences, accessory buildings, driveways, walkways, corrals, and landscaping. F. Homeowners shall provide erosion-control measures for disturbed areas during and following construction. Topsoil shall be stockpiled at the construction site and redistributed over disturbed areas as soon as practical following completion of construction. G. Control of dust during any construction and/or land-clearing activities shall be required using watering, mulching, or other erosion-control methods as necessary. H. Homeowners shall aim, shield and direct lighting downward to reduce glare. I. Future development projects shall comply with the Visual Resources requirements of the Mono County General Plan, Conservation and Open Space Element 	<p>Same as status for Condition #1, above.</p>

<p>15. Domestic animals shall be restrained at all times, either through the use of leashes or private 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>
<p>16. 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. Building areas for each lot shall be selected to reflect 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 shall be encouraged. E. Siding materials shall be stained, painted or otherwise finished in muted earth tones in order to blend into the surrounding environment. F. Colors and materials for fences shall be muted and shall blend with the surrounding natural environment 	<p>Same as status for Condition #1, above.</p>
<p>17. Exterior lighting on new construction shall be designed and maintained to minimize the effects of lighting on the surrounding environment and is required to meet the requirements of Chapter 23 Dark Sky Regulations.</p>	<p>Same as status for Condition #1, above.</p>
<p>18. The developer shall inform future owners of development standards and mitigation measures as a means of reducing or eliminating impacts to less-than-significant levels. At a minimum, Conditions of Approval 1–17, or as otherwise required by the County, shall be cross-referenced to map conditions recorded by the County as a separate instrument. If project CC&Rs are developed, Conditions of Approval 1–17 shall be reiterated therein.</p>	<p>Condition is referenced on the Final Map and will be recorded concurrently by separate instrument prepared by Public Works’ Staff.</p>
<p>19. Project requires a “will serve” letter from the June Lake Public Utilities District for both water and sewer services.</p>	<p>Condition satisfied by “will serve” letter dated April 12, 2018 on file with Public Works.</p>
<p>20. The project proponents shall provide the Mono County Department of Public Works with a "will serve" letter from the June Lake Fire Protection District indicating approval of the project and that the Fire District will provide service to the proposed parcels.</p>	<p>Condition satisfied by “will serve” letter dated April 13, 2018 on file with Public Works.</p>

Condition	Status
21. All utilities (electricity, telephone, digital communications, etc.) shall be extended to the new parcel in compliance with the Chapter 11 Utilities of the Mono County General Plan.	Documentation has been submitted that utilities are immediately adjacent or existing onsite.
22. Improvements, such as utility extensions, grading and drainage plans, shall be constructed in accordance with improvement plans prepared by a civil engineer licensed in the State of California and approved by the Department of Public Works.	Improvement plans have been approved. A note has been added to the map directing the County to withhold any Certificate of Occupancy for building permits until the improvements are complete. See staff report for background.
23. All disturbed soil surfaces resulting from construction of improvements shall be stabilized by revegetation with native plant species or by other approved methods within one year of completion of subdivision improvements. All exposed surfaces shall be stabilized prior to the onset of winter weather if such work is to be completed the following year.	Condition satisfied by notation on submitted improvement plans.
24. 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.	Condition satisfied by notation on submitted improvement plans.
25. The developer shall provide a soils report 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.	Condition satisfied by Soils Report Wavier dated 12/19/18 on file with Public Works.
26. Final Tentative Parcel Map shall have setbacks (20', 10' for side and rear yards) noted on the final map from all property lines to clarify where structures may be built.	Notation added to Final Map.

RECORDING REQUESTED BY,
AND WHEN RECORDED, RETURN TO:

Mono County Department of Public Works
Post Office Box 457
Bridgeport, California 93517

No recording fee pursuant to Government Code §6103

Space above for Recorder's use only

**NOTICE OF DEVELOPMENT CONDITIONS ON PROPERTY
– PARCEL MAP 18-001MC –**

This notice is recorded to advise future property owners that on October 10th, 2013, the Mono County Planning Commission approved the Tentative Parcel Map described herein. As a result, the parcels created by that map are burdened and benefited by development standards, conditions, and mitigation measures which run with the land, meaning that all future development on the property described herein is subject to certain conditions, requirements, and restrictions. A copy of applicable on-going conditions of map approval that burden and benefit the parcels is attached hereto.

Project Information

Map No.: Parcel Map 18-001MC (Bauer)
County: Mono
Community: June Lake
Location: unincorporated territory of the north 1/2 of Section 21, Township 2 South, Range 26 East, M.D.B.& M. (before subdivision recordation it was assigned as APN 016-143-045-000)
Description: Parcels 1-2 of Final Parcel Map No. 18-001MC in the County of Mono, State of California, per parcel map recorded on _____, 201__ in the office of the County Recorder of said County in Book 5 of Parcel Maps at Pages _____.

Signature: _____ Date: _____
Garrett Higerd, County Engineer
Mono County Department of Public Works

STATE OF CALIFORNIA)
) ss.
COUNTY OF MONO)

On _____, before me, _____, a NOTARY PUBLIC, personally appeared GARRETT HIGERD, 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 entity upon behalf of which he 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.

Notary Public
My commission expires on: _____

**PARCEL MAP 18-001MC (BAUER)
CONDITIONS OF MAP APPROVAL &
MITIGATION MONITORING PROGRAM**

NOTE: The following represent the Conditions of Approval, Development Standards, and Mitigation Monitoring Program approved and adopted for Tentative Parcel Map 18-001MC by the Mono County Planning Commission following a public hearing held on April 5, 2018. However, the conditions have been modified to remove references to the developer, since those obligations were satisfied at the time of final approval of the map and retain present and future tense as they relate to responsibilities of future property owners. In addition, conditions 14, and 18 through 26 have been deleted for brevity since they were satisfied prior to final approval of Parcel Map 18-001MC. For a copy of the full Conditions of Approval adopted for Parcel Map 18-001MC, please contact the Mono County Community Development Department.

FORMAT:

CONDITION OF APPROVAL.....

- a. SCHEDULE OF COMPLIANCE.....
- b. RESPONSIBLE MONITORING AGENCY or DEPARTMENT.....
- c. IMPLEMENTING PARTY
- d. TYPE OF MEASURE: DESIGN, ONGOING, CUMULATIVE

UNIFORMLY APPLIED DEVELOPMENT STANDARDS AND POLICIES

1. Future residential development shall meet the requirements of the Mono County General Plan.
 - a. Requires monitoring over a period of 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 / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing
2. The project, as well as future development, shall comply with 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.
 - a. Requires monitoring over a period of 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 / Building Division
 - c. Property Owner
 - d. Design / Ongoing
3. 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, Action 23.A.6.a.).
 - a. Requires monitoring over a period of 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 / Building Division
 - c. Property Owner
 - d. Design / Ongoing
4. The applicant and/or his contractor shall stop work and notify the County and 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 such time as the applicant hires 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 §7050.5, Public Resources Code §5097.98, and CEQA Guidelines §15064.5 (d) shall be consulted for the proper procedure to follow.

- a. As construction occurs
 - b. CDD/Building Division
 - c. Contractor
 - d. Design and ongoing
5. Construction shall be limited to daylight hours (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.
- a. Requires monitoring over a period of time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing
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).
- a. Requires monitoring over a period of time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing
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.
- a. Requires monitoring over a period of time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing
8. 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 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.
- a. Requires monitoring over a period of time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing
9. To prevent wind erosion and public nuisance created by dust, property owners shall refrain from clearing native vegetation except as necessary for impending or same-year construction.
- a. Requires monitoring over a period of time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing

EXHIBIT 3

10. For all phases of subdivision and parcel development, controls shall be instituted to reduce the impact of dust. Such controls are to include watering and mulching of disturbed areas or by other approved methods. Initiation of revegetation efforts should commence as soon as practical after construction.
- a. Requires monitoring over a period of time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing
11. 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. Construction resulting in the alteration of a drainage course also requires a grading permit.
- 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. Property Owner
 - d. Design / Ongoing
12. Drainage and erosion-control plans shall be required of residential construction and any permits required by Lahontan 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, plans will be developed by the individual project applicant with review and concurrence by the Mono County Department of Public Works, Community Development Department / Building Division, and applicable federal and/or state agencies.
- 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, Community Development Department / Building Division, and applicable federal and/or state agencies
 - c. Property Owner
 - d. Design / Ongoing
13. When used, Liquefied Petroleum Gas (LPG) shall be installed according to all applicable codes and Mono County Code 15.04.056.
- a. Requires monitoring over a period of 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 / Building Division
 - c. Property Owner
 - d. Design / Ongoing

15. Domestic animals shall be restrained at all times, either through the use of leashes or private fenced areas. No animals shall be allowed to be free roaming. Horses and other grazing animals shall be penned or tethered.
 - a. Requires monitoring over a period of time; usually linked to future development.
 - b. Community Development Department / Planning Division
 - c. Property Owner
 - d. Ongoing

16. 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. Building areas for each lot shall be selected to reflect 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 shall be encouraged.
 - E. Siding materials shall be stained, painted or otherwise finished in muted earth tones in order to blend into the surrounding environment.
 - F. Colors and materials for fences shall be muted and shall blend with the surrounding natural environment.
 - a. Requires monitoring over a period of time. Associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing

17. Exterior lighting on new construction shall be designed and maintained to minimize the effects of lighting on the surrounding environment and is required to meet the requirements of Chapter 23 Dark Sky Regulations.
 - a. Requires monitoring over a period of time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Property Owner
 - d. Design / Ongoing

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**Mono County
Community Development Department**

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

Planning Division

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

January 17, 2019

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst
Wendy Sugimura, Director

Re: General Plan Amendment 19-01A: Multi-Family Residential Land Use Designation and 19-01B: Short-Term Rentals.

RECOMMENDATION

1. Conduct a public hearing on GPA 19-01 A & B, the associated Addendum to the General Plan Environmental Impact Report, and receive any additional public comments;
2. Deliberate the project and additional public comments, and make any desired modifications; and
3. Following the public hearing and project deliberations, adopt Resolution 19-01 recommending that the Board of Supervisors certify the Addendum and adopt GPA 19-01 A & B.

FISCAL IMPACT

No impact due to MFR amendment, although additional units would result in increased property taxes. Increased staff time for enforcement and permitting could result in increased costs; increased compliance and new rentals could result in additional transient occupancy tax revenue for the County.

ATTACHMENTS

- A. Notice of Public Hearing
- B. GPA 19-01 A & B Addendum

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GPA 19-01A: MULTI-FAMILY RESIDENTIAL LAND USE DESIGNATION

BACKGROUND

The existing General Plan contains inconsistencies between minimum lot size and allowed density for multi-family residential land use designations. The County currently has 95 Multi-Family Residential (MFR) parcels divided among the communities of Bridgeport, June Lake, and Crowley Lake, many of which do not meet the current minimum lot size for condominium or townhome development but can satisfy the density requirement. The land use designations in question consist of Multi-Family – High (MFR – High), Multi-Family - Medium (MFR – M), and Multi-Family – Low (MFR-L).

The proposed amendment was presented to the Regional Planning Advisory Committees in communities with MFR land designations, including Bridgeport, June Lake, and Crowley Lake/Long Valley. No opposition was expressed.

DISCUSSION

The amendment proposes to adjust the minimum lot sizes for developments to match current density standards. For example, the minimum lot size for condominium developments of three or more units on MFR-L parcels would be changed to 3,750 square feet per unit to match the 15 dwelling units per acre allowance and eliminate the current minimum lot size of two acres (87,120 square feet). The amendment allows for greater consistency across MFR parcels, creates flexibility to build on smaller MFR parcels, and encourages more efficient use of land.

The amendment results in the addition of 21 units to the buildout potential of MFR parcels countywide. Buildout projections were calculated using the following methodology:

Step 1:

In order to create a “baseline,” current buildout potential was calculated for vacant/underdeveloped MFR parcels under existing standards using buildout assumptions from the 2015 General Plan EIR. These assumptions included reducing maximum buildout potential based on conditional development zones (flood zones and avalanche hazard), limited availability of sewer and water, and physical constraints (streams, steep slopes, etc.). None of the parcels affected by this amendment are located in zones where buildout potential was reduced. The potential for future lot mergers of adjacent parcels was not considered.

Step 2:

Buildout potential was calculated for vacant/undeveloped MFR parcels using the standards proposed by GPA 19-01A and the same set of reduction assumptions.

Buildout potential was affected on the following parcels:

- a. MFR-L parcels between 15,000 and 87,120 square feet. For example, under current regulations, a 30,000 square-foot MFR-L parcel would have a maximum development potential of three units since the two-acre minimum cannot be met. The proposed regulations allow for one unit per 3,750 square feet, regardless of parcel size, and would result in a maximum development potential of eight units for the parcel.
- b. MFR-M and MFR-H parcels between 11,616 and 20,000 square feet. As an example, a 15,000-square foot parcel would have a maximum development potential of three units under current regulations (the parcel does not meet the 20,000 square foot lot size minimum for developments of four or more units), but a maximum potential of five units after the proposed amendment.

Step 3:

The difference between “step 1” and “step 2” above was then calculated. The proposed amendment results in an increase in buildout potential of 11 units in June Lake, 10 units in Bridgeport, and no increase in Crowley Lake.

Table 1: Summary of buildout potential on MFR parcels			
Community	Buildout Potential on MFR Prior to Amendment	Buildout Potential on MFR After Amendment	Difference
Bridgeport	198	208	10
June Lake	76	87	11

Crowley Lake	50	50	0
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GPA 19-01A also includes language for permitting historically allowed transient rental use in MFR units. Transient rentals (fewer than 30 consecutive days) in multi-family units are prohibited in MFR-L and MFR-M, except in areas of historical use. The amendment allows the County to document the existing multi-family complexes where transient rentals will continue to be allowed. The units in question are existing and no new construction is proposed. This amendment does not affect the regulation of single-family units on residential land use designations, which is governed by Chapter 25 of the Land Use Element.

This staff report was reviewed by the Community Development Director.

ATTACHMENT

C. General Plan Amendment 19-01A: Proposed MFR designation changes

GPA 19-01B: SHORT-TERM RENTALS

BACKGROUND

In March 2017, the Board adopted amendments to Chapter 25 as recommended by the Planning Commission which regulates short-term rentals, defined as rentals for fewer than 30 days, in certain residential land use designations. Subsequently, the Board enacted a 45-day, then a 10.5-month followed by a one-year moratorium on Type II (non-owner occupied) short-term rentals, and directed staff to 1) first complete a public process to revise the June Lake area plan to address specific short-term rental issues in this community; and 2) revisit area plan policy discussions with other communities on where Type II rentals should be allowed/not allowed. The current moratorium expires on February 26, 2019.

In April 2018, the Board adopted a General Plan Amendment revising the June Lake area plan and short-term rental regulations, again at the recommendation of the Planning Commission, to address issues specific to June Lake. These regulations established a two-part permitting process: 1) a use permit approval by the Planning Commission under Chapter 25 of the General Plan, and 2) a Short-Term Rental Activity Permit approval by the Board of Supervisors under Mono County Code Chapter 5.65. Both are required to operate a short-term rental, and the Activity Permit is specific to the owner and does not transfer if the property is sold.

Since then, staff has been intermittently conducting outreach and workshops with the Regional Planning Advisory Committees (RPACs) to finalize policies and regulations throughout the rest of the county prior to the moratorium expiring.

DISCUSSION

The current Chapter 25 regulations stipulate that short-term rental approvals must comply with Area Plan policies, providing for regulations on an area-by-area basis. The following is a summary of the proposed modifications to the regulations and Area Plan policies (Attachments C and D), which completes a comprehensive set of regulations for short-term rentals across the entire county:

Chapter 25 Modifications:

- The application of the chapter and general requirements for all short-term rental types were consolidated into a new chapter section (25.015) rather than being repeated in multiple sections;
- Exemptions were added (25.018), which exempts the Antelope Valley (see area plan discussion below) and previously approved Transient Rental Overlay Districts (TRODs) and Type I Use Permits;
- Type II rentals (not owner-occupied rentals with approval that runs with the land) are proposed to be eliminated. None of the RPACs specifically requested the retention of this rental type, and the elimination reduces confusion for staff and applicants;
- The remaining Type I and Type III rentals were therefore renamed "Owner-Occupied Short-Term Rentals" (previously Type I) and "Not Owner-Occupied Short-Term Rentals" (previously Type III); and
- Noticing requirements were modified to have consistent timeframes. Any person can request notice of a short-term rental project 10 days in advance of the public hearing, and staff would provide that notice at least 10 days in advance.

Policy Modifications – Countywide:

- Minor wordsmithing is proposed to ensure consistency with the Antelope Valley exemption and to rename the rental types (eliminating the Types I and III terminology).

Policy Modifications – Antelope Valley:

- The Antelope Valley RPAC requested minimizing regulations and cost to the applicant while encouraging compliance with health and safety standards. The rationale is that the Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like other parts of the county.
- Therefore, the proposed language exempts short-term rentals in the Antelope Valley from the permitting process but requires a business license and transient occupancy tax certificate. As part of the business license process, health and safety requirements and responsibilities as defined in Chapter 26, Vacation Home Rental Permits, will be transmitted to the homeowner. To be clear, however, no planning permits will be issued for the short-term rental use.

Bridgeport Valley:

The Bridgeport Valley RPAC deliberated the merits of the different types of short-term rentals, and ultimately were split 2-2 on whether to recommend all rental types be permitted, or only Owner-Occupied Short-Term Rentals. The rationale for allowing all rental types was that property owner should have the right to conduct this use, market pressure is low, and the impacts are not problematic. The concern raised by those in favor of only Owner-Occupied Short-Term Rentals was the potential reduction of housing stock for long-term rentals and workforce housing. Because the Bridgeport RPAC did not make a recommendation, no policy changes are proposed, and Chapter 25, including both rental types, would apply in its entirety to the Bridgeport Planning Area.

Policy Modifications – Mono Basin:

- Lee Vining is almost entirely designated Commercial (C), and therefore Chapter 25 does not apply.
- Mono City is the only other residential community that expressed interest in discussing short-term rentals. A special meeting was held in Mono City and the input was conveyed to the Mono Basin RPAC. At its July 2018 meeting, the Mono Basin RPAC made a formal recommendation, consistent with the results of the Mono City meeting, to prohibit all types of short-term rentals in Mono City. Planning Commissioner Chris Lizza, who also sits on the Mono Basin RPAC, abstained from the vote. The policy modification provides for the prohibition.

Policy Modifications – June Lake:

- Minor wordsmithing is proposed to ensure consistency with the elimination of Type II rentals and to rename the rental types (eliminating the Types I and III terminology). No changes to the type and location of short-term rentals are proposed.

Policy Modifications – Crowley Lake/Long Valley, Wheeler Crest, Paradise, Swall Meadows, Tri-Valley:

- Per RPAC discussions, anecdotal comments from individuals to the district Supervisor (Fred Stump), and concern over loss of workforce housing stock, Not Owner-Occupied Short-Term Rentals are prohibited.
- Owner-Occupied Short-Term Rentals continue to be eligible for permitting.
- In Crowley Lake, prior to the current regulations, several Type I short-term rental use permits were approved (and one was denied), and no complaints have been filed to date.

Land Use Designation Modifications:

- The reference to June Lake policies is proposed for deletion from Estate Residential (ER), Rural Mobile Home (RMH) and Rural Residential (RR) since multiple area plans now contain relevant polices.
- The proposed modification to the Multi-Family Residential designation clarifies that short-term rentals are not permitted in this designation in June Lake, and eliminates the reference to June Lake policies.
- The reference to June Lake policies is retained for Single-Family Residential, since this is the only applicable Land Use Designation for short-term rentals in June Lake.

ATTACHMENTS

- D. Proposed General Plan Amendment 19-01B: Short-Term Rentals – redline version
- E. Proposed General Plan Amendment 19-01B: Short-Term Rentals – clean version

.....
ATTACHMENT FOR GPA 19-01 A & B

- F. Resolution 19-01 recommending the Board of Supervisors adopt GPA 19-01

MONO COUNTY
PLANNING COMMISSION

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

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

December 28, 2018

To: The Sheet

From: CD Ritter

Re: Legal Notice for **January 5** edition

Invoice: Jessica Workman, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing **Jan. 17, 2019, at 10:05 am** in the Mono County Courthouse, 278 Main Street, Bridgeport, CA, to consider **GENERAL PLAN AMENDMENT 19-01** consisting of two parts: **A) Multi-Family Residential (MFR) Land Use Designation:** The amendment proposes to adjust minimum lot sizes for developments to match current density standards. For example, the minimum lot size for condominium developments of three or more units on MFR-L parcels would be changed to 3,750 square feet per unit to match the 15 dwelling units per acre allowance instead of the current minimum lot size of two acres (87,120 square feet). The amendment allows for greater consistency across MFR parcels, creates flexibility to build on smaller MFR parcels, and encourages more efficient use of land. The amendment also includes language for permitting historically allowed transient rental use in existing MFR units with no new construction proposed. This amendment does not affect the regulation of single-family units on residential land use designations, which is governed by Chapter 25 of the Land Use Element. **B) Non-Owner-Occupied Short-Term Rentals:** The amendment refines Chapter 25 policies and regulations related to short-term rentals, defined as rentals for 30 days or less, in residential land use designations by eliminating Type II rentals (non-owner-occupied rentals with approvals that run with the land) throughout Mono County. Approvals of short-term rentals specific to the owner, whether owner-occupied (Type I) or non-owner occupied (Type III), may be permitted subject to Area Plan policies and permit approvals. In accordance with State law, an addendum to the existing General Plan EIR is being utilized for this project pursuant to the California Environmental Quality Act. Project materials will be available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes; for more information call 760.924.1800. INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Clerk of the Commission at, or prior to, the public hearing.

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ADDENDUM TO THE GENERAL PLAN EIR FOR GPA 19-01 A) MULTI-FAMILY RESIDENTIAL LAND USE MODIFICATIONS, AND B) SHORT-TERM RENTAL POLICIES AND REGULATION MODIFICATIONS

LEAD AGENCY:

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PO Box 347
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January 2019

INTRODUCTION

This addendum to the Mono County General Plan EIR applies to General Plan Amendment 19-01 which consists of two parts: A) Modifications to the Multi-Family Residential (MFR) land use designation; and B) Modifications to policies and regulations pertaining to short-term rentals. The General Plan EIR was certified by the Mono County Board of Supervisors on December 8, 2015. CEQA Guidelines Section 15164 states 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. This document outlines the elements of the amendment, the relevant CEQA provisions, and the potential environmental impacts.

PROJECT DESCRIPTION

GPA 19-01A: Multi-Family Land Use Designation

The existing General Plan contains inconsistencies between minimum lot size and allowed density for multi-family residential land use designations. The County currently has 95 Multi-Family Residential (MFR) parcels divided between the communities of Bridgeport, June Lake, and Crowley Lake, many of which do not meet the current minimum lot size for condominium or townhome development but can satisfy the density requirement. The land use designations in question consist of Multi-Family – High (MFR – High), Multi-Family - Medium (MFR – M), and Multi-Family – Low (MFR-L). The amendment proposes to adjust the minimum lot sizes for developments to match current density standards. For example, the minimum lot size for condominium developments of three or more units on MFR-L parcels would be changed to 3,750 square feet per unit to match the 15 dwelling units per acre allowance and eliminate the current minimum lot size of 2 acres (87,120 square feet). The amendment allows for greater consistency across MFR parcels, creates flexibility to build on smaller MFR parcels, and encourages more efficient use of land.

The amendment results in the addition of 21 units to the buildout potential of MFR parcels county-wide. Buildout projections were calculated using the following methodology:

1. Current buildout potential was calculated for vacant/underdeveloped parcels prior to an amendment for MFR parcels using buildout assumptions from the 2015 General Plan EIR. These assumptions included reducing maximum buildout potential based on conditional development zones (flood zones and avalanche hazard), limited availability of sewer and water, and physical constraints (streams, steep slopes, etc.). None of the parcels affected by the amendment are located in zones where buildout potential was reduced. The potential for future lot mergers of adjacent parcels was not considered.
2. Buildout potential was calculated for vacant/undeveloped MFR parcels using the standards proposed by GPA 19-01A and the same set of reduction assumptions.

Buildout potential was affected on the following parcels:

- a. MFR-L parcels between 15,000 and 87,120 square feet. For example, under current regulations, a 30,000 square-foot MFR-L parcel would have a maximum development potential of three units since the two-acre minimum cannot be met. The proposed regulations allow for one unit per 3,750 square feet, regardless of parcel size, and would result in a maximum development potential of eight units for the parcel.
 - b. MFR-M and MFR-H parcels between 11,616 and 20,000 square feet. As an example, a 15,000 square foot parcel would have a maximum development potential of three units under current regulations (the parcel does not meet the 20,000 square foot lot size minimum for developments of four or more units), but a maximum potential of five units after the proposed amendment.
3. The difference between “step 1” and “step 2” was then calculated. The proposed amendment results in an increase in buildout potential of 11 units in June Lake, 10 units in Bridgeport, and no increase in Crowley Lake.

Table 1: Summary of buildout potential on MFR parcels			
Community	Buildout Potential on MFR Prior to Amendment	Buildout Potential on MFR After Amendment	Difference
Bridgeport	198	208	10
June Lake	76	87	11
Crowley Lake	50	50	0

GPA 19-01A also includes language for permitting historically-allowed transient rental use in MFR units. Transient rentals (fewer than 30 consecutive days) in multi-family units are prohibited in MFR-L and MFR-M, except in areas of historical use. The amendment allows the County to document the existing multi-family complexes where transient rentals will continue to be allowed. The units in question are existing and no new construction is proposed. This amendment does not affect the regulation of single-family units on residential land use designations, which is governed by Chapter 25 of the Land Use Element.

GPA 19-01B: Short-Term Rentals

In March 2017, the Board adopted amendments to Chapter 25 as recommended by the Planning Commission which regulates short-term rentals, defined as rentals for less than 30 days, in certain residential land use designations. Subsequently, the Board enacted a 45-day, then a 10.5-month, and then a one-year moratorium on Type II (non-owner occupied) short-term rentals, and directed staff to 1) first complete a public process to revise the June Lake area plan to address specific short-term rental issues in this community; and 2) revisit area plan policy discussions with other communities on where Type II rentals should be allowed/not allowed. The current moratorium expires on February 26, 2018, unless extended.

In April 2018, the Board adopted a General Plan Amendment revising the June Lake area plan and short-term rental regulations, again at the recommendation of the Planning Commission, to address issues specific to June Lake. These regulations established a two-part permitting process: 1) a use permit approval by the Planning Commission under Chapter 25 of the General Plan, and 2) a Short-Term Rental Activity Permit approval by the Board of Supervisors under Mono County Code Chapter 5.65. Both are required to operate a short-term rental, and the Activity Permit is specific to the owner and does not transfer if the property is sold.

Since then, staff has been intermittently conducting outreach and workshops with the Regional Planning Advisory Committees (RPACs) to finalize policies and regulations throughout the rest of the county prior to the moratorium expiring.

The current Chapter 25 regulations stipulate that short-term rental approvals must comply with area plan policies, providing for regulations on an area-by-area basis. The following is a summary of the proposed modifications to the regulations and area plan policies (Attachments C and D), which completes a comprehensive set of regulations for short-term rentals across the entire county:

Chapter 25 Modifications

- The application of the chapter and general requirements for all short-term rental types were consolidated into a new chapter section (25.015) rather than being repeated in multiple sections.
- Exemptions were added (25.018), which exempts the Antelope Valley (see area plan discussion below) and previously approved Transient Rental Overlay Districts (TRODs) and Type I Use Permits.
- Type II rentals (not owner-occupied rentals with approval that run with the land) are proposed to be eliminated. None of the RPACs specifically requested the retention of this rental type, and the elimination reduces confusion for staff and applicants.
- The remaining Type I and Type III rentals were therefore renamed "Owner-Occupied Short-Term Rentals" (previously Type I) and "Not Owner-Occupied Short-Term Rentals" (previously Type III).
- Noticing requirements were modified to have consistent timeframes. Any person can request notice of a short-term rental project 10-days in advance of the public hearing, and staff would provide that notice at least 10-days in advance.

Policy Modifications – Countywide:

- Minor wordsmithing is proposed to ensure consistency with the Antelope Valley exemption and to rename the rental types (eliminating the Type I and III terminology).

Policy Modifications – Antelope Valley

- The Antelope Valley RPAC requested minimizing regulations and cost to the applicant while encouraging compliance with health and safety standards. The rationale is that the Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the county.
- Therefore, the proposed language exempts short-term rentals in the Antelope Valley from the permitting process but requires a business license and transient occupancy tax certificate. As part of the business license process, the applicant will sign an acknowledgement of health and safety requirements and responsibilities as defined in Chapter 26, Vacation Home Rental Permits. To be clear, however, no planning permits will be issued for the short-term rental use.

Policy Modifications – Mono Basin

- Lee Vining is almost entirely designated Commercial (C), and therefore Chapter 25 does not apply.
- Mono City is the only other residential community that expressed interest in discussing short-term rentals. A special meeting was held in Mono City and the input was conveyed to the Mono Basin RPAC. At their July 2018 meeting, the Mono Basin RPAC made a formal recommendation, consistent with the results of the Mono City meeting, to prohibit all types of short-term rentals in Mono City. The policy modification provides for the prohibition.

Policy Modifications – June Lake

- Minor wordsmithing is proposed to ensure consistency with the elimination of Type II rentals and rename the rental types (eliminating the Type I and III terminology). No changes to the type and location of short-term rentals are proposed.

Policy Modifications – Crowley Lake/Long Valley, Wheeler Crest, Paradise, Swall Meadow, Tri-Valley

- Per RPAC discussions, anecdotal comments from individuals to the district Supervisor (Fred Stump), and concern over loss of workforce housing stock, Not Owner-Occupied Short-Term Rentals are prohibited.
- Owner-Occupied Short-Term Rentals continue to be eligible for permitting.
- In Crowley Lake prior to the current regulations, several Type I short-term rental use permits were approved (and one was denied), and no complaints have been filed to date.

Land Use Designation Modifications

- The reference to June Lake policies is proposed for deletion from Estate Residential (ER), Rural Mobile Home (RMH) and Rural Residential (RR) since multiple area plans now contain relevant polices.
- The proposed modification to the Multi-Family Residential designation clarifies that short-term rentals are not permitted in this designation in June Lake, and eliminates the reference to June Lake policies.
- The reference to June Lake polices is retained for Single-Family Residential, since this is the only applicable Land Use Designation for short-term rentals in June Lake.

CEQA PROVISIONS FOR PREPARING AN ADDENDUM TO AN EIR

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

“(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration 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, based on 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.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.”

ANALYSIS OF POTENTIALLY SIGNIFICANT IMPACTS

The following table summarizes the existing impacts of the General Plan and any potential additional impacts from GPA 19-01:

Table 2: Summary of General Plan Impacts and Mitigation Measures				
ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURES	RESULTING LEVEL OF SIGNIFICANCE	ADDITIONAL IMPACTS FROM GPA 19-01
§4.1 LAND USE AND PLANNING				
4.1(a) Physically divide an established community	Less than Significant	Mitigated to the greatest feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	None. No lot lines, boundaries, or land uses are affected.
4.1(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.	Less than Significant	Mitigated to the greatest feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	None. No conflict with local area plans and policies.
§4.2 REGIONAL TRANSPORTATION PLAN AND CIRCULATION				
4.2(a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation and all relevant components of the circulation system.	Less than Significant	Mitigated to the feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	Less than significant. Minor additional traffic caused by potential units under the MFR change not expected to affect circulation patterns. The short-term rental policies do not result in any new units, and existing units continue to be residential uses.

4.2(b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures.	Less than Significant	Mitigated to the feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	Less than significant. Minor additional traffic caused by potential units under the MFR change not expected to affect circulation patterns. The short-term rental policies do not result in any new units, and existing units continue to be residential uses.
4.2(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.	No Impact	Mitigated to the feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	No Impact	None. Changes do not impact air travel.
4.2(d) Result in inadequate emergency access or design hazards.	Less than Significant	Mitigated to the feasible extent through 2015 RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant	None. All projects on MFR parcels must receive will-serve letter from emergency services. The short-term rental policies only apply to existing units.
4.2(e) Conflict with adopted policies, plans, or programs for public transit, bicycle, parking/pedestrian facilities, or decrease safety or performance of such facilities.	No Impact	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	No Impact	Less than significant. Higher density on MFR parcels is consistent with the General Plan's goal to promote multi-modal transportation.
§4.3 AIR QUALITY, CLIMATE CHANGE, GHG EMISSIONS				
4.3(a) Conflicts with or obstructs implementation of the air quality plan or results in a cumulatively considerable net increase of a criteria pollutant for which the region is non-attainment under an applicable federal or state ambient air quality standard.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. Additional vehicle miles traveled from small increase in potential units is insignificant

				when analyzed as a whole. No new units are generated by the short-term rental policies.
4.3(b) Violates an air quality standard or contributes substantially to an existing or projected air quality violation.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	None. Minor increase in unit density does not contribute substantially to an existing or projected air quality violation. No new units are generated by the short-term rental policies.
4.3(c) Exposes sensitive receptors to substantial pollutant concentrations.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. Additional vehicle miles traveled is insignificant and exposure to sensitive receptors remains unchanged. No new units are generated by the short-term rental policies.
4.3(d) Creates objectionable odors affecting a substantial number of people.	Less than Significant	Impacts reduced through 2015 RTP/General Plan Policies and Actions.	Less than Significant	None. No additional odors generated by the potential higher density. Land use unchanged.
4.3(e) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. Additional vehicle miles traveled from small increase in potential units or increased occupancy of existing units is insignificant in comparison to overall GHG emissions.

§4.4 BIOLOGICAL RESOURCES				
4.4(a) Have a substantial adverse effect, directly or through habitat modifications, on a candidate, sensitive, or special status species as identified in local or regional plans, policies, regulations, or by CDFW or USFWS?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. Larger developments on MFR parcels that may result from this amendment are subject to a use permit and CEQA. Mitigation of impacts would be addressed at the project level, or a statement of overriding considerations would be drafted. No new units are generated by the short-term rental policies.
4.4(b) Have a substantial adverse effect on a riparian habitat or sensitive natural plant community identified in local/ regional policies, regulations, by CDFW or USFWS?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(c) Have a substantial adverse effect on federally protected wetlands as per Clean Water Act §404 (marsh, vernal pool, coastal, etc.) through removal, filling, hydrological interruption, other means?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(d) Interfere substantially with the movement of a native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede use of native wildlife nurseries?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(e) Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.4(f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan?	No Impact	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	No Impact	
§4.5. GEOLOGY, SOILS, MINERALS				
4.5(a) Expose people or structures to potential substantial adverse effects involving: i) Rupture of a known Alquist-Priolo earthquake fault as delineated by the State Geologist or based on other substantial evidence? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. MFR parcels are not located on a known Alquist-Priolo fault or in areas of significant landslide hazard. No new units are generated by the short-term rental policies.
4.5(b) Result in substantial soil erosion or the loss of topsoil?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. Increased density may result in slightly greater soil disturbance. All development must

				meet Mono County grading regulations. No new units are generated by the short-term rental policies.
4.5(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, or be located on expansive soil creating substantial risks to life or property?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. MFR parcels are not located on steep slopes or areas of geologic instability. No new units are generated by the short-term rental policies.
4.5(d) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	None. The identified MFR parcels are supported by Public Utility Districts, which includes the disposal of waste water. No new units are generated by the short-term rental policies.
4.5(e) Result in the loss of availability of a known mineral resource or an identified locally important mineral resource that would be of value to the region and to residents of the state of California?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. No significant source of a locally important mineral resource is affected by either MFR development or short-term rentals.
§4.5. PUBLIC HEALTH & SAFETY, HAZARDS, HAZARDOUS MATERIALS				
4.6(a) Create a hazard to the public or environment through routine transport, use or disposal of hazardous materials, or release of hazardous materials into the environment, including within 1/4 mile of a school?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. MFR land uses and short-term rentals do not include the transport or disposal of hazardous materials.
4.6(b) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to CGC	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	

§65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
4.6(c) Create a safety hazard for people residing or working in an area located in an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport or private airstrip?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	None. The parcels affected by the amendment are not in identified hazard zones.
4.6(d) Impair implementation of or physically interfere with an adopted emergency response or evacuation plan?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	No new units are generated by the short-term rental policies. Existing units in avalanche areas are restricted to summer-only rentals.
4.6(e) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.6(f) Expose people or structures to significant risk of avalanche, landslides, destructive storms or winds, rockfall or volcanic activity?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
§4.7. CULTURAL RESOURCES				
4.7(a) Cause a substantial adverse change in the significance of a prehistorical or historical resource?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. In the event that remains are uncovered, work shall be stopped, via California Health and Safety Code § 7050.5. Larger developments on MFR parcels that may result from this amendment are subject to a use permit and CEQA. Mitigation of impacts would be addressed at the project level, or a statement of overriding
4.7(b) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.7(c) Disturb any human remains or sacred lands, including those interred outside of formal cemeteries?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	

				considerations would be drafted. No new units are generated by the short-term rental policies.
§4.8. HYDROLOGY, FLOODING, WATER QUALITY, WATER SUPPLY				
4.8(a) Violate any water quality standards?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. All development must be reviewed by the Mono County Building Division and Environmental Health to ensure water quality and drainage are acceptable. None of the MFR parcels are located within an identified flood plain. No new units are generated by the short-term rental policies.
4.8(b) Violate wastewater treatment or discharge requirements or require new wastewater treatment facilities?	Potentially Significant	Impacts reduced through 2015 RTP/General Plan Policies and Actions. Supplemental recommended mitigation includes: <i>1. It is recommended that the County formalize policies consistent with LRWQCB recommendations for controlling the problems associated with septic systems including (a) reevaluate and update the adequacy of existing local regulations for installation and maintenance of septic systems, including applicable criteria from Basin Plan Appendix C; (b) continue to limit the use of septic systems on small-lot, higher density developments; (c) encourage alternative waste treatment systems; (d) encourage & support funding for wastewater treatment plants in outlying areas where water quality problems and/or population density require wastewater collection and treatment.</i>	Significant and Unavoidable	

4.8(c) Have insufficient groundwater or surface water supplies to sustainably serve General Plan land uses from existing entitlements, facilities and resources?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.8(d) Alter existing drainage patterns causing substantial erosion, siltation, flooding, polluted runoff?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
4.8(e) Place housing or structures in a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
4.8(f) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
4.8(g) Expose people or structures to inundation by seiche, tsunami, or mudflow?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
§4.9. RECREATION				
4.9(a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	Less than significant. The associated population increase from a potential minor increase in density should not have significant effects on recreational facilities. No new units are generated by the short-term rental policies.
4.9(b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
§4.10. AESTHETICS, LIGHT & GLARE, SCENIC RESOURCES				
4.10(a) Have a substantial adverse effect on a scenic vista or scenic including trees, rock outcroppings, and historic buildings within a state scenic highway?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. All development must

4.10(b) Substantially degrade the existing visual character or quality of the site and its surroundings?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	meet area plan policies and are encouraged to meet design standards to gain approval. Short-term rentals must be retrofitted with compliant light fixtures.
4.10(c) Create a new source of substantial light or glare that would adversely affect day or nighttime views?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	
§4.11. AGRICULTURE, FORESTS, CONSERVATION				
4.11(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	None. None of the parcels included in the amendment are associated with agriculture or forest lands.
4.11(b) Conflict with existing zoning for, or cause rezoning of, forest land or result in the loss of forest land or conversion of forest land to non-forest use?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
§4.12. POPULATION AND HOUSING				
4.12(a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	No Impact	Less than significant. The projected population increase for the additional unit potential is estimated at 25 persons in Bridgeport and 26 persons in June Lake (assuming approximately 2.5 residents per dwelling unit), which is not a significant increase when compared to overall buildout. MFR development is often targeted at housing the workforce. No new

				units are generated by the short-term rental policies, and the units continue to be a residential use.
4.12(b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	No Impact	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	No Impact	None. The amendment examines vacant and underdeveloped parcels, and is not expected to cause the demolition of units or displacement of current residents. The short-term rental approval process considers displacement and could be denied for this purpose.
§4.13. PUBLIC SERVICES AND UTILITIES				
4.13(a) Create a need for new or modified governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection, Schools, Other public facilities, services and utilities?	Potentially Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable	Less than significant. All MFR parcels affected by the amendment are serviced by a Public Utility District with the ability to handle the increased load at buildout. No new units are generated by the short-term rental policies.
4.13(b) Result in a wasteful, inefficient, and/or unnecessary consumption of energy?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
4.13(c) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs and comply with federal, state, and local statutes and regulations related to solid waste?	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
§4.14. NOISE				
4.14)a) Expose persons to or cause a permanent or temporary significant increase in ambient noise levels or result in	Less than Significant		Less than Significant	Less than significant. The increase in density on the identified MFR

noise levels exceeding standards set by the general plan or noise ordinance or other applicable standards.		Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.		parcels may cause a slight increase in noise, but not in a manner that exceeds the expected disturbance from MFR
4.14(b) Expose persons to or generate excessive groundborne vibration or groundborne noise levels.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	development. No noise beyond residential uses is associated with short-term rentals.
4.14(c) Expose people residing or working in the project area to excessive noise levels for a project located in an airport land use plan or (where such a plan has not been adopted) within two miles of a public airport or public use airport or a private airstrip.	Less than Significant	Mitigated to extent feasible through Policies and Actions. No supplemental mitigations recommended.	Less than Significant	
OTHER CEQA TOPICS				
Cumulative Impacts on Agriculture associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Aesthetic and Scenic Values associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Biological Resources associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Cultural Resources associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.

Cumulative Impacts on Hydrology and Water Quality associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Land Use and Planning Associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts on Recreation Associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR	None. Affected parcels not in area.
Cumulative Impacts associated with Water Reclamation	Potentially Significant and Adverse	No Water Reclamation projects at this time.	To be determined through CEQA analysis when and if proposed.	None. No water reclamation projects on MFR parcels or associated with short-term rentals.
Cumulative Impacts associated with Landfill Closure	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures in EIR for Benton Regional Landfill Closure and Replacement Project.	To be determined through CEQA analysis when replacement site is proposed.	None. The MFR and short-term rental amendments do not affect landfill closure plans.

CONCLUSION

The modification to the Multi-Family Land Use designation results in a minor increase in the maximum development potential (324 units to 345 units, or a 6% increase) on MFR properties that does not create new significant impacts or exacerbate unavoidable significant impacts. The percent increase in units is even smaller if evaluated against the full buildout (increase from 16,567 to 16,588 units, or a 0.13% increase) across the county.

The short-term rental amendments do not change the underlying property use or result in the construction of new units or increased density. Single-family homes that are now used seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full time residents or long-term renters. In addition, short-term rentals will continue to be subject to compliance with regulations governing the management of these units stipulated in Mono County Code Chapter 5.65 and Chapter 26, except for Antelope Valley where there is little market pressure. These existing regulations remain substantially the same as the currently adopted 2015 RTP/GPU (Chapter 26) and as analyzed in the EIR and the Addendum for GPA 18-01B (incorporated by reference), and address aesthetics, noise, parking, utilities, or other similar issues. If anything, increased regulatory requirements and some prohibitions in certain areas reduce impacts and further mitigate parking issues, light trespass, and noise issues. Accordingly, the impacts of the proposed project would not be increased beyond those analyzed in the 2015 RTP/GPU EIR and the Addendum for GPA 18-01B.

Based on the considerations and analyses presented above, and based on the provisions contained in CEQA §15164[a]) as presented in its entirety in this Addendum, 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 an Addendum to the adopted 2015 Mono County General Plan EIR is the appropriate CEQA document for the proposed general plan amendment for multi-family land use designations.

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."

Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)

Legend:

Blue: New addition; Red: Previous

INTENT: The “MFR-L” designation is intended to provide for low-density multifamily residential development, such as duplexes and triplexes.

The “MFR-M” designation is intended to encourage long-term multifamily housing by allowing for higher population densities and by not allowing commercial lodging facilities; i.e., hotels, motels.

The “MFR-H” designation is intended to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.

PERMITTED USES

- Single-family dwelling
- Manufactured home used as a single-family dwelling¹ – MFR-L only ^c
- Duplexes and triplexes
- Accessory buildings and uses²
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Small-scale agriculture
- Transitional and Supportive Housing⁶
- Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act.

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- MFR-L Model units
- None stated for MFR-M and MFR-H

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

MFR-L, MFR-M and MFR-H

- Art galleries
- Quasi-public buildings and uses
- Public utility buildings and structures, not including service yards
- Country clubs and golf courses
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing four or more units
- Parking lots and parking structures

MFR-H only

- Mobile-home parks (see Dev. Standards – Mobile Homes and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Social care facilities and related integrated professional offices
- Parking lots and parking structures when abutting a commercial district
- Hotels, motels, bed-and-breakfast establishments and dorms
- Transient rentals (fewer than 30 consecutive days) of four or more dwelling units only
- Manufactured housing subdivision (see Ch. 18)

Transient rentals (fewer than 30 consecutive days) are prohibited in MFR-L and MFR-M, except in the following complexes: Aspen Meadows, Hideaway Down Canyon, Interlaken, Birch Creek, Edgewater, Sierra Suns, or in complexes where transient use is not specifically addressed in the use permit and/or parcel map of an existing development and can be demonstrated as a non-conforming use prior to the adoption date of this General Plan Amendment.

DEVELOPMENT STANDARDS

Minimum Lot Area:

MFR-L

Minimum lot size – 7,500 sf

Developments of three or more units – (number of units) x 3,750 sf

~~Multiple family – 11,250 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 2 acres~~

Schools – 5 acres

MFR-M

Minimum lot size – 7,500 sf

Developments of three or more units – (number of units) x 2,904 sf

~~Minimum lot size – 10,000 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

MFR-H

Minimum lot size – 7,500 sf

Developments of three or more units – (number of units) x 2,904 sf

Hotels, resort hotels, and motels – 20,000 sf

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

~~MFR-M Lots measuring less than 10,000 sq. ft. shall be limited to single family & duplex uses.~~

Minimum lot size of 7,500 square feet for single-family residences and duplexes is based on subdivision requirements. Minimum lot size for developments of three or more units is based on density maximums – 11.6 du/acre for MFR-L and 15 du/acre for MFR-M and MFR-H.

Minimum District Area:	MFR-M	3 acres
	MFR-H	5 acres

Minimum Lot Dimensions:	Width – 60'
	Depth – 100'

MFR-L width for:

- Condominiums, cooperatives, townhomes, cluster developments – 150'
- Schools – 200'

Maximum Lot Coverage:	MFR-L	40%	MFR-M and MFR-H	60%
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Minimum Setbacks:

Front:	20'	Rear:	10'	Side:	10'
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See Section 04.120 for other provisions.

Building Density:**MFR-L**

1 du/3,750 sq. ft. or 11.6 du/acre

MFR-M & -H

Condominiums, multifamily residences and similar uses – 15 du/acre

In no case shall projects containing density bonuses exceed 26 units/acre. Units designated as manager/employee housing unit shall not be counted in density calculations.

MFR-H

Hotels, motels, bed-and-breakfast establishments, etc. – 40 units/acre

Population Density: Maximum population density is 37.6 persons per acre for multifamily dwellings.

Maximum Building Height: 35' See Table 04.010 for other provisions.

Landscaping: Projects subject to use permit shall submit a landscape site plan at the time of application. A minimum of 5% of the building site shall be landscaped in the MFR-L designation.

NOTES

1. Provided that the unit is fewer than 10 years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Accessory Dwelling Unit requirements (see Ch. 16), or 2) comply with State standards for a mobile-home park and obtain a use permit from the County (see Ch. 17, Mobile Homes and RV Parks).
2. Accessory buildings and uses customarily incidental to any of the permitted uses are permitted only when located on the same lot and constructed simultaneously with or after the main building.
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" (Ch. 04, Uses not listed as permitted).
5. Lots requiring individual septic systems are subject to minimum dimensions as determined by the Lahontan Regional Water Quality Control Board.
6. Transitional and Supportive Housing projects are permitted in the same manner as other residential housing.

SEE ALSO**Land Development Regulations –**

Ch. 03	Uses Permitted
Ch. 04	Development Standards – General
Ch. 06	Development Standards – Parking
Ch. 07	Development Standards – Signs
Table 04.010	Building Heights

Proposed General Plan Amendment 19-01B Short-Term Rentals

DEVELOPMENT STANDARDS

CHAPTER 25 – SHORT-TERM RENTALS

Sections:

25.010 Intent.

25.015 General Requirements and Applicability.

25.018 Exemptions

25.020 Establishment of ~~Type I Short-term Rental~~: Owner-Occupied Short-Term Rentals.

~~25.030 Establishment of Type II Short-term Rental: Not Owner-Occupied.~~

25.035 Establishment of ~~Type III Short-term Rental~~: Not Owner-Occupied Short-Term Rentals, in June Lake only.

25.040 Notice requirements.

25.050 Uses permitted.

25.060 Uses permitted subject to director review

25.070 Uses permitted subject to use permit

25.080 Additional requirements

25.010 Intent.

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit short-term rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies.

25.015 General Requirements and Applicability.

- A. This eChapter applies to short-term rentals in any single-family unit with a land use designation(s) of SFR, ER, RR, MFR-L or RMH in all communities except June Lake. In June Lake, this chapter applies only to SFR designations; short-term rentals in other residential land use designations in June Lake are not permitted.
- B. ~~The s~~Short-term rentals covered by this Chapter are ~~is~~ subject to a Use Permit (see Chapter 32) and a Short-Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65 unless otherwise exempted.
- C. ~~The~~Unless explicitly stated otherwise in this Chapter, short-term rentals covered by this Chapter shall operate in compliance with ~~must be consistent with~~ this Chapter, Chapter 5.60 of the Mono County Code, ~~and all applicable Area Plan policies,~~¹ and must exhibit no reasonable opposition from neighbors within 500 feet of the subject parcel.
- D. Pursuant to Chapter 5.60 of the Mono County Code and the required Short-Term Rental Activity Permit, ~~theseshort term -rentals covered by this Chapter shall be specific to the owner and not run with the land,~~ and shall terminate upon a change of ownership.

¹ See Antelope Valley, Mono Basin, June Lake, Crowley Lake/Long Valley, Wheeler Crest, Paradise, and Tri-Valley (Benton, Hammil Valley and Chalfant Valley) Area Plan policies. This list is current as of Jan. 2019.

25.018 Exemptions

- A. Based on the discussion by the Regional Planning Advisory Committee and consistent with Area Plan policies, short-term rentals in Antelope Valley (north of Mountain Gate to the County line) are exempt from Chapter 25 requirements, including a use permit and an Activity Permit (under MCC 5.65). Business license and Transient Occupancy tax certificate requirements continue to shall apply.
- B. Short-term rentals approved under previous regulations are considered existing non-conforming uses subject to the provisions of Chapter 34 and are therefore exempt from this Chapter. The regulations under which the use was approved continue to apply. These approvals include, but may not be limited to, the following parcels:
- i. APNs under Transient Rental Overlay Districts (TRODs): 016-094-012, 016-094-011, 016-094-010, 016-098-016 (GPA 13-001), 019-140-011, 016-098-011, 016-096-005 (GPA 13-002); 015-140-035, 015-140-034, 015-140-033, 015-140-032 (GPA 13-004); 016-102-052 (GPA 14-001); 015-010-080, 015-300-006 (GPA 14-002).
 - ii. APNs under Use Permits: 060-120-005 (UP 17-004), 008-132-027 & 008-132-017 (UP 17-005), 060-210-062 (UP 17-011), 060-180-018 (UP 17-012), 060-240-010 (UP 17-013).

25.020 Establishment of ~~Type I Owner-Occupied Short-Term Rental; Owner-Occupied Type I Owner-occupied~~ short-term rentals require the owner to live on site, or the unit must be an owner-occupied or associated with an owner-occupied principal residence on the same parcel or on a physically contiguous adjacent parcel. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum, a sleeping room (with shared full bathroom). To rent a detached and separate unit, the property owner must occupy the other unit. Rental is limited to a single party of individuals, and the owner is required to be present during the rental. ~~The short term rental use may be permitted for any single family unit having land use designation(s) of SFR, ER, RR, MFR L or RMH subject to a Use Permit (see Chapter 32) and a Short Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65, if consistent with applicable Area Plan policies. The STR Activity Permit for this rental (MCC 5.65) shall be specific to the owner and not run with the land and shall terminate upon a change of ownership. The short term rental must be consistent with this chapter and applicable Area Plan policies and must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel.~~

25.030 — Establishment of ~~Type II Short-Term Rental; Not Owner-Occupied~~

~~Type II short term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The short term rental use may be established on any parcel (or group of parcels) with a single family unit, meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR L or RMH. The short term rental must be consistent with applicable Area Plan policies, must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year-round access.~~

~~In addition to the requirements of this chapter, initiation and application for a Type II short-term rental shall be processed in the same manner as any land use re-designation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters STR (e.g., SFR-STR) would indicate a Type II short-term rental is permitted.~~

25.0305 Establishment of ~~Type III Not Owner-Occupied Short-Term Rental: Not Owner-Occupied in June Lake Only~~

~~Type III short term rentals apply only in June Lake. Type III Not owner-occupied short-term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The short-term rental use may be permitted for any single family unit having a land use designation(s) of SFR subject to a Use Permit (see Chapter 32) and a Short Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65. The STR Activity Permit (MCC 5.65) for this rental shall be specific to the owner and not run with the land and shall terminate upon a change of ownership. The short-term rental must be consistent with this chapter and applicable Area Plan policies, must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year-round access unless restricted as a seasonal rental.~~

25.040 Notice requirements.

- A. Notice of a short-term rental application shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius measured from the nearest limits of the project parcel that is the subject of the land use application. If a contiguous parcel (or parcels) is under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed at the discretion of the Community Development Department. Further, any property owners or residents, regardless of their location or proximity to the parcel subject to a land use application, may receive notice if they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given at least 120 days in advance of the hearing by mail, electronic mail, or other noticing means pursuant to the California Government Code, to all persons whose names and addresses appear on the latest adopted tax roll of the County or have made a written request for notice under this section.

25.050 Uses permitted.

The following uses shall be permitted with a short-term rental approval, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

25.060 Uses permitted subject to director review.

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

25.070 Uses permitted subject to use permit.

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

25.080 Additional requirements.

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family residence approved pursuant to this chapter, for a period of fewer than thirty (30) days, must first obtain a Short-Term Rental Activity Permit pursuant to Mono County Code Chapter 5.65 and comply with all applicable requirements of that permit prior to operating.

Parcels located within conditional development zones (avalanche) shall not be allowed to offer or operate short-term rentals during the avalanche season, November 1 through April 15.

Any form of advertising or listing for rent for an unpermitted short-term rental unit is in violation of this chapter.

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GPA 19-01: Proposed Area Plan Policy Edits

Antelope Valley Area Plan Policies

Objective 4.D.

Maintain and enhance the local economy.

Policy 4.D.1. Incubate home businesses:

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

Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in size, absent the determination of an actual nuisance (noise, odor, etc.). An actual field survey to determine size will not be necessary provided applicant provides a legal description, a subdivision map, Assessor's Parcel Map or other similar documentation.

- A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.
- B. Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.²
- C. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.

² Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee's property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee's parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee's parcel.

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

- D. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.
- E. Materials used for the business may be stored in the open, but not within the building setback limitations.
- F. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.
- G. County health and safety ordinances apply.

Policy 4.D.2. Provide for short-term rentals in residential designations.

Definition: See Chapter 2 – Definitions, 02.1035 Short-Term Rental.

Policy Assumption: The Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the eCounty, and therefore the economic benefits of short-term rentals should be supported.

A. Short-term rentals are exempt from Chapter 25 requirements (e.g., use permit and Mono County Code Chapter 5.65 Activity Permit), but are subject to business license and transient occupancy tax certificate requirements.

A.B. County health and safety ordinances apply.

Mono Basin Area Plan Policies:

Objective 10.B.

Manage buildout of the Mono City subdivision to retain its rural character.

Policy 10.B.1. Limit the buildable area of Mono City to the existing subdivision footprint.

Action 10.B.1.a. Coordinate with the BLM to ensure the next update of the Bishop Resource Management Plan reflects the agreement to remove APN 019-110-010 from the BLM disposal list.

Policy 10.B.2. Prohibit all types of short-term rentals that may be permitted under Chapter 25 in Mono City.

Crowley Lake Area Plan Policies

Objective 23.B.

Maintain, protect and enhance the quality and livability of community areas.

Policy 23.B.1. Preserve and enhance existing single-family residential uses.

Action 23.B.1.a. Future residential development in community areas shall have a minimum lot size of 15,000 sq. ft. except for areas adjacent to existing development

with lot sizes of 7,500-10,000 square feet, where the minimum lot size may be 10,000 square feet if individual septic disposal systems are not required.

Action 23.B.1.b. Provide adequate private open space in all residential areas and developments.

Action 23.B.1.c. Require higher-density residential development to be compatible with the surrounding area and to provide sufficient open space.

Action 23.B.1.d. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Long Valley Planning Area.

Wheeler Crest Planning Area

Policy 24.A.3. Retain the rural residential character of the entire study area.

Action 24.A.3.a. Permit only single-family residential and related accessory structures. Bed-and-breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.

Action 24.A.3.b. General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.

Action 24.A.3.c. Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more-restrictive CC&Rs, as applicable.

Action 24.A.3.d. Avoid community strife by respecting current, more-restrictive CC&Rs, as well as County land use designations.

Action 24.A.3.e. Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.

Action 24.A.3.f. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.

Paradise Planning Area Policies

Objective 25.B.

Retain a quiet, peaceful and tranquil residential atmosphere within the community.

Policy 25.B.1. Abate noise issues consistent with the Noise Element and County Code.

Policy 25.B.2. Prevent incompatible and/or conflicting uses within the community from non-residential uses.

[Policy 25.B.3. Prohibit Not Owner-Occupied short-term rentals \(see Chapter 25\) in the Paradise Planning Area.](#)

Tri-Valley Planning Area Policies

Objective 26.A.

Integrate compatible residential development into the existing community character in Benton.

Policy 26.A.1. Allow for the continuation of growth in Benton in a manner that promotes and protects its rural and agricultural character.

Action 26.A.1.a. Gross densities for residential development in Benton shall not exceed two dwelling units per acre. For parcels 40 acres or greater, clustering shall be encouraged.

Action 26.A.1.b. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.A.1.c. Require new development to provide adequate buffering of incompatible uses (e.g., landscaping, physical barriers, large setbacks) to protect agricultural areas from residential and other incompatible land uses.

Action 26.A.1.d. Subdivisions of more than four parcels shall include paved streets.

Action 26.A.1.e. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 26.A.1.f. Discourage installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.A.1.g. Permit agricultural uses, including the keeping of animals, in all land use designations.

Action 26.A.1.h. Encourage access and equestrian trails through developments to public lands.

[Action 26.A.1.i. Prohibit Not Owner-Occupied short-term rentals \(see Chapter 25\) in Benton.](#)

Objective 26.B.

Preserve the agricultural character of the Hammil Valley.

Policy 26.B.1. Protect agricultural uses from the encroachment of incompatible land uses.

Action 26.B.1.a. Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

Action 26.B.1.b. Prohibit scattered residential development in Hammil Valley that would increase agricultural-residential conflicts.

Action 26.B.1.c. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.B.1.d. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 16.B.1.e. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Hammil Valley.

Objective 26.C.

Integrate additional compatible development into the existing community of Chalfant.

Policy 26.C.1. Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.

Action 26.C.1.a. Gross densities for residential development in Chalfant shall not exceed one dwelling unit per acre. For parcels 10 acres or greater, clustering shall be encouraged.

Action 26.C.1.b. Small parcels (fewer than 10 acres) designated for agricultural uses contiguous to residential areas, not used primarily for agricultural purposes, may be considered for redesignation to a residential land use.

Action 26.C.1.c. Roads within subdivisions of more than four parcels shall at a minimum have a hard surface such as decomposed granite (DG).

Action 26.C.1.d. Discourage the installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.C.1.e. Permit small-scale agricultural uses, including the keeping of animals for personal use, in all land use designations, within the mandate of the County requirements for the Estate Residential (ER) designation.

Action 26.C.1.f. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Chalfant Valley.

GPA 19-01: Proposed Land Use Designation Modifications

1. Estate Residential (ER), Rural Mobile Home (RMH), Rural Residential (RR)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies ~~(e.g., see June Lake Area Plan, see Objective 13.M.)~~.

2. Multi-Family Residential – Low (MFR-L)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies except in the June Lake Planning Area where short-term rentals are only permissible in SFR. (e.g., see June Lake Area Plan, see Objective 13.M.).

3. No change is proposed for the Single Family Residential designation.

Proposed General Plan Amendment 19-01B

Short-Term Rentals

DEVELOPMENT STANDARDS

CHAPTER 25 – SHORT-TERM RENTALS

Sections:

- 25.010 Intent.**
- 25.015 General Requirements and Applicability.**
- 25.018 Exemptions**
- 25.020 Establishment of Owner-Occupied Short-Term Rentals.**
- 25.0350 Establishment of Not Owner-Occupied Short-Term Rentals.**
- 25.040 Notice requirements.**
- 25.050 Uses permitted.**
- 25.060 Uses permitted subject to director review**
- 25.070 Uses permitted subject to use permit**
- 25.080 Additional requirements**

25.010 Intent.

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit short-term rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies.

25.015 General Requirements and Applicability.

- A. This chapter applies to short-term rental in any single-family unit with a land use designation(s) of SFR, ER, RR, MFR-L or RMH in all communities except June Lake. In June Lake, this chapter applies only to SFR designations; short-term rentals in other residential land use designations in June Lake are not permitted.
- B. The short-term rental is subject to a Use Permit (see Chapter 32) and a Short-Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65 unless otherwise exempted.
- C. The short-term rental must be consistent with this Chapter and applicable Area Plan policies,¹ and must exhibit no reasonable opposition from neighbors within 500 feet of the subject parcel.
- D. Pursuant to Chapter 5.60 of the Mono County Code and the required Short-Term Rental Activity Permit, these rentals shall be specific to the owner and not run with the land, and shall terminate upon a change of ownership.

25.018 Exemptions

- A. Based on the discussion by the Regional Planning Advisory Committee and consistent with Area Plan policies, short-term rentals in Antelope Valley (north of Mountain Gate to the County line) are exempt from Chapter 25 requirements, including a use permit and Activity Permit (under MCC 5.65). Business license and Transient Occupancy tax certificate requirements continue to apply.
- B. Short-term rentals approved under previous regulations are considered existing non-conforming uses subject to the provisions of Chapter 34 and are therefore exempt from this Chapter. The regulations under which the use was approved continue to apply. These approvals include, but may not be limited to, the following parcels:
 - i. APNs under Transient Rental Overlay Districts (TRODs): 016-094-012, 016-094-011, 016-094-010, 016-098-016 (GPA 13-001), 019-140-011, 016-098-011, 016-096-005 (GPA 13-002); 015-140-035,

¹ See Antelope Valley, Mono Basin, June Lake, Crowley Lake/Long Valley, Wheeler Crest, Paradise, and Tri-Valley (Benton, Hammil Valley and Chalfant Valley) Area Plan policies. This list is current as of Jan. 2019.

015-140-034, 015-140-033, 015-140-032 (GPA 13-004); 016-102-052 (GPA 14-001); 015-010-080, 015-300-006 (GPA 14-002).

- ii. APNs under Use Permits: 060-120-005 (UP 17-004), 008-132-027 & 008-132-017 (UP 17-005), 060-210-062 (UP 17-011), 060-180-018 (UP 17-012), 060-240-010 (UP 17-013).

25.020 Establishment of Owner-Occupied Short-Term Rental

Owner-occupied short-term rentals require the owner to live on site, or the unit must be associated with an owner-occupied principal residence on the same parcel or a physically contiguous adjacent parcel. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum a sleeping room (with shared full bathroom). To rent a detached and separate unit, the property owner must occupy the other unit. Rental is limited to a single party of individuals, and the owner is required to be present during the rental.

25.030 Establishment of Not Owner-Occupied Short-Term Rental

Not owner-occupied short-term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner.

25.040 Notice requirements.

- A. Notice of a short-term rental application shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius measured from the nearest limits of the project parcel that is the subject of the land use application. If a contiguous parcel (or parcels) is under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed at the discretion of the Community Development Department. Further, any property owners or residents, regardless of their location or proximity to the parcel subject to a land use application, may receive notice if they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given at least 10 days in advance of the hearing by mail, electronic mail, or other noticing means pursuant to the California Government Code, to all persons whose names and addresses appear on the latest adopted tax roll of the County or have made a written request for notice under this section.

25.050 Uses permitted.

The following uses shall be permitted with a short-term rental approval, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

25.060 Uses permitted subject to director review.

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

25.070 Uses permitted subject to use permit.

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

25.080 Additional requirements.

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family residence approved pursuant to this chapter, for a period of fewer than thirty (30) days, must first obtain a Short-Term Rental Activity Permit pursuant to Mono County Code Chapter 5.65 and comply with all applicable requirements of that permit prior to operating.

Parcels located within conditional development zones (avalanche) shall not be allowed to offer or operate short-term rentals during the avalanche season, November 1 through April 15.

Any form of advertising or listing for rent for an unpermitted short-term rental unit is in violation of this chapter.

GPA 19-01B: Proposed Policy Modifications

Countywide Policies

Objective 1.M. Regulations of short-term rentals in residential land use designations (e.g., SFR, ER, RR, MFR-L or RMH, excluding MFR-M and MFR-H) are needed at an area-plan scale to protect the unique residential neighborhood character and quality of life of the varied county communities, as well as capture potential benefits to the extent possible.

Policy 1.M.1. Approvals of Owner-Occupied and Not Owner-Occupied short-term rental operations shall be specific to the property owner and non-transferrable. Sale or transfer of the property renders the approval to operate the rental null and void.

Action 1.M.1.a. The following permits are required to operate Owner-Occupied and Not Owner-Occupied short-term rentals when consistent with area plan policies: 1) a Use Permit pursuant to Chapter 25, and 2) a Short-Term Rental (STR) Activity Permit pursuant to Mono County Code Section 5.65. The STR Activity Permit shall be specific to the property owner and non-transferrable.

Policy 1.M.2. Short-term rentals in single-family residential neighborhoods should support a model for the supplemental sharing of excess assets, rather than a full business or investment model.

Action 1.M.2.a. Only the property owner may apply for a short-term rental use permit, and the owner is the party directly responsible for the management of the unit.

Action 1.M.2.b. Short-term rental permits shall be limited to one per person or entity and one per parcel.

Policy 1.M.3. In addition to reasonable opposition by the neighborhood, short-term rental applications may be denied in neighborhoods with certain safety and/or infrastructure characteristics that are not compatible with visitor use, or where conflicts with other regulations exist.

Action 1.M.3.a. Short-term rental applications may be denied where one or more of the following safety or infrastructure conditions exist:

- Emergency access issues due to a single access point to/from the neighborhood (see Safety Element, Objective 5.D. and subsequent policies, and Land Use Element 04.180).
- Access to the parcel, in whole or part, includes an unimproved dirt road (e.g., surface is not paved or hardened with a treatment) and/or roads are not served by emergency vehicles.
- The majority of parcels in a neighborhood/subdivision are substandard or small (less than 7,500 square feet), potentially resulting in greater impacts to adjacent neighbors and/or changes to residential character.
- Current water or sewer service is inadequate or unable to meet Environmental Health standards.

Action 1.M.3.c. Opposition by a Homeowner's Association (HOA) Board on a short-term rental application shall be considered and may constitute reasonable neighborhood opposition. The HOA Board should send a Board-approved comment letter on the project to the County prior to the public hearing or testify at the hearing.

Action 1.M.3.d. Uses on federal lands (e.g., Forest Service cabins) are governed by federal regulations; however, these rentals are required to comply with County transient occupancy tax requirements.

Policy 1.M.4. To support the tourist economy, short-term rentals are allowed in a limited form, and additional opportunities may be explored.

Action 1.M.4.a. Support an even playing field, e.g., equitable regulations and taxation, between hotels/motels and short-term rentals to support existing commercial lodging facilities.

Policy 1.M.5. Expand the enforcement effort to be more proactive, comprehensive, and include a larger suite of tools and methods, subject to County resource availability and legality.

Action 1.M.5.a. Implement an education campaign regarding short-term rentals, which may include a flier in property tax bills or other County mailings/communications, posting regulations on hosting websites (e.g., Airbnb’s “Responsible Hosting” webpage), refocus the County’s related webpage, information via Mono County tourism marketing and the Chamber of Commerce, and local media articles.

Action 1.M.5.b. Consider providing for a private right of action for property owners within 100’ of a short-term rental, similar to the City and County of San Francisco, which may be resolved in small claims court and does not provide for attorneys’ fees recovery.

Action 1.M.5.c. Provide an anonymous reporting hotline for illegal rental activity and complaints.

Action 1.M.5.d. The County shall, resources permitting, invest in technology, systems, and services to support identification of violations, tracking, enforcement actions, and other compliance issues.

Action 1.M.5.e. The County shall, within legal constraints, coordinate information between departments such as Community Development, Environmental Health, Tax Collector, Sheriff, and Assessor to ensure comprehensive permitting, taxing, approvals, and enforcement.

Antelope Valley Area Plan Policies

Objective 4.D.

Maintain and enhance the local economy.

Policy 4.D.1. Incubate home businesses:

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

Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in size, absent the determination of an actual nuisance (noise, odor, etc.). An actual field survey to determine size will not be necessary provided applicant provides a legal description, a subdivision map, Assessor’s Parcel Map or other similar documentation.

- A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.
- B. Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.²

² Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee’s property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee’s parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee’s parcel.

- C. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.
- D. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.
- E. Materials used for the business may be stored in the open, but not within the building setback limitations.
- F. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.
- G. County health and safety ordinances apply.

Policy 4.D.2. Provide for short-term rentals in residential designations.

Definition: See Chapter 2 – Definitions, 02.1035 Short-Term Rental.

Policy Assumption: The Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the county, and therefore the economic benefits of short-term rentals should be supported.

- A. Short-term rentals are exempt from Chapter 25 requirements (e.g., use permit and Mono County Code Chapter 5.65 Activity Permit), but are subject to business license and transient occupancy tax certificate requirements.
- B. County health and safety ordinances apply.

Mono Basin Area Plan Policies:

Objective 10.B.

Manage buildout of the Mono City subdivision to retain its rural character.

Policy 10.B.1. Limit the buildable area of Mono City to the existing subdivision footprint.

Action 10.B.1.a. Coordinate with the BLM to ensure the next update of the Bishop Resource Management Plan reflects the agreement to remove APN 019-110-010 from the BLM disposal list.

Policy 10.B.2. Prohibit all types of short-term rentals that may be permitted under Chapter 25 in Mono City.

June Lake Area Plan Policies

Objective 13.M. To balance the character of single-family residential neighborhoods and the tourist economy, utilize a mix of best practices, creative solutions, and regulatory mechanisms, as guided by public input and engagement, to address the complexity of short-term rentals.

Policy 13.M.1. Short-term rentals are subject to Chapter 25 of the General Plan Land Use Element and Mono County Code Chapter 5.65, with the following specifications based on the context of individual neighborhoods (see General Plan map), which vary in character.

Action 13.M.1.a. Prohibit all short-term rental types in the Williams Tract and Petersen Tract.

Action 13.M.1.b. Defer short-term rental housing decisions for the Highlands to the appropriate tract map and specific plan procedures.

Action 13.M.1.c. No public input was received from the Dream Mountain neighborhood, and therefore short-term rentals may be permitted subject to the countywide discretionary permit(s) for short-term rentals.

Action 13.M.1.d. In the Clark Tract, Owner-Occupied and Not Owner-Occupied rentals may be permitted year-round on Nevada Street/Silver Meadow subject to the discretionary permit(s) for short-term rentals and June Lake Area Plan policies. In the rest of the Clark Tract, only Owner-Occupied rentals may be permitted subject to the discretionary permit(s) for short-term rentals, June Lake Area Plan policies, and the following additional requirements: summer only (April 16 through October 31), the number of approvals shall be limited to eight parcels total (3% of existing parcels) including existing Transient Rental Overlay Districts (TRODs), and Not Owner-Occupied rentals are prohibited. See MCC Chapter 5.65 for other operational requirements specific to the Clark Tract.

Action 13.M.1.e. In the South 158 neighborhood, Not Owner-Occupied rentals are prohibited. The CAC was evenly split on Owner-Occupied rentals, and therefore these may be permitted subject to discretionary permit(s) for short-term rentals and June Lake Area Plan policies.

Action 13.M.1.f. Owner-Occupied and Not Owner-Occupied rentals may be permitted in the Leonard Avenue neighborhood subject to discretionary permit(s) for short-term rentals and June Lake Area Plan policies.

Action 13.M.1.g. The Rodeo Grounds development could potentially be an appropriate location for short-term rentals, and the opportunity should be explored.

Crowley Lake Area Plan Policies

Objective 23.B.

Maintain, protect and enhance the quality and livability of community areas.

Policy 23.B.1. Preserve and enhance existing single-family residential uses.

Action 23.B.1.a. Future residential development in community areas shall have a minimum lot size of 15,000 sq. ft. except for areas adjacent to existing development with lot sizes of 7,500-10,000 square feet, where the minimum lot size may be 10,000 square feet if individual septic disposal systems are not required.

Action 23.B.1.b. Provide adequate private open space in all residential areas and developments.

Action 23.B.1.c. Require higher-density residential development to be compatible with the surrounding area and to provide sufficient open space.

Action 23.B.1.d. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Long Valley Planning Area.

Wheeler Crest Planning Area

Policy 24.A.3. Retain the rural residential character of the entire study area.

Action 24.A.3.a. Permit only single-family residential and related accessory structures. Bed-and-breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.

Action 24.A.3.b. General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.

Action 24.A.3.c. Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more-restrictive CC&Rs, as applicable.

Action 24.A.3.d. Avoid community strife by respecting current, more-restrictive CC&Rs, as well as County land use designations.

Action 24.A.3.e. Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.

Action 24.A.3.f. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.

Paradise Planning Area Policies

Objective 25.B.

Retain a quiet, peaceful and tranquil residential atmosphere within the community.

Policy 25.B.1. Abate noise issues consistent with the Noise Element and County Code.

Policy 25.B.2. Prevent incompatible and/or conflicting uses within the community from non-residential uses.

Policy 25.B.3. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in the Paradise Planning Area.

Tri-Valley Planning Area Policies

Objective 26.A.

Integrate compatible residential development into the existing community character in Benton.

Policy 26.A.1. Allow for the continuation of growth in Benton in a manner that promotes and protects its rural and agricultural character.

Action 26.A.1.a. Gross densities for residential development in Benton shall not exceed two dwelling units per acre. For parcels 40 acres or greater, clustering shall be encouraged.

Action 26.A.1.b. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.A.1.c. Require new development to provide adequate buffering of incompatible uses (e.g., landscaping, physical barriers, large setbacks) to protect agricultural areas from residential and other incompatible land uses.

Action 26.A.1.d. Subdivisions of more than four parcels shall include paved streets.

Action 26.A.1.e. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 26.A.1.f. Discourage installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.A.1.g. Permit agricultural uses, including the keeping of animals, in all land use designations.

Action 26.A.1.h. Encourage access and equestrian trails through developments to public lands.

Action 26.A.1.i. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Benton.

Objective 26.B.

Preserve the agricultural character of the Hammil Valley.

Policy 26.B.1. Protect agricultural uses from the encroachment of incompatible land uses.

Action 26.B.1.a. Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

Action 26.B.1.b. Prohibit scattered residential development in Hammil Valley that would increase agricultural-residential conflicts.

Action 26.B.1.c. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.B.1.d. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 16.B.1.e. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Hammil Valley.

Objective 26.C.

Integrate additional compatible development into the existing community of Chalfant.

Policy 26.C.1. Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.

Action 26.C.1.a. Gross densities for residential development in Chalfant shall not exceed one dwelling unit per acre. For parcels 10 acres or greater, clustering shall be encouraged.

Action 26.C.1.b. Small parcels (fewer than 10 acres) designated for agricultural uses contiguous to residential areas, not used primarily for agricultural purposes, may be considered for redesignation to a residential land use.

Action 26.C.1.c. Roads within subdivisions of more than four parcels shall at a minimum have a hard surface such as decomposed granite (DG).

Action 26.C.1.d. Discourage the installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.C.1.e. Permit small-scale agricultural uses, including the keeping of animals for personal use, in all land use designations, within the mandate of the County requirements for the Estate Residential (ER) designation.

Action 26.C.1.f. Prohibit Not Owner-Occupied short-term rentals (see Chapter 25) in Chalfant Valley.

GPA 19-01B: Proposed Land Use Designation Modifications

1. Estate Residential (ER), Rural Mobile Home (RMH), Rural Residential (RR)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies.

2. Multi-Family Residential – Low (MFR-L)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies except in the June Lake Planning Area where short-term rentals are only permissible in SFR..

3. No change is proposed for the Single Family Residential designation.

**RESOLUTION R19-01****A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
INITIATING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS
ADOPT GENERAL PLAN AMENDMENT (GPA) 19-01 CONSISTING OF TWO PARTS – A)
MULTI-FAMILY RESIDENTIAL (MFR) LAND USE DESIGNATION AND B) SHORT-TERM
RENTALS, IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA)**

WHEREAS, addressing the housing crisis through policy is identified as one of Mono County's 2018 strategic priorities; and

WHEREAS, in a priority setting exercise on housing programs, the Board of Supervisors expressed strong support for regulatory changes that improve housing production potential; and

WHEREAS, minimum lot sizes in the current MFR development regulations create potential barriers for certain types of multi-family projects that can meet density standards; and

WHEREAS, outreach was conducted to the Regional Planning Advisory Committees (RPACs) with MFR designations in their communities including Bridgeport, June Lake, and Long Valley/Crowley Lake; and

WHEREAS, not owner-occupied short-term rentals that run with the land have been under moratorium since March 2017 while policies and regulations have been under development; and

WHEREAS, a General Plan Amendment was adopted in April 2018 revising the June Lake area plan and short-term rental regulations; and

WHEREAS, outreach was intermittently conducted to the Antelope Valley RPAC, Bridgeport Valley RPAC, Mono Basin RPAC with a special meeting in Mono City, and Long Valley/Paradise/Swall Meadows RPAC and community meeting since April 2018 to refine short-term rental policies and regulations for those communities; and

WHEREAS, the RPACs deliberated and, when possible, made recommendations or provided direction for policy and regulation refinements which were incorporated into the proposed amendment; and

WHEREAS, an Addendum to the 2015 RTP/General Plan Update (GPU) Environmental Impact Report (EIR), as modified by the GPA 18-01B Addendum, was prepared; and

WHEREAS, having reviewed and considered all the information and evidence presented to it, including public testimony, staff reports and presentations, the Planning Commission recommends that the

1 Board of Supervisors make required findings and adopt GPA 19-01 A & B amending language in the
2 General Plan Land Use Element.

3 **NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION HEREBY**
4 **FINDS, RESOLVES, AND RECOMMENDS AS FOLLOWS:**

5 **SECTION ONE:** The Planning Commission certifies the Addendum for GPA 19-01 A) Multi-
6 Family Residential Land Use Designation and B) Short-Term Rentals.

7 **SECTION TWO:** The Planning Commission further finds that the General Plan Amendment,
8 including all text changes to the Land Use Element and Circulation Element of the Mono County
9 General Plan pertaining to A) Multi-Family Residential Land Use Designation and B) Short-Term
10 Rentals, which are attached hereto as Exhibit A and incorporated herein by reference, is consistent
11 with the General Plan as well as all applicable area plans.

12 **SECTION THREE:** The Planning Commission recommends that the Board of Supervisors adopt
13 GPA 19-01 A & B.

14 **PASSED AND ADOPTED** this 17th day of January 2019, by the following vote:

15 AYES:

16 NOES:

17 ABSENT:

18 ABSTAIN:

19 _____
20 Scott Bush, Chair

21 Attest:

22 Approved as to form:

23 _____
24 CD Ritter, Commission Secretary

25 _____
26 Christian Milovich, Assistant County Counsel

Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)

Legend:

Blue: New addition; Red: Previous

INTENT: The “MFR-L” designation is intended to provide for low-density multifamily residential development, such as duplexes and triplexes.

The “MFR-M” designation is intended to encourage long-term multifamily housing by allowing for higher population densities and by not allowing commercial lodging facilities; i.e., hotels, motels.

The “MFR-H” designation is intended to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.

PERMITTED USES

- Single-family dwelling
- Manufactured home used as a single-family dwelling¹ – MFR-L only ^c
- Duplexes and triplexes
- Accessory buildings and uses²
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Small-scale agriculture
- Transitional and Supportive Housing⁶
- Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act.

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- MFR-L Model units
- None stated for MFR-M and MFR-H

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

MFR-L, MFR-M and MFR-H

- Art galleries
- Quasi-public buildings and uses
- Public utility buildings and structures, not including service yards
- Country clubs and golf courses
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing four or more units
- Parking lots and parking structures

MFR-H only

- Mobile-home parks (see Dev. Standards – Mobile Homes and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Social care facilities and related integrated professional offices
- Parking lots and parking structures when abutting a commercial district
- Hotels, motels, bed-and-breakfast establishments and dorms
- Transient rentals (fewer than 30 consecutive days) of four or more dwelling units only
- Manufactured housing subdivision (see Ch. 18)

Transient rentals (fewer than 30 consecutive days) are prohibited in MFR-L and MFR-M, except in the following complexes: Aspen Meadows, Hideaway Down Canyon, Interlaken, Birch Creek, Edgewater, Sierra Suns, or in complexes where transient use is not specifically addressed in the use permit and/or parcel map of an existing development and can be demonstrated as a non-conforming use prior to the adoption date of this General Plan Amendment.

DEVELOPMENT STANDARDS

Minimum Lot Area:

MFR-L

Minimum lot size – 7,500 sf

Developments of three or more units – (number of units) x 3,750 sf

~~Multiple family – 11,250 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 2 acres~~

Schools – 5 acres

MFR-M

Minimum lot size – 7,500 sf

Developments of three or more units – (number of units) x 2,904 sf

~~Minimum lot size – 10,000 sf~~

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

MFR-H

Minimum lot size – 7,500 sf

Developments of three or more units – (number of units) x 2,904 sf

Hotels, resort hotels, and motels – 20,000 sf

~~Condominiums, cooperatives, townhomes, cluster developments – 20,000 sf~~

~~MFR-M Lots measuring less than 10,000 sq. ft. shall be limited to single family & duplex uses.~~

Minimum lot size of 7,500 square feet for single-family residences and duplexes is based on subdivision requirements. Minimum lot size for developments of three or more units is based on density maximums – 11.6 du/acre for MFR-L and 15 du/acre for MFR-M and MFR-H.

Minimum District Area:	MFR-M	3 acres
	MFR-H	5 acres

Minimum Lot Dimensions:	Width – 60'
	Depth – 100'

MFR-L width for:

- Condominiums, cooperatives, townhomes, cluster developments – 150'
- Schools – 200'

Maximum Lot Coverage:	MFR-L	40%	MFR-M and MFR-H	60%
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Minimum Setbacks:

Front:	20'	Rear:	10'	Side:	10'
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See Section 04.120 for other provisions.

Building Density:**MFR-L**

1 du/3,750 sq. ft. or 11.6 du/acre

MFR-M & -H

Condominiums, multifamily residences and similar uses – 15 du/acre

In no case shall projects containing density bonuses exceed 26 units/acre. Units designated as manager/employee housing unit shall not be counted in density calculations.

MFR-H

Hotels, motels, bed-and-breakfast establishments, etc. – 40 units/acre

Population Density: Maximum population density is 37.6 persons per acre for multifamily dwellings.

Maximum Building Height: 35' See Table 04.010 for other provisions.

Landscaping: Projects subject to use permit shall submit a landscape site plan at the time of application. A minimum of 5% of the building site shall be landscaped in the MFR-L designation.

NOTES

1. Provided that the unit is fewer than 10 years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Accessory Dwelling Unit requirements (see Ch. 16), or 2) comply with State standards for a mobile-home park and obtain a use permit from the County (see Ch. 17, Mobile Homes and RV Parks).
2. Accessory buildings and uses customarily incidental to any of the permitted uses are permitted only when located on the same lot and constructed simultaneously with or after the main building.
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" (Ch. 04, Uses not listed as permitted).
5. Lots requiring individual septic systems are subject to minimum dimensions as determined by the Lahontan Regional Water Quality Control Board.
6. Transitional and Supportive Housing projects are permitted in the same manner as other residential housing.

SEE ALSO**Land Development Regulations –**

Ch. 03	Uses Permitted
Ch. 04	Development Standards – General
Ch. 06	Development Standards – Parking
Ch. 07	Development Standards – Signs
Table 04.010	Building Heights

Proposed General Plan Amendment 19-01B Short-Term Rentals

DEVELOPMENT STANDARDS

CHAPTER 25 – SHORT-TERM RENTALS

Sections:

25.010 Intent.

25.015 General Requirements and Applicability.

25.018 Exemptions

25.020 Establishment of ~~Type I Short-term Rental~~: Owner-Occupied Short-Term Rentals.

~~25.030 Establishment of Type II Short-term Rental: Not Owner-Occupied.~~

25.035 Establishment of ~~Type III Short-term Rental~~: Not Owner-Occupied Short-Term Rentals, in June Lake only.

25.040 Notice requirements.

25.050 Uses permitted.

25.060 Uses permitted subject to director review

25.070 Uses permitted subject to use permit

25.080 Additional requirements

25.010 Intent.

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit short-term rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies.

25.015 General Requirements and Applicability.

- A. This chapter applies to short-term rental in any single-family unit with a land use designation(s) of SFR, ER, RR, MFR-L or RMH in all communities except June Lake. In June Lake, this chapter applies only to SFR designations; short-term rentals in other residential land use designations in June Lake are not permitted.
- B. The short-term rental is subject to a Use Permit (see Chapter 32) and a Short-Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65 unless otherwise exempted.
- C. The short-term rental must be consistent with this Chapter and applicable Area Plan policies,¹ and must exhibit no reasonable opposition from neighbors within 500 feet of the subject parcel.
- D. Pursuant to Chapter 5.60 of the Mono County Code and the required Short-Term Rental Activity Permit, these rentals shall be specific to the owner and not run with the land, and shall terminate upon a change of ownership.

25.018 Exemptions

¹ See Antelope Valley, Mono Basin, June Lake, Crowley Lake/Long Valley, Wheeler Crest, Paradise, and Tri-Valley (Benton, Hammil Valley and Chalfant Valley) Area Plan policies. This list is current as of Jan. 2019.

- A. Based on the discussion by the Regional Planning Advisory Committee and consistent with Area Plan policies, short-term rentals in Antelope Valley (north of Mountain Gate to the County line) are exempt from Chapter 25 requirements, including a use permit and Activity Permit (under MCC 5.65). Business license and Transient Occupancy tax certificate requirements continue to apply.
- B. Short-term rentals approved under previous regulations are considered existing non-conforming uses subject to the provisions of Chapter 34 and are therefore exempt from this Chapter. The regulations under which the use was approved continue to apply. These approvals include, but may not be limited to, the following parcels:
- i. APNs under Transient Rental Overlay Districts (TRODs): 016-094-012, 016-094-011, 016-094-010, 016-098-016 (GPA 13-001), 019-140-011, 016-098-011, 016-096-005 (GPA 13-002); 015-140-035, 015-140-034, 015-140-033, 015-140-032 (GPA 13-004); 016-102-052 (GPA 14-001); 015-010-080, 015-300-006 (GPA 14-002).
 - ii. APNs under Use Permits: 060-120-005 (UP 17-004), 008-132-027 & 008-132-017 (UP 17-005), 060-210-062 (UP 17-011), 060-180-018 (UP 17-012), 060-240-010 (UP 17-013).

25.020 Establishment of ~~Type I Owner-Occupied Short-Term Rental: Owner-Occupied~~ ~~Type I Owner-occupied~~ short-term rentals require the owner to live on site, or the unit must be ~~are owner occupied or~~ associated with an owner-occupied principal residence on the same parcel or ~~on a~~ physically contiguous adjacent parcel. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum a sleeping room (with shared full bathroom). To rent a detached and separate unit, the property owner must occupy the other unit. Rental is limited to a single party of individuals, and the owner is required to be present during the rental. ~~The short term rental use may be permitted for any single family unit having land use designation(s) of SFR, ER, RR, MFR L or RMH subject to a Use Permit (see Chapter 32) and a Short Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65, if consistent with applicable Area Plan policies. The STR Activity Permit for this rental (MCC 5.65) shall be specific to the owner and not run with the land and shall terminate upon a change of ownership. The short term rental must be consistent with this chapter and applicable Area Plan policies and must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel.~~

25.030 — Establishment of ~~Type II Short Term Rental: Not Owner-Occupied~~

~~Type II short term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The short term rental use may be established on any parcel (or group of parcels) with a single family unit, meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR L or RMH. The short term rental must be consistent with applicable Area Plan policies, must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year round access.~~

~~In addition to the requirements of this chapter, initiation and application for a Type II short term rental shall be processed in the same manner as any land use re-designation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters STR (e.g., SFR STR) would indicate a Type II short term rental is permitted.~~

25.0305 Establishment of ~~Type III Not Owner-Occupied Short-Term Rental: Not Owner-Occupied in June Lake Only~~

~~Type III short term rentals apply only in June Lake. Type III Not owner-occupied short-term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. ~~The short-~~~~

~~term rental use may be permitted for any single family unit having a land use designation(s) of SFR subject to a Use Permit (see Chapter 32) and a Short Term Rental (STR) Activity Permit under Mono County Code Chapter 5.65. The STR Activity Permit (MCC 5.65) for this rental shall be specific to the owner and not run with the land and shall terminate upon a change of ownership. The short term rental must be consistent with this chapter and applicable Area Plan policies, must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year round access unless restricted as a seasonal rental.~~

25.040 Notice requirements.

- A. Notice of a short-term rental application shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius measured from the nearest limits of the project parcel that is the subject of the land use application. If a contiguous parcel (or parcels) is under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed at the discretion of the Community Development Department. Further, any property owners or residents, regardless of their location or proximity to the parcel subject to a land use application, may receive notice if they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given at least 120 days in advance of the hearing by mail, electronic mail, or other noticing means pursuant to the California Government Code, to all persons whose names and addresses appear on the latest adopted tax roll of the County or have made a written request for notice under this section.

25.050 Uses permitted.

The following uses shall be permitted with a short-term rental approval, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

25.060 Uses permitted subject to director review.

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

25.070 Uses permitted subject to use permit.

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

25.080 Additional requirements.

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family residence approved pursuant to this chapter, for a period of fewer than thirty (30) days, must first obtain a Short-Term Rental Activity Permit pursuant to Mono County Code Chapter 5.65 and comply with all applicable requirements of that permit prior to operating.

Parcels located within conditional development zones (avalanche) shall not be allowed to offer or operate short-term rentals during the avalanche season, November 1 through April 15.

Any form of advertising or listing for rent for an unpermitted short-term rental unit is in violation of this chapter.

GPA 19-01: Proposed Area Plan Policy Edits

Antelope Valley Area Plan Policies

Objective 4.D.

Maintain and enhance the local economy.

Policy 4.D.1. Incubate home businesses:

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

Policy Assumption: Home businesses are to be allowed in the Antelope Valley on parcels over one acre in size, absent the determination of an actual nuisance (noise, odor, etc.). An actual field survey to determine size will not be necessary provided applicant provides a legal description, a subdivision map, Assessor's Parcel Map or other similar documentation.

- A. Recognition that home businesses with business licenses are permitted in all residential and agricultural parcels.
- B. Business licenses and nuisance code infraction, however, may be appealed for cause through the Code Enforcement process.²
- C. Construction and/or use of ancillary buildings for home businesses is/are allowed, but lot coverage and building setback limitations apply.
- D. Storage of materials for the use in the home business on site, and home business vehicle parking are both allowed, but not within building setback limitations.
- E. Materials used for the business may be stored in the open, but not within the building setback limitations.

² Appeal of a business license or subsequent complaints to the Code Enforcement Office of Mono County must be by a) not fewer than two residents of parcels adjoining the business licensee's property or b) one resident of an adjoining parcel to the business licensee and another resident whose parcel lies along an affected (non-arterial) access route to the licensee's parcel or c) residents of three different parcels along an affected (non-arterial) access route to the licensee's parcel.

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

- F. A non-illuminated sign (8 sq. ft. or less in area) describing the business is permitted. It must be on the home business parcel, not in the right of way.
- G. County health and safety ordinances apply.

Policy 4.D.2. Provide for short-term rentals in residential designations.

Definition: See Chapter 2 – Definitions, 02.1035 Short-Term Rental.

Policy Assumption: The Antelope Valley has less market pressure for short-term rental units and does not face a workforce housing shortage like some parts of the county, and therefore the economic benefits of short-term rentals should be supported.

A. Short-term rentals are exempt from Chapter 25 requirements (e.g., use permit and Mono County Code Chapter 5.65 Activity Permit), but are subject to business license and transient occupancy tax certificate requirements.

A-B. County health and safety ordinances apply.

Mono Basin Area Plan Policies:

Objective 10.B.

Manage buildout of the Mono City subdivision to retain its rural character.

Policy 10.B.1. Limit the buildable area of Mono City to the existing subdivision footprint.

Action 10.B.1.a. Coordinate with the BLM to ensure the next update of the Bishop Resource Management Plan reflects the agreement to remove APN 019-110-010 from the BLM disposal list.

Policy 10.B.2. Prohibit all types of short-term rentals that may be permitted under Chapter 25 in Mono City.

Crowley Lake Area Plan Policies

Objective 23.B.

Maintain, protect and enhance the quality and livability of community areas.

Policy 23.B.1. Preserve and enhance existing single-family residential uses.

Action 23.B.1.a. Future residential development in community areas shall have a minimum lot size of 15,000 sq. ft. except for areas adjacent to existing development with lot sizes of 7,500-10,000 square feet, where the minimum lot size may be 10,000 square feet if individual septic disposal systems are not required.

Action 23.B.1.b. Provide adequate private open space in all residential areas and developments.

Action 23.B.1.c. Require higher-density residential development to be compatible with the surrounding area and to provide sufficient open space.

Action 23.B.1.d. Prohibit non-owner occupied (Type III) short-term rentals (see Chapter 25) in the Long Valley Planning Area.

Wheeler Crest Planning Area

Policy 24.A.3. Retain the rural residential character of the entire study area.

Action 24.A.3.a. Permit only single-family residential and related accessory structures. Bed-and-breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.

Action 24.A.3.b. General commercial uses are not desired within the residential area, and shall be prohibited. Bed-and-breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.

Action 24.A.3.c. Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more-restrictive CC&Rs, as applicable.

Action 24.A.3.d. Avoid community strife by respecting current, more-restrictive CC&Rs, as well as County land use designations.

Action 24.A.3.e. Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.

Action 24.A.3.f. Prohibit non-owner occupied (Type III) short-term rentals (see Chapter 25) in the Wheeler Crest Planning Area.

Paradise Planning Area Policies

Objective 25.B.

Retain a quiet, peaceful and tranquil residential atmosphere within the community.

Policy 25.B.1. Abate noise issues consistent with the Noise Element and County Code.

Policy 25.B.2. Prevent incompatible and/or conflicting uses within the community from non-residential uses.

Policy 25.B.3. Prohibit non-owner occupied (Type III) short-term rentals (see Chapter 25) in the Paradise Planning Area.

Tri-Valley Planning Area Policies

Objective 26.A.

Integrate compatible residential development into the existing community character in Benton.

Policy 26.A.1. Allow for the continuation of growth in Benton in a manner that promotes and protects its rural and agricultural character.

Action 26.A.1.a. Gross densities for residential development in Benton shall not exceed two dwelling units per acre. For parcels 40 acres or greater, clustering shall be encouraged.

Action 26.A.1.b. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.A.1.c. Require new development to provide adequate buffering of incompatible uses (e.g., landscaping, physical barriers, large setbacks) to protect agricultural areas from residential and other incompatible land uses.

Action 26.A.1.d. Subdivisions of more than four parcels shall include paved streets.

Action 26.A.1.e. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 26.A.1.f. Discourage installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.A.1.g. Permit agricultural uses, including the keeping of animals, in all land use designations.

Action 26.A.1.h. Encourage access and equestrian trails through developments to public lands.

Action 26.A.1.i. Prohibit non-owner occupied (Type III) short-term rentals (see Chapter 25) in Benton.

Objective 26.B.

Preserve the agricultural character of the Hammil Valley.

Policy 26.B.1. Protect agricultural uses from the encroachment of incompatible land uses.

Action 26.B.1.a. Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

Action 26.B.1.b. Prohibit scattered residential development in Hammil Valley that would increase agricultural-residential conflicts.

Action 26.B.1.c. Encourage agricultural landowners to utilize the property-tax incentives for agricultural land provided for in the county Williamson Act program.

Action 26.B.1.d. All tract maps shall include an in-depth hydrological study including flow tests and pressure/drawdown tests to ensure that there is an adequate water supply and that there will be no impact on neighboring wells.

Action 16.B.1.e. Prohibit non-owner occupied (Type III) short-term rentals (see Chapter 25) in Hammil Valley.

Objective 26.C.

Integrate additional compatible development into the existing community of Chalfant.

Policy 26.C.1. Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.

Action 26.C.1.a. Gross densities for residential development in Chalfant shall not exceed one dwelling unit per acre. For parcels 10 acres or greater, clustering shall be encouraged.

Action 26.C.1.b. Small parcels (fewer than 10 acres) designated for agricultural uses contiguous to residential areas, not used primarily for agricultural purposes, may be considered for redesignation to a residential land use.

Action 26.C.1.c. Roads within subdivisions of more than four parcels shall at a minimum have a hard surface such as decomposed granite (DG).

Action 26.C.1.d. Discourage the installation of streetlights unless necessary for safety reasons. Encourage shielded light sources whenever possible.

Action 26.C.1.e. Permit small-scale agricultural uses, including the keeping of animals for personal use, in all land use designations, within the mandate of the County requirements for the Estate Residential (ER) designation.

Action 26.C.1.f. Prohibit non-owner occupied (Type III) short-term rentals (see Chapter 25) in Chalfant Valley.

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GPA 19-01: Proposed Land Use Designation Modifications

1. Estate Residential (ER), Rural Mobile Home (RMH), Rural Residential (RR)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies ~~(e.g., see June Lake Area Plan, see Objective 13.M.)~~.

2. Multi-Family Residential – Low (MFR-L)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Short-term rentals (fewer than 30 consecutive days) in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies except in the June Lake Planning Area where short-term rentals are only permissible in SFR. (e.g., see June Lake Area Plan, see Objective 13.M.).

3. No change is proposed for the Single Family Residential designation.