

MONO COUNTY PLANNING COMMISSION

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

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

AGENDA

March 21, 2019 – 10 a.m.

Supervisors Chambers, County Courthouse, Bridgeport

***Videoconference:** Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

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 February 21, 2019 – *p. 1*

4. WELCOME NEW COMMISSIONER PATRICIA ROBERTSON

5. ELECTION OF VICE CHAIR

6. PUBLIC HEARING

10:10 A.M.

A. CONDITIONAL USE PERMIT 18-012/Moore for short-term, commercial lodging rental use of a detached four-unit structure at 264 Highway 182 (APN 008-213-011) in Bridgeport. The land use designation is Mixed Use (MU). Each unit contains two bedrooms, and eight parking spaces are provided. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Michael Draper – p. 4*

10:30 A.M.

B. CONDITIONAL USE PERMIT 18-016/Thompson for an owner-occupied short-term rental of one bedroom in an existing Single-Family Residential (SFR) house with three bedrooms at 1613 Eastside Lane (APN 002-130-047) in Coleville. The land use designation is Rural Residential (RR), and maximum occupancy shall be limited to two persons and two vehicles. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Hailey Lang – p. 21*

10:50 A.M.

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

C. ROAD NAME CHANGE/June Lake. Public Works staff proposes changing the name of the portion of "Brenner Street" south of Knoll Avenue to "Raymond Avenue." The name change will clean up addressing discrepancies and has been requested by residents along the affected roadway. A recommendation by the Planning Commission is requested so that this item can proceed to the Board of Supervisors for a formal Resolution authorizing the proposed road name change. *Staff: Garrett Higerd & Walt Lehmann – p. 34*

7. WORKSHOP

8. REPORTS

A. DIRECTOR

B. COMMISSIONERS

9. INFORMATIONAL

10. ADJOURN to regular meeting April 18, 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. Please be advised that Mono County does its best to ensure the reliability of videoconferencing but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

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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

February 21, 2019

COMMISSIONERS: Bridgeport: Scott Bush, Chris I. Lizza, Mary Pipersky & Dan Roberts. Mammoth Lakes: Roberta Lagomarsini

STAFF: Bridgeport: Wendy Sugimura, CDD director; Bentley Regehr, planning analyst; Kelly Karl, assistant planner; CD Ritter, PC secretary

Mammoth Lakes: Christy Milovich, deputy county counsel; Gerry Le Francois, principal planner; Michael Draper, planning analyst; Nick Criss, code compliance officer

PUBLIC: Ann Tozier in Mammoth; Ian Fettes and David Rosky in Bridgeport

1. CALL TO ORDER: Chair Scott Bush called the meeting to order at 10:05 a.m. at the board chambers in Bridgeport with teleconference to Town/County Conference Room in Mammoth Lakes. Commissioner Lagomarsini was present in Mammoth. Attendees recited the pledge of allegiance.

2. PUBLIC COMMENT: None

3. MEETING MINUTES: Review and adopt minutes of January 17, 2019, as submitted (*Lizza/Pipersky. Ayes by roll call vote: 5-0.*)

4. PUBLIC HEARING

A. CONDITIONAL USE PERMIT 18-015/Fettes for an owner-occupied (Type I) short-term rental use in a detached one-bedroom accessory dwelling unit at 149 Mountain View Lane (APN 016-152-009) in June Lake. Land use designation is Single-Family Residential (SFR). Maximum occupancy of two persons and two vehicles. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed.

Wendy Sugimura introduced assistant planner Kelly Karl and reviewed her projects.

Karl described April 16 to Nov. 1 rental, two persons, two vehicles. This would be second of eight allowable STRs in Clark Tract. Occupancy limited. Complies with June Lake Area Plan policies.

Will summer start this year in April? *Sugimura stated can't control fluctuations; standard avalanche season in Safety Element.*

Lizza suggested extending to Nov. 15 when not much snow. Sugimura recalled workshops wanted summer only. Will check on specificity of dates. Roberts recalled "summer only" intent was non-snow months.

OPEN PUBLIC COMMENT: Ian Fettes, proponent, requested questions.

How to get to main house? *Road continues up hill, loops around to upper property. Stairs to rental. Elevator runs to upper level, walkway at back, road.*

David Rosky, neighbor, expressed support. Will be well-managed property. CAC discussed winter aspect. Concern was definition of "winter." Rarely any large storms prior to Thanksgiving. South-facing, melts off early. Maybe wiggle room. Didn't recall set dates.

Karl noted dates were pulled from General Plan: April 16-Oct 31.

Sugimura affirmed dates codified in Area Plan. Could remove dates entirely, subjective. Planning Commission has choice of being more restrictive but not more permissive.

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

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Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

Don't dates explain when you can park on Mono roads? Sugimura indicated yes; existing standard for snow management issues.

In Mammoth: Ann Tozier, neighbor in Clark Tract above Fettes, recently left CAC but was present throughout entire STR process in June Lake. Opposed TRODs for neighborhood but then Mono came up with Type I. Roads treacherous in winter. Dates were given, not actually picked. Driving difficult through April. Supported Fettes' project, as he contributes to community, full-time resident, fits guidelines. Allow Type I in Upper Clark Tract.

Lagomarsini cited contract prohibiting STRs in comment letter. Apply today?

Sugimura indicated not regulatory contract with Mono, not have that type of contract. Not enforceable by Mono.

Tozier has been collecting snow removal funds; no HOA exists. **CLOSE PUBLIC COMMENT.**

Roberts mentioned long process for Fettes. Fettes cited long bumpy road, major milestone, appreciated approval.

MOTION: Find that the project qualifies as a Categorical Exemption under CEQA guideline 15301 and file a Notice of Exemption; make the required findings as contained in the project staff report; and approve CUP 18-015 subject to conditions of approval. (*Lizza/Roberts. Ayes by roll call vote: 5-0.*)

5. WORKSHOP: Housing Element Draft.

Wendy Sugimura commended Bentley Regehr for helping understand how to apply housing policies, toolbox, and BOS priorities toward workforce housing.

Regehr noted Housing Element is only State-mandated element. Five-year updates changed to eight years, so 2027. Identify various sites for housing needs. Mandate to update progress. HCD (Housing and Community Development) provides numbers: 85 units. Timeline: Last update 2014, needs assessment in 2016 for data, toolbox to start on policies and programs, information from RPACs. Bridgeport Valley, Antelope Valley, June Lake so far, Mono Basin canceled due to weather conditions, Long Valley next week. Submit draft to HCD for 90-day response, incorporate feedback, return to RPACs, PC, BOS. Adoption: Aug. 15.

Main sections: Policies/programs; technical appendix; and progress report. Looking for more community-specific data.

- I. Policies: Increase overall housing supply, increase community housing, retain existing community housing, and ensure all other needs are met.
- II. Appendix: Demographic Information, needs assessment/buildout potential; community profiles, site inventory, constraints.

Questions?

How to ensure housing needs are met? *Spreading educational materials, farm labor housing, updating hazard mitigation plan in relation to housing, emergency shelters.*

Where are land exchanges located? *Sugimura explained policy has long history. Talked with federal agencies about land tenure program, site-specific inventory on exchange into private ownership. Challenging to specify private property for uses, so never got there. USFS cabin leases only part of year, could exchange and become part of private market; e.g., Whiskey Creek cabins at Crowley Lake. Insurmountable burden for homeowners. Would be driven by private homeowners. Mono would support. Pine Glade in Sunny Slopes: Form one organization to take ownership of block of land, USFS deal with only one entity.*

Roberts recalled this was done in June Lake 25 years ago with couple of tracts. *Sugimura sited differences in process and payments.*

Pipersky strongly believed an issue not addressed was huge connection between wages and housing. *Sugimura stated it was raised at RPACs, Planning Commission. State-approved element but have land use policies encouraging development in and adjacent to existing communities, population to support, economic development strategy in Land Use. Limited in Housing Element.*

Roberts: State passed 14 new laws on housing.

Regehr: Ensured had everything needed.

USFS properties maybe change lease terms to be occupied year-round?

Roberts indicated his parents have a unit. USFS identified lands willing to transfer. June Lake Tract denied at time, but Gull Lake Tract was OK.

Rosky cited gap between wages and housing. Issue everywhere. Maybe allow tiny house on vacant lot as "house" not mobile home. Rent out lot to housing. Not change zoning regs. Other idea: Creating areas where people can live in small RVs not intended for recreational camping, but as residential use. Close gap. Cities starting to deal with this. Legally park small RVs and live out of vehicle. Out-of-box ideas that could address issues.

Bush noted concern for septic and water for tiny houses. Rosky thought landowner could create empty pad, utility hookup for tiny house instead of normal house. RVs do have issue of gray and black water.

Sugimura indicated tiny houses are becoming way to provide for housing that's not as expensive (land, construction, labor). RMH (Rural Mobile Home) sets land use permit, density. Find solution at state level that allows flexibility.

Roberts noted June Lake uses in 1960s to '70s eventually eliminated, no talk about bringing back.

Bush opined that needs change, things evolve.

Pipersky cited third time in five years can't find fire insurance. Maybe taken over by state, like earthquake insurance?

Regehr appreciated comments.

6. REPORTS

A. DIRECTOR: 1) Regretted Commissioner Pipersky is departing after new supervisor appointed someone else; 2) BOS denied Antelope Valley's request to be exempt from STR (short-term rental) policies to keep consistency in county; 3) Remove MFR-L from STR, as more appropriate for workforce housing; 4) Ten permit applications right now, inquiries as well, particularly cannabis; and 5) Expect to have all PC meetings in foreseeable future.

B. COMMISSIONERS: Lizza: Attended USFS management plan in Bishop. Inyo was first in process. Timber issues on west side, so other forest disconnected. Draft EIR comment open only to those involved earlier, including Lizza. Regional office staff. Different, open dialog discussion process was encouraging. Public participation.

Pipersky said, "I would have been happy to stay but can't. It's been a pleasure to get to know everyone."

Bush: Will miss Mary Pipersky.

Roberts: Spring conference of CCPCA was slated for Chico but no accommodations due to fires. Revert to fall conferences instead of spring.

7. INFORMATIONAL

8. ADJOURN to regular meeting March 21, 2019

Prepared by CD Ritter, PC secretary

**Mono County
Community Development Department**

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Planning Division

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March 21, 2019

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst

Re: Use Permit 18-012 / Moore

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and instruct staff to file a Notice of Exemption;
2. Approve requirements to be met through off-site parking;
3. Make the required findings as contained in the project staff report; and
4. Approve Use Permit 18-012 subject to Conditions of Approval.

BACKGROUND

The project, located at 264 Highway 182, Bridgeport (APN 008-213-011) and designated Mixed-Use, proposes to use an existing four-unit building for transient rental. Each unit contains two bedrooms for a total of eight bedrooms. The structure is two stories with two units located on the ground level and two units on the second story. The footprint of the structure is 1,836 sq. ft. Eight parking spaces are provided for the apartment building.

The apartment building was constructed secondary to the primary use, a duplex, after receiving a Use Permit in 1981. The duplex's footprint is 1,603 sq. ft., and the parcel is approximately 14,500 sq. ft.

The apartment building is an existing non-conforming use. Transient rental activity is not an expansion of use and therefore does not require the existing structure to be brought into conformance. The construction of the apartments was completed under a 1981 Use Permit and used for transient rental under the business of Walker River Lodge. The Use Permit is silent on whether transient rentals may be conducted. In July 2018, the property was sold to Moore Storage LLC, which does not have any association with the Walker River Lodge. The Moore family appropriately applied for this Use Permit to conduct legal transient rentals. Since July 2018, the property has been used for long-term rental, and two units are currently occupied.

FIGURE 1: Location of project



Project site:
246 Hwy 182,
Bridgeport.



DISCUSSION

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC met on August 20, 2018, to review and accept the application for processing.

COMMENTS RECEIVED

None at the time this report was written. Notice of the project was mailed to property owners within 300' feet of the site on February 28, 2019. The project was also noticed in the newspaper, The Sheet, on March 9, 2019.

GENERAL PLAN CONSISTENCY

As noted, the General Plan Land Use Designation for this property is Mixed Use (MU). According to the Mono County General Plan, "the 'MU' designation is intended to provide for a wide range of compatible resident- and visitor-oriented residential and commercial uses, including business, professional, and retail uses; to provide for efficient use of land and increased opportunities for affordable housing; to provide a transition between intensive commercial uses and residential uses; and to be applied to areas with existing mixed-use development.

"MU transitional areas can limit the size of business establishments and restrict uses incompatible with a residential district. Not all areas need contain residential uses. Commercial uses shall conform to strict standards that prohibit obnoxious odors, obtrusive light and glare, and excessive noise."

Permitted uses within the Mixed Use designation include single-family dwellings, duplexes and triplexes, home occupations, and transitional and supportive housing. Similar uses permitted subject to a Director Review include condominiums, commercial lodging, cluster developments, business centers, and retail trade. Uses subject to a Use Permit include conversion or expansion of existing operations and all the previously stated uses if determined to be necessary by the Community Development director. Due to the controversy experienced by staff with transient rentals, and in order to provide an opportunity for public comment, the director has chosen to require a Use Permit for this project.

The proposed development is consistent with Bridgeport Valley Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan support the development of commercial services in the community of Bridgeport.

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

Objective D

Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

Action 1.1: Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

Policy 3: Designate a sufficient amount of land for a variety of lodging facilities.

Action 3.1: Designate suitable areas in communities as "Commercial Lodging."

MONO COUNTY LAND USE ELEMENT, Bridgeport Valley Issues/ Opportunities/

Constraints:

8. Bridgeport has faced a steady decline of population and economic activity in recent years. Many local businesses and local services, including health care and schools, have already closed or are on the brink of closure. There is a critical need to create economic development opportunities in the town to reverse this trend.

13. There is an opportunity to increase development through implementing measures to reduce costs and time associated with permitting, as well as related development impact fees.

MONO COUNTY LAND USE ELEMENT, Bridgeport Valley Polices:

Objective 7.A.

Guide future development to occur on existing private lands in Bridgeport Townsite, east of Bridgeport Reservoir, in the Evans Tract, and at Twin Lakes.

Parking

A Condition of Approval for Use Permit #32-81-19 was to provide twelve 10' x 20' on-site paved parking spaces. There are currently no plans to alter the parking. Currently the project site contains eight parking spaces. Six of the parking spaces are 12' x 18' and two are 12' x 22'. Five of the spaces (12' x 18') encroach across the property boundary onto the neighboring parcel (250 Hwy 182). As a result, these spaces are considered off-site.

The Community Development Department requested the applicant record the off-site parking in conformance with General Plan chapter 6.060, "Off site";

- B. When parking is to be provided on property other than that being developed or used, there shall have been recorded in the office of the County Recorder, prior to the issuance of any permit to construct, erect, add to or alter, a covenant executed by the owners of the property for the benefit of the County in a form approved by the County Counsel to the effect that the owners shall continue to maintain such parking so long as such structure, improvement or use exists. Such covenant shall also recite that the title to and right to use the lots upon which the parking space is to be provided will be subservient to the title to the premises upon which the structure is to be erected or the use maintained and shall warrant that such lots are not and will not be made subject to any other covenant or contract for such use without the prior written consent of the County.*

This requirement has been met by the applicant on March 5, 2019, evident by recording document #2019-000729. Please see Attachment A.

Commercial lodging, per MCC table 6.010, requires one space per sleeping room, plus one space for each two employees on the largest shift. This project will have eight (8) sleeping rooms and no employees, as the property owners living on site will maintain the units. Therefore, the

number of parking spaces required for the proposed use is met at eight (8) parking spaces. The parking stall size requirement for uncovered spaces below 7,000' elevation of 9' x 18' is also met by all eight spaces. However, the parking is not in compliance with the original 1981 Use Permit. If approved, this Use Permit will memorialize the required parking of eight spaces on the site for the apartment use.

Current parking requirement for a residential unit is two spaces per unit, therefore the residential duplex on the property is required to provide four spaces. Based on evidence provided, only two parking spaces are provided and thus this standard is currently not met. No changes are proposed for the duplex, and this project will not grant the duplex any new uses. The duplex is existing non-conforming for parking.

Lot Coverage

The existing duplex and four-plex at 264 Highway 182 are located on a 14,500-sq. ft. parcel, of which 13,939 square feet are counted toward lot coverage: 1,603-sq. ft. duplex plus the 1,836-sq. ft. four-plex. Other features contributing to lot coverage include the 10,500- sq. ft. paved area for parking and walkways. Therefore, the total lot coverage is currently 96%, which is over the maximum allowable of 60% for Mixed Use.

	Contribution to lot coverage (Total lot = 14,500 sq. ft.)
Building Footprint (Duplex & Apartment)	3,439 sq. ft. (23.7%)
Paved Area/Walkway	10,500 sq. ft. (72.3%)
Total	13,939 sq. ft. (96%)

Provided this project is not deemed an expansion of use, the lot coverage may be considered an existing and non-conforming element.

Setback

The Mixed Use land use designation requires minimum front and side setbacks of 10' and a rear setback of 5'. The primary use structure, the duplex, has a front setback of approximately 0' and western-side setback of 7'6"; the four-plex structure has western-side setback of approximately 6'5", and a rear setback of approximately 5'. As such, both structures are nonconforming to existing standards.

Provided this project is not deemed an expansion of use, the setbacks may be considered an existing and nonconforming element.

Existing Nonconforming

General Plan Chapter 32, Nonconforming Uses, allows nonconforming use of land to take place when "the use is not enlarged, increased or extended to occupy a greater area of land than that occupied by such use at the time of application of the land use designations and development standards to the subject property unless it complies with 34.020 criteria A-D." This application does not allow for any increase in developed land area.

Structures that do not conform to yard requirements may continue to be used as a lawful nonconforming use provided the "structure may not be altered or expanded except for minor alterations necessary to improve or maintain the health and/or safety of the occupants or if required by law or ordinances unless the expansion complies with 34.020 criteria A-D." This application does not seek alteration or expansion of the duplex or four-plex.

As cited, criteria A-D are as follows:

- A. Alterations of the nonconforming use shall not be detrimental to the intent of the land use designations, objectives and policies, specified in this General Plan.

The Mixed Use land use designation allows for duplexes and triplexes outright and commercial lodging subject to Director Review, and therefore use of an existing structure for transient rentals is consistent.

- B. The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.

The proposed use of the land and structure is no more impactful than the current use. The current use (long-term rental) is in conformance with the land use designation. No alterations to the structure are provided in granting this Use Permit.

- C. The alteration shall not increase the intensity of the use-category of the land, building or structure.

The intensity is not increased because the use is substantially the same whether the building is used on a month-to-month, or transient rental basis. The intensity of the use-category of the land, building, or structure is consistent with allowable uses of the Mixed Use designation.

- D. If the proposed alteration could generate public controversy, the Director shall refer the application to the Planning Commission for its consideration.

The proposed alteration (change of use to transient rental) has generated public controversy in other communities within the county on residential parcels, and therefore the change in use is being referred to the Planning Commission, in addition to the non-conforming use.

CEQA COMPLIANCE

The project is consistent with a Class 1 California Environmental Quality Act (CEQA) exemption. Class 1 (15301) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Examples include but are not limited to:

- interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences; and
- conversion of a single-family residence to office use.

The apartment units that are rented on a transient basis will still be used 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, transient rentals are subject to compliance with regulations governing the management of these units stipulated in Chapter 26, which addresses aesthetics, noise, parking, utilities, and other similar issues. As a result, transient rental of the structure is not an expansion of use, and is no more intensive or impactful than, for example, conversion of a single-family residence to office use.

USE PERMIT FINDINGS

In accordance with Mono County General Plan, Chapter 32, Processing-Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*
 - a) Commercial Lodging is listed as a permitted use subject to a Director Review permit within the Mixed Use designation. Because transient rentals have been controversial in residential areas and due to the non-conforming use, the matter is being referred to the Commission.
 - b) The off-site parking has been recorded against the property with the County Clerk-Recorder and brings the parking for the apartment structure into compliance.
 - c) Setbacks and lot coverage are existing non-conforming uses.
 - d) Parking for the duplex is an existing non-conforming use.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
 - a) The parcel is accessed by Highway 182 through the neighboring property at 250 Hwy 182 as discussed in the recorded egress and parking agreement. The parcel may also take access off Aurora Canyon Road. The highway and street are adequate for the kind of traffic generated by the proposed use.
 - b) The new use of the structure is not expected to generate significant amounts of traffic or alter existing circulation patterns.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area on which the property is located because:*
 - a) The proposed use is not expected to cause significant environmental impacts. The property has a Mixed Use designation and is appropriate for the use.
 - b) The applicant shall comply with requirements established in Mono County General Plan Chapter 26, Transient Rental Standards & Enforcement in Nonresidential and MFR-H Land Use Designations and TRODs. The standards and requirements minimize fire hazards, noise, traffic, and parking conflicts and disturbance to the peace and quiet.
 - c) The use permit process provides the public the opportunity to comment on the proposal, and no comments have been received in opposition to the project.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
 - a) The Mixed Use land use designation provides for commercial uses including commercial lodging.

- b) The project is located within the Bridgeport Valley area. The Bridgeport Valley Issues/Opportunities/Constraints describes an environment in need of economic development opportunities. Area policies also include guiding development to occur on existing provide lands. This project will provide both a new economic development and utilize existing, developed private property.

CONDITIONS OF APPROVAL
Use Permit 18-012/Moore

- 1) Prior to conducting business, the applicant shall receive a Vacation Home Rental Permit, a Mono County Transient Occupancy Certificate, and a Mono County Business license.
- 2) Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 3) Project shall follow approved egress, ingress and parking as defined by recorded document #2019-000729.
- 4) The existing duplex shall not be used for transient rental.
- 5) All short-term rental customers must sleep within the dwelling; customers are prohibited from sleeping in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property.
- 6) All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations.
- 7) Project is required to comply with any requirements of the Bridgeport Fire Protection District.
- 8) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 9) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

Doc # 2019000729
Page 1 of 5
Date 3/5/2019 12:10P
Filed by GENERAL PUBLIC
Filed & Recorded in Official Records
of INYO COUNTY
SHANNON KENDALL
CLERK-RECORDER
Fee \$21.00

RECORDING REQUESTED BY

AND WHEN RECORDED
MAIL TO

Denise & Garth Moore
264 US Highway 182
Bridgeport, Ca 93517

THIS SPACE FOR RECORDER'S USE ONLY

NOTE Cover page to determine applicability and amount of fees and exemptions. Additional recording fees may apply.

DOCUMENT TITLE Re-recording of Ingress, Egress and Parting Agreement

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT THE DOCUMENTARY TRANSFER TAX IS \$ _____ and

- Computed on full value of property conveyed
- Computed on full value less liens and encumbrances remaining at time of sale
- Exempt from Documentary Transfer Tax pursuant to _____
 - Unincorporated area
 - Town of Mammoth Lakes

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT THE BUILDING HOMES AND JOBS ACT FEE IS \$ _____ and

- Recording affects or relates to _____ parcels of real property
- Recording is part of a single transaction that includes other documents for which the maximum amount of the Building Homes and Jobs Act fee is reached
List other Documents in Transaction _____
- Exempt because recording is in connection with a transfer subject to the imposition of a documentary transfer tax
 - This recording (see above DTT declaration) OR
 - Previously recording _____ recorded on or about _____
- Exempt because recording is in connection with a transfer of a residential dwelling to an owner occupier
 - This document (see above DTT declaration) OR
 - Previously recorded documents _____ recorded on or about _____
- Exempt because recording is exempt from the payment of all recording fees pursuant to _____
- Exempt because recording does not affect or relate to real property

x Exempt from SB 2 fee because fees were paid on original recording

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO**

Denise and Garth Moore
264 US Highway 182
Bridgeport, CA 93517

Doc # 2019000382
Page 1 of 3
Date 2/5/2019 01:48P
Filed by GENERAL PUBLIC
Filed & Recorded in Official Records
of MONO COUNTY
SHANNON KENDALL
CLERK-RECORDER
Fee \$98.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INGRESS, EGRESS, AND PARKING AGREEMENT

This Ingress, Egress, and Parking Agreement ("Agreement") is made and entered into as of the day of 2/1, 2019 (the "Effective Date"), by and between 250 US Highway 182 and 264 US Highway 182. The Agreement is being made in order to satisfy the requirements of the Mono County General Plan, Chapter 6, Parking, 06 060(B)

RECITALS

- 1 As described in "Exhibit A", property 250 US Highway 182, APN 008-213-009, will be referred to as "PARCEL 1" and 264 US Highway 182, APN 008-213-011, will be referred to as "PARCEL 2"
- 2 Customers renting a room in the four-plex structure on PARCEL 2, may take ingress and egress from State Highway 182, across PARCEL 1
- 3 Customers renting a room in the four-plex structure on PARCEL 2 may park vehicles in the designated parking area on the west side of the four-plex structure which crosses property boundaries onto PARCEL 1
- 4 Overnight parking is only permitted on PARCEL 2 in designated spaces associated with the four-plex rental and single-family dwelling
- 5 Ingress and egress to the four-plex parking area should remain open to both parties
- 6 Customers of either party are not permitted to park and block ingress or egress of either parcel
- 7 Each party is responsible for their own snow removal and is expected to conduct snow removal (both during and after storms) in a timely matter (as limited by snow removal companies)
- 8 Snow removal for parking spaces associated with the four-plex shall be the responsibility of the property owner(s) of PARCEL 2
- 9 Snow removal of ingress and egress of PARCEL 1 shall be the responsibility of the property owner(s) of PARCEL 1

GARTH MOORE; DENISE MOORE
PRINT NAME Property Owner of 250 US HWY 182, APN 008-213-009

 2/1/19 Denise Moore 2/1/19
Signature & Date

GARTH MOORE, DENISE MOORE
PRINT NAME Property Owner of 264 US HWY 182, APN 008-213-011

 2/1/19 Denise Moore 2/1/19
Signature & Date

*SIGNATURE OF OWNERS MUST BE NOTARIZED, ATTACH THE APPROPRIATE
ACKNOWLEDGEMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

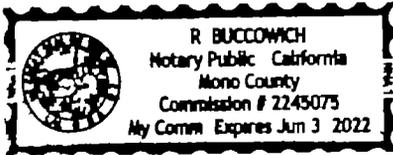
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California)
County of MONO)
On FEBRUARY 1, 2019 before me, R. BUCCOWICH
Date Here Insert Name and Title of the Officer
personally appeared GARTH MOORE & DENISE MOORE
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal
Signature [Signature]
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document

Description of Attached Document

Title or Type of Document INTEREST, EGRESS, AND PARKING AGREEMENT
Document Date FEB. 1, 2019 Number of Pages 2
Signer(s) Other Than Named Above N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name _____
 Corporate Officer — Title(s) _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other _____
Signer Is Representing _____

Signer's Name _____
 Corporate Officer — Title(s) _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other _____
Signer Is Representing _____

DOC # 2019000729
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21
**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

March 21, 2019

To: Mono County Planning Commission

From: Hailey Lang, Planning Analyst

Re: Conditional Use Permit 18-016/Thompson Owner-Occupied Short-Term Rental

RECOMMENDATION

It is recommended that Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guidelines 15301 and file a Notice of Exemption;
2. Make the required findings as contained in this project staff report; and
3. Approve CUP 18-016 subject to conditions of approval.

BACKGROUND

Mono County adopted General Plan Amendment 19-01 on February 12, 2019, which identifies the types and locations of acceptable short-term rentals in the county. Mono County Code Chapter 5.65 establishes a Short-Term Rental Activity Permit governing the operation of rentals and making the approval non-transferrable if ownership changes. The Short-Term Rental Activity Permit is approved separately from the Use Permit by the Board of Supervisors and is also required prior to commencement of rental activity.

PROJECT DESCRIPTION

The proposed use permit is for an owner-occupied short-term rental use involving one bedroom in an existing Single-Family Residential (SFR) house with a total of three bedrooms. The single room is accessed from a common entry to the house, has a private bathroom and shared cooking facilities. The parcel's Rural Residential (RR) Land Use Designation allows for this activity under Chapter 25, Short-Term Rentals. The maximum number of occupants for the one bedroom to be utilized for short-term rental activity is limited to two people and two vehicles.

The property is located at 1613 Eastside Lane (APN 002-130-047) in Coleville. The property has a 1,232-sq. ft. home on 10.65 acres. There is dirt access from Eastside Lane to the home. The parcels surrounding the project are designated Rural Residential (RR).

Short-term rental use may be permitted for any single family having land use designation(s) of SFR, ER, RR, MFR-L, or RMH subject to a Use Permit, if consistent with applicable Area Plan policies. An additional Short-Term Rental (STR) Permit approved by the Board of Supervisors is to be obtained by the property owner. The STR permit shall terminate upon a change of ownership and, if desired, the new property owner(s) may apply for a new STR permit.

FIGURE 1: Location of Project, 1613 Eastside Lane



Project Location
1613 Eastside Lane
APN: 002-130-047

FIGURE 2: Land Use Designation Map



FIGURE 3: Entrance into property



FIGURE 4: Exhibit of existing residence

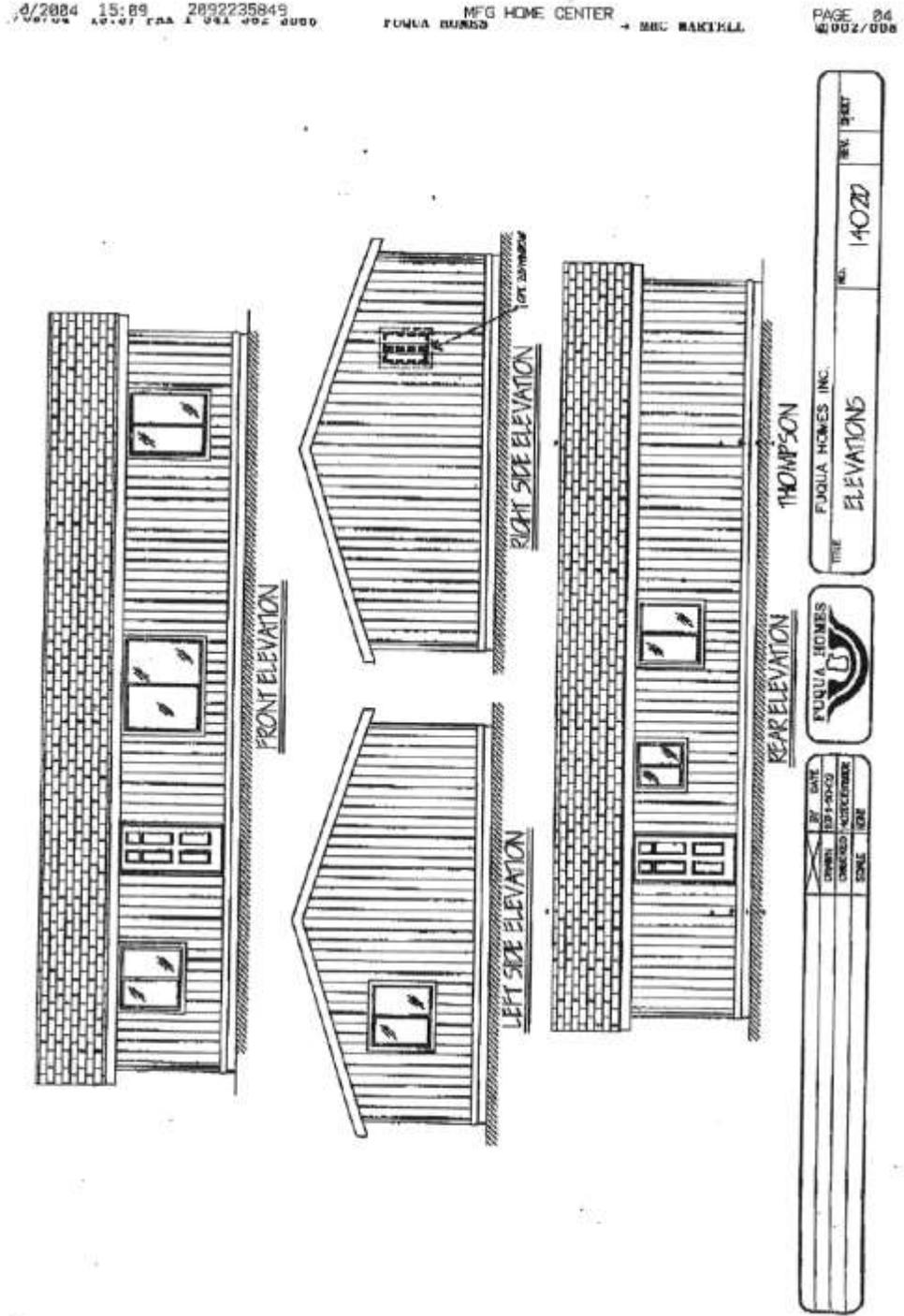


FIGURE 5: Floor plan of existing residence

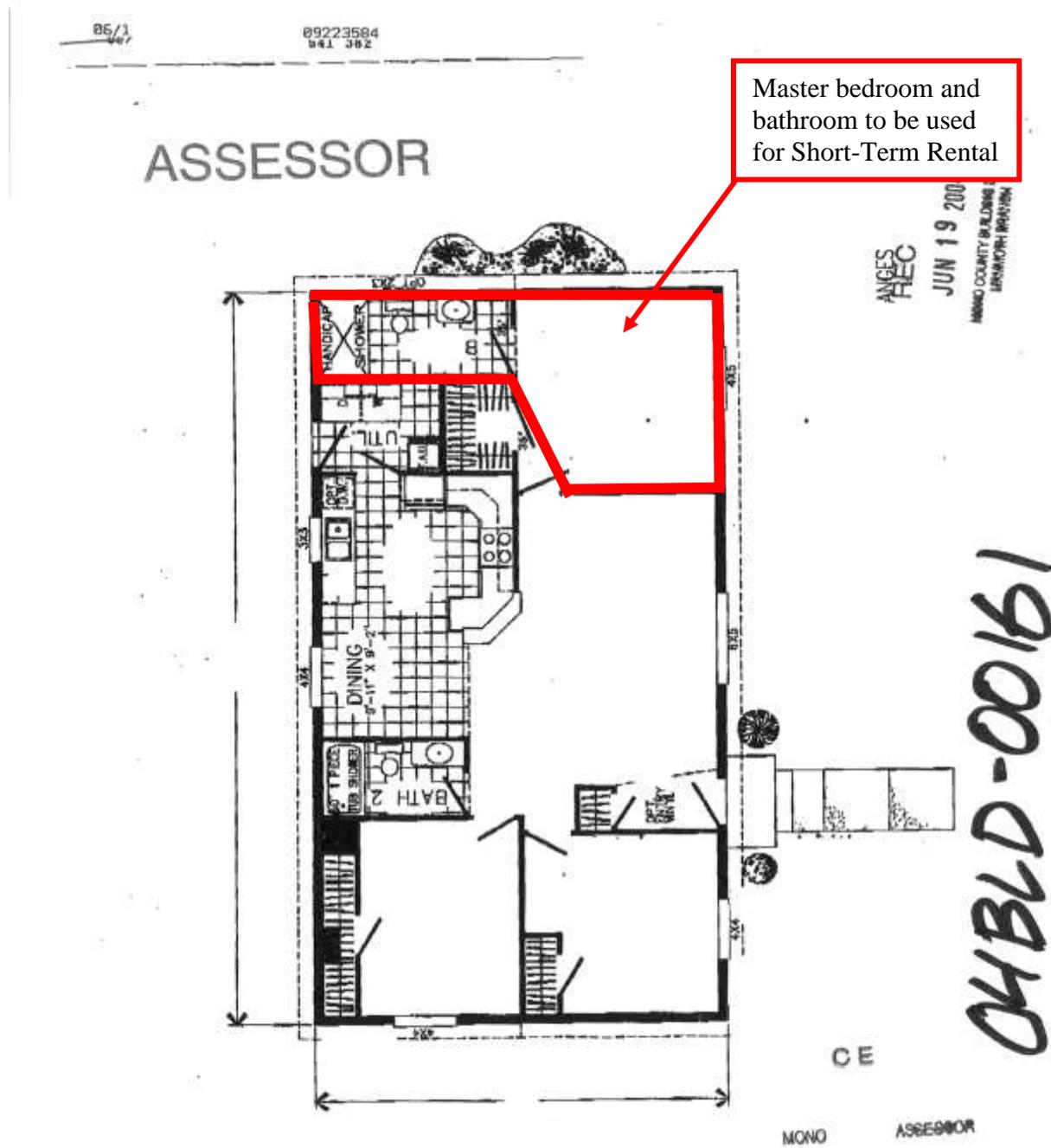
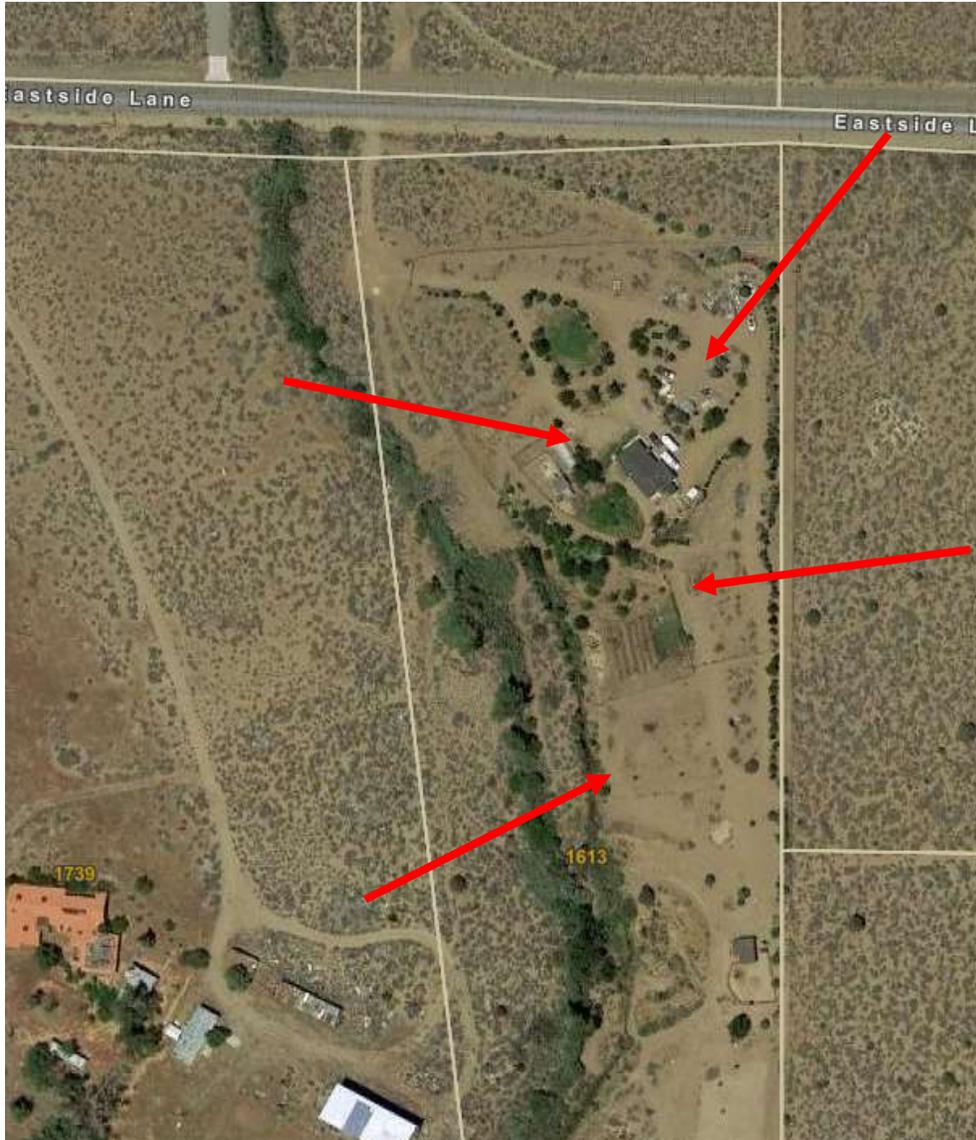


FIGURE 6: Location of parking



GENERAL PLAN CONSISTENCY

The project is consistent with Chapter 25, Short-Term Rentals, which establishes 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.

The project is consistent with Countywide policies, such as:

Objective 1.I.

Maintain and enhance the local economy.

Policy 1.I.1. Land use designations shall provide sufficient land for the economic development of community areas.

Objective 1.M. Regulations of short-term rentals in residential land use designations (e.g., SFR, ER, RR, MFRL or RMH, excluding MFR-M and MFR-H) are needed to protect residential neighborhood character and quality of life, 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: 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.

The Commission may deny an application based on the following Countywide policy:

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.

The project is also required to comply with Mono County Code Chapter 5.65 and receive Board of Supervisors approval for the Short-Term Rental Activity Permit in a public hearing. The purpose of Chapter 5.65 is to implement procedures, restrictions, and regulations related to the operation of a short-term rental. It also provides enhanced enforcement tools to address unauthorized short-term rentals countywide

CEQA COMPLIANCE

The project is consistent with a Class 1 California Environmental Quality Act (CEQA) exemption. Class 1 (15301) consists of operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Examples include but are not limited to:

- Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances; or
- Conversion of a single-family residence to office use.

Single-family homes that are rented on a short-term basis (as an owner-occupied rental) 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 are subject to compliance with regulations governing the management of these units stipulated in Mono County Code 5.65, which addresses aesthetics, noise, parking, utilities, and other similar issues. As a result, rental of a single-family residence is not an expansion of use, and is no more intensive or impactful than, for example, conversion of a single-family residence to office use.

USE PERMIT FINDINGS

In accordance with Mono County General Plan, Chapter 32, Processing - Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to*

accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:

- a. Project provides the necessary parking of two spaces;
 - b. The home is an existing conforming structure that meets the General Plan Land Use Designation site requirements; and
 - c. The driveway is not required to be paved and meets standards.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
- a. Project provides adequate access to the home from Eastside Lane. The use of the property for an owner-occupied rental is not expected to generate a significant increase in traffic.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*
- a. The proposed owner-occupied short-term rental of the master bedroom in a single-family home is not expected to cause significant environmental impacts;
 - b. Project is required to comply with regulations of Mono County Code Chapter 5.65; and
 - c. Project was noticed by mail to surrounding property owners within 300 feet and by newspaper 30 days prior to the public hearing. No comments were received. To view notices, refer to attachments A and B.
4. *The proposed use is consistent with the map and text of this General Plan and any applicable area plan because:*
- a. The project is consistent with the 2019 adopted short-term rental policies and regulations set forth in Mono County General Plan, which provides for the approval of a Short-Term Rental use in a single-family residential unit on a Rural Residential Land Use Designation subject to a Use Permit and STR Activity Permit.

CONDITIONS OF APPROVAL
Use Permit 18-016/Thompson Owner-Occupied Short-Term Rental

1. Occupancy is limited to a single party of two persons and two vehicles.
2. The project shall comply with provisions of the Mono County General Plan including Chapter 25, Short-Term Rentals.
3. All short-term rental customers must sleep within the dwelling; customers are not allowed to reside in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property.
4. The project shall comply with provisions of Mono County Code Chapter 5.65, Short-Term Rental Activity in Residential Land Use Designations, by obtaining the STR Activity permit, TOT certificate, and business license prior to commencing operation.
5. Property shall be maintained in a neat and orderly manner.
6. Project shall comply with applicable Environmental Health requirements.
7. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Public Works, Tax Collector, Sheriff's office, and Building Division.
8. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

ATTACHMENT A: Public Hearing Notice in The Sheet

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing March 21, 2019, in the Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA (videoconference at Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, CA) to consider the following:

10:30 a.m. CONDITIONAL USE PERMIT 18-016/Thompson for an owner-occupied short-term rental use involving one bedroom in an existing Single-Family Residential (SFR) house with a total of three-bedrooms at 1613 Eastside Lane (APN 002-130-047) in Coleville. The land use designation is Rural Residential (RR), and maximum occupancy shall be limited to two persons and two vehicles. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. The project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes.

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 Secretary to the Planning Commission at, or prior to, the public hearing

TS #2019-0021

ATTACHMENT B: Public Hearing Notice to property owners

Mono County Community Development Department Planning Division

PO Box 347
Mammoth Lakes, CA 93546
760-923-5415, fax 923-5411
mono@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760-933-5420, fax 933-5431
www.monocounty.ca.gov

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **March 21, 2019**, at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **10:30 a.m. CONDITIONAL USE PERMIT 18-016/Thompson**. The proposal is for an owner occupied short-term rental use involving a one-bedroom in an existing Single-Family Residential (SFR) house with a total of three-bedrooms at 1613 Eastside Lane (APN 002-130-047) in Coleville. The Land Use Designation (LUD) is Rural Residential (RR) and maximum occupancy shall be limited to two persons and two vehicles.

In accordance with the California Environmental Quality Act, addenda to the existing General Plan EIR are being utilized for the proposed use permit (18-016). The project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes.

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 Secretary to the Planning Commission at, or prior to, the public hearing.

For additional questions, please contact the Mono County Planning Division: Hailey Lang, PO Box 8, Bridgeport, CA 93517 (760) 923-5415, hlang@mono.ca.gov

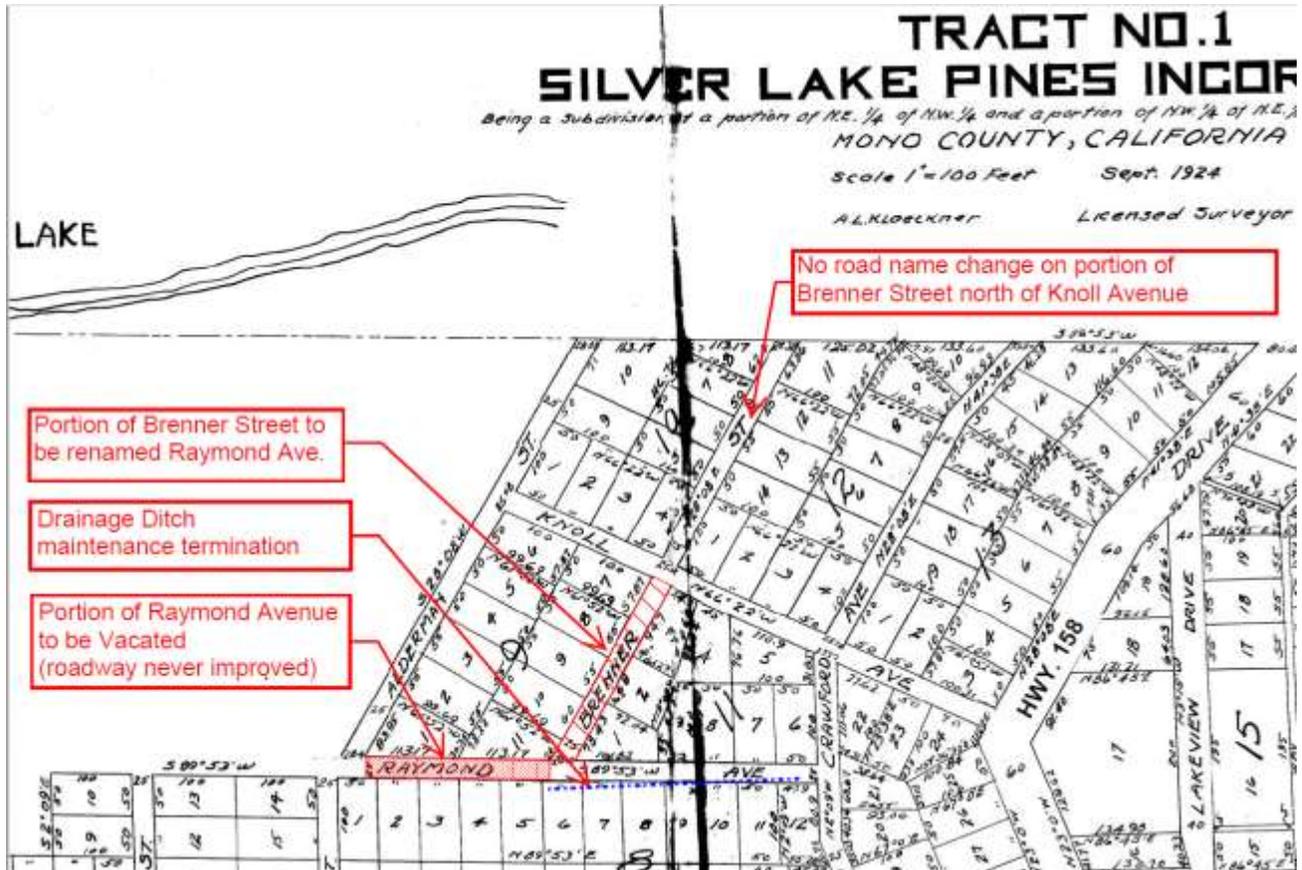
Project Location



1613 Eastside Lane

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission, on **March 21, 2019**, at **10 am** in the Board of Supervisors chambers, second floor of Mono County Courthouse, 278 Main St., Bridgeport, CA, will consider officially renaming portion of Brenner St. south of Knoll Ave. in June Lake to "Raymond Ave." (depicted on diagram below). The south portion of Brenner St. is an unimproved dirt road with a 25-foot-wide right of way created in 1924 by the Silver Lakes Pines No. 1 Subdivision Map and connects to the eastern portion of Raymond Ave. The unconstructed western portion of Raymond Ave. is also being considered for a Summary Road Vacation so that Raymond Ave. does not branch in three directions. Ongoing ditch maintenance also will be discussed. Additional information: Mono County Department of Public Works, PO Box 457, Bridgeport, CA 93517 or phone 760.932.5440.





MONO COUNTY DEPARTMENT OF PUBLIC WORKS

POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517
760.932.5440 • Fax 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: March 21, 2019
To: Mono County Planning Commission
From: Garrett Higerd, County Engineer
Subject: Rename Southern Portion of "Brenner Street" to "Raymond Avenue"

RECOMMENDATION

Conduct a Public Hearing to consider a proposed road name change on the portion of "Brenner Street" south of Knoll Avenue to "Raymond Avenue." Recommend the Board of Supervisors change the name at a future meeting.

PROJECT BACKGROUND

The road names for Brenner Street and Raymond Avenue were established in 1924 by the Silver Lakes Pines Tract No. 1 Subdivision Tract Map (see attached Exhibit A). The north portion of Brenner Street was improved and accepted into the County Road System but the southern portion was not. Over time, the residents along the southern portion of Brenner Street have taken to calling it Raymond Avenue because of the natural loop it makes with Raymond Avenue. At some point, the two residences on the southern portion of Brenner Street were even issued Raymond Avenue addresses in the County's GIS.

In the spring of 2018, we became aware of this discrepancy when one of the affected residents sent an email to Community Development requesting that the signage be "corrected" at the intersection of Knoll Avenue and Brenner Avenue. Staff desires to clean this up by legally changing the name to Raymond Avenue. The process defined in Mono County Ordinance 13.35.010 requires the Planning Commission to consider name changes before they go to the Board of Supervisors for consideration.

As part of this cleanup, the Department of Public Works will also recommend that the Board of Supervisors consider a Summary Street Vacation on the west portion of Raymond Avenue because it is a wetland area. This will reduce further confusion.

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.

ATTACHMENT

- Exhibit A: Detailed view of Silver Lakes Pines No. 1 Subdivision Map

Respectfully submitted,

Garrett Higerd
County Engineer

TRACT NO. 1

SILVER LAKE PINES INCOR

Being a subdivision of a portion of N.E. 1/4 of N.W. 1/4 and a portion of N.W. 1/4 of N.E. 1/4

MONO COUNTY, CALIFORNIA

Scale 1" = 100 Feet

Sept. 1924

A.L. KLOECKNER

Licensed Surveyor

LAKE

No road name change on portion of Brenner Street north of Knoll Avenue

Portion of Brenner Street to be renamed Raymond Ave.

Portion of Raymond Avenue to be Vacated (roadway never improved)

