

Mono County Community Development Department

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Use Permit 20-001/Barter Comment Letters

COMMENT LETTERS (SUPPORTING) RECEIVED BY 5/20/20 @ 3PM

Pam Padgett & David Parker

Annie Barrett

Lee Naylon

David Humes

Eric Berlow & Jennifer Michels

Katelyn Q

From: [Pam Padgett](#)
To: [CDD Comments](#)
Subject: Letter of support: CONDITIONAL USE PERMIT 20-001/BARTER
Date: Monday, May 18, 2020 9:00:52 AM
Attachments: [Conditional use permit 20-001 Barter.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached please find our letter supporting a conditional use permit for 320 Mountain View Dr., Swall meadows.

We live on the property adjacent to 320 Mountain View, and feel that there are no downsides to this activity, and number of benefits to us and the community as a whole.

We would also like the opportunity to address the Planning Commission during the meeting on May 21st.

Sincerely,
Pamela Padgett and David Parker

--

Pam Padgett
264 Mountain View Dr
Swall Meadows, CA
93514

Mono County Community Development Department

Re: Conditional use permit, 320 Mountain View Dr., Swall Meadows

We, Pamela Padgett and David Parker live at 264 Mountain View Dr., the parcel adjacent to the east of 320 Mountain View.

We strongly support the conditional use permit for short-term rental. For the following reasons we believe that such a permit will have no detrimental effects on our enjoyment of our property, or the use and enjoyment of any other property in the community.

1. We are confident that in the event that the renters becoming noisy or engage in some activity that is contrary to the community standards, we will have no problem contacting the owners, or better yet, simply walking over and asking them to knock it off. We are also confident that repeated violation of the rules and standards will be cause to revoke the use permit in the future. The current parcel designation calls for maximum occupancy of 6 people, 2 owner occupants and 4 guests in 2 available bedrooms. Mono County requirements that the owner(s) be on premises whenever renters are present, meaning that no more than 4 renters (occupying the 2 bedrooms) can be in the house at any time. These numbers are typical of having friends and family visit for the weekend – not a frat party. If the addition of 4 extra visitors, every so often, puts a strain on county and safety resources, the community needs reassess the policy for visitation as a whole. Houses throughout the neighborhood regularly host friends and family, most of whom are unfamiliar with roads and may be poorly acclimatized to the elevation. The main difference between paying visitors and our non-paying guests is that the paying visitors will be contributing to county resources through the TOT should they actually need emergency service.
2. If periodic short-term rental provides the owners with a little cash to maintain and improve the property, that's a win for us. The house is not new, and at an age where maintenance and repairs are an ongoing issue. The owners have been working diligently to improve the defensible space and fire safety of the yard indicating their desire to be good neighbors. We do not know their financial details, but being young, it is reasonable to think that some extra income will help them realize the potential of a house that's something of a "fixer-upper." The house has been a rental property for nearly a decade. While the tenants have all been lovely people, tenants never invest the same level of care into a property that a resident owner does.

We are delighted to finally have an owner occupy the house, and wish to make them feel welcome and apart of the community.

3. Swall Meadows is designated Estate Residential, which some will argue precludes any commercial activity; according to one objector this includes bed and breakfasts, even though B&B's seem to be specifically exempted in the amended codes. In point of fact, there are at least a dozen commercial operations currently residing in Swall. These range from potters, painters and photographers, to architects, landscapers and builders, and more than one sales and distribution entity. If permitting a commercial operation is the bone of contention, then it is reasonable to expect that all of these other businesses should be evicted from the community as well. However, we would be sad to see these generally quiet businesses leave. We are a community of entrepreneurs, which provides a delightful blend of perspectives, expertise in the community, and ways of life. If these commercial activities are generally accepted by neighborhood, we see no reason why a small, owner-occupied short-term rental would have any effect at all on "the character and quality of life presently enjoyed in the community"
4. Finally, at some point we will have to sell our property, hopefully not for many years, but it is inevitable. Folks who have had their houses on the market for the past couple of years are discovering that Swall Meadows is not for everyone. We do not know the numbers, but we are willing to wager that a significant portion of the current property owners bought or built their houses after staying with friends or family. In fact the owners of 320 bought the property because they were familiar with Swall Meadows after many visits over the years. Who is more likely to buy our property, someone who has already fallen in love with Swall? Or someone who didn't even know the place existed. Relators have told me that somewhere around a quarter of the buyers make offers on property that they are already familiar with, or that has been recommended by a friend. Having a few dozen folks pass through a short-term rental next door does nothing but improve our chances of finding a future buyer for our property.

To our knowledge this application does not ask for any changes or variances from existing codes. Short-term rentals have been thoroughly evaluated by the County Board of Supervisors in recent years, and we know of nothing contradictory in the current Land Use Elements specific to Swall Meadows.

From: spottab@aol.com
To: [CDD Comments](#)
Subject: Conditional Use Permit 20-001
Date: Monday, May 18, 2020 11:49:05 AM

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My wife has submitted a letter in general support of the applicant's request, but I wanted to make three additional comments with respect to emergency services and fire safety.

1. The arguments made in the four letters from WCFPD firefighters strike me as strained. There are approximately 120 homes in Swall Meadows, many of which have two (or more) spare bedrooms. On any given summer weekend, there may be dozens of out-of-area visitors here, and they will have a wide range of familiarity with wildfire hazards, evacuation routes, elevation, etc. There is no *a priori* reason to assume that a few paying guests housed in a B-and-B will be any less knowledgeable about our environs, nor that they constitute more of strain on emergency services. If the WCFPD is significantly shorthanded and under strain from current or future callout volumes, then they should not be designated as first responders for medical calls on the Sherwin Grade, where visitor vehicular traffic numbers in the thousands during a number of weekends throughout the year.

2. With respect to fire-safe regulation, I would argue against an optional condition that would require expansion of the driveway at 320 Mountain View. It is actually quite close to code, closer than many driveways in the community (including ours). The nature of the proposed rental activity does not represent any greater likelihood of a fire or other emergency that would require emergency-vehicle access. Driveways with both turnouts and turnarounds are particularly valuable during a neighborhood-wide wildfire, but the reality is that many parcel-structure combinations in Swall preclude them.

3. In the same vein, I would argue against requiring an emergency water tank as a condition of approval of the application. Only about one-third of the properties in Swall Meadows are within the lower area served by hydrants. Of the remainder, only ~21 presently have emergency tanks. The Wheeler Crest Fire Council is committed to increasing this number such that all homes are within a reasonable hose-laying distance from at least one tank. This is a situation that will improve organically as vacant lots are developed, and there are at least two such lots within 500 feet of the applicant's property. Moreover, the WCFSC is keenly interested in helping owners of existing homes to install storage tanks, through grants or other means. And again, the proposed use of residence does not seem to change anything with respect to fire hazards or emergency responses to fire.

Respectfully submitted,

Dave Parker
264 Mountain View Drive
Member, WCFSC Executive Committee

From: cashner@inreach.com
To: [Kelly Karl](#)
Subject: Re: use permit 20-001/Barter, Swall Meadows Short Term Rentals
Date: Tuesday, May 19, 2020 8:37:32 AM

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May 18, 2020

Letter to Mono County Planning Board

Re: Use Permit 20-001/Barter, Swall Meadows Short Term Rentals

From: Annie Barrett, Swall Meadows Resident

To the Mono County Planning Board,

I am writing in support of approval for Use Permit 20-001/Barter. As a member of the Swall Meadows neighborhood I believe allowing short term rental at the proposed property, operating under the proper guidelines as outlined in the permit, will allow visitors to enjoy the Eastern Sierra landscape in a responsible way. I do not think it will harm the neighborhood. Allowing for owner occupied short term rentals offers a unique opportunity to the homeowner, providing additional income for property upkeep, as homeowners are more invested in maintaining the value & integrity of their personal property. These are very difficult times financially for all of us, and it is time to think creatively as individuals and as a community in order for us to get by during this time. There is also a need for good safe healthy short term rentals as people want to leave the cities and come to experience nature. By doing this, they also contribute to the general income of the area, and this trickles into county TOT taxes, supporting restaurants and retail, ski area, etc. On a small scale in Swall Meadows, I do not think that this permit, or a few of this nature, would affect the quality or essence of our town as we are spread out with plenty of land between homes.

On a positive note for short term rentals, short term renting allows for proper cleaning and disinfecting between renters and in this way promotes good health. Short term rentals keeps the home free of junk that full time renters tend to accumulate, barking dogs, etc.

It also allows for a home owner to reach out directly to the renters and give accurate information of the area, and renters greatly appreciate talking to a local about where to go as well as how to care for the area and wild animals. It provides a safe way to generate income to pay property taxes, maintain the home and home owners must keep up their property to make it attractive and safe, do proper fire clearance, etc.

It is time for the town of Swall Meadows to allow short term rental use. I appreciate this homeowner's willingness to attempt to do this legally and responsibly. I ask that this permit be granted.

I think we can at least try it - and it is my understanding that the permit would be reviewed yearly for compliance and that the owner says that he respects the county standards and guidelines for rentals during the time of covid or during any type of ordinance.

We are very privledged to live in the eastern Sierra, and to share this experience on a very small scale in a safe responsible way such as owner occupied, short term rental is a fine idea.

Thank you for your consideration,

Annie Barrett

From: [Lee Naylon](#)
To: [Kelly Karl](#)
Subject: Short Term Rentals
Date: Tuesday, May 19, 2020 1:12:31 PM

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Brandon and his father are dear friends and have stayed in our home for years . Because of his love for the area , he has chosen to make this his home.

Brandon is reliable, extremely responsible and truly understands and respects what this community is all about.

Hence, he is being "above board" in going through this process with the county....

Having said that, I understand, if this passes he would not be the only one possibly wanting to do a short term rental.

I think this is a healthy conversation to have for the community, but I also think the principal of having the owner be on the premises would be a reasonable consideration for allowing short term rental. The home owner could have guide lines written out for the renters as they would be the ones taking the responsibility to have renters understand and adhere to these regulations.

With the oversight of the owner, it would also allow them the opportunity to reinvest some finances earned to enhance the property. Lastly, the owners would be readily accessible to the neighborhoods concerns as well as the short term renters.

I appreciate your time,
Lee Naylon

From: davidhumes@netzero.net
To: [CDD Comments](#)
Date: Wednesday, May 20, 2020 9:03:30 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

to: Mono County Planning Commission. My name is David Humes. My family has lived at 348 Mountain View Dr. for the past 28 years, since 1992. Our property is just west of 320 Mountain View Dr., right next door to Mr. Barter's property; he is proposing an owner occupied short term rental use of his home (Conditional Use Permit 20-001/Barter). His proposal is fine with me. I have no opposition to it. I do not think it will affect me or my neighborhood in any negative manner. I find Mr. Barter to be a thoughtful and considerate neighbor. If any problematic issues about his short term rentals did arise I am confident we could solve them agreeably, without difficulty. Thank you very much. Sincerely, David Humes

From: [ericberlow](#)
To: [Kelly Karl](#)
Subject: Use Permit 20-001/Barter
Date: Wednesday, May 20, 2020 11:50:30 AM

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To the Mono County Planning Commission,

We are writing in support of approving the Use Permit 20-001/Barter. Being his direct neighbor across the street (353 Mountain View Drive and APN 064150010000), we are among those potentially most affected by the change. We have been land owners in this neighborhood for 20 years, and have a deep appreciation for its unique character. We empathize with potential concerns that short term rentals could "greatly undermine the community's character and quality". However, just because a worst case scenario is *possible* doesn't mean it's *probable* or *unavoidable*. Short term rentals are an interesting example because they have widely varying effects on local communities. One may worry that rentals will increase traffic and noise; and indeed that is true in some places. However, there are just as many other places, like many villages in the Alps, where short term rentals have resulted in neighborhoods being quieter than before. Why? Because depending on the circumstances, homes with short term rentals may end up being less occupied on average than ones with full time residents. In other areas, short term rentals have *enhanced* the character of a community by enabling a wider diversity of residents to own homes. This wide range of possible outcomes means that it is difficult to even know what it means to say "the character of our community will be undermined". Are we worried it will be too noisy? or too quiet? or too diverse?

Many outcomes are possible - and the extreme worst case scenarios are not the most likely. There are many options to set guidelines on short term rentals in Swall Meadows that would maximize the likelihood that they are neutral or even positive in their effect on the neighborhood. I understand that short term rentals are currently 'illegal' in our neighborhood. But I also understand that there are well established legal processes for granting appropriate and thoughtful exemptions to land uses which respect the intent of the laws and, more importantly, protect (and maybe improve) the desired character of a community.

Thank you very much for your measured approach to this issue.

Sincerely,

Eric Berlow
Jennifer Michels

From: [Katelyn Q](#)
To: [Kelly Karl](#)
Subject: support letter for permit 20-001/Barter
Date: Wednesday, May 20, 2020 1:50:49 PM

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To Whom it May Concern,

I am writing in support of approval for use permit 20-001/Barter. I am a new member of the Swall Meadows community and I am excited for this opportunity to host short term renters at our home on Mountain View. As a former city dweller, I have experienced the benefits of the surrounding beauty & spaciousness of the environment here. I know there are nuts & bolts guidelines associated with obtaining the use permit & it is in my interest that these guidelines be responsibly followed. Brandon has my full support and I will be an active participant in the upkeep of the property, especially in terms of following proper cleaning, fire & other safety protocols. We respect the integrity of the neighborhood and it will be our job to ensure visitors to our property do the same. Brandon hopes to continue to improve the property and this additional income will be essential to doing that.

I believe this use permit gives us a unique opportunity to share this wonderful place & it's surroundings with those seeking out the healing powers of this precious & special land. We are all visitors here.

thanks for your time & careful consideration,
Katelyn Q

(and thank you Kelly for all you hard work!!)

--

"there are no pieces to fit, there is only love"
~m.m.m

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Use Permit 20-001/Barter Comment Letters

COMMENT LETTERS (OPPOSED) RECEIVED BY 5/20/20 @ 3PM

John Gillmore

Robert Lukesh

Jim Clement & Vickie Taton

Karen Ferrell-Ingram

Amy Motroni & Pete Peterson

Petition Opposed – 41 Individuals/ 28 Households

From: [Wendy Sugimura](#)
To: [John Gillmore](#)
Cc: [Stacey Simon](#); [Kelly Karl](#)
Subject: RE: Short term rental.
Date: Monday, May 18, 2020 7:57:30 AM

Thank you for your comment. It has been received and will be sent to the Planning Commission.

Wendy

From: John Gillmore <johngillmore73@gmail.com>
Sent: Saturday, May 16, 2020 4:52 PM
To: Wendy Sugimura <wsugimura@mono.ca.gov>
Cc: Stacey Simon <ssimon@mono.ca.gov>
Subject: Fwd: Short term rental.

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Sent from my iPad

Begin forwarded message:

From: John Gillmore <johngillmore73@gmail.com>
Date: May 16, 2020 at 1:28:27 PM PDT
To: Fred Stump <fstump@mono.ca.gov>
Subject: Short term rental.

Fred.

I see that a short term rental is going to be considered here in swall at an upcoming meeting. My direct requests is that the permit for such be denied. Swall is already overwhelmingly crowded with the Covid second home owner crowd. Considering are limited resources, fire and almost non existent ambulance service this would be directly overwhelming to the neighborhood and fragile infrastructure.

Thank you.

John Gillmore.

Sent from my iPad

From: [Robert C Lukesh MD](#)
To: [CDD Comments](#)
Subject: no short term rentals in swall
Date: Saturday, May 16, 2020 9:19:57 AM

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Short term rentals in Swall Meadows will bring too many people, too many cars and too many dogs with no benefit to the community.

A short term rental in Orinda recently had over one hundred people attend. Two were shot and killed. Lawsuits are pending

To: Mono County Planning Commission
Re: Conditional Use Permit 20-001 / Barter

May 17, 2020

Dear Members of the Commission,

We are writing to oppose the granting of the conditional use permit for short-term rental use in Swall Meadows. We are writing based on our experiences last summer (2019) living next door to an illegal short term rental at 190 Pine Drive.

While initially we were sympathetic to the owner's desire to rent out his cabin, it quickly began to impact the peace and quiet of the neighborhood, and interfere with our peaceful enjoyment of our home. Some of the impacts we experienced are listed below.

1. Short-term visitors tend to arrive late in the evening. Once they arrive there is a period of loud noise, often after we've fallen asleep. Doors slamming, car alarms chirping, dogs barking, lights on inside and out, shouted conversations as the parties unload and settle in.
2. Trash is an issue. There is not a place for short-term visitors to leave their trash; therefore they often left it in our trash bins.
3. Dog waste. Often the visiting dogs would wander over to our place to defecate.
4. Interacting with our horses. Although we have completely fenced the horse turn-out area, we added a gate between our fence and our neighbor. Routinely we would find that dogs had gotten into the turn out area with the horses. This presents an issue in terms of injury to the dog from a horse kick, or horse injury if a dog chases it, or a person gets injured trying to get the dog out. Additionally, more than once we had to stop people from trying to feed the horses.
5. Swall Meadows has no street lights and can be a very dark neighborhood. We experienced cars turning into our driveway late at night and /or driving around the neighborhood very slowly searching for the rental. This disrupts sleep and privacy.
6. Abuse of the capacity of the rental. On more than one occasion there would be multiple families staying in the 2 bedroom, 1 bathroom cabin. On occasion there would be additional people camping on the property. On one occasion the renters had five vehicles, 2 OHVs, and 2 dirt bikes at the property.

Having a short term rental next door definitely impacts the peace and enjoyment of your own home. People on vacation have different needs and priorities than people who work and live in the community. We do not believe there is a shortage of nightly rentals between Bishop and Mammoth, and with no amenities in Swall Meadows do not support opening this neighborhood up for short term rentals. We do understand that there is a shortage of long-term and workforce rentals in the area, and would be far more supportive of that type of rental. We appreciate you accepting our comments.

Respectfully,

Jim Clement
Vickie Taton
150 Pine. Dr.
Swall Meadows, CA 93514

Mono County Planning Commission
Via Email
May 19, 2020

Re: Owner Occupied Short-Term Rental/Barter

Dear Planning Commission,

I'm writing in opposition to the Use Permit Application submitted by Barter for a short-term rental located at 320 Mountain View Drive in Swall Meadows. The question is not whether the proponents will be responsible owners but whether this land use is consistent with applicable Area Plan policies. The Mono County Development Standards for short-term rentals require that such a use not incur reasonable opposition by nearby neighbors and be consistent with Area Plan policies.

The General Plan Land Use Element for Wheeler Crest, Policy 24.A.3 states "Retain the rural residential character of the entire study area." It goes on to allow Bed-and-breakfast establishments on parcels of 100 acres or greater as the only acceptable commercial activity. The policy does not exempt owner-occupied short-term rentals, as stated in the Agenda Packet. If the idea is to lump short-term rentals into the bed-and-breakfast category, then they should only be allowed on parcels of 100 acres or greater.

Given that the overall goal in the General Plan Land Use Element for Swall Meadows (Wheeler Crest) is to "Retain, as nearly as possible, the character and quality of life presently enjoyed in the community," I question the consistency of this proposed use with the Wheeler Crest Area Plan. Bringing tourists into a residential, noncommercial neighborhood will not further the goal of maintaining our present quality of life in a quiet, wildlife-friendly, and peaceful community.

Opening up two bedrooms to short-term rental may seem like a minor decision but I see this action as setting a precedent for future applications. Can anyone honestly say that multiple short-term rentals in our small community won't change the "character and quality of life presently enjoyed" here? Given the clear inconsistency with Area Plan policies and the incorrect characterization of short-term rentals being exempt from Wheeler Crest Area Plan guidelines, this and future Use Permit Applications should be denied.

Thank you for the opportunity to comment.

Karen Ferrell-Ingram
140 Willow Road
Swall Meadows, CA 93514

Summary of Comment in Response to Conditional Use Permit 20-001/Barter

Following is a summary of the points we make in our Comment and its attachment:

-- Wheeler Crest/Swall Meadows is a remote, rural community with a highly valued character and quality. It is not set up for tourist accommodation. Permitting short-term rentals will degrade our quality of life. Residents should decide whether we want short-term rentals, generally and specifically.

-- Mono County codes and plans call for the conservation of Swall Meadows' character and quality. They do not permit non-owner-occupied short-term rentals despite the language in the Project materials that they do. The only permitted type of owner-occupied short-term rentals is bed-and-breakfasts – which have to be on at least 100 acres (and meet several other requirements).

-- Mono County's stated intent for approving short-term rentals is the desire to offer "diverse lodging options." Mammoth Lakes has thousands of vacation rentals of all kinds and prices; it spends millions of dollars/year promoting these vacation choices. Short-term rentals in Swall Meadows could not provide any type of meaningful diversity.

-- If homeowners want to make money from their homes, they can rent them long-term, which would also increase the limited housing stock in the county.

-- If this application is not rejected a decision should be postponed until the entire community can consider its implications. We first saw the Notice of Public Hearing for this application last Wednesday, May 13. Sunday night we posted our Comment on Nextdoor. In less than two days 41 individuals (28 households) have agreed to have their names and addresses listed on the attachment to the Comment, supporting the contents of the Comment. Obviously there is significant opposition to owner-occupied short-term rentals in this community. All of us should be given the opportunity to be heard.

Thank you very much.

Sincerely,

Amy Motroni and Pete Peterson
788 Mountain View Dr., Swall Meadows

COMMENT IN RESPONSE TO CONDITIONAL USE PERMIT 20-001/BARTER

We are homeowners in Swall Meadows. We object to Conditional Use Permit 20-001/Barter for the following reasons:

1. Swall Meadows is in the Wheeler Crest district of Mono County. According to the Land Use Element for Wheeler Crest in the General Plan, the primary goal for Wheeler Crest land uses is to “Retain, as nearly as possible, the character and quality of life presently enjoyed in the community.” No language in the Land Use Element for Wheeler Crest permits owner-occupied short-term rentals. Short-term rentals will greatly undermine the community’s character and quality.

Objective 24.A of the Land Use Element for Wheeler Crest calls for prevention of “incompatible or conflicting uses within the Wheeler Crest community.” In subsection 24.A.3, the policy is to “Retain the rural residential character of the entire study area.” The first Action under this subsection is to “Permit only single-family residential and related accessory structures.” The only exception is bed-and-breakfast establishments, which must be on parcels of 100 acres or more (and other requirements). There is no exception for owner-occupied short-term rentals, though not-owner occupied short-term rentals are specifically prohibited.

These provisions are very important because they are misstated in the Planning Commission Packet for the hearing.

There have been six objections to the application. All of them have been rejected. Starting at page 4 of the Planning Commission Packet for the hearing the objections are summarized and responded to. On page 7 of the packet the fourth response states:

4. Impacts to Community Character: Policy 24.A.3 of the Wheeler Crest Area Plan policies specifies the importance of retaining the rural residential character of the entire study area (full text below). The actions listed under this policy acknowledges [sic] that “general commercial uses are not desired within the residential area” however, bed-and-breakfast establishments and owner-occupied rentals are listed as exempt. [Emphasis added.]

The Planning Division is incorrect. Owner-occupied rentals are not listed as exempt in Policy 24.A.3 or anywhere else in the policies.

The response goes on to quote Policy 24.A.3 in its entirety. Significant portions are:

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.* [Italics and emphasis in original Planning Division response quote.]

If the Planning Division wishes to add owner-occupied rentals to bed-and-breakfasts as exemptions to the prohibition of commercial uses in order to approve this application, owner-occupied rentals must meet the same requirements as bed-and-breakfasts: they must only be “permitted on parcels of 100 acres or greater;” they must be “designed to be compatible with existing residential uses;” and, the undeveloped portion of the parcel must remain as open space or agricultural use in perpetuity. (Emphasis added.)

2. Even if owner-occupied short-term rentals were permitted in Swall Meadows (which, clearly, they are not), the Planning Division has not correctly applied the terms of Chapter 25 of the Mono County Development Standards, which defines the county’s policies for short-term rentals.

Section 25.015.C states that “The short-term rental must be consistent with this Chapter and applicable Area Plan policies.” As established above, short-term rentals are not compatible with the Wheeler Crest Area Plan.

Section 25.010 is titled 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. [Emphasis added.]

“The demand by visitors for diverse lodging options” in Mono County is met by the Town of Mammoth Lakes. Mammoth is ideally set up for tourists. According to the Town of Mammoth Lakes Fact Sheet there are approximately 5,000 “rentable units” of all types and prices. The town spends millions of dollars every year to attract vacationers. The only way Swall Meadows could make even a tiny dent in additional Mono County lodging options would be for many short-term rentals to be established here. Therefore, approval of this application would open the door to the concept that Swall Meadows should be a backup lodging center to Mammoth.

As far as “reasonable opposition by neighbors who may be directly affected,” the Planning Commission Packet for this application includes six local objections to the application, all of which have been rejected by the Planning Division. A major theme of these objections can be summarized as “short-term rentals will adversely affect ‘the character and quality of life presently enjoyed in the community’.” As discussed above, the Planning Division’s response to these comments is wrong because it mis-quotes the relevant Wheeler Crest Area Plan policy. Therefore, the objections to the application are by definition reasonable.

We who live in Swall Meadows should determine “the character and quality of life” we want to enjoy. Very few of the affected neighbors had any knowledge of this application until the Notice of Public Hearing was informally posted on the local bulletin board less than a week ago. Since many residents don’t check the bulletin board it is safe to say that there are still many who do not know about this threat to our community. With longer, more broadly distributed notice many more people would have the opportunity to comment on this application.

3. The Planning Commission does not have to approve this application, even if it conforms to all of the county’s technical requirements (which this application does not). According to Mono County Code Chapter 5.65, Short-Term Rentals in Residential Areas, Subsection 5.65.080.C, Review of applications and noticed public hearing: “Following the noticed public hearing to consider the approval of an STR activity permit, the approval authority may issue the STR activity permit. . . .” [Emphasis added.]

4. If homeowners want to make money from their properties they can rent or lease long-term, from month-to-month to as long as they want. This has the added advantage of providing additional rental housing units to the limited supply in Mono County. Many places, including San Francisco, have tried to deal with a reduction in housing caused by people buying units to rent short-term. Long-term renters can be expected to care for Swall Meadows and what it means to the people who live here. If the county permits short-term rentals in Swall Meadows there is a strong possibility

that people will buy houses here to rent out – adding cars and visitors who have no interest in retaining the “character and quality of life presently enjoyed in the community.”

In conclusion, Swall Meadows is not intended for commercial uses and the Wheeler Crest Area Plan policies clearly reflect this. The zoning is non-commercial and there are no services or infrastructure for tourists. This rural residential community is 30 miles from any services. The Mono County Planning Commission should reject this application and permit Swall Meadows to continue to be the community its residents enjoy.

Thank you very much.

Pete Peterson and Amy Motroni
788 Mountain View Dr.
Swall Meadows

Attachment to Comment in Response to Conditional Use Permit 20-001/Barter

The following individuals agree with the Comment in Response to Conditional Use Permit 20-001/Barter. Please note that this list of 41 individuals/28 households was compiled in less than two days, indicating that there is widespread opposition to owner-occupied short-term rentals in Swall Meadows. If this application is not rejected the Planning Commission should postpone making a decision until the entire community has had the chance to comment.

This list is in no alphabetical or geographic order:

Janet Reese
Russell Reese
261 Mountain View Dr., Swall Meadows

Robin Conners
Dan Conners
205 Pine Dr., Swall Meadows

Stephen Ingram
140 Willow Rd., Swall Meadows

Rosanne Higley
424 Mountain View Dr., Swall Meadows

Lyn Haber
Ralph Haber
313 Ridgeview Dr., Swall Meadows

Charles Tucker
Jean Tucker
52 Pinon Dr., Swall Meadows

Chris Sherer
Lindsey Sherer
1273 Swall Meadows Rd., Swall Meadows

Erik Simpson
Jan Simpson
356 Sierra Wave, Swall Meadows

Victoria Hamilton
45 Pine Dr., Swall Meadows

Karen Marshall
1274 Swall Meadows Rd., Swall Meadows

Diane Lukesh
Dr. Robert Lukesh
135 Valley View Rd., Swall Meadows

Rico Miledi
333 Sierra Wave, Swall Meadows

Ray Tompanskas
Grazina Tompanskas
88 Pinon Dr., Swall Meadows

Mike Barnett
Linda Barnett
5189 Westridge Rd., Paradise Estates

Eldon Shiffman
Karen Shiffman
93 Orchard, Swall Meadows

Meredith Frolio
206 Mountain View Dr., Swall Meadows

Tom Hopkins
130 Valley View Rd., Swall Meadows

Anne Curtright
1404 Swall Meadows Rd., Swall Meadows

John Dewell
Louise Dewell
153 Foothill Rd., Swall Meadows

Jutta Schmidt-Gengenbach
Jeff Holmquist
55 Pinon Dr., Swall Meadows

Harvey VanDyke
107 Pinon Dr., Swall Meadows

Chris Christenson
818 Mountain View Dr., Swall Meadows

Dan Bacon
675 Mountain View Dr., Swall Meadows

Ray Dutcher
518 Mountain View Dr., Swall Meadows

Bryan Mack
4838 Deer Peek Trail, Paradise

Dan Stansifer
839 Mountain View Dr., Swall Meadows

Robert Paull
769 Mountain View Dr., Swall Meadows

Karen Allen
Brian Cashore
105 Pine Dr., Swall Meadows