Mono County Community Development Department

Planning Division

P.O. Box 347 Mammoth Lakes, CA 93546 (760) 924-1800, fax 924-1801 commdev@mono.ca.gov P.O. Box 8 Bridgeport, CA 93517 (760) 932-5420, fax 932-5431 www.monocounty.ca.gov

November 19, 2020

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst

Re: Use Permit 20-007/Crowl

Recommendation

It is recommended the Planning Commission take the following actions:

- 1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15301 and instruct staff to file a Notice of Exemption;
- 2. Make the required findings as contained in the project staff report; and
- 3. Approve Use Permit 20-007 subject to Conditions of Approval.

Background

The property owner of 580 Hunter Avenue (APN 026-200-023), Carolyn Crowl, initiated this project to allow a commercial horse boarding business at the property. The business would also allow customers to temporarily park their horse trailer at the property while the horse is being boarded. The property is designated Agriculture and contains a primary dwelling, detached garage, a mobile home used for longterm rental, a barn with horse stables, a tack-room, chicken coop, storage shed, and fencing to create horse arenas and stalls.



Figure 1. Project site outlined in yellow

The property has continually been used for equestrian purposes. Prior property owners developed the site specifically locating dwellings and structures near the property's perimeter to allow interior space to be used for equestrian purposes.

Discussion

The subject property is 2.5 acres and designated Agriculture. Surrounding properties to the north, west, and south are also designated Agriculture and privatley owned. The property to the east is 308.5 acres, designated Resource Management, and owned by the Bureu of Land Management. The subject property is accessed by Hunter Avenue which is approximately 0.5 miles long. The western 0.26 miles of this road is maintained by the County however the final 0.24 miles of the road, reaching this property, is a private easement (established in Parcel Map 37-27).

Development standards for the property include:

- Setbacks: 50' front, 50' rear, 50' side
- Setbacks for accessory buildings used as barns or stables: 50' front, 30' rear, 30' side.
- 40% lot coverage

Animal boarding is subject to a Use Permit within the Agriculture land use desigation, as recommended by the area's Regional Planning Advisory Committee. A horse boarding facility must comply with the Animal Standard requirements of General Plan Chapter 4, Section 04.270, including Table 04.030 which defines the number of animal units permitted given a properties land use designation and lot area. Based on this property's characteristics (Agriculture designation and 108,900 sf), one animal unit per 10,000 sf is permitted, or 10.89 units total. In calculations for permitted animals, fractional numbers are to be rounded to the lower whole number. For the purpose of this project, 10 horses may be kept on the property.

In a letter from the applicant to staff (Attachment #1), Ms. Crowl indicated that the property can accommodate nine or ten horses. One horse and one burro are currently at the property, therefore, the operation would be able to receive up to 8 additional horses. Two large yards with shelters and a barn with four stalls, and an arena are available for boarding horses.

Ms. Crowl has indiciated that the operation will typically have 5 or 6 horses boarded, with occasional overnight stays. A stall in the barn will be left open for any temporary emergency boarding needed. If needed, her operation will provide pick-up of the horse but she anticipates customers dropping off and picking up their own animals. Space for short-term horse trailer parking for customers is available along the north and west side of the property without blocking the existing driveways, and at a 30' x 70' parking area (to be created and shown in Figure 2) on the west side of the property. Customers will not be entering any facilities other than yards/the arena to bring in and out their horses. The operation will not have any employees as family members will handle all responsibilities.

Setbacks

The primary dwelling and garage meet the current required setback distances. The accessory dwelling is setback 55' from the side, west property line and 30' from the rear property line, as shown in Attachment 2, *Building permit 03-45 Site Plan.* At the time of approval, the setback distances were approved, however it is 20' short of current side-yard requirments and therefore categorized as an existing nonconforming structure. A 56'- square feet (sf) storage shed adjacent to the accessory dwelling and a chicken coop along the south proerty line are both within the current side-yard setback requirement and are existing nonconforming.

The barn and detached tack-room is located less than 10' from the side property line. The owner/applicant has indicated that the tack-room is on skids and will be moved out of the setback however the barn has a permanent foundation. The owner/applicant indicated that the barn has existed in this location since the property's early development. Records from the County's Assessors office indicate the barn was appraised in 1984 when current yard setbacks were different. As a result the barn is also an existing nonconforming structure.

Per General Plan Chapter 34, Nonconforming uses, nonconforming structures may not be altered or expanded except for minor alterations necessary to improve or maintain the health and/or safety of the occupants. The owner/applicant has indiciated that the barn, accessory dwelling, and storage shed will not be altered or expanded

other than minor repairs. Both structures are not detrimental to the intent of the land use designation, public health, safety or welfare or injurious to the property or improvements in the vicinity, or adversely impact the surrounding properties.



Figure 2. Property site plan

General Plan Chapter 4, section 04.120.G.6 requires stables and paddocks for horses not to be less than 50' from the front property line nor less than 50' from any dwelling unit, other than a unit occupied by the horse owner, however these requirments do not apply to horses kept for personal use in permitted desinations. All stables and paddocks for horses will be located 50 feet from the accessory dwelling. Currently a stall and the arena are 40' north of the accessory dwelling and the applicant is in the process of relocating the stall and arena fence to meet the 50' setback requirment. This is a condition of approval for this permit.



Figure 3. The image shows the stall and part of the arena within 40' of the accessory dwelling. This stall and the fencing will be moved left (north) to create customer trailer parking and meet the 50' setback requirement.

Stalls and paddocks are located within 40' of the primary dwelling and 45' from the front, north, property line. A condition of approval will be to move the arena fencing and stall inward, away from the northern property line to meet the 50' requirement, see Figure 4.

The arena and two stalls are located within 50' of the primary dwelling, occupied by the property owners who also own a horse and burrow on the property. The arena and stalls will continue to be used by their animals, therfore the distance is acceptable.



Figure 4. Looking east along the north, front, property boundary. The distance between the front property line and arena is 45'. Trailer parking space is shown on the right.



Figure 5. Looking west along the north property boundary. Trailer parking space is shown on the left side. 5 UP 20-007/Crowl



Figure 6. Looking south along the western property boundary. The arena is setback 30' from the west side property boundary.

Lot coverage

Maximum lot coverage (defined as land encumbered by structures and devoted to vehicular traffic or parking) for the property is 40%, or 43,560 sf. The current lot coverage is approximately 34,000 sf, or 31%; (Figure 3), and meets the standard. The business plan includes allowing customers to temporarily park horse trailers at the property in designated areas that have been taken into account for lot coverage calculation purposes.



Figure 7. Lot coverage shown as the gray area

Land Development Technical Advisory Committee

LDTAC met on October 26, 2020, to accept the application for processing. A final review of the Conditions of Approval was completed at the November 16, 2020 meeting.

Noticing & Public Comments

The project was noticed in a newspaper of record on November 7, 2020, (Attachment 4) and a notice was mailed to property owners within 300 feet on November 6, 2020. No comments were received as of the drafting of this staff report.

CEQA Compliance

The project qualifies for a categorical exemption under California Environmental Quality Act (CEQA) Guideline 15301, Existing Facilities. Class 1 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.

The proposed project falls within a Class 1 exemption because all structures on the property are existing and a horse boarding operation is permitted subject to Conditional Use Permit 20—07, within the land use designation Agriculture.

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.

7 UP 20-007/Crowl

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:

The site of the proposed use is adequate in size and shape to accommodate horse boarding up to 10 animal units, including the owner's animals. Adequate space is available along the north side of the property for unloading and loading animals, and temporarily parking horse trailers. An additional 30'x70' space is available on the west side of the property for horse trailer parking.

Current setbacks are being met except for except for existing nonconforming structures constructed prior to current standards. The tack-room will be relocated outside the rear yard setbacks as a condition of approval to this permit.

The property is within the allowable 40% maximum lot coverage.

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:

The site is accessed by a private easement recorded in Parcel Map No 37-27 (Attachment 3). The traffic generated by the proposed use is not expected to significantly increase beyond typical use. The Chalfant Valley Community Service Fire District approves of the project and will continue to serve the property as needed. The project is within a State Responsibility Area and Calfire has respond affirming they will assist with service as needed.

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:

The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area. No new development will take place as the property is already developed for horse boarding. The number of animals permitted for the operation is compliant with General Plan Animal Standards. The surrounding properties are designated Agriculture and developed similarly. The eastern property is owned by the Bureau of Land Management and no development of the land is anticipated. The nearest residential dwelling is 100' from the properties existing horse arena and no concerns have been raised by the neighbors or through the public noticing process.

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

The proposed use is consistent with the uses permitted on Agriculture properties. The following General Plan policies support the project:

Countywide Policies

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.

Tri-Valley (Benton/Hammil/Chalfant) Issues, Opportunities, and Constraints:

#1. The proliferation of residential development in the Tri-Valley is inherently incompatible near agricultural areas and may compromise ongoing agricultural operations.

#2. There is a desire to maintain and enhance agricultural uses in the Tri-Valley

Tri-Valley Policy:

Goal 26. Preserve the rural and agricultural character of the Tri-Valley area.

Objective 26.C. Integrate additional compatible development into the existing community of Chalfant.

Objective 26.D. Provide adequate commercial and public facilities and improved access to County services to serve visitors and residents in the Tri-Valley.

Policy 26.D.5. Allow the continuation of home businesses in the area.

This staff report has been reviewed by the Community Development Principal Planner.

Attachments:

- 1. Letter from applicant.
- 2. Building Permit 03-45 Site Plan.
- 3. Parcel Map #37-27
- 4. Noticing materials.

MONO COUNTY

Planning Division

NOTICE OF DECISION & USE PERMIT

USE PERMIT: 20-007

APPLICANT: Carolyn Crowl

ASSESSOR PARCEL NUMBER: 026-200-023

PROJECT TITLE: Use Permit 20-007/Crowl

PROJECT LOCATION: 580 Hunter Avenue, Chalfant, CA 93512

CONDITIONS OF APPROVAL

See attached Conditions of Approval

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY <u>WITHIN TEN (10) DAYS</u> OF THE EFFECTIVE DATE OF THE DECISION, SUBMIT AN APPEAL IN WRITING TO THE <u>MONO COUNTY BOARD OF SUPERVISORS.</u>

THE APPEAL SHALL INCLUDE THE APPELLANT'S INTEREST IN THE SUBJECT PROPERTY, THE DECISION OR ACTION APPEALED, SPECIFIC REASONS WHY THE APPELLANT BELIEVES THE DECISION APPEALED SHOULD NOT BE UPHELD AND SHALL BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

DATE OF DECISION/USE PERMIT APPROVAL: November 19, 2020 **EFFECTIVE DATE USE PERMIT:** November 30, 2020

This Use Permit shall become null and void in the event of failure to exercise the rights of the permit within one (1) year from the <u>date of approval</u> unless an extension is applied for at least 60 days prior to the expiration date.

Ongoing compliance with the above conditions is mandatory. Failure to comply constitutes grounds for revocation and the institution of proceedings to enjoin the subject use.

MONO COUNTY PLANNING COMMISSION

DATED:

cc: <u>X</u> Applicant

X Public Works X Building X Compliance

CONDITIONS OF APPROVAL

- 1) The arena and stalls shall be located 50' from the front property line. (MCGP 4.120.G.6)
- 2) The the stall and arena fencing shall be relocated to be a minimum of 50' from the accessory dwelling.
- 3) The tack-room shall be relocated outside the setback of 50'.
- 4) A minimum 10' traffic lane shall be maintained along the north and west side of the property for fire safety. Trailers and vehicles may not block the traffic lane.
- 5) A maximum of 10 animal units, as defined in General Plan Table 04.030, are permitted on the property.
- 6) Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 7) Project shall comply with all Mono County Building Division, Public Works, Code Compliance and Environmental Health requirements.
- 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 1

July 14, 2020 Mr. Michael Draper, Mono County Planning Analyst II Community Development Department P.O Box 347 Mammoth Lakes Ca. 93546 Dear Mr. Draper, Thank you for your letter. Inadvertently t

Thank you for your letter. Inadvertently the cover letter was left out. My apologies.

In answer to your questions:

1.You are correct, there will be no additional construction. We have facilities to house 7 horses, 9 or 10 if doubled up, as we have 4 large horse areas at this time. One is occupied by my horse and burro. We have two large yards with shelters available right now. In addition to the one occupied by my animals. We are in the process of cleaning and refurbishing with new paint and fencing for the other large area. The barn will be available soon also with two regulation stalls and yards.

2.My plan is to reserve at least one stall in the barn for emergencies, i.e., If someone hauling horses has a problem and needs temporary boarding for their animals.

3. I expect that we would typically have 5 or 6 boarders, with occasional overnights.

4.We have a horse trailer and can pick up 2 horses at a time if needed. We could accommodate stallions in the barn. I do not intend to do a lot of pick-ups or deliveries but am willing if the occasion warrants it. I would prefer that the customers drop off and pick up their own animals, and am prepared to rent them parking for their trailers if they need it.

5. I would like to apply for permission to have as many animals as is legal for my facilities, however, I rather doubt that we will be at full capacity very often.

5. At this time, we do not expect to need employees as it would be a small operation and our family members are able to handle the responsibilities. Of course, we would take the legal measures necessary if we found ourselves in that position.

Thank you for your attention to my request,

Sincerely,

Carolyn Crowl

Michael Draper

| From: | Michael Draper |
|----------|--------------------------------|
| Sent: | Tuesday, July 14, 2020 2:51 PM |
| То: | escapeefromla@gmail.com |
| Subject: | Horse Boarding facility |

Hello Ms. Crowl,

I am currently working to process your application for a horse boarding facility at your property. The application states "see cover letter" however I do not see one apart of the application. I do see the project information page, a customer agreement contract, and site plan, but I need more information about the potential operation.

Could you please provide more information? As it appears, no new construction or structures will be necessary, is that correct? How many horses are you intending to board? How many employees will you have? Will customers drop off their horse or will you provide pick-up?

Thank you,

Michael Draper Mono County Planning Analyst II Community Development Department PO Box 347 437 Old Mammoth Rd, Suite 220 Mammoth Lakes, CA 93546 760-924-1805

Attachment 2

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south



SCALE: 1 - 200

PARCEL MAP Nº 37-27

IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF MONO, STATE OF CALIFORNIA, BEING A DIVISION OF A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 33 EAST, M.D.M. -

ONE SHEET ONLY

Inst. Nº 2390

Filed for record this 15th day of Movember, 1974, at <u>1:30 P.M. in Book 1 of</u> Parcel Maps at Page 50 at the request of Mr. Gene Quigley.

ann m. Hebb County Recorder

This map was prepared by me or under my direction and was compiled from record data in conformance. with the requirements of the Subdivision Map Act at the request of Mr. Gene Quigley in July, 1974. I hereby certify that it conforms with the approved tentative map and the conditions of approval thereof; that all provisions of applicable state law and local ordinances have been complied with.

Gordon C. Holmes RCE 104GT

I hereby certify that this land division map was approved by the Mono County Planning Commission on the 14th day of __November_,1074.

Planning ommission Chairman

This map has been examined this 14th day of <u>Here November</u>, 1974, for conformance with the requirements of Section 11575 of the Subdivision Map Act.

county Surveyor

Record Data shown on this map is from the Record of Survey filed in Book 1, Page 40 of Maps, Records of Mono County.

- Indicates a found point as noted.
- Indicates a point set per M.B. 1/40 0 not searched for per this map.

The record bearing of the southeast quarter of the southwest quarter of Section 9 of NO°33'20"E as shown on the Record Of Survey filed in Book 1, Page 40 of Maps was used as the basis of bearings shown on this map.





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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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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

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who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (s/are subscribed to the within instrument and acknowledged to me that ne ske/they executed the same in his/te/their authonzed capacity(is), and that by use of 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

Signatule of Notary Public

Place Notary Seal Above

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 | a (12/10 | | | | |
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| Description of Attached Document Title or Type of Document | | | | | |
| Capacity(ies) Claimed by Signer(s) | | | | | |
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©2014 National Notary Association www NationalNotary org 1-800-US NOTARY (1-800-876-8827) Item #5907

PARCEL 1

The Northeast quarter of the Northeast quarter of the Southeast quarter of the Southwest quarter of Section 9, Township 5 South, Range 33 East, M D B & M, in the County of Mono, State of California, according to the official plat thereof

PARCEL 2

An easement for road and utility purposes over the Northerly 60 feet of the Northwest quarter of the Southwest quarter of the Southwest quarter of Section 9, and over the North 60 feet of the Northwest quarter of the Northeast quarter of the Southwest quarter of Section 9, Township 5 South, Range 33 East, M D B & M, in the County of Mono, State of California, according to the official plat thereof

More commonly known as is c HUNTER AVENUE, CHALFANT, CA 93514

ASSESSOR'S PARCEL NUMBER 26-200-23

1

Attachment 4

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

November 4, 2020

To: The Sheet

From: Michael Draper

Re: Legal Notice for **November 7** edition

Invoice: Stephanie Butters, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on November 19, 2020. As authorized by Gov. Newsom's Executive Orders. N-25-20 and N-29-20, the meeting will be accessible remotely by livecast at: https://zoom.us/join and by telephone at: 669-900-6833 (Meeting ID# is 952 8605 8883) where members of the public shall have the right to observe and offer public comment, to consider the following: 9:00 a.m. CONDITIONAL USE PERMIT 20-007/Crowl to allow a horse boarding operation at 580 Hunter Avenue, Chalfant (APN 026-200-023). The permit would allow 10 or fewer horses to be boarded at the location. The property owners live on-site and will manage the operation without additional employees. No new development on the property is proposed. Existing structures include a primary dwelling, detached garage, accessory dwelling, barn, storage shed, and chicken coop. The operation will utilize existing stalls, arenas, and the four-stall barn. Horses would be droppedoff by customers or picked up by the business. The business may also allow temporary parking for horse trailers. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials are available for public review online at by calling 760-924-1800 and hard copies are available for the cost of reproduction. INTERESTED PERSONS are strongly encouraged to attend the livecast meeting by phone or online, and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA, 93546, by 3 pm on Wednesday, November 18th, to ensure timely receipt, by email at cddcomments@mono.ca.gov, or via the livecast meeting (technology permitting). 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.

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Mono County Community Development Department Planning Division

PO Box 347 Mammoth Lakes, CA 93546 760-924-1800, fax 924-1801 commdev@mono.ca.gov P0 Box 8 Bridgeport, CA 93517 760-932-5420, fax 932-5431 www.monocounty.ca.gov

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For additional questions, please contact the Mono County Planning Division:

Michael Draper, PO Box 347, Mammoth Lakes, CA 93546 (760) 924-1805, <u>mdraper@mono.ca.gov</u>



Mono County Community Development Dept. PO Box 347 Mammoth Lakes, CA 93546

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