

# Use Permit 24-005

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Mann Short-Term Rental Permit

November 21, 2024

unpaved and unimproved, snow removal is still done regularly. According to the applicant, the snow from the driveway has historically been pushed across the street to ~~a vacant parcel at 93 Nevada Street~~ (see Figure 1), which is under separate ownership. The applicant plans to request a

General Plan Land Use Element Action 1.M.3.a. indicates a project may be denied ~~(a) due to if there is~~ insufficient emergency access resulting from a lack of ~~a~~ secondary ~~access/ingress/egress route, and the access road is partially or wholly dirt~~ ~~and/or (b) or is if the parcel is~~ accessed by partially or wholly ~~by an unimproved~~ dirt road, ~~lack of secondary access, and if access includes an unimproved dirt road~~ ~~and/or the roads are not served by emergency vehicles~~. As an existing road, the road

d)→ The project poses impact to adjacent property owners because of potential road conditions ~~and~~ potential emergency access issues which may cause public safety issues. ¶

# Project Description

- **Location:** 122 Nevada Street, June Lake, CA
- **Land Use Designation:** Single-Family Residential (SFR)
- **Parcel Size:** 0.18 acres
- **Proposed Project:** Use Permit to allow non-owner-occupied short-term rentals

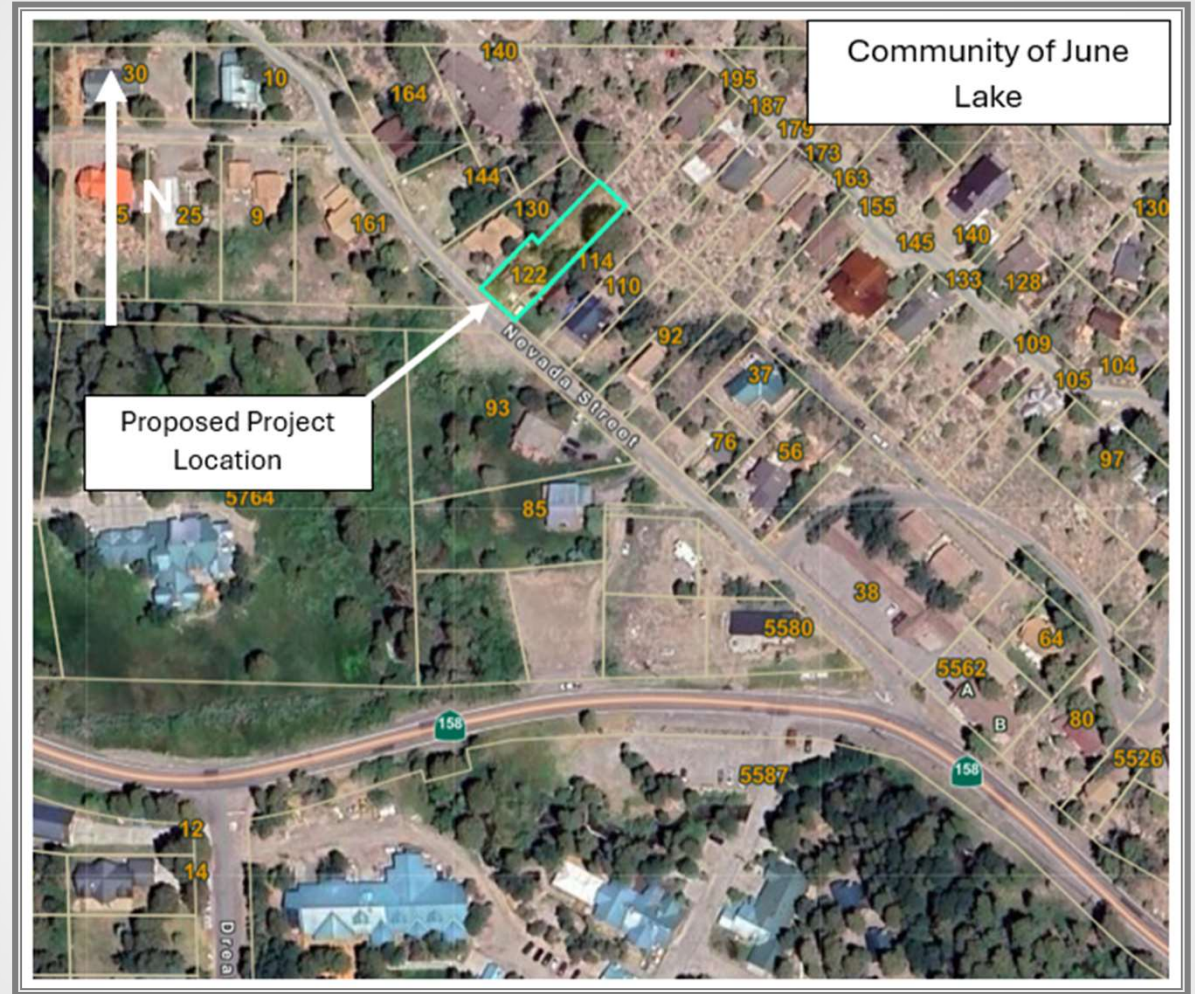


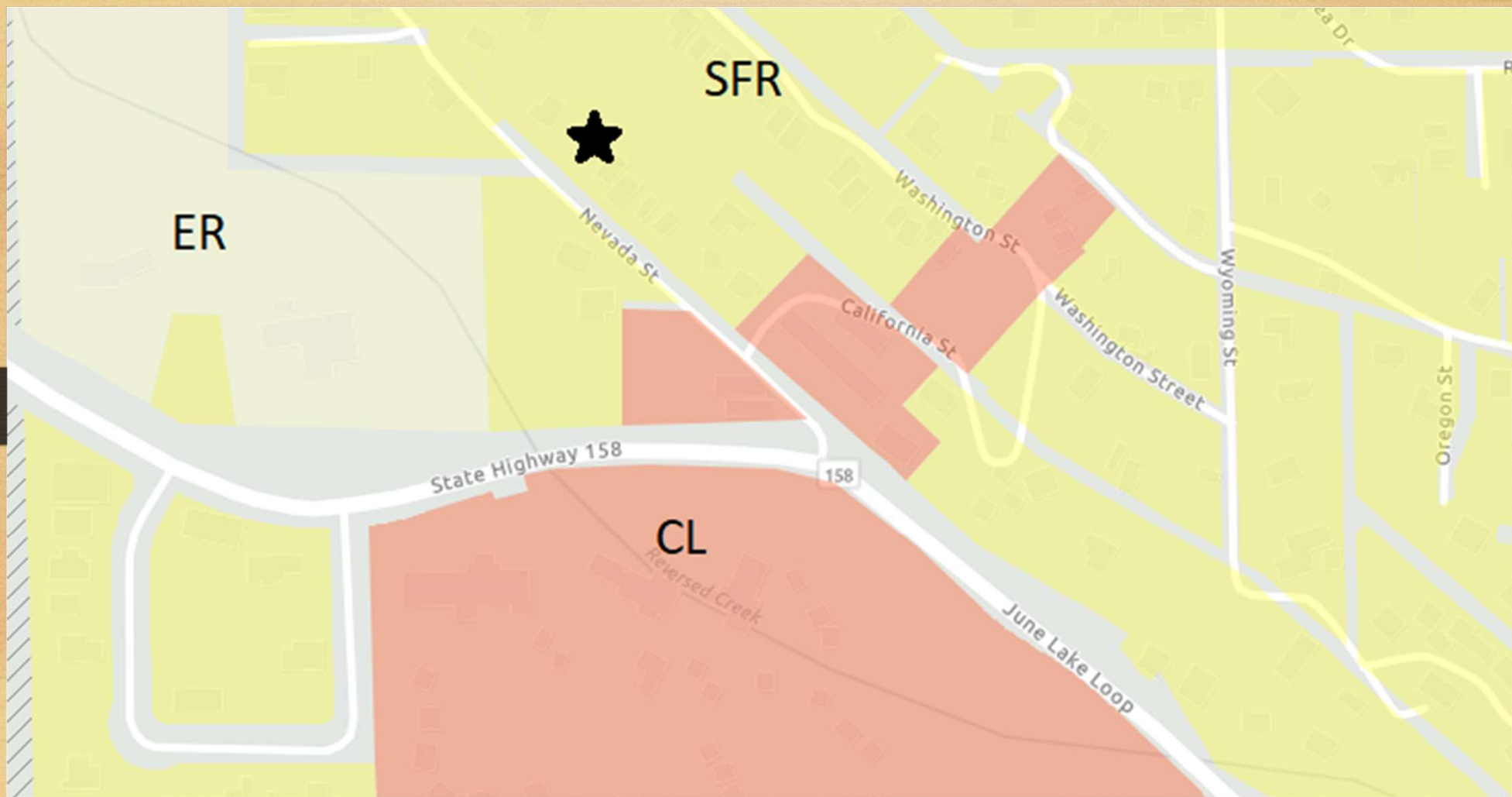
## Project Description

- 2 BR/1 BA
- 611 square feet
- Originally developed in 1977
- Surrounded by Single-Family Residential, Estate Residential and Commercial Lodging land use designations, including traditional lodging facilities to the west, south and southeast (e.g., Whispering Pines Chalet and Double Eagle Resort)

# Project Location

# 122 Nevada Street





ER

SFR

CL



State Highway 158

158

Nevada St

Washington St

California St

Washington Street

Wyoming St

Oregon St

June Lake Loop

Reversed Creek







# California Environmental Quality Act (CEQA)

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- If the use permit for short-term rentals is approved, the project is consistent with a Class 1 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.
- If the use permit for short-term rentals is not approved, the project is statutorily exempt under CEQA Guidelines §15270 (Disapproved Projects).



# General Plan Consistency

- The intent of the Single-Family Residential land use designation is “to provide for the development of single-family dwelling units in community areas.”
- Short-term rentals are permitted in the Single-Family Residential land use designation subject to the following:
  - A use permit
  - MCGP LUE Chapter 25
  - MCC Chapter 5.65


## General Plan Consistency

- Nonconforming setbacks along the western property line
- Not presently in compliance with Dark Sky requirements
- The access road—Nevada Street—is existing nonconforming
- Compliant with lot coverage, parking, front, east side and rear setbacks, etc.



# Dark Sky Compliance

Unacceptable



Decorative

These fixtures may be acceptable if using a low-wattage bulb. See 17.34.050.E.

The diagram illustrates various light fixture designs. At the top left, under the heading 'Unacceptable', are three fixtures: a modern, rounded outdoor light, a traditional lantern-style light, and a wall-mounted light with a glass globe. Below these, under the heading 'Decorative', are two fixtures: a lantern-style light with a decorative top and a lantern-style light with a glass globe. Two of these fixtures are circled in red. A small asterisk is placed next to the circled lantern-style light with a glass globe. Below the diagram, text states: 'These fixtures may be acceptable if using a low-wattage bulb. See 17.34.050.E.'





## Dark Sky Compliance

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- Current lighting is not in compliance with MCGP LUE Chapter 23
- External lights must comply with Chapter 23, Dark Sky Regulations, prior to issuance of STR Activity Permit







## Parking

- Two full-size spaces for single-family dwellings.
- Uncovered parking spaces above 7000' are required to be 10' x 20'.
- The driveway is 45' x 10', accommodating two tandem parking spaces on site.
- STR guests will be limited to two cars.

# Access Road

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- Existing roads are not required to be upgraded to the standards in MCGP LUE Chapter 22, Fire Safe Regulations, or to the State Minimum Fire Safe Regulations.
- MCGP LUE Action 1.M.3.a allows an STR application to be denied if there are emergency access issues due to a single access point, or if access to the parcel includes an unimproved dirt road.
- Nevada Street is unimproved, 16' wide, has only a single access point, and has no turnround or hammerhead at the terminus.
- JLFD Chief has stated the Department has no concerns with the project.



# Snow Storage



- The residents of Nevada Street have contracted for plowing services and the applicant pays into the fund.
- The applicant also pays an additional fee to have her driveway plowed.
- The plow driver has historically stored the snow removed from the applicant's driveway on the parcel across the street, 93 Nevada Street.
- Prior to the issuance of an STR Activity Permit, applicant must (a) obtain written permission from the owner of 93 Nevada Street, or (b) instruct the plow driver to store snow removed from the applicant's driveway in the applicant's front yard.

# General Plan Consistency

- The project is consistent with both Countywide Land Use policies and June Lake Area Plan policies
- The project is also compliant with both Countywide and June Lake Issues/Opportunities/Constraints
- The policies are outlined in the staff report



# Use Permit Finding #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:*

- Short-term rentals are permitted in SFR land use designations, subject to use permit.
- The property has adequate parking.
- The property meets all General Plan Land Use Element policies, except for the following:
  - West side setbacks (existing nonconforming)
  - Dark Sky (to be brought into compliance prior to issuance of a Short-Term Rental Activity Permit)

**This finding can be made.**

## Use Permit Finding #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 kind of traffic generated by the proposed use is similar to that of the existing residential uses or a long-term rental.
- The June Lake Fire Department expressed no concerns with the project.

**This finding can be made.**

**OR**



*Alternative*  
Use Permit  
Finding #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 project site is served by an unimproved access road with no alternate means of ingress and egress, no terminus at the dead end, and very few turnouts for emergency vehicles to get around other traffic.
- Neighboring property owners may be burdened with the costs related to road maintenance and snow removal which benefit the applicant's short-term rental use.

**This finding cannot be made.**

## Use Permit Finding #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 is not expected to cause significant environmental impacts.
- The project provides for additional visitor accommodations, which are desired by business owners and managers in June Lake.
- The project will comply with all requirements of MCGP LUE Chapter 25 and MCC Chapter 5.65.
- The project will comply with all June Lake Fire Department requirements.
- The use permit process has provided the public the opportunity to comment on the proposal in order to voice any concerns

**This finding can be made.**

**OR**



*Alternative*  
Use Permit  
Finding #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 project impacts adjacent property owners because of potential road conditions and potential emergency access issues which may cause public safety issues.
- Due to the lack of housing availability for local residents and employees, a reduction in residential housing stock for long-term rental is detrimental to the public welfare. Visitor accommodations should be provided intentionally through facilities built for that purpose, such as hotels and motels.

**This finding cannot be made.**

## Use Permit Finding #4

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

- The Single-Family Residential land use designation allows the use of a property as a short-term rental consistent with Chapter 25 and June Lake Area Plan policies.
- The project is subject to the short-term rental policies that are specific to Nevada Street and Silver Meadow Lane, which allow for year-round, not owner-occupied short-term rentals.
- The June Lake Area Plan encourages providing a wide range of commercial uses and services for residents and tourists. The project encourages a well-rounded economy by providing visitor accommodations and patronage to June Lake businesses.

**This finding can be made.**

**OR**



*Alternative*  
Use Permit  
Finding #4

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

- There are already four overnight rentals within 400 feet of the project site, the density of which exceeds the limited form of short-term rentals in a residential neighborhood noted in Community Land Use Policy 1.M.4 of the MCGP LUE.
- The project poses potential issues with protecting existing and future property owners and could promote the possibility of land use conflicts, which is contrary to Objective 13.F of the June Lake Planning Area Land Use Policies.

**This finding cannot be made.**

# Land Development Technical Advisory Committee (LDTAC)

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- Application was officially accepted on September 4, 2024.
- Conditions of Approval were approved on November 18, 2024, with one comment received.
- The comment related to Condition of Approval #5 and whether the intent was to prohibit use of the guesthouse completely or to prohibit sleeping in the guesthouse while allowing other uses.
- Condition of Approval #5 has been revised to make clear that use of the guesthouse is prohibited during short-term rentals.



# Public Comments Received

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- One comment letter was received from a neighboring property owner, which noted the following concerns:
  - Density of STRs in neighborhood and preference for limitations existing in upper Clark Tract
  - Access road deficiencies and neighboring property owners potentially subsidizing use of the STR through road maintenance and plowing expenses
  - Parking
  - Local Housing Crisis
  - Property Value Inequity – STR owners obtain financial benefits and higher property values from STRs while neighbors are forced to deal with the negative externalities without receiving any of the benefits
  - Visitor Issues – nuisances resulting from STR owners and guests

# Conditions of Approval

1. Occupancy shall not exceed six renters and two vehicles during short-term rentals.
2. Two parking spaces within the driveway shall be available to short-term rental guests.
3. Vehicle parking shall occur only on the property and as designated in the existing driveway. Off-site and on-street parking are prohibited. Vehicle(s) shall not obstruct the flow of traffic on Nevada Street.
4. The June Lake Fire Department shall be notified prior to beginning operation as a short-term rental and the project is required to comply with any requirements of the June Lake Fire Department.
5. All short-term rental customers must sleep within the primary dwelling; customers are not allowed to reside in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property. ~~Neither the owner nor any guests may sleep in the storage shed that has been converted into a guesthouse.~~ The guesthouse shall not be used during short-term rentals.

# Conditions of Approval

6. The project shall comply with provisions of the Mono County General Plan (including Chapter 25, Short-Term Rentals), Mono County Code (including but not limited to 10.16.060(A)), and project description and conditions. The project shall also comply with all provisions of Mono County Code Chapter 5.65, Short-Term Rental Activity in Residential Land Use Designations, and Chapter 25 of the Mono County General Plan Land Use Element. The applicant must also obtain an STR Activity Permit, transient occupancy tax certificate, and business license, as well as pay housing mitigation ordinance fees prior to commencing operation as a short-term rental.
7. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Mono County Building Division, Public Works, and Environmental Health requirements, and any California state health orders.



# Conditions of Approval

8. Prior to issuance of a Short-Term Rental Activity Permit per Mono County Code Chapter 5.65, all exterior lighting shall be fully shielded and directed downward to comply with MCGP LUE Chapter 23, Dark Sky Regulations.
9. Prior to issuance of a Short-Term Rental Activity Permit, the applicant shall either (a) obtain express permission for snow storage from the owner of 93 Nevada Street, or (b) instruct the plow driver that is under contract to plow Nevada Street and the applicant's driveway to store the snow from the applicant's driveway in the applicant's front yard.
10. Appeal
11. Termination
12. Extension
13. Revocation

# Staff Recommendation

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- 1) Hold the public hearing, receive public testimony, deliberate the project, and make any desired changes;
- 2) Find that the project qualifies as a Categorical Exemption under CEQA Guidelines §15301 and instruct staff to file a Notice of Exemption; and
- 3) Make the required findings as contained in the project staff report and approve Use Permit 24-005 subject to Conditions of Approval.

**OR**

**Alternative Recommendation:** As contained in the staff report, determine that the required findings cannot be made and disapprove the project. Disapproval of a project is a Statutory Exemption under CEQA Guidelines §15270.

Next Steps  
(if Use  
Permit is  
approved)

- Short-Term Rental Activity Permit (discretionary)
  - Dark Sky compliance required
  - Approval of snow storage agreement
- Payment of Housing Mitigation Ordinance fees (\$4.76/sf)
- Business License (ministerial)
- Transient Occupancy Tax certificate (ministerial)



Use Permit 24-005

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Questions?