

MONO COUNTY PLANNING COMMISSION

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SPECIAL MEETING AGENDA

December 19, 2024 – 9:00 a.m.

Mono Lake Room
1290 Tavern Rd
Mammoth Lakes, CA 93546

This meeting will be held in person at the location listed above. Additionally, a teleconference location will be available where the public and members of the Commission may participate by electronic means. Members of the public may participate in person and via the Zoom Webinar, including listening to the meeting and providing comment, by following the instructions below.

TELECONFERENCE INFORMATION

1. Bridgeport Teleconference Location - Bridgeport CAO Conferences Room, First floor Annex 1, 74 N. School Street, Bridgeport CA.

2. Joining via Zoom

You may participate in the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer

Visit: <https://monocounty.zoom.us/j/81696671357>

Or visit <https://www.zoom.us/> and click on “Join A Meeting.” Use Zoom Meeting ID: 816 9667 1357
To provide public comment (at appropriate times) during the meeting, press the “Raise Hand” hand button on your screen and wait to be acknowledged by the Chair or staff. Please keep all comments to 3 minutes.

To join the meeting by telephone

Dial (669) 900-6833, then enter *Webinar ID*: 816 9667 1357

To provide public comment (at appropriate times) during the meeting, press *9 to raise your hand and wait to be acknowledged by the Chair or staff. Please keep all comments to 3 minutes.

**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

A. Review and adopt minutes of November 21, 2024 (pg. 1)

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jore Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

4. PUBLIC HEARING

- A. **No earlier than 9:05 a.m. Consider approval of Use Permit 24-009/Poe Vacation Home Rental.** The proposal is to create a vacation home rental of a newly constructed single-family residential unit located at 19 Willow Avenue, June Lake (APN 016-193-033-000). The property is designated Commercial Lodging (CL-M) and is 1.12 acres. If permitted, the vacation home rental will have a maximum overnight occupancy of six persons and two vehicles. The project qualifies for an exemption under CEQA §15301, Existing Facilities. *Staff: Erin Bauer. (pg. 3)*

5. WORKSHOP

No items

6. REPORTS

- A. **Director** (pg. 23)
B. **Commissioners**

7. ADJOURN to Scheduled Special Meeting on January 16, 2025, at 9:00 am.

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.

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 (1290 Tavern Rd, Mammoth Lakes, CA 93546). Agenda packets are also posted online at [www.monocounty.ca.gov / departments / community development / commissions & committees / planning commission](http://www.monocounty.ca.gov/departments/community-development/commissions-&-committees/planning-commission). For inclusion on the e-mail distribution list, send request to hwillson@mono.ca.gov

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

November 21, 2024 – 9:00 a.m.
Mono County Civic Center
Mammoth Lakes, CA

COMMISSIONERS: Patricia Robertson, Roberta Lagomarsini, Chris Lizza, Scott Bush, Jora Fogg

STAFF: Heidi Willson, planning commission clerk; Brent Calloway; assistant director; Aaron Washco, planning analyst; Emily Fox, County Counsel; Wendy Sugimura, Director; Olya Egorov

PUBLIC: Collin, Laura Mann, S Davis, Brad Wilson, Lauryn Pinsak

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

- Meeting called to order at 9:01 am and the Commission led the Pledge of Allegiance.

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

- No public comment.

3. MEETING MINUTES

A. Review and adopt minutes of October 17, 2024.

Motion: Approve the minutes from the meeting on October 17, 2024, as presented.

Lizza motion; Lagomarsini second.

Roll-call vote – Ayes: Bush, Fogg, Lizza, Robertson, Lagomarsini.

Motion Passes 5-0.

4. PUBLIC HEARINGS

A. 9:00 a.m. Continuation of UP 24-003 HERTZBERG. The applicant has requested a continuation of this public hearing to 9:05 am on December 19, 2024. The Use Permit would allow for installation of an overhead power line across Highway 6 to a parcel in Benton (APN 024-290-001). *Staff: Olya Egorov*

- UP 24-003 is continued to December 19, 2024, at 9:00 a.m.

B. No earlier than 9:05 a.m. Consider approval of Use Permit 24-005 (Mann Short-Term

Rental). Applicant is seeking a use permit to allow for short-term rentals at 122 Nevada Street in June Lake (APN: 016-099-005). The parcel is 0.18 acres and has a land use designation of Single-Family Residential (SFR). The project qualifies for a statutory exemption under CEQA §15301 (Existing Facilities). *Staff: Aaron M. Washco*

- Washco gave a presentation and answered questions from the Commission.

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DISTRICT #5
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Chris I. Lizza

- Public Hearing opened at 9:41 a.m.
- Applicant gave a comment and answered questions from the Commission. No verbal public comments received during the hearing. One written comment was received and distributed to the public and Commission prior to the hearing.
- Public Hearing closed at 4:46 a.m.
- Commissioners deliberated the project, which included questions to, answers from, and exchanges with staff and the applicant.

Motion: Find that the project qualifies as a Statutory Exemption under CEQA Guidelines §15270 and determine that the required findings 1-4 contained in the staff report cannot be made and disapprove Use Permit 24-005 Mann.

Lizza motion; Robertson second.

Roll-call vote – Ayes: Bush, Lizza, Robertson, Lagomarsini. Nay: Fogg.

Motion Passes 4-1.

5. WORKSHOPS

- A. Regional Transportation Plan update. *Staff: Olya Egorov*
- Olya gave a presentation and answered questions from the Commission.

6. REPORTS

- A. Director
- Sugimura went over the provided Director's report and answered questions from the Commission.
- B. Commissioners
- No Commission reports.

7. INFORMATIONAL/ CORRESPONDENCE

- A. California Endangered Species Act – Western Burrowing Owl (CDFW)

8. ADJOURN at 10:16 am to the Scheduled Special Meeting on December 19, 2024, at 9:00 am.

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December 19, 2024

To: Mono County Planning Commission

From: Erin Bauer, Planning Analyst

Re: Use Permit 24-009/VHR Poe

Options

Option #1:

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 24-009, subject to attached Conditions of Approval.

Option #2

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

Project Background

The applicant proposes to use a newly constructed residence at 19 Willow Avenue (APN: 106-193-033-000) in June Lake as a transient rental (rental for fewer than 30 consecutive days).

Transient rentals of single-family residential units in non-residential land use designations are typically subject to a Director Review permit. However, on April 16, 2024, the Mono County Board of Supervisors adopted Resolution R24-038 which states, in part, that “[s]hort-term rental projects are controversial, and therefore any such proposed project application that may be subject to a Director Review Permit shall be elevated to a Use Permit pursuant to General Plan Land Use Element (GP LUE) §31.010.”

This transient rental application has therefore been elevated to an application for a Use Permit.

Project Setting

The 1.12-acre parcel is designated for Commercial Lodging—Moderate (CL-M) which is intended for short-term commercial lodging units in close proximity to commercial or recreational centers, such as the nearby June Mountain Ski Resort, and caps building density at 15 dwelling units per acre.

As shown in Figure 1, the parcel borders both Aspen Road and Willow Avenue. Surrounding designations, pictured in Figure 2, are a mix of Commercial Lodging, Single-Family Residential, Multi-Family Residential, and Commercial.

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Figure 1: Overhead View of Parcel and Vicinity

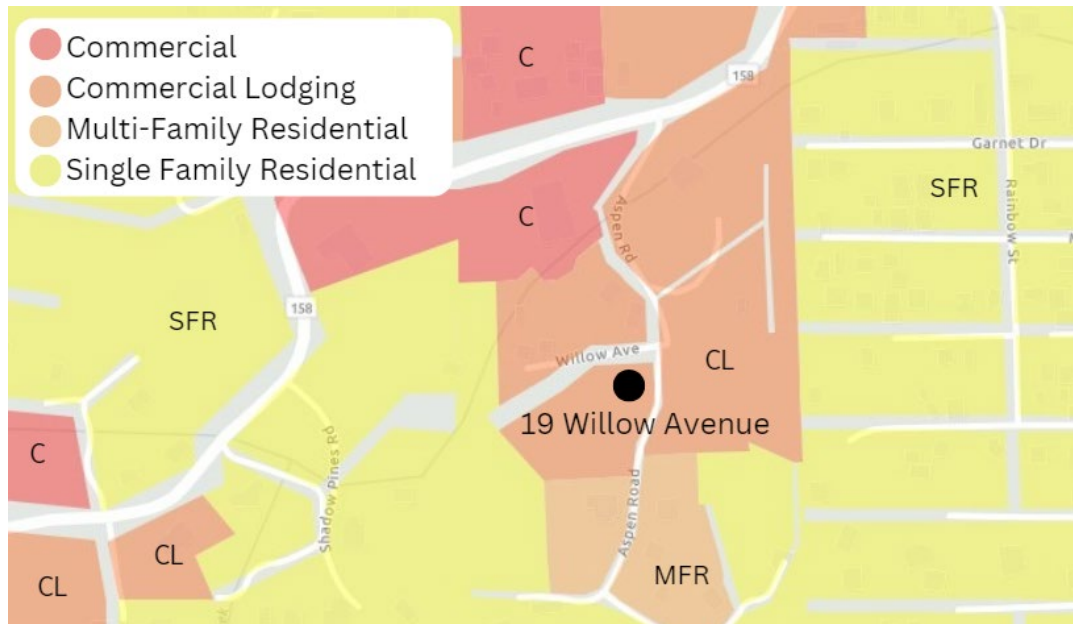


Figure 2: Surrounding Land Use Designations

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Project Description

The two-story, 1,698-sf residence includes two bedrooms, two full bathrooms, a powder room, and a kitchen along with living space, deck, and storage. One of the living rooms will double as a bunk room, with additional single beds. A 740-sf driveway provides access to two uncovered 10'x20' parking stalls from Willow Avenue.

Figure 3 shows the residence from three angles, and Figure 4 shows a site plan for the residence.



Figure 3: Exterior of residence

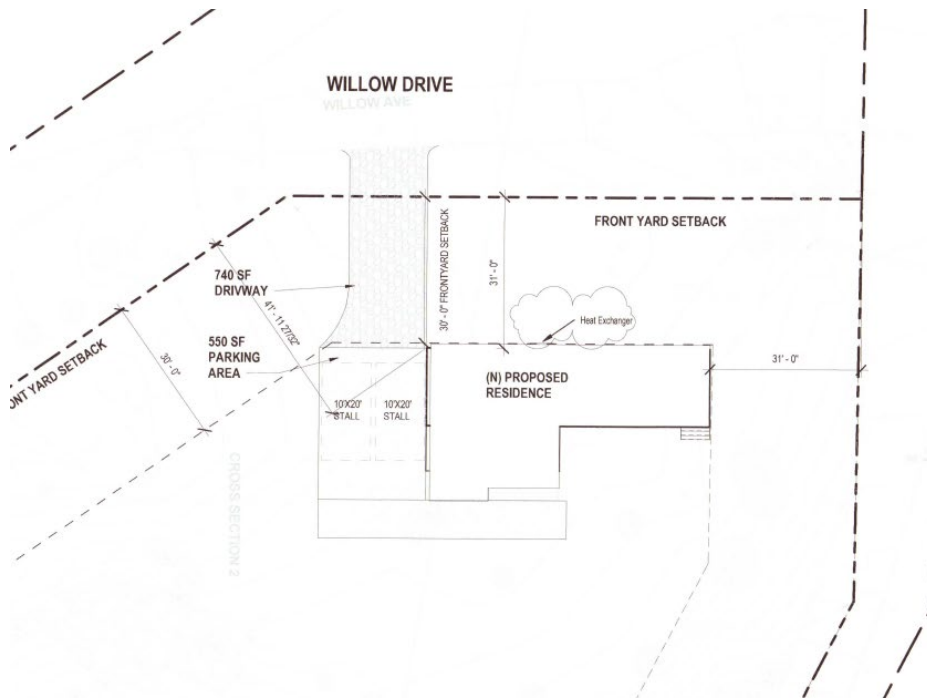


Figure 4: Site plan for residence

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With two bedrooms, the rental is allowed a maximum of six overnight guests. The project is subject to all standards set forth by Chapter 26, Transient Rentals, and will also require a Vacation Home Rental Permit, business license, transient occupancy tax (TOT) certificate, and Housing Mitigation Ordinance (HMO) fee payment of \$4.76 per square foot, as of November 2024, if approved by the Planning Commission.

An LLC registered in Montana, "00 Aspen Road," has owned the property since 2022. Mono County General Plan Land Use Element (MCGP LUE) §26.030.A. requires that an "applicant for a vacation home rental permit shall be either the owner of title to the subject property or his or her expressly authorized representative. The authorization shall be in writing and notarized." The applicants have presented proof that they are authorized representatives of 00 Aspen Road.

The applicant intends to build a lodge complex with several additional rental units on the property. A review of County regulations at time of purchase led them to assume that, since a single residential unit could be permitted for short-term rentals and the CL designation is intended for higher density, new construction of multiple residential units intended for short-term rentals would be acceptable. The cost of construction required building in stages and the applicant began construction with one single-family residence. Building permit B22-168 was approved for the unit in 2022 and construction finished in the fall of 2024. No application for the intended lodge complex has been received at this time.

Mono County General Plan Consistency

Development Standards

Land Use Designation

The parcel is designated for Commercial Lodging—Moderate (CL-M) which is intended for short-term commercial lodging units in close proximity to commercial or recreational centers, such as the nearby June Mountain Ski Resort.

Until Resolution R24-038 was passed in April of 2024, transient rentals were permitted on CL parcels under the following conditions: Transient rentals in developments where units are under individual ownership, such as condos, were permitted outright, while transient rentals in single-family residential units, such as the applicant's, but also including accessory dwelling units and multi-family units under single ownership of up to three dwelling units, were permitted subject to Director's Review.

Projects containing four or more units such as condominiums, as well as hotels, motels, lodges, bed-and-breakfast establishments, and cabins are permitted subject to Use Permit.

Parking & Access

MCGP LUE §26.030.B.4. requires transient rentals to comply with parking requirements set forth in the General Plan.

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§26.030.B.4. *The property must be certified by the Community Development Department as complying with parking requirements and any applicable land use regulations set forth in the Mono County General Plan;*

Table 06.010 sets parking requirements based on use. The structure is a single-family residence, which requires two parking spaces. However, a transient rental is also similar to a bed-and-breakfast or commercial lodging establishment. A bed-and-breakfast located on parcels designated CL must abide by commercial lodging requirements, which require one space per sleeping room plus one space for each two employees on the largest shift. Because the residence at 19 Willow Street has two bedrooms and no employees, the required number of parking spaces in all the most similar use cases is the same: two.

The two uncovered parking stalls are 10'x20', meeting County minimums. In a commercial lodging structure, one of those parking stalls would have to be ADA-compliant, and at least 14'x20'. However, the building was built to residential codes which do not require accessible parking and the transient rental use is similar to a residential use (see CEQA section below).

The parcel is access by Aspen Road, which is a County-maintained street and plowed by the County in winter. Surrounding roads in this subdivision, including Willow Avenue, have not been accepted into the County road system and are the responsibility of homeowners to maintain.

Lot Coverage

The new residence, including the house, deck, parking area, and driveway, created a total of 2,640-sf of impervious area on the 1.12-acre property, totaling 5.4% of impervious area, well below the maximum of 60%.

Setbacks

The residence is set 31' back from both Willow Drive and Aspen Road, ensuring that it meets not only commercial lodging requirements (a 10' front setback, a 5' rear setback, and no side setbacks) but also the 30' setbacks required by Calfire's State Minimum Fire Safe Regulations.

Dark Sky Regulations

Building permit B22-168 required compliance with Dark Sky Regulations as a condition of approval, and compliance is also a condition of approval for this Use Permit. Additionally, all existing exterior light fixtures were reviewed and found in compliance with Chapter 23 of the MCGP LUE on Dark Sky Regulations.

Countywide Land Use Policies

Several of the countywide land use policies in the General Plan's Land Use Element emphasize the importance of finding a balance between the competing interests of residents and visitors:

Goal 1. *Maintain and enhance the environmental and economic integrity of Mono County while providing for the land use needs of residents and visitors.*

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Objective 1.C. *Provide a balanced and functional mix of land uses.*

Objective 1.D. *Provide for the housing needs of all resident income groups, and of part-time residents and visitors.*

Individual policies and actions call for a variety of lodging facilities, including commercial lodging:

Policy 1.D.1. *Designate adequate sites for a variety of residential development in each community area.*

Policy 1.D.3. *Designate a sufficient amount of land for a variety of lodging facilities*

Action 1.D.3.a. *Designate suitable areas in communities as “Commercial Lodging.”*

Several of the countywide land use policies address short-term rentals, focusing especially on limiting short-term rentals in residential land use designations. The parcel under consideration is designated for commercial lodging of moderate density, although it is bordered by residential properties.

However, Aspen is a dead-end road, with only one point of vehicular ingress/egress. Policy 1.M.3. allows for overnight rental applications in residential designations to be denied in neighborhoods where safety or infrastructure characteristics are incompatible with visitor use, and Action 1.M.3.a. identifies a single access point to/from a neighborhood as an emergency access issue. This policy is not strictly applicable to the project as the site is not a residential designation; however, the issue of one point of access remains inconsistent with current state standards.

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.

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June Lake Area Plan

The policies contained in the June Lake Area Plan acknowledge the complexity of transient rental permits in a community with limited housing and a strong reliance on tourism. The most pertinent objective simply urges decision-makers to use their best judgment:

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

Objectives 13.B. and 13.H. also emphasize balance:

Objective 13.B. *Promote well-planned and functional community development that retains June Lake's mountain-community character and tourist-oriented economy.*

Objective 13.H. *Balance the development of recreational facilities with the adequate provision of public amenities, employee and visitor housing, infrastructure, and circulation facilities.*

The subject parcel is located in the Down Canyon area, a short distance past the June Mountain Ski Area, an area addressed in Objective 13.K.:

Objective 13.K. *Retain the Down Canyon's single-family residential character while providing for additional commercial development along SR 158 and pockets of higher-density residential uses.*

Policy 13.K.1. *Retain the area's single-family residential character while allowing for pockets of higher-density residential developments in areas that have good automobile access and commercial developments, bordering SR 158.*

The parcel under consideration is near SR 158 but does not border it. Policy 13.C.1., Action 13.C.1.a., and Policy 13.F. promote cohesive neighborhood character, shaped by land use maps and thoughtful planning:

Policy 13.C.1. *Encourage compatible development in existing and adjacent to neighborhood areas.*

Action 13.C.1.a. *Use the area-specific land use maps, specific plans, the Plan Check and Design Review processes to guide development.*

Policy 13.F. *Protect existing and future property owners and minimize the possibility of future land ownership/use conflicts through the building and planning permit processes.*

Overnight rentals on a CL property within a residential subdivision with substandard lots potentially create a land use conflict because such a neighborhood is very intimate, and activities that may be minor in an area with higher visitor use can be more disruptive.

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Approximately two-thirds of the parcels bordering Aspen Road are designated for commercial lodging, while the final third, farthest from the highway, is designated for multi-family residential use. 19 Willow Avenue is located right at the transition from CL to MFR. On the opposite side of Willow Avenue are three parcels designated CL-M, two developed with multi-unit residential structures. At one of these parcels, 40 Willow Avenue, two of the eight units have existing overnight rental permits. The adjacent parcel on Aspen Road is a single-family home designated for Multi-Family Residential—Low. Across Aspen Road are five undeveloped parcels, four designated CL-M and one designated MFR-L.

Finally, Goal 14 emphasizes the importance of providing both residents and visitors with a wide array of options:

Goal 14. *Provide residents and visitors with quality housing, a wide array of housing alternatives designed to promote unique experiences, and year-round housing stock; and promote adequate affordable housing.*

Land Development Technical Advisory Committee (LDTAC)

The application was accepted at LDTAC on October 21, 2024.

Conditions of approval were reviewed and approved at LDTAC on December 2, 2024. No public comments were received.

Noticing

The project was noticed in *The Sheet* on 11/16/2024.

Notices were mailed on 11/13/24 to owners of property within 300' of the site.

Note that this project is subject to a 10-day public hearing notice, not the 30-day noticing required for projects on residential LUDs.

Comments Received

Two comments were received by email and are attached individually. Both comments oppose the project, and objections are summarized below.

- There are enough short-term rentals in the area.
- Objection to the determination that the project qualifies for an exemption under CEQA §15301 for Existing Facilities.
 - *Staff response: As described in the “CEQA Compliance” section below, the rental unit will be used in a manner similar to occupancy by full-time residents and therefore does*

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not generate any new CEQA impacts. Potential impacts such as aesthetics, noise, parking, utilities, etc. are addressed by MCGP LUE Chapter 26. Further, the conversion of a single-family residence to office use is covered under the §15301 exemption, as is the use of a single-family residence as a small family day care home. Any additional vehicle traffic by visitors that may be generated by the conversion of full-time residential use to a transient use would not exceed these types of uses.

- Significant impacts to egress in the event of a fire.
 - *Staff response: The June Lake Fire Department received notice of this Use Permit application and has not commented. However, a subdivision with this layout would not be approved today in compliance with the State Minimum Fire Safe codes.*
- Impacts to density, traffic, and neighborhood character.
 - *Staff response: Section 26.040 of the General Plan Land Use Element introduces standards and requirements for transient rentals that mitigate these impacts. 26.040.C. imposes a maximum occupancy based on the number of bedrooms in the dwelling and caps the total number of occupants for any transient rental at ten. Section 26.040.D. establishes parking requirements, and a condition of approval limits the number of vehicles parked at the property to two, matching the number of available spaces. Additional requirements in 26.040 address health and safety standards, sign and notification requirements, trash and solid waste removal, and snow removal, measures that protect neighborhood character.*
- Missing an opportunity to have a needed long-term rental.
 - *Staff response: The applicant constructed this dwelling for the purpose of short-term rentals and has expressed no interest in making it available for long-term rental, and the parcel's designation is intended for visitor lodging.*
- Incentive to develop the remaining property into multiple short-term rentals.
 - *Staff response: The applicant has expressed an intention to further develop 19 Willow Avenue into a lodge complex. A lodge complex would require a Use Permit Modification, and the impacts would be reviewed and evaluated at the time of application.*

CEQA Compliance

The project qualifies for a categorical exemption from the requirement for the preparation of environmental documents under CEQA Guideline §15301, Existing Facilities. This exemption encompasses 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:

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- 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 rental unit will be used in a manner not substantially different from occupancy by full-time residents. In addition, transient rentals must comply with Chapter 26 of the MCGP LUE, which addresses aesthetics, noise, parking, utilities, and other concerns.

Therefore, a transient rental can be considered a minor alteration involving negligible or no expansion of use, similar to the conversion of a single-family residence to office use.

Use Permit Findings

Use permits may be granted by the Planning Commission only when all of the following findings can be made in the affirmative:

A. All applicable provisions of the Land Use Designations and Land Development Regulations 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.

The Commercial Lodging-Moderate land use designation is intended for visitor support services and short-term lodging, and the site meets all residential design requirements. This finding can be made.

B. The site for the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use.

A newly constructed and occupied residence generates traffic, and the new unit, even if used as a transient rental, will not generate more traffic than a new residential unit when occupied full-time. This finding can be made.

C. 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.

- a. The proposed use is not expected to cause significant environmental impacts.
- b. The property is designated for moderate-density commercial lodging, and the proposed use is consistent with its designation.
- c. 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, parking conflicts, and disturbance to the peace and quiet.

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- d. The use permit process provides decision makers and the public the opportunity to balance competing priorities.

This finding can be made.

OR

Due to the lack of housing availability for local residents and employees, the use of residential housing stock for long-term rental is detrimental to the public welfare and results in, for example, persons resorting to living in non-compliant facilities such as recreational vehicles and trailers. Until housing availability increases, allowing the rental of residential property to visitors rather than use as a traditional residence by the owner or rental to persons in need of housing to live in the area is detrimental to the public welfare. Visitor accommodations should be provided intentionally through facilities built for that purpose, such as hotels and motels.

Because of proximity to residential areas, the project has the potential to be incompatible with adjacent neighborhoods and create land use conflicts, and is therefore inconsistent with policies 13.C.1. and 13.F.

This subdivision design would not be approved today under the state minimum fire safe standards. While nothing in state law requires the access be upgraded to comply, the lack of a secondary emergency egress route is a potential safety issue for the neighborhood.

This finding cannot be made.

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

- a. The CL-M land use designation provides for transient rentals, subject to Director Review or Use Permit.
- b. June Lake Area Plan policies encourage a diverse set of commercial uses, including lodging.

This finding can be made.

This staff report has been reviewed by the Community Development Director.

Attachments

1. Public Hearing Notice.
2. November 16 notice to *The Sheet*.
3. Public Comments

CONDITIONS OF APPROVAL

Use Permit 24-009/Poe VHR

1. Prior to conducting business, the property owner(s) shall receive a Vacation Home Rental Permit and comply with Mono County General Plan Chapter 26 “Transient Rental Standards & Enforcement in Nonresidential and MFR-H Land Use Designations and TRODS,” a Mono County Transient Occupancy Tax Certificate, and a Mono County business license.
2. Future development shall meet all requirements of Mono County including, but not limited to, the General Plan, Mono County Code, and project conditions and site plan.
3. Off-site parking is prohibited.
4. All transient 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.
5. All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations.
6. Project is required to comply with any requirements of the June Lake Fire Protection District.
7. Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
8. Transient rentals shall be limited to six guests at a time.
9. No more than two vehicles shall be on site during a transient rental.
10. Appeal. Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development director within ten calendar days following the Commission action. The Director will determine if the notice is timely and if so, will transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.
11. Termination. A use permit shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - a. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the use permit.
 - b. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.
 - c. No extension is granted as provided in Section 32.070.
12. Extension: If there is a failure to exercise the rights of the use permit within two years (or as specified in the conditions) of the date of approval, the applicant may apply for an extension for an additional one year. Only one extension may be granted. Any request for extension shall be

filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary and schedule it for public hearing. Conditions of approval for the use permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension. Exception to this provision is permitted for those use permits approved concurrently with a tentative parcel or tract map; in those cases the approval period(s) shall be the same as for the tentative map.

13. Revocation: The Planning Commission may revoke the rights granted by a use permit, and the property affected thereby shall be subject to all of the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the use permit or the violation by the owner or tenant of any provision pertaining to the premises for which such use permit was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permitted at least ten days in advance of such hearing. The decision of the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **December 19, 2024** in the Board Chambers on the 2nd floor of the County Courthouse at 278 Main Street in Bridgeport, 93517. The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/81696671357>, or via teleconference at the Dana Room on the 2nd floor of the Mono County Civic Center, 1290 Tavern Road in Mammoth Lakes, 93546, where members of the public shall have the right to observe and offer public comment and to consider the following: **No earlier than 9:05 a.m. Use Permit 24-009/Poe Vacation Home Rental.** The proposal is to create a vacation home rental of a newly-constructed single-family residential unit located at 19 Willow Avenue, June Lake (APN 016-193-033-000). The property is designated Commercial Lodging (CL-M) and is 1.12 acres. If permitted, the vacation home rental will have a maximum overnight occupancy of six persons and two vehicles. The project qualifies for an exemption under CEQA §15301, Existing Facilities. Project materials are available for public review online at <https://monocounty.ca.gov/planning-commission> and hard copies are available for the cost of reproduction by calling 760-924-1800.

INTERESTED PERSONS are strongly encouraged to attend the meeting in-person; or to submit comments by mail or at the office to the Secretary of the Planning Commission, PO Box 347, 1290 Tavern Road STE 138, Mammoth Lakes, CA 93546 or by email at cddcomments@mono.ca.gov, by 5 p.m. on Wednesday, December

18, 2024. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Secretary to the Planning Commission at, or prior to, the public hearing.

Project Contact Information:

Erin Bauer
PO Box 347 • Mammoth Lakes, CA 93546
(760) 924-4602 • ebauer@mono.ca.gov



Mono County

Planning Commission

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

Date: November 6, 2024
To: The Sheet
From: Heidi Willson
Re: Legal Notice for the November 16, 2024 issue.
Invoice: Deanna Tuetken, PO Box 347, Mammoth Lakes, CA 93546

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NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on December 19, 2024 in the Board Chambers on the 2nd floor of the County Courthouse at 278 Main Street in Bridgeport, 93517. The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/81696671357>, or via teleconference at the Dana Room on the 2nd floor of the Mono County Civic Center, 1290 Tavern Road in Mammoth Lakes, 93546, where members of the public shall have the right to observe and offer public comment and to consider the following: **No earlier than 9:05 a.m. Use Permit 24-009/Poe Vacation Home Rental.** The proposal is to create a vacation home rental of a newly constructed single-family residential unit located at 19 Willow Avenue, June Lake (APN 016-193-033-000). The property is designated Commercial Lodging (CL-M) and is 1.12 acres. If permitted, the vacation home rental will have a maximum overnight occupancy of six persons and two vehicles. The project qualifies for an exemption under CEQA §15301, Existing Facilities. Project materials are available for public review online at <https://monocounty.ca.gov/planning-commission> and hard copies are available for the cost of reproduction by calling 760-924-1800. INTERESTED PERSONS are strongly encouraged to attend online or in person to comment, or to submit comments by mail or at the office to the Secretary of the Planning Commission, PO Box 347, 1290 Tavern Road STE 138, Mammoth Lakes, CA, 93546, by 5 p.m. on Wednesday, December 18, 2024, to ensure timely receipt, or by email at cddcomments@mono.ca.gov. 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 at or prior to the public hearing.

Erin Bauer

From: Thomas Regan <thomasregan619@gmail.com>
Sent: Tuesday, December 10, 2024 3:21 PM
To: Erin Bauer
Cc: Kim Regan
Subject: 19 Willow Avenue, Use Permit 24-009/POE Vacation Home Rental, Dec. 19 Hearing

You don't often get email from thomasregan619@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL]

Hi Ms. Bauer

Thanks so much for speaking with me this afternoon regarding the proposed exception to the Mono County Resolution R24-038- emergency moratorium on the permitting o new short-term and transient rentals in single family units in all land use designations.

My wife and I, Tom and Kim Regan own two parcels and one home located at 169 Aspen Road, June Lake Ca. We object to the proposal to create a short term rental of the residence located at 19 Willow Avenue June Lake Ca (APN 016-193-033-000) for the following reasons:

1. Objection to determination in notice that project qualifies for an exception under CEQA section 15301, existing facilities.
2. Birchtree Condominiums, to the extent they are allowed to have nightly rentals, and the Reverse Creek Cabins provide adequate short term rentals to the Williams Tract,
3. Significant impact to noise levels,
4. Significant impact to egress in the event of a fire,
5. Significant impact to traffic,
6. Lack of need in Williams Tract,
7. Significant impact to density,
8. Significant impact to character of the Williams Tract- turning more of the tract into nightly rentals,
9. By allowing the proposal we miss the opportunity to have an additional long term rental for the area that is much needed.
10. The proposal should be denied because it would provide incentive to further develop the remaining property into multiple short term rentals.

As I indicated, I could not review the project materials at the site designated under the notice of hearing. You indicated these will be made available before the hearing. We would object to the public hearing of December 19 going forward until such time as all interested parties have an opportunity to review the project materials and raise any objections to the proposal that are raised as a result of the review.

We would ask that this email be read into the record and considered by the Mono County Planning Commission in considering the proposed use permit 24-009/Poe Vacation Home Rental (short term/nightly rental).

Best Regards
Tom and Kim Regan

Erin Bauer

From: Gib Lanpher <eglanpher@yahoo.com>
Sent: Wednesday, December 11, 2024 11:50 AM
To: Erin Bauer
Subject: Fw: 19 Willow Avenue, Use Permit 24-009/POE Vacation Home Rental, Dec. 19 Hearing

You don't often get email from eglanpher@yahoo.com. [Learn why this is important](#)

[EXTERNAL EMAIL]

Erin: Tom Regan has shared with me his e-mail to you of Dec. 10,2024. In addition to the notes you took of our recent conversation, my wife, June Kronholz, and I would like you add our full support to Tom's position on the pending Poe request. As I believe I told you, we are the current owners of our long held family property on the Williams Tract -- my parents bought our six lots -- 5,15,16,17,18,and 19 -- in the 1950's and early 1960's. We built our house at 75 Pinecrest ave. on lots 16 and 17 in 1960.

Please let me know if there is anything further we can provide for the Dec. 19 hearing

Regards. Edward Gibson Lanpher

----- Forwarded Message -----

From: Thomas Regan <thomasregan619@gmail.com>
To: "ebauer@mono.ca.gov" <ebauer@mono.ca.gov>
Cc: Kim Regan <tregan3@cox.net>
Sent: Tuesday, December 10, 2024 at 06:20:52 PM EST
Subject: 19 Willow Avenue, Use Permit 24-009/POE Vacation Home Rental, Dec. 19 Hearing

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We would ask that this email be read into the record and considered by the Mono County Planning Commission in considering the proposed use permit 24-009/Poe Vacation Home Rental (short term/nightly rental).

Best Regards
Tom and Kim Regan

Mono County Planning Division*: Current Projects

December 13, 2024

*Does not comprehensively include transportation, LAFCO, building, code compliance, etc. projects

Completed Planning Applications		
Policy work focus		

Active Planning Permit Applications		
Permit Type	Community	Description
UP	June Lake	VHR
GPA/SP	Mono Basin	STRs & campground, awaiting study submittal by applicant
GPA/SP	Sonora Junction	Permit existing nonconforming campground, change LUD from RM to SP
GPA/SP	Mono Basin	Convert D&S Waste UP into a SP to limit permitted uses to those approved in the UP
UP	Benton	OH lines - on hold pending applicant decision
UP	June Lake	New RV Park (Bear Paw) - on hold pending applicant decision
UP	Walker	RV Storage facility
UP	Sunny Slopes	New Long Valley Fire Dept station - on hold pending applicant
UP	June Lake	new VHR
UP	June Lake	new STR
UP	June Lake	4 new units
UP	Walker	contractor business
LLA	Coleville	
LLA	Lee Vining	lot adjustment within Tioga Inn SP
LLA	Antelope Valley	LLA
LLA	Antelope Valley	LLA
LM	June Lake	Highlands II
LM	Walker	merger of ER parcels
LLA	Crowley	LLA
LM	SBP	merge two SBP parcels
LM	Paradise	LM

Active Policy/Planning Projects		
Name	Community	Description
<i>Reasonable Accommodations policy</i>	<i>Countywide</i>	<i>completed; adopted by Board on 12/10/24</i>
<i>Regional Transportation Plan update</i>	<i>Countywide</i>	<i>completed; update to transportation policies</i>
<i>On-Call Request for Proposals</i>	<i>Countywide</i>	<i>Contracts mostly complete</i>
<i>Short-Term Rental Housing Study</i>	<i>Countywide</i>	<i>Revising General Plan policies for RPAC review</i>
<i>Multi-Jurisdictional Hazard Mitigation Plan Update</i>	<i>Countywide</i>	<i>Kick-off meeting and workshops held, RPAC tour underway</i>
<i>RVs as residences</i>	<i>Countywide</i>	<i>Survey closed, compiling results for workshop with Planning Commission and Board to determine policy direction</i>
<i>Tri-Valley Groundwater Model</i>	<i>Tri-Valley</i>	<i>project underway by consultant</i>
<i>Rush Creek Dam Decommissioning</i>	<i>June Lake</i>	<i>Continuing to follow and comment as needed</i>
<i>Environmental Justice Element</i>	<i>Countywide</i>	<i>Required by state law, drafting for public review, notified tribes of opportunity for input</i>
<i>Revising Environmental Handbook</i>	<i>Countywide</i>	<i>Provide updated guidance to applicants on the County's implementation of CEQA</i>
Assist with various County property purchases	Varies	For other departments; County purchases must be approved by the Commission as consistent with the General Plan
Housing Policy	Countywide	Assisting Housing Manager with policy and strategy development, responding to annual reporting questions from HCD

Active Policy/Planning Projects		
<i>Transportation projects of note</i>	Countywide	<i>Update regional transportation plan; collaborating with Caltrans on Lee Vining and Bridgeport street rehabilitation projects, and traffic calming for Walker Main Street.</i>
US 395 Wildlife Crossings	Long Valley	Caltrans lead; helped develop and submit \$10M grant application for design, attended site visits
Sage grouse conservation	countywide	ongoing, attended Bi-State Action Plan update meetings and LADWP adaptive management plan field visit
Biomass Facility	Countywide	Assist with land use planning issues as necessary; Whitebark has been expanding project area to June and Mono Basin
Review State Minimum Fire Safe Standards and update General Plan regulations	Countywide	Will be a separate GPA, received determination that new regulations do not apply to existing roads
Revision to Chapter 11	Countywide; Antelope Valley	on hold pending staffing resources
Cannabis Odor Standards	Countywide	Low priority

Acronyms:

AG	Agriculture
BOS	Board of Supervisors
CDBG	California Development Block Grant
CEQA	California Environmental Quality Act
DR	Director Review
ESCOG	Eastern Sierra Council of Governments
GHG	Greenhouse Gas
GPA	General Plan Amendment
HCD	Housing and Community Development (State Department of)
LLA	Lot Line Adjustment
LTC	Local Transportation Commission
LUD	Land Use Designation
MFR-M	Multi-Family Residential - Medium
MLTPA	Mammoth Lakes Trails and Public Access
MU	Mixed Use
PC	Planning Commission
RR	Rural Residential
SP	Specific Plan
STR	Short-Term Rental
UP	Use Permit
VHR	Vacation Home Rental
VMT	Vehicle Miles Traveled