

# June Lake Short-Term<sup>1</sup> Rental Issue

Updated April 5, 2017

## **BASIS**

1. **Purpose:** Conduct a community<sup>2</sup> conversation to update June Lake Area Plan policies to address short-term rentals in residential areas.
2. **Need:** The initial reasons for providing the Transient Rental Overlay District (TROD) may have been different; however, the current reality is that short-term rentals are a common issue in resort communities and are not going away. Therefore, a decision needs to be made about how to handle them. The current process has limitations and an alternate mechanism is desired by the community, and the community wants to ensure protection of area and neighborhood character.
3. **Principles:**
  - a. **Opportunity for input:** Adequate opportunity to express opinions and provide input must be available to all community members, and community members should feel like their input was heard and considered (with the recognition that not every individual will "get what they want"). *Participants were asked to provide any information about what makes them "feel heard and considered" even if they don't "get what they want."*
  - b. **Consensus/common ground in the best interests of the community:** We will develop consensus and agreement to the best of our ability, and a sense that the decision is made in the best interests of the community as a whole. There is recognition and understanding that 100% agreement is unrealistic, but we will strive for something most people "can live with."
  - c. **Public engagement:** Community involvement, engagement, education, and participation is critical, and we will seek to achieve as much as we can.
  - d. **Finality and certainty:** Finality and certainty is needed – finality in that a decision will be made and we do not need to continue revisiting this conversation regularly, and certainty for homeowners about the status of short-term rentals for their property.

## **INTEGRATION OF SUPERVISOR JOHNSTON'S PROPOSAL**

Supervisor Johnston's proposal essentially contains three components:

1. Map "neighborhoods" in the June Lake area. Staff initially identifies the neighborhoods, then the community provides comment.
2. Identify neighborhoods where short-term rentals are viable and acceptable, and neighborhoods where they aren't. Staff initially determines which neighborhoods are not viable based on technical issues, then the community provides comment.
3. Take these neighborhood proposals to a vote of the community. An 80% approval rating is proposed. Amend the General Plan with a new Land Use Designation that allows for short-term rentals for those neighborhoods with voter approval.

These components are integrated into the work plan that follows. Based on the principles identified by the CAC and community, community-based planning is relied upon to develop consensus about defining neighborhoods and acceptable locations for short-term rentals. The final decision mechanism (vote, etc.) is undetermined at this point. However, since the outcome will be reflected in the June Lake Area Plan, the ultimate decision will be based on recommendations of the JLCAC and Planning Commission, with the final decision by the BOS. As the conversation, direction, and areas of agreement evolve, the most appropriate or preferred decision method will become clearer.

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<sup>1</sup> The term "nightly rental" was used in the initial version reviewed by the CAC subcommittee. To be consistent with staff report recommendations to the Planning Commission, the term was subsequently changed to "short-term rentals" throughout.

<sup>2</sup> The term "community" is all inclusive. Full-time/year-round residents, part-time and/or seasonal residents, second homeowners property owners, renters, and all community members in between are included. Clarify with CAC subcommittee in March.

## **WORK PLAN**

### **1. DETERMINE PROCESS, METHODOLOGY, AND CALENDAR**

- Dec. 6, 2016 CAC subcommittee workshop: *complete!*
- March CAC subcommittee workshop: Review specific calendar dates, initiate work plan, review initial maps – *complete!*
- April CAC subcommittee workshop: Finalize map, calendar dates, review mailer – *complete!*
- May CAC subcommittee workshop: Review workshop format

### **2. DEVELOP NEIGHBORHOOD MAPS**

- Are maps needed? Is there another method that should be considered? *We asked this questions and considered if any other options were available. The consensus is that maps are needed to provide finality and certainty.*
- Who draws the lines? CAC vet first? *The CAC requested assistance from Supervisor Johnston and staff; in a subsequent discussion, Supervisor Johnston agreed to draw the initial map. CAC will then refine. Incorporate technical information at this time as well.*
- Suggestion: boundaries can overlap, subareas can be identified within neighborhoods, and entire areas do not need to be treated the same.
- Initial maps are for outreach purposes, and further refined though public discussion and meetings.

### **3. IMPLEMENT OUTREACH CAMPAIGN**

- Options for advertising & notification
  - Tax base mailing – received tax base addresses, removing duplicates and PO Boxes
  - PO Box mailing
  - Email to County subscription list
  - Personal email distribution (from CAC/community members)
  - Phone calls (from CAC/community members)
  - Radio/newspaper announcements, calendars, publications, PSAs
  - Flyers: distribution by community members, post in community location and County website
  - Spanish translation
  - Word-of-mouth
  - Other?
- Options for engagement and input
  - Community-wide meetings
  - Neighborhood meetings
    - Who is allowed to participate? *Based on outreach strategy, everyone who shows up - could be for their neighborhood or other neighborhoods*
  - Survey (see "Collect Data" section)
  - Phone calls (from CAC/community members)
  - Door to door (from CAC/community members)
  - Anonymous suggestion box
  - Formal Public Hearings by the Planning Commission and Board of Supervisors
  - Other?
- **Outreach Calendar:**
  - Late March: Website for this project posted with workshop schedule
  - Early April: "Save the Date" PO Box mailing (w/Spanish translation), tax base mailing
  - Week of April 24: June Lake CAC email blast (w/Spanish translation)
  - Week of May 1: CAC member emails, word of mouth campaign, flyers/posters (w/Spanish



translation), radio/newspaper

- Week of May 8: Flyers/posters (w/Spanish translation), radio/newspaper
- Week of May 15: June Lake CAC email blast (w/Spanish translation)
- Day before each meeting: June Lake CAC email blast

#### 4. COLLECT DATA

- **Survey:** The housing survey is expected to occur concurrently. A specific question for/against short-term rentals is not included; instead, questions regarding neighborhood values and character, needed housing types, etc., are included. Relevant information from the survey will be reported in Task 5.
- **Technical information:** Physical mapping, such as road grades, surface, pothole locations, snow removal circumstances, flood areas, avalanche locations, land ownership (INF permittee cabins), etc.
  - Technical analysis distributed at the March CAC subcommittee meeting for discussion with the maps.
- **Community and Neighborhood Meetings, and Focus Group Meetings:** This general meeting structure/agenda can be used for most types of meetings. *Focus groups may include 1) lodging owners, 2) business owners needing workforce, other...?*
  1. Purpose and Need
  2. Background/Education
    - a. JL Vision
    - b. TROD history and context
    - c. Current land use maps to identify "single-family" neighborhoods and where short-term rentals are currently permitted
  3. Constraints: policy outcome must be legal and enforceable
  4. Concerns/fears/negatives about short-term rentals in the neighborhood
  5. Opportunities/benefits/positives of short-term rentals
  6. Discuss neighborhood maps:
    - a. Are the maps drawn/defined correctly?
    - b. Technical characteristics for short-term rentals
    - c. Social/neighborhood considerations for short-term rentals
  7. What can people live with? Is there some degree of perceived consensus on where short-term rentals should and shouldn't be allowed in this neighborhood area?

#### NEIGHBORHOOD WORKSHOP CALENDAR

*Location: June Lake Community Center  
90 West Granite Avenue  
June Lake, CA 93529*

##### **May 13 – Sat**

1:00 pm – 2:30 pm      Clark Tract  
3:00 pm – 4:30 pm      Open Session (All Neighborhoods)

**May 20 – Sat**

12:00 pm – 1:00 pm	Open Session (All Neighborhoods)
1:00 pm – 2:30 pm	Peterson Tract
3:00 pm – 4:30 pm	Leonard Avenue Area
5:00 pm – 6:30 pm	Highlands
7:00 pm – 8:30 pm	Clark Tract
8:30 pm – 9:00 pm	Open Session (All Neighborhoods)

**May 22 - Mon**

12:00 pm – 1:00 pm	Open Session (All Neighborhoods)
1:00 pm – 2:30 pm	Clark Tract
3:00 pm – 4:30 pm	Hwy 158 Hillside
5:00 pm – 6:30 pm	Dream Mountain
7:00 pm – 8:30 pm	Focus Group: Lodging and Business
8:30 pm – 9:00 pm	Open Session (All Neighborhoods)

**May 25 – Thurs**

4:00 pm – 5:00 pm	Open Session (All Neighborhoods)
5:00 pm – 6:30 pm	Clark Tract
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**5. ANALYSIS – PHASE I**

- Compile all public input and relevant survey data, retain verbatim documentation when possible
- Provide analysis of data to identify areas of agreement and controversy by community and neighborhood, identify ownership status (full time resident, second homeowner, renter, etc.) when possible
- Provide analysis of potential solutions
- Explore and determine policy tools: GP/AP policies, ordinance, etc.
- Determine direction of policy development, consider initiating a vote, consider other decision making tools

**Phase I Meeting Calendar:**

1. Discussion of Workshop Data & Information: June 7, 6-9 pm
2. Discussion of Data Analysis & Policy Direction: June 14, 1-4 pm

**6. ANALYSIS – PHASE II**

- Write up a draft document for feedback and review by the June Lake CAC/community. Multiple drafts may be needed, and how we proceed from here depends on the discussion at this point in time.
- Meeting date: June 28, 6-9 pm

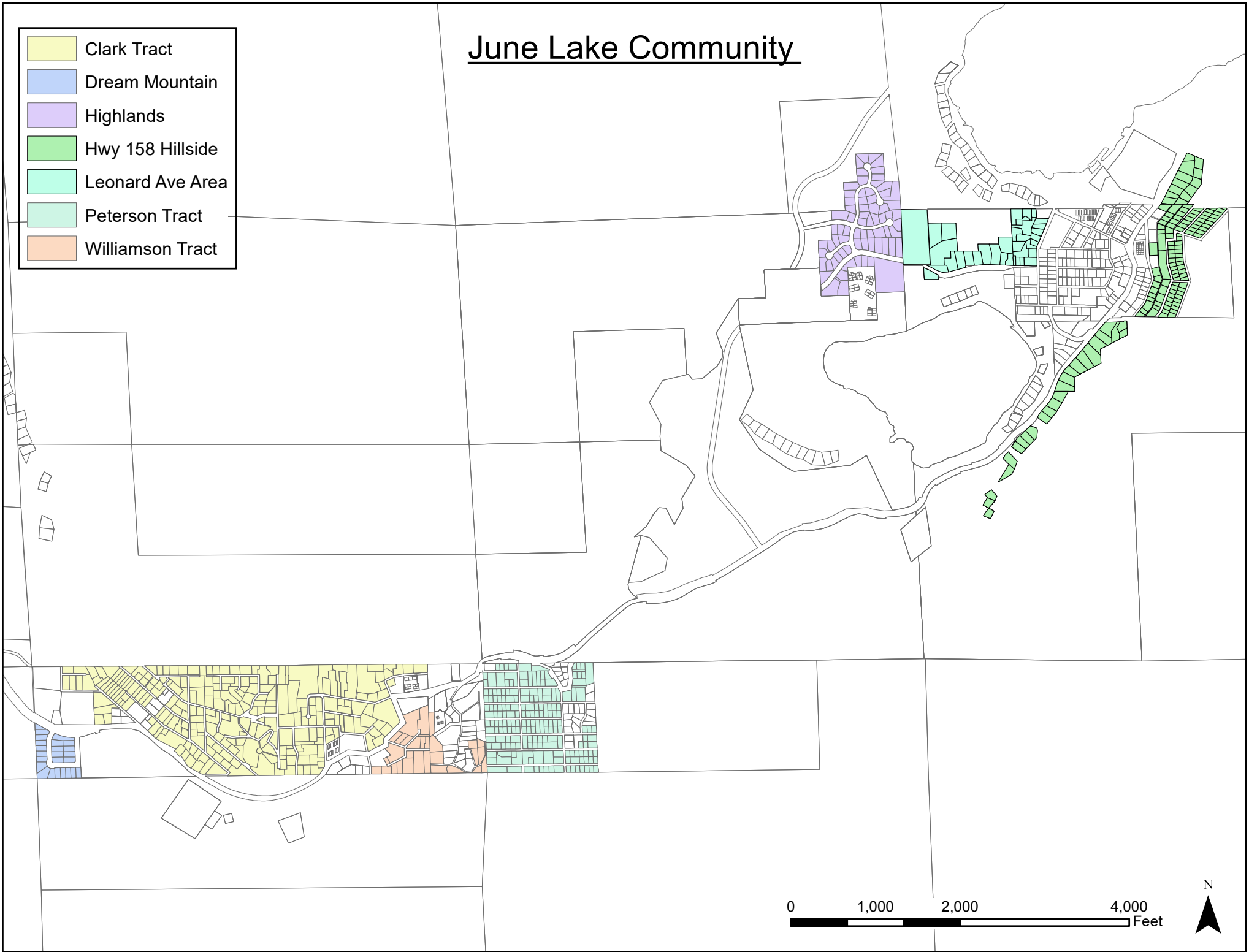
**7. FINAL DECISION**

- The ultimate decision will be based on recommendations of the JLCAC and Planning Commission, with the final decision by the BOS.
- Meeting Dates:
  1. Planning Commission: July 20 (or August 17)
  2. Board of Supervisors: August 8 or 15 (or Sept. 5 or 12)

# June Lake Community

- Clark Tract
- Dream Mountain
- Highlands
- Hwy 158 Hillside
- Leonard Ave Area
- Peterson Tract
- Williamson Tract

0 1,000 2,000 4,000 Feet





## *Your Voice Matters!*

Join us for conversations on **short-term vacation rentals** to build solutions for individual June Lake neighborhoods.

*Diverse points of view are welcome for discussion in a safe space.*

**What:** Neighborhood conversations

**When:** **May 13, 20, 22 & 25** (see website below for times)

**Where:** June Lake Community Center

Visit

<http://www.monocounty.ca.gov/rpac-june-lake/page/june-lake-short-term-rentals>

for the schedule, details, and to sign up for email updates.

### **Alquileres Temporales y Vacacionales**

Acompáñenos en las conversaciones que tendremos en **Mayo 13, 20, 22 y 25**, denos su punto de vista en este tema para encontrar soluciones que le beneficien a June Lake.

Visite nuestra página de Internet:

<http://www.monocounty.ca.gov/rpac-june-lake/page/june-lake-short-term-rentals>  
para más detalles, horario, y registraci3n para recibir notificaciones por correo electr3nico.

**JUNE LAKE AREA PLAN UPDATE – CALENDAR  
SHORT-TERM RENTAL POLICY**

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**COMMUNITY-WIDE MEETINGS**

1. Discussion of Workshop Data & Information  
**June 7, 6-9 pm**
2. Discussion of Data Analysis & Policy Direction  
**June 14, 1-4 pm**
3. Discussion of Potential Draft Policies  
**June 28, 6-9 pm**

The community-wide meetings will be followed by meetings and/or public hearings by the Planning Commission, and then the Board of Supervisors, to make a final decision.

**For details and updates, see the website and register your email address:**

<http://www.monocounty.ca.gov/rpac-june-lake/page/june-lake-short-term-rentals>



## ***¡Tu Voz Es Importante!***

**Acompáñenos en las conversaciones que tendremos en **Mayo 13, 20, 22 y 25**, denos su punto de vista en este tema para encontrar soluciones que le beneficien a June Lake.**

***¡Todas las opinions son bienvenidas!***

**Donde: El edificio del centro comunitario de June Lake**

**Visite nuestra página de Internet:**

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**para más detalles, horario, y registraci3n para recibir  
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**JUNE LAKE AREA PLAN UPDATE – CALENDAR  
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**JUNE LAKE AREA PLAN UPDATE – CALENDAR  
SHORT-TERM RENTAL POLICY  
Revised May 19, 2017**

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# June Lake Short-Term Rentals Workshop



## Ground Rules

- Be respectful and civil
- Represent yourself and your own opinion/intentions
- Participate positively
- Give all ideas an honest chance
- Seek understanding



June Lake:  
Business and Property Owners' Focus Meeting

## Workshop Topics

1. Knowledge base
2. Review June Lake neighborhood maps
3. Neighborhood values
4. Concerns, fears & negatives
5. Opportunities, benefits & positives
6. Potential solutions
7. Next steps



## Background

- **Global Change:**
  - Worldwide issue changing the face of travel
  - Not unique to Mono County.
- **Mono County** had past policies and regulations.
- **June Lake** can craft its own policies and regulations.
- **Process is specific to June Lake**
- **Constraints:**
  - Legal and enforceable
  - Consistent with the Mono County General Plan

## Staff Role

- **We are listeners, facilitators, and analysts:**

- Accurately record what you say
- Provide analysis to show where there is common ground
- Identify irreconcilable differences
- Encourage the exploration of solutions
- Develop policies based on these outcomes

## Why are we here today?

*\*Subcommittee provided guidance to develop this process.*

- **Purpose:** *Conduct a community conversation to update June Lake Area Plan policies to address short-term rentals in residential areas.*

- **Need:**

- Short-term rentals are a common issue in resort areas and is not going away.
- Decisions are needed to handle the issue and ensure protection of area and neighborhood character.

- **Principles:**

- Opportunity for input
- Consensus/common ground in the best interest of the community
- Public engagement
- Finality and certainty

## Process

1. **Community Outreach**
2. **Workshops:** public engagement
3. **Analysis:** common ground, irreconcilable differences, potential solutions
4. **Develop Policy Direction** consistent with input and analysis.
5. **Proposed Policies:** craft June Lake Area Plan policies.
6. **Adoption:** Vetted through the June Lake CAC and Planning Commission, the Board of Supervisors adopts the final policies.

## Current Regulations: Chapter 25

- Permits short-term rentals in single-family units
- **Type I:** owner occupied or associated with an owner-occupied principal residence.
  - Use Permit
- **Type II:** not concurrently occupied by the owner or on the same parcel as the owner's principal residence.
  - General Plan Amendment
- **Noticing:** 30-day notice to property owners within 500 feet.
- **Vacation Home Rental Permit** required.

## Current Regulations: Chapter 26

### Vacation Home Rental Permit Requirements:

- **Property management** available 24 hours a day by phone, contact number posted on exterior of unit
- **Maximum Occupancy:** Two persons per bedroom plus two, up to maximum of 10
- **Parking:** Must meet on-site parking requirements, no off-site or on-street parking permitted
- **Trash and solid waste** removed once a week, bear-resistant exterior containers
- **Snow removal** required

## Current Regulations: Chapter 26

### Vacation Home Rental Permit Requirements:

- **Basic health & safety:** good repair, fire extinguishers, CO2 detectors, etc.
- **Business license** required
- **Transient Occupancy Taxes** required

## Current Regulations: Chapter 26

### Enforcement

- \$1,000 first violation
- \$2,000 second violation or subsequent violation within 3 years
- Suspension or revocation of Vacation Home Rental permit, business license, and/or transient occupancy registration certificate.
  - Permit revocation has a process and are subject to appeal
- Enforcement procedures take time!

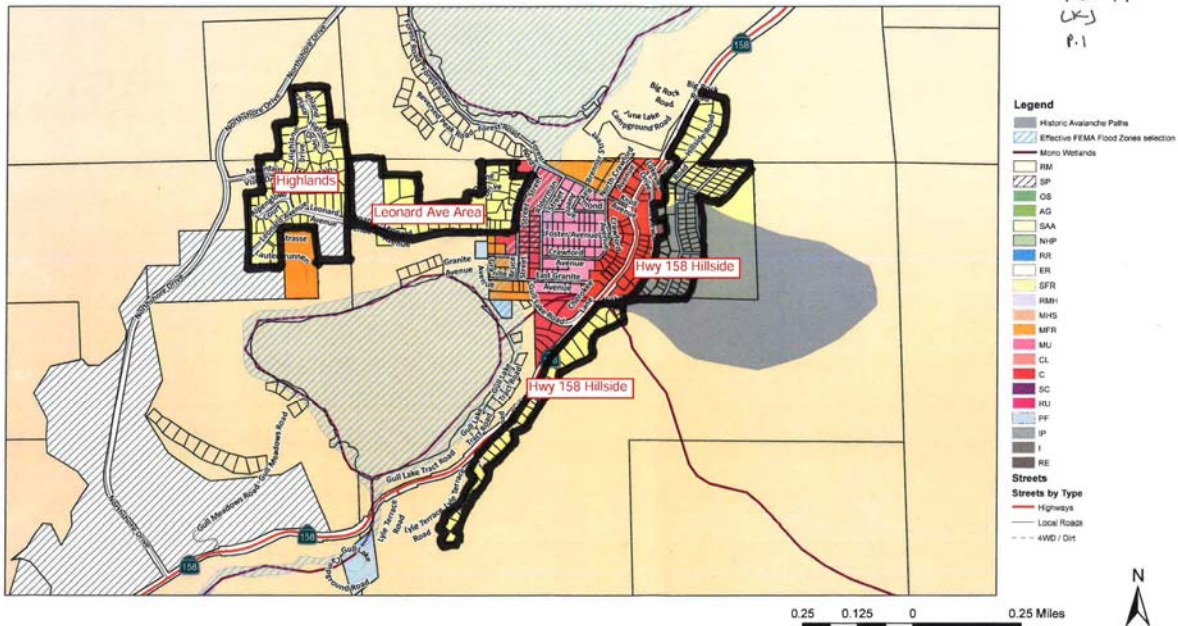
## Other Regulatory Tools

- Prohibit entirely
- Homeowner's Associations: Covenants, Conditions & Restrictions (CC&Rs)
- Other Typical Restrictions:\*
  - Limit to one lease at a time vs. multiple leases
  - Quiet hours
  - On-site response time requirement
  - Spread out: minimum separation (300 – 1,200 feet), maximum density, maximum percentage or quantity per area (street/zone)

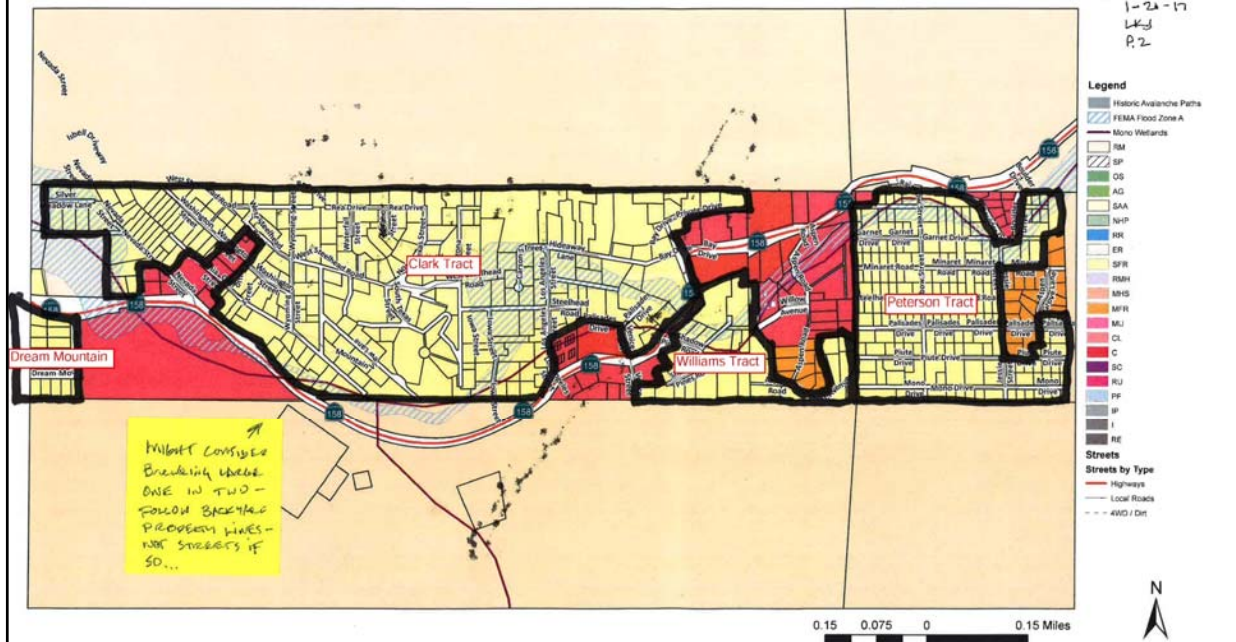
*\*Provided in a BB&K webinar on short-term rentals*



## June Lake: The Village



## June Lake: The Clark & Peterson Tracts



## Clark Tract Technical Analysis

- Private roads: maintenance, snow removal, general impacts, pavement condition issues
- Roads substandard and, in some cases, not located in recognized right of way
- Note: Hideaway Lane (eastern end) does not connect to Bay Drive; residences on Bay Drive are isolated from the rest of the tract
- Steep topography, rock outcroppings in western half; topography in eastern half gentler
- Drainage, floodplain issues in eastern half
- Emergency access in western half: single access point, limited ingress/egress, difficult to access eastern side where there are more ingress/egress points
- Upper / top of hill areas: only two access points from east and west
- Multiple access points in eastern half (Los Angeles, Iowa, and Venice streets) – no access via Iowa street in winter (road not plowed) and spring flooding

## South of State Route 158

- Limited County-maintained roads (Lakeview, Lyle Terrace – only half is plowed)
- Private roads: maintenance, snow removal, general impacts
- Emergency access: single access points, limited ingress/egress
- Steep topography
- Potential avalanche exposure (east and west ends not considered in previous avalanche mapping as they were in federal ownership at the time)
- Snow storage issues



## Highlands

- Private roads maintained through a Zone of Benefit with County
- Homes are often vacant / high percentage of second homeowners
- Specific Plan regulations

## Leonard Avenue

- Limited County-maintained roads (only Leonard Ave.; Skyline and Carson View are private)
- Private roads: maintenance, snow removal, general impacts
- Emergency access: single access points, limited ingress/egress
- Homes are often vacant / high percentage of second homeowners

## Petersen Tract

- Private roads maintained through a Zone of Benefit with County
- Private (substandard/narrow) roads: maintenance, snow removal, general impacts, pavement condition issues
- Emergency access: single access point, limited ingress/egress
- Steep topography in southern section
- Drainage issues
- Numerous small and substandard lots
- Snow storage issues

## Aspen Road

- Limited County-maintained roads (only Aspen Road)
- Private roads: maintenance, snow removal, general impacts
- Emergency access: single access points, limited ingress/egress
- Larger lots, bounded by commercial and commercial lodging land uses to east and west

## Dream Mountain

- County maintained road
- Drainage issues
- Reported to have CC&Rs that prohibit short term rentals – County needs to receive a copy to verify

## Neighborhood Values & Character

- What is most important to you about your neighborhood?
- What are the best qualities about your neighborhood?



## Short-Term Rentals: Negatives

- What are the problems with short-term rentals?
- What are your concerns?
- How do short-term rentals threaten the character of your neighborhood?



## Short-Term Rentals: Positives

- What are the benefits of short-term rentals?
- What are the opportunities short-term rentals provide?
- How can they help enhance or contribute to a neighborhood?



## Short-Term Rentals: June Lake

Consider the potential impacts – positive and negative – of short-term rentals on June Lake as a whole:

- What are the potential community-wide problems or issues?
- What are the potential community-wide opportunities or benefits?

## Potential Solutions

- Prohibit Type I short-term rentals
- Prohibit Type II short-term rentals
- Seasonal restrictions
- Density limit
- Rental day limit (# of days/year)
- Codify liability (renter vs. homeowner)
- Insurance requirements
- Lender notification



## Potential Solutions

- Post enforcement phone # on site (at property and online)
- Create single short-term rental policy community-wide (not by neighborhood)
- Include road conditions as part of permit process
- Tie additional fees (e.g., TOT) to community benefit (roads, medics)
- Ensure some neighborhoods remain residential without any rentals
- Develop homeowners' associations with their own Conditions, Covenants, and Restrictions
- Limit # of vehicles allowed
- **What else...?**

## Next Steps (ideally...)

- **Community Input Analysis: June 7, 6-9 pm**
  - Review and analyze workshop input
- **Policy Direction: June 14, 1-4 pm**
  - Consider full range of potential solutions, identify policy direction based on analysis
- **Review Draft Area Plan Policies: June 28, 6-9 pm**
- **Planning Commission: July or August**
- **Board of Supervisors: August or September**

## **Staff Contacts**

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**Paul McFarland**

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[pmcfarland@mono.ca.gov](mailto:pmcfarland@mono.ca.gov)

**Main Office**

760.924.1800

## **June Lake Short-Term Rentals Workshops: Open Session Worksheet**

**Date:** \_\_\_\_\_

**I live in or identify most closely with the following neighborhood (circle one):**

Highlands

Leonard Avenue Area

Highway 158 Hillside

Petersen Tract

Williams Tract

Clark Tract

Dream Mountain

Other: \_\_\_\_\_

**1. Please review the Technical Analysis of your neighborhood. Do you have any information to add?**

**2. What characteristics do you value about your neighborhood?**

**3. What are the issues, concerns, and negatives about short-term rentals in residential areas?**



**4. What are the opportunities, benefits and positives about short-term rentals in residential areas?**

**5. How do short-term rentals affect June Lake overall?**

**6. What are potential solutions to the short-term rental situation? List all you can think of, and then circle the ones you would support.**

**7. Do you have any other comments?**

**Thank you!**

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*Data & Information Review*

*June 7, 2017*



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June Lake:  
Business and Property Owners' Focus Meeting

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  - Provide analysis to show where there is common ground
  - Identify irreconcilable differences
  - Encourage the exploration of solutions
  - Develop policies based on these outcomes

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- **Principles:**
  - Opportunity for input
  - Consensus/common ground in the best interest of the community
  - Public engagement
  - Finality and certainty



# Policy Development

- **Neighborhood character:** Things to protect, the WHY of the policy
- **Negatives:** Things to prevent, avoid, mitigate, control, minimize
- **Positives:** Things to take advantage of, reap benefits of
- **Solutions:** How do we get there?
  - Can we protect character, minimize negatives, take advantage of positives?

*The process is MESSY!*

*It is not quantitative or black and white.*

*It requires the weighing of options, input, and trade-offs in pursuit of the best possible outcome.*

# Data & Information: Making Sense of It

- Start with raw data
- Combine meetings (except for solutions)
- Group like things together into a category and name it
- Review: look for patterns, what is supported and not supported, start to ask questions about what the information means
- Explore: how are various solutions or outcomes supported or not supported by this information?

# Leonard Avenue: Neighborhood Character

- Access
- Peacefull
- Friendly
- Unique
- Alpine Village atmosphere
- Well-planned area
- Topography



# Leonard Avenue: STR Negatives

- Signage – negative aesthetics
- Typical concerns do not apply to Leonard Avenue

# Leonard Avenue: STR Positives

- Property integrity
- Safety
- Prohibits (reduces) vandalism
- Limits animal damage
- Increase taxes/fees
- Economic benefits/increases competitiveness
- No known opposition
- Low property density

# Leonard Avenue: Impacts on June Overall

- Improve Commerce
- Help to keep Mtn open & other businesses
- Increased traffic
- Leonard Ave can meet June Lake's need for STR at a whole
- Leonard Ave recognizes and empathizes with issues in other areas
- June Lake properties are family investment properties as opposed to commercial investments

# Leonard Avenue: Solutions

- Allow Type I & Type II (5 of 5)
- Require response within a certain time (e.g. 1 hour) (5 of 5)

# Highlands: Neighborhood Character

- Open feel of the neighborhood
- No fences and wildlife can easily move through the neighborhood
- Not all roads plowed in winter
- CC&Rs maintain the peacefulness of the neighborhood

# Highlands: STR Negatives

- Noise
- Alcohol
- Drug use
- Excessive car parking
- Property owners may not be paying the transient occupancy tax

# Highlands: STR Positives

- Provides TOT

# Highlands: Impacts on June Lake Overall

- Downside: some crowding and rowdiness
- Upside: boost community with economic activity



# Highlands: Solutions

- Enforce existing rules (1 of 1)

# Petersen Tract: Neighborhood Character

- Nature/environment
- Quiet
- Sense of neighborhood
- Safe
- Limited roads/access
- Access to activities
- Other

# Petersen Tract: STR Negatives

- Reduces workforce housing
- Increased traffic and parking issues
- Increased noise
- Reduced safety
- Inadequate enforcement/management
- Disrespectful/disruptive behavior
- Trash
- Other

# Petersen Tract: STR Positives

- Increased revenue for County services
- Improved economy
- Property improvements/homeowner benefits
- Social opportunities
- Increased housing
- Eliminate illegal rentals

# Petersen: Impacts on June Lake Overall

- Negative economic impact
- Changes character of community/neighborhoods
- Increases enforcement needs/County expenses
- Economic benefits
- Exacerbates workforce housing shortage
- Benefits to homeowners
- Other

# Petersen Tract: Solutions

- See Spreadsheet
- Straw poll only: no statistical value
- Gives a “sense” or “temperature” of supported solutions
- Other solutions may still be acceptable, and may make sense to protect character, reduce negatives and increase positives

# Clark Tract: Neighborhood Values

- Wildlife
- Nature & environment
- Dark skies
- Sense of neighborhood/friendly neighbors
- Peace & quiet/privacy
- Views
- Low density & residential development
- Safe
- Low/slow traffic
- Access to activities
- Other

# Clark Tract: STR Negatives

- Disrupts sense of neighborhood
- Disrespectful/disruptive behavior
- Management/regulatory issues
- Inadequate enforcement/  
Neighbors policing each other
- Change in property values and  
low density/residential character
- Increased noise
- Increased trash
- Increased lights
- Parking issues
- Road issues: traffic, winter  
conditions, maintenance
- Decreased safety
- Impacts to wildlife
- Negative impacts to local business
- Reduced workforce housing
- Equity: No \$\$ for costs
- Too dense
- Other



# Clark Tract: STR Positives

- Economic benefits for June Lake (and entire county)
- Meets a market need
- Increases County revenue/taxes for services
- Opportunity for wildlife education
- Regulatory control/increased accountability
- Social Opportunities
- Benefits property owner/provides for property improvements
- Short term is less impactful/ location matters
- Provides flexibility & personal choice
- None

# Clark Tract: Impacts on June Lake Overall

- Potential to incentivize construction
- Infrastructure/service impacts
- Economic benefits
- Negative economic impacts
- Property value impacts: positive & negative
- Change in residential character
- Appropriate in some locations, not in others
- Reduction of workforce housing

# Clark Tract: Solutions

- See Spreadsheet
- Straw poll only: no statistical value
- Some people participated in many (in some cases all!) meetings & sticky dot exercises
- Gives a “sense” or “temperature” of supported solutions at that particular meeting
- Other solutions may still be acceptable, and may make sense to protect character, reduce negatives and increase positives

# Policy Direction: June 14

- What appears to be reasonable policy direction for the various neighborhoods?
- Where is the “sweet spot” that protects character, reduces negatives, and enhances positives, to the extent possible?
- Or, if there’s no sweet spot, what does the input seem to support?

# Next Steps (ideally...)

- **Policy Direction: June 14, 1-4 pm**
  - Consider full range of potential solutions, identify policy direction based on analysis
- **Review Draft Area Plan Policies: June 28, 6-9 pm**
- **Add CAC Review & Recommendation: Special July Meeting? Aug. 2?**
- **Planning Commission: August 17 (or Sept)**
- **Board of Supervisors: September 5, 12 or 19 (or Oct)**

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**June Lake Short-Term Rentals Workshops**  
Raw Public Input

**May 13: Clark Tract**

5/13 Clark Tract: Technical Considerations

Narrow roads can't pass  
Icy roads – problem for people not family within area  
Private roads – very expensive to bring to public standards  
People use driveways to turn around and cause damage  
Nevada Street to pump stations are unmaintained county road  
Part of the roads are paved and some are unpaved  
List is more representative of upper Clark than lower (Nevada St.)  
Environmentally sensitive areas  
Wetlands and stream areas  
Wildlife areas  
How are approvals done if only so many followed?  
Drainage issues

5/13 Clark Tract: Neighborhood Values

Peace and quiet  
Presence of wildlife  
Want more nice, quality, neighbors  
Too much solitude  
Environment, fresh air  
Views and scenery  
Stability  
Hearing the running water (falls and creeks)  
Getting along with neighbors  
Friendly neighbors  
Property devaluation  
Privacy  
Neighborhood atmosphere  
Everyone knows each other and helps each other out  
Don't want to be like Mammoth  
Take very good care of our property and area in general  
Don't want people that don't care  
Only here one night a week  
Safety  
Don't have to worry about leaving things outside or even locking doors now  
Don't have to worry about trespassing or vandalizing now  
Wildlife respected

Other property owners respected  
Views  
Wildlife  
Waterfalls  
Quiet  
Know neighbors  
    Quiet  
    Safe  
    Friendly  
Dark skies  
Tolerant of neighbors  
Care bout neighbors “neighborhood watch”  
Privacy  
Home sanctuary  
Safety  
Light pollution  
Noise travelling up hill  
People in and out next to you

5/13 Clark Tract: STR Negatives

High turnover  
Lack of respecting property and neighbors  
Rent via high-end company  
    More check and balances  
    Renters are rated  
Area allows rental currently  
Property devaluation  
Noise, Traffic, Trash  
People who don’t know don’t care  
Safety  
Detrimental to wildlife  
Lights  
Parking  
Hectic  
Lack of responsibility  
People who love living here versus those who only value money  
Overuse of property  
Not properly vetted renters  
In some cases parking availability  
Lack of controls and enforcement  
Noise  
Trash  
Lack of bear awareness



Lack of respect for wildlife  
Non-permitted rentals  
No management supervision  
No penalty to destructive renters  
Don't know neighbors who rent  
History of bad experiences  
People here to party  
Medium term rentals can be worse than short term  
Enforcement is lax  
Local hotels loose business  
Unfamiliar with our particular neighborhood needs  
They aren't invested in the best interest of our tract  
Increase in traffic noise and general disruption  
They haven't been background checked as full-time renters  
They have their own agenda  
Restrictions not necessarily liked  
Unavailable to contact  
We don't want to police others

#### 5/13 Clark Tract: STR Positives

County wide improves economy  
More availability of lodging increases overall tourism business – avoids losses to other areas in county  
Key to our economy is gateway to Yosemite  
STRs would support and get TOT  
Increase jobs and county services  
Opportunity for bear  
Increase awareness  
If regulated rules can be enforced  
Increases safety for traditionally seasonally occupied 2<sup>nd</sup> homes (i.e. minimizes bear break-ins)  
Keeps local jobs  
Improved economy (restaurants, businesses, TOTs)  
Makes 2<sup>nd</sup> homeownership more affordable  
Increase property values  
More worldwide recognition for June Lakes  
Satisfies needs not met by conventional lodging  
County benefit (TOTs)  
Funds could lead to improvements of home  
More jobs in area  
Allows people to experience June Lake and the wilderness  
May help with people to afford to keep and maintain property  
The way young people travel  
Reduces medium term and seasonal rentals  
Mountain will get more skiers

TOT returns to community improves roads (County must agree TOT returned to June Lake)  
More and local business  
Legal business increase  
Get to know sheriffs better  
Tax revenue  
Control of bad renters  
Positive impact on local business  
Accountability for guests to adhere to house and neighborhood rules  
County tax benefits  
If TOT be used (A%) for Clark Tract roads? Needed!  
Money making for individuals (profiteers)

#### 5/13 Clark Tract: How STRs May Impact June Lake Overall

Construction increase of income properties  
Infrastructure PUD, Fire Department / medical impacts  
Increased revenue local business  
Tax revenue  
Utilities (Electrical Etc.) impacts  
Should be places in June where people can get away from rentals  
Character of town is what is attractive to people  
Each neighborhood should be treated differently – different STR densities  
Density of STR should be determined  
We endorse June Mountain to build a chalet and hotel rooms and gondola  
May have traffic signal  
We are for neighborhoods who want STR to have them, but not those who don't  
More resort feeling not peaceful

#### 5/13 Clark Tract: Potential Solutions & Sticky Dots

Seasonal Restrictions -2  
Density Limit -6  
Rental Day Limit (# of days/year) -4  
Codify Liability (Renter vs Homeowner) -0  
Insurance Requirements -4  
Lender Notification -0  
Posted Enforcement # on Site (physical & web) -5  
Partition Clark with Different STR Regulations (Nevada Street) -5  
Create Single STR Policy Community –Wide -8  
Prohibit STR Type 1 -5  
Prohibit STR Type 2 -8  
Include Road Conditions as Part of Permit Process -6  
Tie TOT Generation to Community (Roads / Medics) -16  
Ensure Some Neighborhoods Remain Residential without any STR -3

Develop HOA's to Enforce CCR's -4  
Limit # of Vehicles Allowed -1

### **May 13: Open Session Notes**

STR's area business

Balance Issues (commercial vs. residential)

Camping is an available low cost option for tourists

STR's may result in more parking & paving = potential negative environmental impacts

STR provides way for owner to keep rather than flip (which may decrease area property value)

No STR's may lead to more long term rentals (Type I) – harder to evict bad neighbors who are there longer

Existing TROD owner – renters have been good, personal interview to vet renters

Enforcement response needs to be improved – more timely, weekend coverage

Management agency needs to be responsible

Legal rentals have not had complaints

The occasional “bad apples” in STRs are not the norm

Perception majority of County taxes paid by non-residents (2<sup>nd</sup> homeowners)

Encourage / enable STR's in certain areas

Increased property values prices out service employees and other locals, increased difficulty for first time homeownership

Bad STR experiences: parking, dogs, noise

ST renters are usually families and respectful

Enforcement: failure of management company to respond adequately should be enforced as misdemeanor

Need incentives to build STRs

Road conditions can change so not necessarily good criteria to exclude

Private road improvement too expensive for homeowners to improve alone

Rodeo Grounds may meet many of these market demands

Clark Tract roads will always be steep and narrow

Residents have to deal with the impacts of STR and changed neighborhood character

Need information and education about good property management firms

Post 24-hr number for complaint response more conspicuously at STR

Renters can be instantly evicted if causing disruption

Travel has changed - need to meet market demands

Many private roads in potential SFR areas are in poor condition- roads can 't be brought up to standards  
(homeowner responsibility)

Why have property values stayed low?

Properties with STR have higher property value

Currently empty residences = opportunity for people who will recreate here

Not the right type of accommodations so lose those visitors

Business development and growth poor in June

Need for “more beds” in June to support economy

Clark Tract is a neighborhood not a business district

Questioning of assessments - hard to get accurate  
June = Remote, too far from things, less known  
Add enforcement staff  
TOT can fund services

### **May 20: Petersen Tract**

#### 5/20 Petersen Tract: Technical Considerations

Parcels/lots very close together  
STR removes inventory for working folks  
People/visitors don't know the roads  
Road liability  
No effective zone of benefit = underfunded ZoB  
Roads need constant snow clearing & road maintenance  
Needs committee to collect funds (for ZoB)  
Limited parking – dead end roads, people get locked in  
1 way in/ 1 way out  
Roads poorly maintained – owners bear maintenance responsibility  
TOT could apply to road maintenance  
STR takes long-term rental inventory away from workers, etc.  
Code compliance!!!

#### 5/20 Petersen Tract: Neighborhood Character

Beauty  
Quiet  
Friendly neighbors – know your neighbors! X2  
Feel secure & Safe!!  
Property values  
1 inlet/1 outlet = low traffic  
Next to FS land  
“Neighborhood!!!!”  
Single Family Residential designation  
Small town neighborhood feel  
Privacy  
Quiet  
Close to nature  
Proximity to ski area  
Safe  
Trees, trails nature, peaceful  
Good people as neighbors  
Care for the neighborhood, pick up trash, fill potholes, check on each other's homes  
Kids, safety, hiking, trails, sledding, snow play, water play

#### 5/20 Petersen Tract: STR Negatives

Displace workforce renters  
Potential for inexperienced (winter) drivers  
Noise  
Lights  
Safe neighborhoods  
Neighborhood friction  
Takes long-term rentals from inventory  
Bring too many cars – parking on roads  
Don't know how to drive in snow – stuck vehicles get everyone stuck  
Code enforcement basically non-existent, too many illegal rentals, no code compliance  
Have to defend our property  
2<sup>nd</sup> homeowners not present when some problems occur  
Disrespect for the environment and neighbors  
Too much traffic and noise  
Greedy!!  
Road issues  
Trash  
Noise  
Not respectful of the property  
Not aware of road conditions  
On vacation “mindset” not the same (as locals)  
Large groups tend to party  
Not enough oversight  
Forces neighbor to neighbor discussions  
Outdoor fires  
Overcapacity of the home

#### 5/20 Petersen Tract: STR Positives

Tax base – playgrounds, parks, overall community improvements = police, fire, paramedic, etc.  
Help save June Mountain through more visitors  
Homes are not vacant thus maintenance issues can be fixed  
Memories for families  
TOT Zones = dedicated to the June Lake Area  
Business would benefit through more people  
Improve and diversify the rental base to help compete with other resort/recreational towns  
Additional revenue could provide more funds for regulation of rentals, i.e. code compliance personnel  
Positive *if* TOT comes back to community that generates it  
Add funds to streets & EMS  
Eliminate illegal rentals  
More bed space  
Potential positive property values  
Income for home owners

#### 5/20 Petersen Tract: How STR May Impact June Lake Overall

Takes away from motels/hotels/condos already in business  
June Lake “sells itself” – natural beauty, hiking, fishing, camping, skiing, etc.  
How much \$\$ has been expended on all these meetings since 2009???? How many more?  
More bed space meets need and keeps people in June Lake which benefits shops & restaurants, etc.  
Could bring more business to June Lake

#### 5/20 Petersen Tract: Potential Solutions & Sticky Dots

Rental Day Limit – 2  
Prohibit Type 1 STR – 3  
Seasonal Restrictions – 0  
Codify Liability – 1  
Density Limit – 3  
Prohibit Type II STR – 6  
Lender Notification – 0  
Develop HOA’s with CCRs – 0  
Create single STR policy community-wide – 4  
Limit # of vehicles allowed – 3  
Ensure some neighborhoods remain residential without rentals – 3  
Tie fees to community benefits – 7  
Include road conditions as part of permit process – 5  
Insurance requirements – 1  
Post enforcement phone # on site and online – 1  
Require and damage from new construction to be repaired – 1  
Hire more code compliance officers – 4  
Dedicate fees (TOT) to fund enforcement - 8  
Require affordable housing mitigation – 1

#### **May 20: Leonard Avenue**

##### 5/20 Leonard Avenue: Neighborhood Character

Access – views, large lots, excellent parking  
Peaceful – low density, not mammoth  
Friendly – family oriented, natural beauty  
Unique – Trails, fishing & Skiing within walking distance  
Alpine Village atmosphere – affordable  
Well-planned area – snow removal, county roads for public access  
Topography well-suited for STR

##### 5/20 Leonard Avenue: STR Negatives

Signage – negative aesthetics  
Typical concerns do not apply to Leonard Avenue

##### 5/20 Leonard Avenue: STR Positives

Property integrity – gas leaks, water leaks, burglary, etc.)

Safety – personnel  
Prohibits vandalism  
Limits animal damage  
Increase fees/taxes will improve resources  
Help Keep Mountain Open  
Improve commerce countywide  
Improve the diversity of rental properties to better compete with other resort towns  
Small community with no known opposition  
Property low-density – approx.. 24 homes

#### 5/20 Leonard Avenue: How STR may impact June Lake Overall

Improve Commerce  
Help to keep Mtn open & other businesses  
Increased traffic  
Leonard Ave can meet June Lake's need for STR at a whole  
Leonard Ave recognizes and emphasizes with issues in other areas  
June Lake properties are family investment properties as opposed to commercial investments

#### 5/20 Leonard Avenue: Potential Solutions & Stick Dots

Allow Type I & Type II STR for Leonard Ave. area - 5  
Short time response to issues (require local phone # with 1 hr response time) – 5

#### **May 20 – Clark**

##### 5/20 Clark: Technical Considerations

Drainage issue all over Clark  
Heavy equipment damage roads  
Winter access particularly difficult / challenging and dangerous at times  
Bear activity – not knowing how to be bear safe  
Heat sources inside houses  
Fires outside house  
Frozen pipe / winterizing dangers  
General liability for homeowners  
    Roads are private  
Hazardous winter driving – steep / windy / narrow  
    Know when to use chains / 4WD?  
    Right of way rules  
Limited snow storage  
Drainage an issue throughout tract  
Parking issues: no street parking, small lots  
Private roads; legal liability  
Liability issues – including snow driving  
Roads have no guard rails or signage

Steep topography on east side also  
Emergency access equally difficult on east side

#### 5/20 Clark: Neighborhood Character

Quiet  
Dark night skies  
Safety – kids, dogs and personal belongings  
Knowing neighbors / enjoying community / small town living  
Minimal traffic  
Neighbors that care about local environment  
Lack of commerce  
No party atmosphere  
Not Mammoth  
Affordable housing long term rentals – diversity  
View  
Wildlife  
We know neighbors – background, respect, etiquette, what to expect  
Security  
Quiet – secluded – sanctuary  
Single family homes  
View – night skies – lights  
Topography  
Wildlife  
Residential (single family) residential  
Privacy  
Safety for kids in neighborhood  
Know our parcel boundaries – don't go on others land  
Views  
Peace and quiet  
Low traffic volume  
Proximity to activities (town, ski, etc.)  
Dark sky  
Four seasons (climate)  
Neighbor relationships  
Lots of vacant homes (not a lot of character)  
View (x3)  
Nature  
Wildlife  
Peaceful

#### 5/20 Clark: STR Negatives

Strangers in neighborhood  
Potential for: parties, noise, burglary, unwelcome animals and damage from renters  
Negative wildlife interaction- bears



Winter driving problems  
Additional wear on worn-out roads  
Can't force "profiteers" to pay fair share of snow removal and road repair  
Business in residential area  
Change in existing rules from original expectations  
Parking issues  
Enforcement problems  
Don't want our lifestyle dependent on management company  
We don't want to police  
Not knowing property lines  
Negative impact on hotels  
Impact local working by displacing work force housing  
Inadequate compliance  
County not supervising well enough  
Disturbance happens prior to any enforcement  
Unsafe / less security  
Noisy parties / late nights  
Road wear and tear at neighborhood expense  
TOT doesn't pay  
Illegal outdoor bonfires  
Wildlife ignorance – increased bear break-ins (trash issues)  
Air quality issues  
Unsafe snow driving – don't understand specific roads  
Changing neighborhood character – motel zone  
No cost benefit to neighbors  
Neighbors not responsible if someone can't afford 2<sup>nd</sup> home and need to rent it  
Purchased as single –family residence  
Parking  
Irresponsible owners allowing disruptive renters  
Uncontrolled parking  
Uncontrolled noise  
Possible development of dense STR  
Inflexible legislation we have to live with forever (financial situations change / heirs)  
Elimination of individual property rights- people should be allowed to do what they want on their property  
Lack of understanding of environment  
Lack of adequate property management (oversight)  
Increased traffic (including road wear)  
Possible noise (mostly at night during the summer)  
Road conditions  
Too many too close (density)  
Respecting property boundaries  
Safety issues (especially in winter)  
Bear Safety

Adequate enforcement

5/20 Clark: STR Positives

Increasing need for short term rental for families

Brings proper county controls over STOR (to eliminate illegal rentals)

Meeting need for additional “beds” without additional construction

TOT to County

Meets need that can’t be met by hotels

Economic benefit to June Lake

Short term impact vs long term impact

TOT to the County

Attracts outside visitors

In some areas of June Lake it makes sense- especially on County maintained roads

Might make a new friend or your dog might

Allow families to rent to friends or family

None

Sharing the area (the vast majority of renters will be nice people)

Meeting nice people

TOT that can come back to the community in various ways

Overall positive economic benefit to community

Bad apples are gone in a day compared to seasonal and medium term

County generates tax

People may be able to keep homes who would otherwise have to sell

Provides alternatives to motels

Supplemental income

Some feel there are none

5/20 Clark: Impacts to June Lake Overall

Hotel / Motel owners generally not against STR

Increased economic benefit to community: business, maintenance and service workers

General upgrade in community with people dependent on reviews, fix up rental for STR renters property

More opportunities for people to choose June Lake – stronger economy

Good for local business

Appropriate in some areas – downtown

    A lot of commercial zoning

    Leonard and Dream Mountain

    County Roads

Clark tract not appropriate because of serious road issues

Loss of affordable housing

Loss of quiet

Property values – potential effects

Loss of lodging (existing hotels)

TOT

Economic benefit to whole area

Concern about reduced housing for locals  
Ski area  
Alternatives to motel rooms  
County gets tax (can it be sent to June?)  
Loss of low cost housing for workers  
Those who benefit from additional housing should finance it  
Less eating out in town

#### 5/20 Clark: Solutions & Sticky Dots

Allow for direct neighbor veto of STR – 6  
Expand direct notice calculation based off of farthest edge of contiguous parcel of same owner – 1  
Restrict STR to areas accessed by County Roads – 2  
Partition Clark Tract with different regulations (e.g. Nevada Street) – 6  
Require affordable housing mitigation – 2  
Hire more code compliance officers – 7  
Require STRs to contribute to road repair – 11  
Require education by owners of renters of specific conditions (trash, roads, boundaries) – 7  
Ensure STR TOT compliance equal to other lodging – 0  
Include road conditions as part of permit process – 1  
Create single ST rental policy community-wide (not by neighborhood) – 4  
Lender notification – 0  
Ensure some neighborhoods remain residential without rentals – 5  
Limit number of vehicles allowed – 4  
Post enforcement phone # on site and online – 7  
Tie fees to community benefits (Roads / Medics) -14  
Insurance requirements – 4  
Prohibit Type II Short-term rentals – 7  
Prohibit Type I Short-term rentals – 2  
Seasonal Restrictions – 5  
Density Limit – 5  
Codify liability (renter vs. homeowner) – 1  
Rental day limit (e.g., # of days/year) – 0  
Develop HOA's with conditions, covenants & restrictions (CC&Rs) – 0

#### **May 20 – Highlands**

No participants.

#### **May 20 – Open Session**

#### 5/20 Petersen Tract

Technical Considerations:

Roads currently in poor condition

Limited parking especially in the winter

Pet feces already a problem

Neighborhood Character:

Quiet,

Vacation Home,

Proximity to Ski Area,

Close to Ski Area,

Quiet,

Limited full-time residents

There is no HOA

It's serene and quiet

Wildlife is all around

STR Negatives:

Parking, unruly renters

Potentially less properties available for work force

Where TOT will go

Limited parking

Noise

Current monthly rentals are in poor condition

Traffic

Loud parties

Neighborhood access

STR Positives:

Additional housing for the area

Increased TOT and income for property owners

Share our community with others

Not all renters are bad

Additional housing for short term visitors

Income for current home owners

Increased property values

Impacts to June Lake Overall:

Changes the small town village feel of the town, not in a good way

Solutions:

Proper reinforcement,

Tie additional fees to community benefit – road maintenance

Local EMS

Tie TOT directly to June Lake

Community wide policy

Limit number of vehicles per residence

We do not support STR in the Petersen Tract under any conditions

Comments:

No HOA in the Petersen Tract

5/20 Village

Technical Considerations:

- Parking

- Late night arrivals

- Guest not knowing how to get into their unit late at night and asking neighbor at 1-3AM for access

Neighborhood Character:

- Quiet family after the large investment in a private home

- Existing STR neighborhoods

- Own business (and other businesses) that rely on affordable housing for our employees

STR Negatives:

- Enforcement

- Having any neighbors negatively affected by STR- even perceived negatives

- Growing lack of affordable housing

- Required phone number to be posted difficult to handle as only Verizon works

- No internet access without a password

- They take income away from hotels

- Parking

- Garbage

- Noise

- Arrival Times

- When rented by an agent they are not available at late night (maybe by phone but that does not solve the problems that they create)

- People have large investment in their homes and should not have to put up with transients

STR Positives:

- None, they take away peace and quiet of the areas and consume homes that would be long term rentals for employees

Impacts to June Lake Overall:

- They should stay in motel / hotel that are not full all the time

- Existing legal hotels / lodging lose business

- In a small community like June Lakes, even a few bad apples make a big impact

- We lose affordable housing

- Turn neighbors into enforcers – compliance

Solutions & Sticky Dots:

- Build more motels /hotels/hostels/condos

- Allow STR in zones that currently allow them- just like our area plan says

- Enforcement -enforcement -enforcement

- Address cell phone service and internet access not being available to many guests

Comments:

- If you (Mono County) hires “enforcement” have them work appropriate days and hours

- It’s no good to hire someone M-F 9-4PM.

- In chapter 26-26.040 it says address must be clearly visible- you need to state “even at night”, it may be visible daytime only.

- Should not be allowed in residential areas where people build and invest in a private home

- Changing zoning after people have invested so much leave the county open to law suits

## 5/20 Clark Tract

### Technical Considerations:

- Dangerous road conditions
- Poor street marking / signs
- Narrow private roads, people unfamiliar with the roads have issues in winter and when meeting opposing traffic
- Steep / icy in winter – issues with two wheel drive / chains every year
- Steelhead road ends up with lots of traffic due to layout of roads and only two access points

### Neighborhood Character:

- Non commercial
- Homes values
- Safe neighborhoods
- View
- Quiet
- Clean
- You know who belongs, can watch out for each other
- Usually little traffic
- Quiet
- Physical characteristics- rocks, slopes, etc.
- Knowing who belongs
- Community feeling

### STR Negatives:

- Drunks
- Parking
- Party environment
- Minimal enforcement
- Legal liabilities having renters using unfamiliar private roads
- Turn residential area into commercial property
- Having a junk yard next door, etc.
- May lead to residential property turning into unsightly property driving down property values
- Fire hazards in yard and stores
- That they are run properly
- That the rules are enforced
- That the density of STRs is controlled
- Enforcement- parking / noise / traffic / trash
- Bears are a problem when food/trash not properly stored
- Noise
- Parking
- Street maintenance
- Snow removal
- Having people up there who don't value the community, city, county receiving their fair share of funding
- Needing to watch / enforce neighborhood rules

### STR Positives:

Supplying a need for this type of rental

Allowing second home owners to generate income to maintain their property

Generate TOT

Allowing people to hang on to their properties rather than the continuous re-cycling of homes  
because they become non-viable to second home owner

Very few- many provide supplemental income, but at the expense of the community

Money for home owners

#### Impacts to June Lake Overall:

Will worsen affordable housing shortages by turning into TROD

Turn residential areas into low class rental slums

They meet a need that is becoming more and more significant

June Lake is 99% reliant on tourism and we should do everything we can to meet the needs of  
our life blood, the tourist

We don't want short term rentals to start driving speculative purchase of single family homes to  
turn them into VHR units

Will hurt values, neighborhoods, etc.

Provide housing for people who live outside

Not sure we need tourists in residential areas

Reduced income for local hotels

#### Solutions & Sticky Dots:

Allow type I rentals, they have the least negative impact

Consider type II rentals, if proper management and enforcement can be provided

Have some of the TOT generated come back to the communities that generated it (roads etc.)

Do not permit VHR

If VHR is allowed we have to be able to enforce and monetize to cover maintenance costs to the  
community (e.g. road repairs)

Not allowed at all

Strictly licensed and strongly enforced so the community gets its share of money

#### Comments:

Put this issue on the ballot and leave the democratic decision to the people like the past  
Measure 2 in Mammoth

Enforce illegal STR currently in June Lake

Do not change zoning

We're a mountain town that relies almost totally on tourism

STRs are a fact of life today

There are homes that will never be suitable for workforce housing, but ideal for STRs

People looking for that type of accommodation will not come to June Lake if they can't find it

They are not looking for a motel/hotel experience most of the motel/hotel operators recognize  
this and support STRs

Identification and enforcement of short term rentals is the big problem

Online advertising / reservation systems create the problem by not providing access to listings  
for enforcement

Local / county / state needs to act as one to legislate and enforce access to online systems to  
identify short term rentals and then enforce them

Anything else pits home owner against home owner and is expensive and incomplete  
The solution starts at the advertising / reservation source

## **May 22: Clark Tract**

### 5/22 Clark Tract: Technical Considerations

Bear break in due to food smells or feeding of the animals  
No services (e.g. restaurants, stores) near Clark Tract  
Freezing of pipes (water leakage) can go out of homes causing flooding  
Changes of character of neighborhood  
Quiet, privacy  
Repairing of roads and potholes  
Homeowners are in direct location of commerce  
Competition with motels  
Parking issues  
Float versus hill zones  
Road maintenance

### 5/20 Clark Tract: Neighborhood Character

Quiet, peaceful  
Knowing our neighbors  
Know neighbor's lot boundaries  
Know how to interact with this environment  
    Road etiquette and experience  
Solitude  
Views  
Quiet  
Family / Quiet residence  
It's mine  
The view  
Privacy  
Wildlife  
Condition of roads slows traffic  
Clean environment

### 5/20 Clark Tract: STR Negatives

STR in Clark Tract detracts income from town, businesses, motels, cabins, restaurants that exist  
Overturns our home area into a business area  
Not knowing how to keep away bears  
Noise, limitation night light (stars)  
More people more traffic  
Loss of privacy  
Homeowners liable because roads are private and will be used during rentals  
Degrade roads faster



Removes neighborhood character  
Unfamiliar drivers blocking road  
Dissention between neighbors  
We become dependent on management company to maintain STR (instead of neighbor interaction)  
Come in late at night, lights, noise  
Garbage  
Wildlife education  
Parking  
Management (ineffective)  
Winter condition expense  
Occupancy density – too many rentals  
Not familiar with winter  
Driving on narrow steep roads  
Winter traffic  
Additional damage to roads  
Additional traffic  
No money to fix roads

#### 5/20 Clark Tract: STR Positives

Increase tax base  
Meets a demand not met any other way  
Road contribution  
Increase bed capacity without new construction  
Upgrades and improvements to property  
Increases and improvements to property  
Increases property values  
Prevents changes to specific area plan which would eliminate rentals for ever  
Allows people to do what they want with their property- as long as they don't disturb their neighbors  
Potential to pay for infrastructure  
Legitimize short term rents  
Ability to regulate  
Increase tax revenue will increase infrastructure  
Subsidize income

#### 5/20 Clark Tract: How STRs May Impact June Lake Overall

Improves local economy  
Exposes June Lake to a broader tourist market  
Pressures on infrastructure  
Potential revenue to improve the community as a whole  
Change identity of community  
Degrades property values and flip side  
Takes away money from existing businesses (e.g. restaurants, motels cabins)

#### 5/20 Clark Tract: Solutions & Sticky Dots

### Potential Solutions & Sticky Dot Votes

Tie fees to community benefits (Roads / Medics) -6  
Create single ST rental policy community-wide (not by neighborhood) – 5  
Hire more code compliance officers – 4  
Limit number of vehicles allowed – 4  
Include road conditions as part of permit process – 4  
Prohibit Type II Short-term rentals – 4  
Prohibit Type I Short-term rentals – 4  
Dedicate fees (e.g., TOT) to fund enforcement – 3  
Density Limit – 2  
Require affordable housing mitigation – 1  
Ensure some neighborhoods remain residential without rentals – 1  
Insurance requirements – 1  
Develop HOA's with conditions, covenants & restrictions (CC&Rs) – 0  
Seasonal Restrictions – 0  
Codify liability (renter vs. homeowner) – 0  
Lender notification – 0  
Require damage from new construction to be repaired – 0  
Rental day limit (e.g., # of days/year) – 0  
Post enforcement phone # on site and online – 0  
Provide another reporting method other than neighbors policing neighbors – 0  
No rentals on private roads – 1  
No short term rentals in the Clark Tract to ensure / provide for work force housing – 1  
Enforce existing rules – 1  
Partition or divide the Clark Tract with different regulations by:  
    Nevada Street – 1  
    Los Angeles – 0  
    W. Washington (where there is commercial and existing rental) – 2

### **5/20 Business and Lodging**

As a resident, don't change neighborhoods- either Type I or II  
Would take some market share  
Biggest impact in shoulder season and winter season (especially in poor snow years)  
Winter business does not tend towards repeat visits – kids ski free may have helped  
Existing beds are enough, no need to change zoning to allow  
There is enough transient lodging / warmbeds  
Conversion of month-to-month workforce housing to nightly rentals a big problem  
    Exacerbating an existing problem  
Conversions may not be renting legally  
House number should be visible at night  
Phone number: limited cell carriers  
Internet service may not be available to contact management  
Lodging owners may be more concerned about competition  
Business owners may feel it helps bring people and money

## **May 22: Open Session Notes**

### Clark Tract

I think that perhaps Nevada St. and/or LA Street could be separated from what happens in Clark because they don't have the road issues of upper Clark Tract. There may even be efficacy in separating western Washington where there already are rentals (Whispering Pines and legal TROD). Flatter roads, like LA St and Nevada St, could be split off from the Clark tract due to fewer road issues. However, transient rentals still replace long term rentals for locals, and for example on LA Street there are 7 long term rentals that have potential of being replaced by STR. That would not be good for locals.

## **May 25: Open Session Notes**

### Village

Technical Considerations:

Neighborhood Character:

- The friendliness of neighbors
- Natural vegetation / views
- Proximity to services
- Quiet
- Little traffic

Negatives:

- Impacts on existing motels / night to night rentals
- Impacts on workforce housing
- Impacts on neighborhood characteristics / noise etc.
- Create noise, traffic and animosity toward neighbors
- Renters are on vacation and generally stay up late and party
- Completely change character of neighborhood

Positives:

- Benefits owner only
- Detriment to residents and neighborhood

Overall:

- Negatively

Solutions:

- Ban all

Comments:

- I have three short term within 100 feet of my house and that has negatively affected enjoyment of my SFR.

### Highlands

Technical Considerations:

- You could add that it is a slow growing area, about one to two homes per year

Neighborhood Character:

I enjoy the open feel of the neighborhood

I am glad there are no fences and wildlife can easily move through the neighborhood

I wish all the roads were plowed in winter

I am also glad we have CC&Rs to maintain the peacefulness of the neighborhood

Negatives:

Noise

Alcohol

Drug use

Excessive car parking

I suspect that many of the property owner are not paying the transient occupancy tax

Positives:

It could provide TOT for the village of June Lake (the whole community)

Overall:

Downside is they bring a certain amount of crowding and rowdiness to the community

Upside is they boost community with economic activity

Solutions:

Enforce existing regulations

Comments:

Thank you for coming to June Lake and gathering input, good presentation

Petersen

Technical Considerations:

Neighborhood Character:

Wooded atmosphere

Quiet

Small roads

Little traffic

Wild Animals

Beauty

Quiet

Nature setting

Friendly neighbors

Quiet

Tranquility

Negatives:

Increase in traffic

Noise

Activity

Sense of community altered by influx of strangers

Party atmosphere opposed to people fostering community

Strain on community services

Money-driven at the expense of June Lake community

No trash services

I don't personally see a lot of negatives compared to the 30 day or more rentals

The concern about short term rentals creating more bad behavior, loud noise, parking issues, etc. is overdone

Traffic

Noise

Poor drivers

City folk letting their kids and animals behave inappropriately do whatever they want causing me to flip my lid and behave in a way I don't like

Inattentive people inadvertently causing harm or damage to the neighborhood (i.e. fires, crashing, fatalities)

Pollution

No long term housing

#### Positives:

Only economic for property owners, businesses, TOT tax

We need to promote the economy of June Lake by all means

All business and the community benefit

If you are the one doing it, money

#### Overall:

Influx of people not devoted to preservation of community

Lack of stewardship of many visitors

Strain on enforcement and other community services

Important to preserve community rather than give in to money-making propositions

Already a lack of long term rental housing

Some property owners may turn their rental into short term rental, worsening the housing Crunch

Property values are protected and pressure to sell is reduced when family circumstance changes and personal use is reduced

They keep the town flourishing, without them the town dies

We just don't need them in the Petersen Tract

We need more monthly rentals in the community

Income

Jobs

#### Solutions:

Restrict density, number of people in each unit, number of days each year, number of vehicles

Allow both I and II with well thought out codes not duplicating those already in existence

We need more monthly rentals, not nightly rentals, bottom line

#### Comments:

June Lake will be going backwards and limiting its own future if we fail to recognize and be part of a changing world

Don't do it

Address the road conditions, pot holes, cracks and drainage

## Clark Tract

### Technical Considerations:

- Private roads- safety
- The County does not participate
- More cars
- More upkeep

### Neighborhood Character:

- View
- Wildlife
- Quiet
- Serenity
- Neighbors have each-others backs
- We discuss problems to arrive at a solution
- No commerce (i.e. motels)
- We feel safe
- Peaceful

### Negatives:

- Potential noise
- Traffic
- Trash
- Winter driving issues
- We bout a house not in a motel zone as per contract with County
- Noise
- Lights at night that disturb star gazers
- Dog leash laws being enforced
- Neighbors will discuss and solve problems, we don't want to enforce this leash law with STR
- Code enforcement
- STR may not know not to feed animals and to keep dog food smells away from entrances as not to attract bear break-ins

### Positives:

- Meeting a need not otherwise met in June Lake
- Improvement in local economy
- Improvement in upkeep of properties
- Increase in property values
- A population of homeowners don't want STR, it puts neighbors against neighbors, going outside we want to see neighbors not strangers

### Overall:

- Improve local economy
- Restaurants
- Stores
- Maintenance
- Service industry
- It is fine with homeowners in tracts who all agree and want STR

### Solutions:

All could be controlled by restrictions placed on landlords or neighborhoods

Density limits

Noise ordinance

Light ordinance

Seasonal restrictions

Levy on rental income to support local district where generated

To have STR where the homeowner all want STR

Comments:

I believe I should be able to do what I want with my property, as long as I don't disturb my neighbors

I don't like the idea that the county could place restriction on my property that would affect my children and my gran children

Please leave the Clark Tract our home not open to profiteers

Taking care of our roads already a lot

**May 25: Clark Tract**

5/25 Clark Tract: Technical Considerations

Some roads like Nevada St. provide access to Silver Lake and the private neighborhood

Drainage problems along Nevada, California and Washington St

Road erosion annually

Snow Storage

Tight turns (hairpin like)

Dirt road issues – potholes, grading needed

Drainage

Emergency access at Nevada and California due to too many cars parked along road

The owners are liable for roads

Concern for insurance rate

More cars, more impact on roads

Unfamiliar drivers can make difficult situations

5/25 Clark Tract: Neighborhood Character

Mountaineering opportunities

Topography- prevents overdevelopment

Enough wetlands- prevents overdevelopment (built in resistance to overdevelopment)

Distinct seasons – seasonal change

Living in communities with wildlife

Quiet

View-stellar

Wildlife

Some great neighbors

Located well relative to lakes (Double Eagle Resort, Ski Mountain, etc.)

Very, very quiet during much of the year (80% second home-owners)

Serenity

Neighbors discuss issues and eventually resolve them (i.e. dog leash laws –problems: pooping on others  
lots and roads, running up, barking at people and their dogs on leashes)  
Concern for those who are just told about the law may again need time for behavior change  
Puts neighbors as enforcers  
Quiet  
Peaceful  
We have to work together to solve problems with the roads and snow removal  
Feeling safe  
Specified “quiet hours” (like Double Eagle hours)  
Knowing neighbors  
Preserving property values  
Views  
Views  
Quiet  
Knowing the neighbors  
Wildlife  
Feeling safe  
Seasons  
Access to outdoors  
Dark skies  
Low density population

#### 5/25 Clark Tract: STR Negatives

Wanted to avoid when moving into area  
No transient rentals  
Property damage by transients  
Come in the dark, get lost, run into things  
Sharing space with people you don’t know  
Knowing neighbor issues  
Establish a policy changing existing property use  
Purchase property and then don’t use it and issue it out to strangers  
Instead of living in a home it would be a motel zone  
Dealing with management company instead of neighbors; their intent is to make a profit while  
neighbors deal with the change in the feel of the neighborhood and problems STR presents  
Higher tax assessments resulting from higher property values  
Neighbors that expect others to deal with their financial situation cause frustration  
Parking  
Noise  
Disrespect of others boundaries  
Inability to navigate roads safely- especially in winter  
Disrespect of property  
Disrespect and interference with wildlife (trash / bears)  
Trash  
Potential noise



Potential poor property management  
Parking  
Enforcement, lack of County money to hire more officers  
Loss of long term affordable rentals  
Ignorant regarding bears and trash  
Lack of trash pick-up  
Safety- not knowing the people visiting  
Lack of neighborhood accountability (people with no vested or emotional interest in the neighborhood)  
More likely to be partiers or not  
Disrespectful guest  
Trash issues  
Lack of understanding of wildlife  
Lack of winter driving experience  
Alcohol related behavioral problems due to altitude, over-exertion, etc.  
Traffic (perceived)

#### 5/25 Clark Tract: STR Positives

None  
Assist families financially, although good neighbors they need assistance in making mortgage and other payments  
Opportunity to financially benefit the community bringing money (restaurants etc.) and company  
Opportunities to educate transients in wildlife co-existence  
County revenue  
Personal revenue (property management and maintenance services)  
Attracts visitors (offers families visiting opportunity to stay under one roof)  
Allows financially stressed owners to retain their home  
Allow for use of housing resources that exist without further development  
Online listings advertise June Lake at expense of owner  
Type I only- owner is also on premises to manage noise, etc.  
Owners can use that income to improve their property  
If another fee were levied that did not go into general fund it could go toward roads  
Helps June Lake economy  
Stricter rules might be able to be added I the June Lake area plan to mitigate some of the negatives  
Strong case that short term renters have less impact on neighborhoods  
Improved local economy  
Supported by most hotel/motel owners  
Generates TOT  
Provides extra warm bed without new construction  
Either green and growin or rape and rottin  
Property upgrades  
Better to control rather than underground  
Higher property values  
Tax revenue  
Rental revenue – reinvestment to maintain

Create economy base to support local business  
Upgrade properties  
Overnight rentals provide revenue for road maintenance  
Allow for regulation

#### 5/25 Clark Tract: Impacts to June Lake Overall

Potential increased demand on paramedic and fire department  
Economy a plus  
Great options for the tracts that want to have STR  
More tourism  
More employment  
Solution to lodging shortage  
More traffic  
Homeowners (not STR) have to enforce rules  
Less rentals available for workforce  
Bring more visitors  
Increase in local economy  
Puts June Lake on map

#### 5/25 Clark Tract: Solutions & Sticky Dots

Tie fees to community benefits (Roads / Medics) -3  
Create single ST rental policy community-wide (not by neighborhood) – 0  
Hire more code compliance officers – 1  
Limit number of vehicles allowed – 5  
Include road conditions as part of permit process – 3  
Prohibit Type II Short-term rentals – 4  
Prohibit Type I Short –term rentals – 3  
Dedicate fees (e.g., TOT) to fund enforcement – 5  
Density Limit – 3  
Require affordable housing mitigation – 1  
Ensure some neighborhoods remain residential without rentals – 0  
Insurance requirements – 0  
Develop HOA's with conditions, covenants & restrictions (CC&Rs) – 0  
Seasonal Restrictions – 3  
Codify liability (renter vs. homeowner) – 0  
Lender notification – 0  
Require damage from new construction to be repaired – 3  
Rental day limit (e.g., # of days/year) – 3  
Post enforcement phone # on site and online – 3  
Provide another reporting method other than neighbors policing neighbors – 0  
No rentals on private roads – 0  
No short term rentals in the Clark Tract to ensure / provide for work force housing – 3  
Enforce existing rules – 0  
Partition or divide the Clark Tract with different regulations by:

Nevada Street – 0  
Los Angeles – 0  
W. Washington (where there is commercial and existing rental) – 0  
Allow type II with new regulations – 0  
Limit type I with occupancy limits (1-2people) – 0  
Adjacent neighbor veto of STR permit – 2  
Maintain Clark as a contiguous neighborhood – 5  
Split off Mt View Ln as allowable for STR – 0  
Allow Type I with new regulations – 0

**June Lake Short-Term Rentals Workshops**  
**Input by Neighborhood: Clark Tract**

**1. Clark Tract: Neighborhood Character**

Wildlife

Presence of wildlife  
Wildlife respected  
Wildlife  
Wildlife  
Wildlife  
Wildlife  
Wildlife  
Living in communities with wildlife  
Wildlife  
Wildlife  
Wildlife

Nature & Environment

Environment, fresh air  
Hearing the running water (falls and creeks)  
Waterfalls  
Topography  
Four seasons (climate)  
Nature  
Know how to interact with this environment  
Clean environment  
Physical characteristics- rocks, slopes, etc.  
Clean  
Distinct seasons – seasonal change  
Seasons

Dark Skies

Dark skies  
Light pollution  
Dark night skies  
Night skies – lights  
Dark sky  
Dark skies

Sense of Neighborhood/Friendly Neighbors

Want more nice, quality, neighbors  
Stability  
Getting along with neighbors  
Friendly neighbors  
Neighborhood atmosphere  
Everyone knows each other and helps each other out

Don't want people that don't care  
Only here one night a week  
Other property owners respected  
Know neighbors  
Friendly  
Tolerant of neighbors  
Care bout neighbors "neighborhood watch"  
People in and out next to you  
Knowing neighbors / enjoying community / small town living  
Neighbors that care about local environment  
We know neighbors – background, respect, etiquette, what to expect  
Neighbor relationships  
Knowing our neighbors  
You know who belongs, can watch out for each other  
Knowing who belongs  
Community feeling  
Some great neighbors  
Neighbors discuss issues and eventually resolve them (i.e. dog leash laws –problems: pooping on others  
lots and roads, running up, barking at people and their dogs on leashes)  
We have to work together to solve problems with the roads and snow removal  
Knowing neighbors  
Knowing the neighbors  
Neighbors have each-others backs  
We discuss problems to arrive at a solution  
No party atmosphere  
Know neighbor's lot boundaries  
Concern for those who are just told about the law may again need time for behavior change  
Puts neighbors as enforcers

#### Peace & Quiet/Privacy

Privacy  
Peace and quiet  
Quiet  
Quiet  
Privacy  
Noise travelling up hill  
Quiet  
Quiet – secluded – sanctuary  
Privacy  
Know our parcel boundaries – don't go on others land  
Peace and quiet  
Peaceful  
Quiet, peaceful  
Solitude  
Quiet  
Privacy  
Quiet

Quiet  
Quiet  
Very, very quiet during much of the year (80% second home-owners)  
Serenity  
Quiet  
Peaceful  
Specified “quiet hours” (like Double Eagle hours)  
Quiet  
Quiet  
Serenity  
Peaceful

#### Views

Views and scenery  
Views  
View  
View  
Views  
View (x3)  
Views  
The view  
View  
View - stellar  
Views  
Views  
View

#### Low Density & Residential Development

Property devaluation  
Take very good care of our property and area in general  
Single family homes  
Residential (single family) residential  
Family / Quiet residence  
Non commercial  
Homes values  
Topography- prevents overdevelopment  
Enough wetlands- prevents overdevelopment (built in resistance to overdevelopment)  
Preserving property values  
Low density population  
No commerce (i.e. motels)  
Lack of commerce  
Too much solitude  
Lots of vacant homes (not a lot of character)

#### Safe

Safety  
Don't have to worry about leaving things outside or even locking doors now

Don't have to worry about trespassing or vandalizing now

Safe

Home sanctuary

Safety

Safety – kids, dogs and personal belongings

Security

Safety for kids in neighborhood

Safe neighborhoods

Feeling safe

Feeling safe

We feel safe

#### Low/Slow Traffic

Minimal traffic

Low traffic volume

Road etiquette and experience

Condition of roads slows traffic

Usually little traffic

#### Access to Activities

Proximity to activities (town, ski, etc.)

Mountaineering opportunities

Located well relative to lakes (Double Eagle Resort, Ski Mountain, etc.)

Access to outdoors

#### Other

It's mine

Affordable housing long term rentals – diversity

Don't want to be like Mammoth

Not Mammoth

## **2. Clark: STR Negatives**

#### Disrupts Sense of Neighborhood

High turnover

People who don't know don't care

Don't know neighbors who rent

People here to party

People who love living here versus those who only value money

Unfamiliar with our particular neighborhood needs

They aren't invested in the best interest of our tract

Unfamiliar with our particular neighborhood needs

They have their own agenda

Strangers in neighborhood

Hectic

Business in residential area

Loss of privacy

Dissention between neighbors  
Sharing space with people you don't know  
Knowing neighbor issues  
Lack of neighborhood accountability (people with no vested or emotional interest in the neighborhood)  
More likely to be partiers or not  
Disrespectful guest  
Purchase property and then don't use it and issue it out to strangers  
Neighbors that expect others to deal with their financial situation cause frustration  
Neighbors will discuss and solve problems

#### Disrespectful/Disruptive Behavior

Lack of respecting property and neighbors  
Lack of responsibility  
Potential for: parties, noise, burglary, unwelcome animals and damage from renters  
Not knowing property lines  
Irresponsible owners allowing disruptive renters  
Respecting property boundaries  
Party environment  
Come in late at night  
Not familiar with winter  
Come in the dark, get lost, run into things  
Disrespect of property  
Disrespect of others boundaries  
History of bad experiences

#### Management/Regulatory Issues

Not properly vetted renters  
No management supervision  
No penalty to destructive renters  
Restrictions not necessarily liked  
Unavailable to contact  
They haven't been background checked as full-time renters  
Don't want our lifestyle dependent on management company  
Lack of adequate property management (oversight)  
We become dependent on management company to maintain STR (instead of neighbor interaction)  
Management (ineffective)  
Property damage by transients  
Dealing with management company instead of neighbors; their intent is to make a profit while  
neighbors deal with the change in the feel of the neighborhood and problems STR presents  
Potential poor property management

#### Inadequate Enforcement/Neighbors Policing Neighbors

Lack of controls and enforcement  
Non-permitted rentals  
Enforcement is lax  
We don't want to police others  
Enforcement problems



We don't want to police  
Inadequate compliance  
County not supervising well enough  
Disturbance happens prior to any enforcement  
Adequate enforcement  
Minimal enforcement  
Enforcement- parking / noise / traffic / trash  
Needing to watch / enforce neighborhood rules  
Enforcement, lack of County money to hire more officers  
Dog leash laws being enforced  
Code enforcement  
We don't want to enforce this leash law with STR

#### Change in Property Values/Low Density & Residential Character

Property devaluation  
Overuse of property  
Purchased as single –family residence  
Turn residential area into commercial property  
Changing neighborhood character – motel zone  
May lead to residential property turning into unsightly property driving down property values  
Having a junk yard next door, etc.  
Overturns our home area into a business area  
Removes neighborhood character  
Winter condition expense  
Wanted to avoid when moving into area  
Instead of living in a home it would be a motel zone  
Higher tax assessments resulting from higher property values  
Establish a policy changing existing property use  
Change in existing rules from original expectations  
We bought a house not in a motel zone as per contract with County

#### Increased Noise

Noise  
Noise  
Noisy parties / late nights  
Uncontrolled noise  
Possible noise (mostly at night during the summer)  
Noise  
Noise  
Noise  
Noise  
Potential noise  
Potential noise  
Noise

#### Increased Trash

Trash

Trash  
Garbage  
Trash  
Lack of trash pick-up  
Trash issues  
Trash

#### Increased Lights

Lights  
limitation night light (stars)  
Lights  
Lights at night that disturb star gazers

#### Parking Issues

Parking  
In some cases parking availability  
Parking issues  
Parking  
Uncontrolled parking  
Parking  
Parking  
Parking  
Parking  
Parking

#### Increased Traffic/Problems Due to Winter Road Conditions

Traffic  
Increase in traffic noise and general disruption  
Winter driving problems  
Additional wear on worn-out roads  
Road wear and tear at neighborhood expense  
Unsafe snow driving – don't understand specific roads  
Lack of understanding of environment  
Increased traffic (including road wear)  
Road conditions  
Legal liabilities having renters using unfamiliar private roads  
Street maintenance  
More people more traffic  
Homeowners liable because roads are private and will be used during rentals  
Degrade roads faster  
Unfamiliar drivers blocking road  
Driving on narrow steep roads  
Winter traffic  
Additional damage to roads  
Additional traffic  
No money to fix roads  
Inability to navigate roads safely- especially in winter

Lack of winter driving experience  
Traffic (perceived)  
Traffic  
Winter driving issues  
Snow removal

#### Decreased Safety

Safety  
Unsafe / less security  
Safety issues (especially in winter)  
Safety- not knowing the people visiting  
Alcohol related behavioral problems due to altitude, over-exertion, etc.  
Drunks  
Illegal outdoor bonfires  
Fire hazards in yard and stores

#### Negative Impacts to Wildlife

Detrimental to wildlife  
Lack of bear awareness  
Lack of respect for wildlife  
Negative wildlife interaction- bears  
Wildlife ignorance – increased bear break-ins (trash issues)  
Bear Safety  
Bears are a problem when food/trash not properly stored  
Not knowing how to keep away bears  
Wildlife education  
Disrespect and interference with wildlife (trash / bears)  
Ignorant regarding bears and trash  
Lack of understanding of wildlife  
STR may not know not to feed animals and to keep dog food smells away from entrances as not  
to attract bear break-ins

#### Negative Impacts to Local Business

Local hotels lose business  
Negative impact on hotels  
STR in Clark Tract detracts income from town, businesses, motels, cabins, restaurants that exist

#### Reduced Workforce Housing Units

Impact local working by displacing work force housing  
Loss of long term affordable rentals

#### Equity: No \$\$ for costs

TOT doesn't pay  
No cost benefit to neighbors  
Can't force "profiteers" to pay fair share of snow removal and road repair  
Neighbors not responsible if someone can't afford 2<sup>nd</sup> home and need to rent it  
Having people up there who don't value the community, city, county receiving their fair share of

funding

#### Too Many

Possible development of dense STR

Too many too close (density)

Occupancy density – too many rentals

#### Other

Air quality issues

Rent via high-end company

More check and balances

Renters are rated

That they are run properly

That the rules are enforced

Area allows rental currently

That the density of STRs is controlled

No transient rentals

Inflexible legislation we have to live with forever (financial situations change / heirs)

Elimination of individual property rights- people should be allowed to do what they want on their property

Medium term rentals can be worse than short term

### **3. Clark: STR Positives**

#### Economic Benefits for June Lake and Countywide

County wide improves economy

More availability of lodging increases overall tourism business – avoids losses to other areas in county

Key to our economy is gateway to Yosemite

Increase jobs

Keeps local jobs

Improved economy (restaurants, businesses, TOTs)

More jobs in area

Mountain will get more skiers

More and local business

Legal business increase

Positive impact on local business

More worldwide recognition for June Lakes

Economic benefit to June Lake Overall positive economic benefit to community

Opportunity to financially benefit the community bringing money (restaurants etc.)

Personal revenue (property management and maintenance services)

Attracts visitors (offers families visiting opportunity to stay under one roof)

Helps June Lake economy

Improved local economy

Supported by most hotel/motel owners

Either green and growing or ripe and rottin

Create economy base to support local business

Online listings advertise June Lake at expense of owner  
Improvement in local economy

#### Meets Market Need

Satisfies needs not met by conventional lodging  
Increasing need for short term rental for families  
Meeting need for additional “beds” without additional construction  
Meets need that can’t be met by hotels  
The way young people travel  
Provides alternatives to motels  
Supplying a need for this type of rental  
Meets a demand not met any other way  
Increase bed capacity without new construction  
Allow for use of housing resources that exist without further development  
Provides extra warm bed without new construction  
Meeting a need not otherwise met in June Lake

#### Increase County Revenue for Services

STRs would support and get TOT  
County benefit (TOTs)  
TOT returns to community improves roads (County must agree TOT returned to June Lake)  
County tax benefits  
If TOT be used (A%) for Clark Tract roads? Needed!  
Tax revenue  
Increase county services  
TOT to County  
TOT to the County  
TOT that can come back to the community in various ways  
County generates tax  
Generate TOT  
Increase tax base  
Increase tax revenue will increase infrastructure  
County revenue  
If another fee were levied that did not go into general fund it could go toward roads  
Generates TOT  
Tax revenue

#### Opportunity for Wildlife Education

Opportunity for bear increase awareness  
Opportunities to educate transients in wildlife co-existence  
Increases safety for traditionally seasonally occupied 2<sup>nd</sup> homes (i.e. minimizes bear break-ins)

#### Regulatory Control/Increased Accountability

If regulated rules can be enforced  
Get to know sheriffs better  
Control of bad renters  
Accountability for guests to adhere to house and neighborhood rules

Brings proper county controls over STR (to eliminate illegal rentals)  
Legitimize short term rents  
Ability to regulate  
Type I only- owner is also on premises to manage noise, etc.  
Stricter rules might be able to be added I the June Lake area plan to mitigate some of the negatives  
Better to control rather than underground  
Allow for regulation

#### Social Opportunities

Allows people to experience June Lake and the wilderness  
Attracts outside visitors  
Might make a new friend or your dog might  
Sharing the area (the vast majority of renters will be nice people)  
Meeting nice people

#### Benefits Property Owner/Provides for Property Improvements

Makes 2<sup>nd</sup> homeownership more affordable  
Allow families to rent to friends or family  
Increase property values  
Funds could lead to improvements of home  
May help with people to afford to keep and maintain property  
Money making for individuals (profiteers)  
People may be able to keep homes who would otherwise have to sell  
Supplemental income  
Allowing second home owners to generate income to maintain their property  
Allowing people to hang on to their properties rather than the continuous re-cycling of homes  
because they become non-viable to second home owner  
Very few- many provide supplemental income, but at the expense of the community  
Money for home owners  
Subsidize income  
Upgrades and improvements to property  
Increases and improvements to property  
Increases property values  
Assist families financially, although good neighbors they need assistance in making mortgage and other  
Payments  
Allows financially stressed owners to retain their home  
Owners can use that income to improve their property  
Property upgrades  
Higher property values  
Rental revenue – reinvestment to maintain  
Upgrade properties  
Improvement in upkeep of properties  
Increase in property values

#### Short Term is Less Impactful/Location

Reduces medium term and seasonal rentals  
Short term impact vs long term impact

Bad apples are gone in a day compared to seasonal and medium term  
Strong case that short term renters have less impact on neighborhoods  
In some areas of June Lake it makes sense- especially on County maintained roads

#### Potential to Contribute to Neighborhood Service Needs

Road contribution  
Potential to pay for infrastructure  
Overnight rentals provide revenue for road maintenance

#### Provides Flexibility & Personal Choices

Prevents changes to specific area plan which would eliminate rentals for ever  
Allows people to do what they want with their property- as long as they don't disturb their neighbors

#### No Positive Aspects

None  
Some feel there are none  
None  
A population of homeowners don't want STR, it puts neighbors against neighbors, going outside  
we want to see neighbors not strangers

### **4. Clark: STRs Impacts on June Lake Overall**

#### Potential to Incentivize Construction

Construction increase of income properties  
We endorse June Mountain to build a chalet and hotel rooms and gondola

#### Infrastructure/Service Impacts

Infrastructure PUD, Fire Department / medical impacts  
Utilities (Electrical Etc.) impacts  
May have traffic signal  
Pressures on infrastructure  
Potential increased demand on paramedic and fire department  
More traffic

#### Economic Benefit

Increased revenue local business  
Tax revenue  
Hotel / Motel owners generally not against STR  
Increased economic benefit to community: business, maintenance and service workers  
More opportunities for people to choose June Lake – stronger economy  
Good for local business  
TOT  
Economic benefit to whole area  
Ski area  
Alternatives to motel rooms  
County gets tax (can it be sent to June?)  
They meet a need that is becoming more and more significant

June Lake is 99% reliant on tourism and we should do everything we can to meet the needs of  
our life blood, the tourist

Improves local economy

Exposes June Lake to a broader tourist market

Potential revenue to improve the community as a whole

More tourism

More employment

Economy a plus

Bring more visitors

Increase in local economy

Puts June Lake on map

Solution to lodging shortage

Improve local economy: restaurants, stores, maintenance, service industry

Provide housing for people who live outside

#### Negative Economic Impacts

Less eating out in town

Loss of lodging (existing hotels)

Reduced income for local hotels

Takes away money from existing businesses (e.g. restaurants, motels cabins)

#### Property Value Impacts: Positive & Negative

General upgrade in community with people dependent on reviews, fix up rental for STR renters property

Property values – potential effects

Those who benefit from additional housing should finance it

Turn residential areas into low class rental slums

Will hurt values, neighborhoods, etc.

Degrades property values and flip side

#### Change in Residential Character

Should be places in June where people can get away from rentals

More resort feeling not peaceful

Character of town is what is attractive to people

Loss of quiet

Not sure we need tourists in residential areas

We don't want short term rentals to start driving speculative purchase of single family homes to  
turn them into VHR units

Change identity of community

#### Appropriate in Some Locations, Not in Others

Each neighborhood should be treated differently – different STR densities

We are for neighborhoods who want STR to have them, but not those who don't

Appropriate in some areas – downtown

A lot of commercial zoning

Leonard and Dream Mountain

County Roads

Clark tract not appropriate because of serious road issues



Great options for the tracts that want to have STR  
Homeowners (not STR) have to enforce rules  
It is fine with homeowners in tracts who all agree and want STR  
Density of STR should be determined

#### Reduction of Workforce Housing

Loss of affordable housing  
Concern about reduced housing for locals  
Loss of low cost housing for workers  
Will worsen affordable housing shortages by turning into TROD  
Less rentals available for workforce

#### **5. Clark: Other Comments (Open Session)**

- Put this issue on the ballot and leave the democratic decision to the people like the past Measure Z in Mammoth
- Enforce illegal STR currently in June Lake
- Do not change zoning
- We're a mountain town that relies almost totally on tourism
- STRs are a fact of life today
- There are homes that will never be suitable for workforce housing, but ideal for STRs
- People looking for that type of accommodation will not come to June Lake if they can't find it
- They are not looking for a motel/hotel experience; most motel/hotel operators recognize this & support STRs
- Identification and enforcement of short term rentals is the big problem
- Online advertising / reservation systems create the problem by not providing access to listings for enforcement
- Local / county / state needs to act as one to legislate and enforce access to online systems to identify short term rentals and then enforce them
- Anything else pits home owner against home owner and is expensive and incomplete
- The solution starts at the advertising / reservation source
- I think that perhaps Nevada St. and/or LA Street could be separated from what happens in Clark because they don't have the road issues of upper Clark Tract. There may even be efficacy in separating western Washington where there already are rentals (Whispering Pines and legal TROD). Flatter roads, like LA St and Nevada St, could be split off from the Clark tract due to fewer road issues. However, transient rentals still replace long term rentals for locals, and for example on LA Street there are 7 long term rentals that have potential of being replaced by STR. That would not be good for locals.
- I believe I should be able to do what I want with my property, as long as I don't disturb my neighbors
- I don't like the idea that the county could place restriction on my property that would affect my children and my gran children
- Please leave the Clark Tract our home not open to profiteers
- Taking care of our roads already a lot

**June Lake Short-Term Rentals Workshops**  
**Input by Neighborhood: Petersen Tract**

**1. Petersen Tract: Neighborhood Character**

Nature/Environment

Beauty

Close to nature

Trees, trails nature, peaceful

hiking, trails, sledding, snow play, water play

Next to FS land

Wildlife is all around

Wooded atmosphere

Wild animals

Beauty

Nature setting

Quiet

Quiet

Privacy

Quiet

Quiet

Quiet

It's serene and quiet

Quiet

Quiet

Quiet

Tranquility

Sense of Neighborhood

Friendly neighbors – know your neighbors! X2

“Neighborhood!!!!”

Single Family Residential designation

Good people as neighbors

Small town neighborhood feel

Care for the neighborhood, pick up trash, fill potholes, check on each other's homes

Kids

Limited full-time residents

Friendly neighbors

Safe

Feel secure & Safe!!

Safe

safety

### Roads/Access

1 inlet/1 outlet = low traffic  
Small roads  
Little traffic

### Access to Activities

Proximity to ski area  
Proximity to Ski Area  
Close to Ski Area

### Other

Vacation Home  
Property values  
There is no HOA

## **2. Petersen: STR Negatives**

### Reduce Workforce Housing

Displace workforce renters  
Takes long-term rentals from inventory  
Potentially less properties available for work force  
No long term housing

### Increased Traffic & Parking Issues

Potential for inexperienced (winter) drivers  
Bring too many cars – parking on roads  
Don't know how to drive in snow – stuck vehicles get everyone stuck  
Too much traffic  
Road issues  
Not aware of road conditions  
Parking  
Limited parking  
Traffic  
Neighborhood access  
Increase in traffic  
Traffic  
Poor drivers

### Increased Noise

Noise  
Too much noise  
Noise  
Noise  
Noise  
Noise

### Reduced Safety

Safe neighborhoods  
Neighborhood friction  
Have to defend our property  
Greedy!!  
Forces neighbor to neighbor discussions  
Sense of community altered by influx of strangers  
Outdoor fires  
Inattentive people inadvertently causing harm or damage to the neighborhood (fires, crashes, fatalities)

### Inadequate Enforcement/Management

Code enforcement basically non-existent, too many illegal rentals, no code compliance  
2<sup>nd</sup> homeowners not present when some problems occur  
Not enough oversight

### Disrespectful/Disruptive Behavior

Disrespect for the environment and neighbors  
Not respectful of the property  
On vacation “mindset” not the same (as locals)  
Large groups tend to party  
unruly renters  
Loud parties  
Party atmosphere opposed to people fostering community  
Disrespectful city folk acting inappropriately for the neighborhood and mountain environment

### Trash

Trash  
No trash services  
Pollution

### Other

Where TOT will go  
Current monthly rentals are in poor condition  
Activity  
Money-driven at the expense of June Lake community  
I don't personally see a lot of negatives compared to the 30 day or more rentals  
The concern about short term rentals creating more bad behavior, loud noise, parking issues, etc. is overdone  
Lights  
Overcapacity of the home  
Strain on community services

## **3. Petersen: STR Positives**

### Increased Revenue for County Services

TOT Zones = dedicated to the June Lake Area  
Tax base – playgrounds, parks, overall community improvements = police, fire, paramedic, etc.

Additional revenue could provide more funds for regulation of rentals, i.e. code compliance personnel  
Positive *if* TOT comes back to community that generates it  
Add funds to streets & EMS  
Increased TOT  
TOT

#### Improved Economy

Help save June Mountain through more visitors  
Business would benefit through more people  
Improve and diversify the rental base to help compete with other resort/recreational towns  
More bed space  
Benefits businesses  
We need to promote the economy of June Lake by all means  
All business and the community benefit

#### Property Improvements/Homeowner Benefits

Homes are not vacant thus maintenance issues can be fixed  
Not all renters are bad  
Increased property values  
Potential positive property values  
Income for home owners  
Increased income for property owners  
Income for current home owners  
Benefits property owners  
If you are the one doing it, money

#### Social Opportunities

Memories for families  
Share our community with others

#### Eliminate Illegal Rentals

Eliminate illegal rentals

#### Increased Housing

Additional housing for the area  
Additional housing for short term visitors

### **4. Petersen: STR Impacts on June Lake Overall**

#### Negative Economic Impacts

Takes away from motels/hotels/condos already in business

#### Changes Character of Community/Neighborhoods

Changes the small town village feel of the town, not in a good way  
Lack of stewardship of many visitors  
Important to preserve community rather than give in to money-making propositions  
Influx of people not devoted to preservation of community

#### Increases Enforcement Needs/County Expenses

Strain on enforcement and other community services

How much \$\$ has been expended on all these meetings since 2009???? How many more?

#### Economic Benefits

More bed space meets need and keeps people in June Lake which benefits shops & restaurants, etc.

Could bring more business to June Lake

They keep the town flourishing, without them the town dies

Jobs

#### Exacerbates Workforce Housing Shortage

Already a lack of long term rental housing

Some property owners may turn their rental into short term rental, worsening the housing

Crunch

We need more monthly rentals in the community

#### Benefits to Homeowners

Property values are protected and pressure to sell is reduced when family circumstance changes

and personal use is reduced

Income

#### Other

We just don't need them in the Petersen Tract

June Lake "sells itself" – natural beauty, hiking, fishing, camping, skiing, etc.

### **5. Petersen: Other Comments (Open Session)**

- No HOA in the Petersen Tract
- June Lake will be going backwards and limiting its own future if we fail to recognize and be part of a changing world
- Don't do it
- Address the road conditions, pot holes, cracks and drainage

**June Lake Short-Term Rentals Workshops**  
**Input by Neighborhood: Leonard Avenue Area**

**1. Leonard Avenue: Neighborhood Character**

Access – views, large lots, excellent parking  
Peaceful – low density, not mammoth  
Friendly – family oriented, natural beauty  
Unique – Trails, fishing & Skiing within walking distance  
Alpine Village atmosphere – affordable  
Well-planned area – snow removal, county roads for public access  
Topography well-suited for STR

**2. Leonard Avenue – STR Negatives**

Signage – negative aesthetics  
Typical concerns do not apply to Leonard Avenue

**3. Leonard Avenue – STR Positives**

Property integrity – gas leaks, water leaks, burglary, etc.)  
Safety – personnel  
Prohibits vandalism  
Limits animal damage  
Increase fees/taxes will improve resources  
Small community with no known opposition  
Property low-density – approx. 24 homes

Economic benefits/increased competitiveness

Help Keep Mountain Open  
Improve commerce countywide  
Improve the diversity of rental properties to better compete with other resort towns

**4. Leonard Avenue: STR impacts on June Lake Overall**

Improve Commerce  
Help to keep Mtn open & other businesses  
Increased traffic  
Leonard Ave can meet June Lake's need for STR at a whole  
Leonard Ave recognizes and empathizes with issues in other areas  
June Lake properties are family investment properties as opposed to commercial investments

**June Lake Short-Term Rentals Workshops**  
**Input by Neighborhood: Highlands (1)**

**1. Highlands: Neighborhood Character**

I enjoy the open feel of the neighborhood

I am glad there are no fences and wildlife can easily move through the neighborhood

I wish all the roads were plowed in winter

I am also glad we have CC&Rs to maintain the peacefulness of the neighborhood

**2. Highlands: STR Negatives**

Noise

Alcohol

Drug use

Excessive car parking

I suspect that many of the property owner are not paying the transient occupancy tax

**3. Highlands: STR Positives**

It could provide TOT for the village of June Lake (the whole community)

**4. Highlands: STR impacts on June Lake Overall**

Downside is they bring a certain amount of crowding and rowdiness to the community

Upside is they boost community with economic activity

**5. Highlands: Other Comments (Open Session)**

- Thank you for coming to June Lake and gathering input, good presentation



**June Lake Short-Term Rentals Workshops**  
**No Neighborhood / Village Input**

**Open Session Notes**

Negatives/Neighborhood Character

- STR's are a business
  - Balance Issues (commercial vs. residential)
- STR's may result in more parking & paving = potential negative environmental impacts
- Increased property values prices out service employees and other locals, increased difficulty for first time homeownership
- Bad STR experiences: parking, dogs, noise
- Clark Tract is a neighborhood not a business district
- Residents have to deal with the impacts of STR and changed neighborhood character

Positives

- STR provides way for owner to keep rather than flip (which may decrease area property value)
- No STR's may lead to more long term rentals (Type I) – harder to evict bad neighbors who are there longer
- Existing TROD owner – renters have been good, personal interview to vet renters
- Legal rentals have not had complaints
- The occasional “bad apples” in STRs are not the norm
- ST renters are usually families and respectful
- Renters can be instantly evicted if causing disruption
- Properties with STR have higher property value
- Currently empty residences = opportunity for people who will recreate here

Enforcement/Management Issues

- Enforcement response needs to be improved – more timely, weekend coverage
- Management agency needs to be responsible
- Enforcement: failure of management company to respond adequately should be enforced as misdemeanor
- Need information and education about good property management firms

Solutions

- Encourage / enable STR's in certain areas
- Need incentives to build STRs
- Camping is an available low cost option for tourists
- Post 24-hr number for complaint response more conspicuously at STR
- Add enforcement staff
- TOT can fund services

Road Issues

- Road conditions can change so not necessarily good criteria to exclude
- Private road improvement too expensive for homeowners to improve alone
- Clark Tract roads will always be steep and narrow
- Many private roads in potential SFR areas are in poor condition- roads can't be brought up to standards (homeowner responsibility)

### Market/Economic Issues

- Rodeo Grounds may meet many of these market demands
- Travel has changed - need to meet market demands
- Why have property values stayed low?
- Not the right type of accommodations so lose those visitors
- Business development and growth poor in June
- Need for "more beds" in June to support economy
- Questioning of assessments - hard to get accurate
- June = Remote, too far from things, less known
- Perception majority of County taxes paid by non-residents (2<sup>nd</sup> homeowners)

### **Village**

#### Neighborhood Character:

- Quiet family after the large investment in a private home
- Existing STR neighborhoods
- Own business (and other businesses) that rely on affordable housing for our employees
- The friendliness of neighbors
- Natural vegetation / views
- Proximity to services
- Quiet
- Little traffic

#### Negatives:

- Growing lack of affordable housing
- Impacts on workforce housing
- Impacts on existing motels / night to night rentals
- Impacts on neighborhood characteristics / noise etc.
- Enforcement
- When rented by an agent they are not available at late night (maybe by phone but that does not solve the problems that they create)
- Having any neighbors negatively affected by STR- even perceived negatives
- Parking
- Garbage
- Noise
- Arrival Times
- They take income away from hotels
- Create noise, traffic and animosity toward neighbors
- Renters are on vacation and generally stay up late and party
- People have large investment in their homes and should not have to put up with transients

- Completely change character of neighborhood
- Required phone number to be posted difficult to handle as only Verizon works
- No internet access without a password

Positives:

- None, they take away peace and quiet of the areas and consume homes that would be long term rentals for employees
- Benefits owner only
- Detriment to residents and neighborhood

Overall:

- They should stay in motel / hotel that are not full all the time
- Existing legal hotels / lodging lose business
- In a small community like June Lakes, even a few bad apples make a big impact
- We lose affordable housing
- Turn neighbors into enforcers – compliance
- Negatively

Comments:

- If you (Mono County) hires “enforcement” have them work appropriate days and hours
- It’s no good to hire someone M-F 9-4PM.
- In chapter 26-26.040 it says address must be clearly visible- you need to state “even at night”, it may be visible daytime only.
- Should not be allowed in residential areas where people build and invest in a private home
- Changing zoning after people have invested so much leave the county open to law suits
- I have three short term within 100 feet of my house and that has negatively affected enjoyment of my SFR.

**Business and Lodging (1 person, also filled out form)**

- As a resident, don’t change neighborhoods- either Type I or II
- Would take some market share
- Biggest impact in shoulder season and winter season (especially in poor snow years)
- Winter business does not tend towards repeat visits – kids ski free may have helped
- Existing beds are enough, no need to change zoning to allow
- There is enough transient lodging / warmbeds
- Conversion of month-to-month workforce housing to nightly rentals a big problem
  - Exacerbating an existing problem
- Conversions may not be renting legally
- House number should be visible at night
- Phone number: limited cell carriers
- Internet service may not be available to contact management
- Lodging owners may be more concerned about competition
- Business owners may feel it helps bring people and money



## June Lake Short-Term Rentals Workshops - Solutions

*\* Please see the Important Notes at the bottom.*

<u>Solutions</u>	<u>Petersen 5/20</u>	<u>Petersen (Open)</u>	<u>Petersen Emails</u>
<b>Private-Side Issues/Disclosures</b>			
Codify Liability (renters vs homeowners)	1		
Insurance Requirements	1		
Lender Notification	0		
Develop HOA's to Enforce CCRs	0		
<b>Ban/Prohibition</b>			
Prohibit STR Type I	3	1	
Prohibit STR Type II	6	1	
Only allow where ALL want STRs			
<b>Allow as Proposed</b>			
Allow Type I & Type II for Leonard Avenue			
Enforce Existing Rules			
<b>Potential New Regulations</b>			
Seasonal Restrictions	0		
Density Limit	3	1	
Rental Day Limit	2	1	
Posted Enforcement # on Site and Online	1		
Limit # of Vehicles Allowed	3	2	
Require Damage from New Construction to be Repaired	1		
Short time response to issues (require local phone # with 1 hr response time)			
Allow for Direct Neighbor Veto of STR Permit			
Expand Direct Notice Calculation Based off of Farthest Edge of Contiguous Parcel of Same Owner			
Require Education by Owners of Rentals on Specific Conditions (trash, roads, boundaries)			
Allow Type II with New Regulations		1	
Limit Type I with Occupancy Limits (1-2 people)		1	
Allow Type I with New Regulations		1	
Noise Regs			
Ensure cell phone service			
<b>Roads as Criteria</b>			
Include Road Conditions as Part of Permit Process	5		
No Rentals on Private Roads			
No Short-Term Rentals in the Clark Tract to Ensure / Provide for Work Force Housing			
Restrict STR to Areas Accessed by County Roads			

**Fees/Funding/Exactions for Services/Benefits or Mitigation of Impacts**

Tie fees (e.g., TOT) to community services (Roads/Medics)	7	2
Dedicate fees (TOT) to fund enforcement	8	
Require Affordable Housing Mitigation	1	
Require STRs to Contribute to Road Repair		
Ensure STR TOT Compliance Equal to Other Lodging		

**Mapping/Scale**

Partition Clark with Different STR Regulations (Nevada St)		
Partition Clark with Different STR Regulations (Los Angeles St)		
Partition Clark with Different STR Regulations (W Washington - where there is existing rental and commercial)		
Create Single STR Policy Community-Wide	4	1
Ensure Some Neighborhoods Remain Residential without any STR	3	
Maintain Clark as a Contiguous Neighborhood		
Split off Mt View Ln as Allowable for STR		

**Enforcement**

Provide Another Reporting Method Other than Neighbors Policing Neighbors		
Hire More Code Compliance Officers	4	1
Enforcement should be available nights/weekends		
Advertising/reservation access: gain access for enforcement		

**Other**

Build More Commercial Lodging/Condos		
Send the issue to a vote of the people		

**Email Input**

In Favor		1
Opposed		2
Other (process, solutions, other comments)		1

<b>Total Workshop Participants</b>	<b>10</b>	<b>5</b>
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\*Important Note #1: This straw poll does not have any statistical validity or data integrity, and is intended only to "get a sense" of opinions in the room at that particular

\*Important Note #2: This straw poll should not be used to gauge "for" versus "against." A participant opposed to short-term rentals was welcome (and encouraged!) to

## June Lake Short-Term Rentals Workshops - Solutions

*\* Please see the Important Notes at the bottom.*

<u>Solutions</u>	<u>Leonard 5/20 &amp; Emails</u>	<u>Highlands 5/20</u>	<u>158 Hillside 5/22 &amp; Email</u>	<u>Dream Mtn 5/22</u>	<u>Village/Other Open&amp;Email</u>	<u>Williams 5/25 &amp; Email</u>
<b>Private-Side Issues/Disclosures</b>						
Codify Liability (renters vs homeowners)						
Insurance Requirements						
Lender Notification						
Develop HOA's to Enforce CCRs						
<b>Ban/Prohibition</b>						
Prohibit STR Type I						2
Prohibit STR Type II						2
Only allow where ALL want STRs						
<b>Allow as Proposed</b>						
Allow Type I & Type II for Leonard Avenue	5					
Enforce Existing Rules		1 (open)				
<b>Potential New Regulations</b>						
Seasonal Restrictions						
Density Limit						
Rental Day Limit						
Posted Enforcement # on Site and Online						
Limit # of Vehicles Allowed						
Require Damage from New Construction to be Repaired						
Short time response to issues (require local phone # with 1 hr response time)	5					
Allow for Direct Neighbor Veto of STR Permit						
Expand Direct Notice Calculation Based off of Farthest Edge of Contiguous Parcel of Same Owner						
Require Education by Owners of Rentals on Specific Conditions (trash, roads, boundaries)						
Allow Type II with New Regulations						
Limit Type I with Occupancy Limits (1-2 people)						
Allow Type I with New Regulations						
Noise Regs						
Ensure cell phone service						1
<b>Roads as Criteria</b>						
Include Road Conditions as Part of Permit Process						
No Rentals on Private Roads						
No Short-Term Rentals in the Clark Tract to Ensure / Provide for Work Force Housing						
Restrict STR to Areas Accessed by County Roads						

**Fees/Funding/Exactions for Servies/Benefits or Mitigation of Impacts**

Tie fees (e.g., TOT) to community services (Roads/Medics)  
Dedicate fees (TOT) to fund enforcement  
Require Affordable Housing Mitigation  
Require STRs to Contribute to Road Repair  
Ensure STR TOT Compliance Equal to Other Lodging

**Mapping/Scale**

Partition Clark with Different STR Regulations (Nevada St)  
Partition Clark with Different STR Regulations (Los Angeles St)  
Partition Clark with Different STR Regulations (W Washington - wher there is existing rental and commercial)  
Create Single STR Policy Community-Wide  
Ensue Some Neighborhoods Remain Residential without any STR  
Maintain Clark as a Contiguous Neighborhood  
Split off Mt View Ln as Allowable for STR

**Enforcement**

Provide Another Reporting Method Other than Neighbors Policing Neighbors  
Hire More Code Compliance Officers  
Enforcement should be available nights/weekends  
Advertising/reservation access: gain access for enforcement

1

**Other**

Build More Commercial Lodging/Condos  
Send the issue to a vote of the people

1

**Email Input**

In Favor  
Opposed  
Other (process, solutions, other commetns)

10 (consortium)  
0  
0

0  
1  
0

2  
0  
0

0  
1  
0

**Total Workshop Participants**

5

1

0

0

4

0

\*Important Note #1: This straw poll does not have any statistical validity or data integrity, and is intended only to "get a sense" of opinions in the room at that particular meeting.  
\*Important Note #2: This straw poll should not be used to gauge "for" versus "against." A participant opposed to short-term rentals was welcome (and encouraged!) to sticky dot other solutions as well, which should not be "counted" as a vote "for" rentals,



## June Lake Short-Term Rentals Workshops - Solutions

\* Please see the Important Notes at the bottom.

<u>Solutions</u>	<u>Clark 5/13</u>	<u>Clark 5/20</u>	<u>Clark 5/22</u>	<u>Clark 5/25</u>	<u>Clark (Open)</u>	<u>Clark Emails</u>
<b>Private-Side Issues/Disclosures</b>						
Codify Liability (renters vs homeowners)	0	1	0	0		
Insurance Requirements	4	4	1	0		
Lender Notification	0	0	0	0		
Develop HOA's to Enforce CCRs	4	0	0	0		
<b>Ban/Prohibition</b>						
Prohibit STR Type I	5	2	4	3	3	
Prohibit STR Type II	8	7	4	4	3	
Only allow where ALL want STRs					1	
<b>Allow as Proposed</b>						
Allow Type I & Type II for Leonard Avenue						
Enforce Existing Rules			1	0		
<b>Potential New Regulations</b>						
Seasonal Restrictions	2	5	0	3	1	
Density Limit	6	5	2	3	1	
Rental Day Limit	4	0	0	3		
Posted Enforcement # on Site and Online	5	7	0	3		
Limit # of Vehicles Allowed	1	4	4	5		
Require Damage from New Construction to be Repaired			0	3		
Short time response to issues (require local phone # with 1 hr response time)						
Allow for Direct Neighbor Veto of STR Permit		6		2		
Expand Direct Notice Calculation Based off of Farthest Edge of Contiguous Parcel of Same Owner		1				
Require Education by Owners of Rentals on Specific Conditions (trash, roads, boundaries)		7				
Allow Type II with New Regulations				0	1	
Limit Type I with Occupancy Limits (1-2 people)						
Allow Type I with New Regulations				0	1	
Noise Regs					1	
Ensure cell phone service						
<b>Roads as Criteria</b>						
Include Road Conditions as Part of Permit Process	6	1		3		
No Rentals on Private Roads				0		
No Short-Term Rentals in the Clark Tract to Ensure / Provide for Work Force Housing			1	3		
Restrict STR to Areas Accessed by County Roads		2				

**Fees/Funding/Exactions for Services/Benefits or Mitigation of Impacts**

Tie fees (e.g., TOT) to community services (Roads/Medics)	16	14	6	3	3
Dedicate fees (TOT) to fund enforcement			3	5	
Require Affordable Housing Mitigation		2	1	1	1
Require STRs to Contribute to Road Repair		11			
Ensure STR TOT Compliance Equal to Other Lodging		0			

**Mapping/Scale**

Partition Clark with Different STR Regulations (Nevada St)	5	6		0	
Partition Clark with Different STR Regulations (Los Angeles St)			0	0	1
Partition Clark with Different STR Regulations (W Washington - where there is existing rental and commercial)			2	0	1
Create Single STR Policy Community-Wide	8	4	5	0	
Ensure Some Neighborhoods Remain Residential without any STR	3	5	1	0	
Maintain Clark as a Contiguous Neighborhood				5	
Split off Mt View Ln as Allowable for STR				0	

**Enforcement**

Provide Another Reporting Method Other than Neighbors Policing Neighbors			0	0	
Hire More Code Compliance Officers		7	4	1	1
Enforcement should be available nights/weekends					
Advertising/reservation access: gain access for enforcement					1

**Other**

Build More Commercial Lodging/Condos					
Send the issue to a vote of the people					1

**Email Input**

In Favor					14
Opposed					17
Other (process, solutions, other comments)					+/-7

**Total Workshop Participants**

38      15      10      15      7

\*Important Note #1: This straw poll does not have any statistical validity or data integrity, and is intended only to "get a sense" of opinions in the room at that particular meeting.

\*Important Note #2: This straw poll should not be used to gauge "for" versus "against." A participant opposed to short-term rentals was welcome (and encouraged!) to sticky dot other solutions as

Key:

Lukewarm: Getting close to majority  
 Warm: Majority/over half  
 Hot! Strong consensus: 2/3 or more

Last Modified: 06/26/17



# June Lake Short-Term Rentals

Policy Direction

June 14, 2017

# Ground Rules

- Be respectful and civil
- Represent yourself and your own opinion/intentions
- Participate positively
- Give all ideas an honest chance
- Seek understanding





# Policy Direction Workshop

- ✓ Neighborhood Workshops
- ✓ Review & Initial Sorting
- Analysis of Solutions
- Policy Direction for neighborhoods (other than Clark)
- Is there any consensus on Clark Tract issues?



# Calendar

- Policy Direction: June 14, 1-4 pm
- Review Draft Area Plan Policies: June 28, 6-9 pm
  - Draft policies for all areas except Clark Tract
  - Identify policy direction for Clark Tract
- Clark Tract policy review: Mid-July?
- Add CAC Review & Recommendation: Special July Meeting? Aug. 2?
- Planning Commission: August 17 (or Sept)
- Board of Supervisors: September 5, 12 or 19 (or Oct)



# County Perspective on Short-Term Rentals

- **Community-based planning**
- **Basis: General plan and area plan policies**
  - Develop into a moderately-sized, self contained, year-round community
  - 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.
- **Research/best practices/other jurisdictions:**
  - Rarely find “right” or “wrong” answers
  - The “best” answer is one tailored to meet community character & needs





# County Perspective



- **Context was different when original policy was approved**
  - Economic crash
  - “Sharing Economy” model
  - Burden on applicant for buy-in and cost: County is reactive
- **Context has changed**
  - Sharing economy has evolved into a mature industry, e.g., purpose of Type I’s
  - Economy has improved (marginally)
  - Burden on County for buy-in and cost → Community-Based Planning





# Policy Development

- ▶ **Neighborhood character:** Things to protect, the WHY of the policy
- ▶ **Negatives:** Things to prevent, avoid, mitigate, control, minimize
- ▶ **Positives:** Things to take advantage of, reap benefits of
- ▶ **Solutions:** How do we get there?
  - ▶ Can we protect character, minimize negatives, take advantage of positives?
  - ▶ These solutions provide policy direction.

*The process is MESSY!*

*It is not quantitative or black and white.*

*It requires the weighing of options, input, and trade-offs in pursuit of the best possible outcome.*



# Solutions Analysis:

## Categories:

1. Low-Hanging Fruit
2. Not Viable
3. For Discussion:
  - a) Community-wide (all of June Lake)
  - b) Neighborhood specific
4. Are these sorted right?
5. Deeper Discussion: Revenue streams & Enforcement



# Local Government Revenue Sources

- ▶ **Not applicable**
  - ▶ **Property-related fee or charge:** for a specific service
  - ▶ **User fee:** service or product provided directly to a person (e.g. paramedics)
  - ▶ **Fee for use of government property**
  - ▶ **Development Fee:** applies to new construction & must be reasonably related to cost of impacts



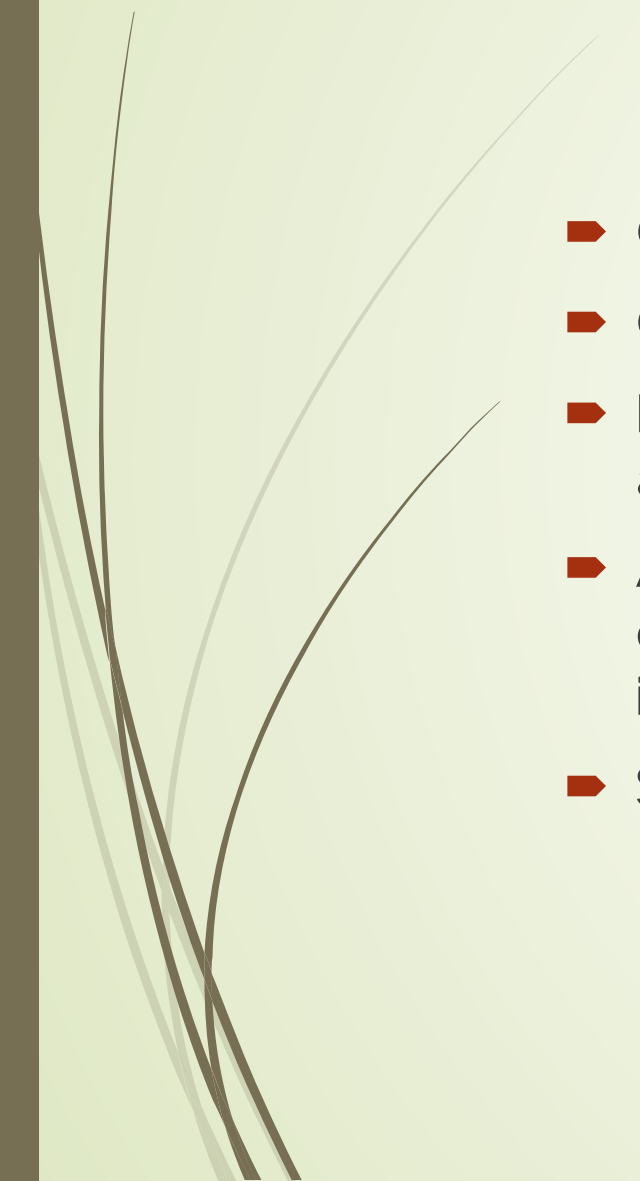
# Taxes

General, specific, TOT, sales, property, etc.

- **Cannot be applied to a private use or improvement:** “gift of public funds”
- **Applicable to:** government services – enforcement, paramedics, housing (government owned)
- **New tax subject to voter approval**
  - May be county-wide vote???
- **Higher allocation of existing funds to June Lake** = Board budget discussion



# Zone of Benefits/Assessment

- Charge collected for a directly-related public improvement
  - Can be applied to private roads
  - Fee based on engineer's report of project cost, divided equally among properties
  - A higher fee can only be charged to a specific property if the engineer's report can identify an impact or use of that property that increases the project cost
  - Specific discussions to form ZOBs are being held separately
- 



# Regulatory Fee/Fine or Penalty

- Charge imposed for a regulatory program related to a use
- Applicable to enforcement
- Allows for an annual cost to fund ongoing activities (i.e, inspections, etc.), as well as enforcement actions



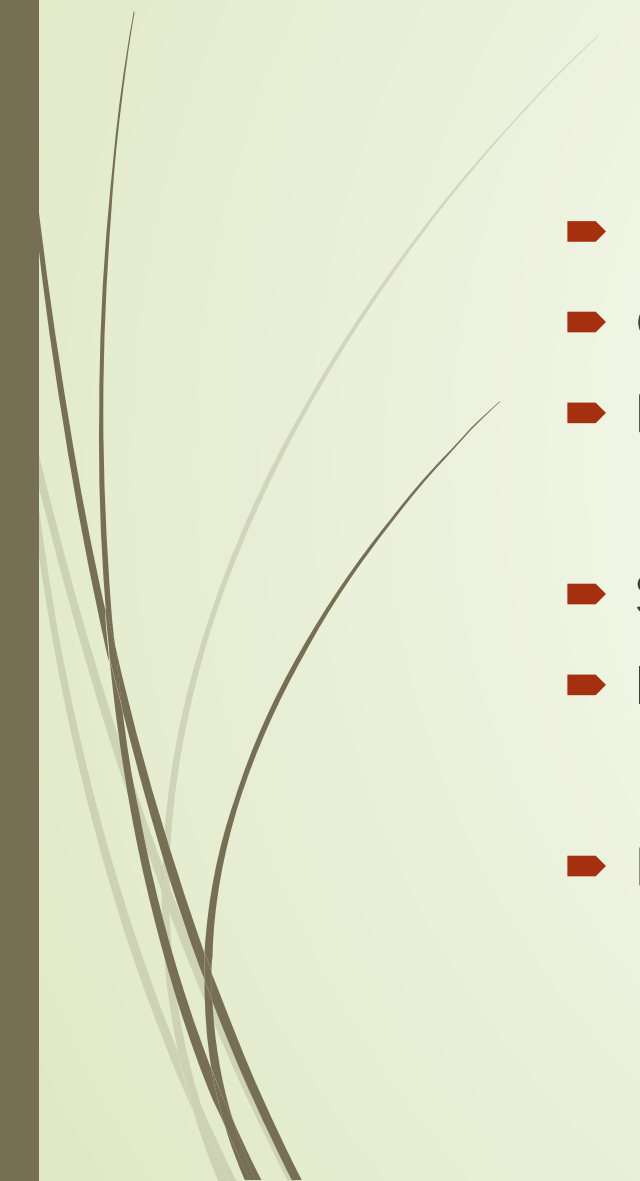
# Enforcement

- ▶ **Regulatory fee can provide for:**
  - ▶ More staff, expanded hours
- ▶ **Finding Violators/Reporting** – low hanging fruit
  - ▶ Host Compliance LLC: data mining to bring short term rentals into compliance
  - ▶ County Department coordination (within legal bounds)
  - ▶ Prohibit advertising...?





# Conclusions About Solutions?

- 
- Does the sorted list still stand as is?
  - Can we add any detail to the tax or enforcement categories?
  - Further questions, more solutions?
  
  - Should the “low-hanging fruit” be applied?
  - Is there consensus to apply any other solutions at this time?
  
  - Move on to applying solutions to neighborhoods...?






# Policy Development

- ▶ **Neighborhood character:** Things to protect, the WHY of the policy
- ▶ **Negatives:** Things to prevent, avoid, mitigate, control, minimize
- ▶ **Positives:** Things to take advantage of, reap benefits of
- ▶ **Solutions:** How do we get there?
  - ▶ Can we protect character, minimize negatives, take advantage of positives?
  - ▶ These solutions provide policy direction.

*The process is MESSY!*

*It is not quantitative or black and white.*

*It requires the weighing of options, input, and trade-offs in pursuit of the best possible outcome.*



# Can some neighborhoods be resolved?

- **Leonard Avenue Area:** Clear consensus to allow
- **Highlands:** Specific Plan application to allow on hold
- **Petersen Tract:** No Type IIs, at most limited Type I's with restrictions/fees – or prohibit entirely
  
- **158 Hillside:** existing rentals, one email in opposition
- **Williams Tract:** one email in opposition
- **Dream Mountain:** CCRs?



# Clark Tract

- ▶ Valid opinions on both sides of issue
- ▶ What are the trends in the Clark Tract?
- ▶ Is there a mix of solutions that could minimize negatives and take advantage of positives in the Clark Tract?



# Calendar

- Policy Direction: June 14, 1-4 pm
- Review Draft Area Plan Policies: June 28, 6-9 pm
  - Draft policies for all areas except Clark Tract
  - Identify policy direction for Clark Tract
- Clark Tract policy review: Mid-July?
- Add CAC Review & Recommendation: Special July Meeting? Aug. 2?
- Planning Commission: August 17 (or Sept)
- Board of Supervisors: September 5, 12 or 19 (or Oct)

**Local Government Revenue Raising Mechanisms: Applicable Restrictions and Procedures**  
**Prepared for EMS Ad Hoc Advisory Committee 6/4/2015**

Type of Levy	Definition	Procedures/Requirements	Governing Law
<b>Special tax</b>	A tax levied for a specific purpose, usually placed into a separate fund. Must be spent on purpose for which enacted.	2/3 voter approval required.  All local taxes are either special or general taxes (i.e., no other types of taxes may be created or imposed).	Cal. Const. Art. XIII A and XIII C (Propositions 13 and 218)
<b>General tax</b>	A tax levied without any specific restriction on use and placed into the general fund.	Majority voter approval required; elections must be consolidated with regularly-scheduled general election.  All local taxes are either special or general taxes (i.e., no other types may be created or imposed).  Special districts may not impose general taxes.	Gov't Code §§ 53720-53730 and Cal. Const. Art. XIII C (Propositions 62 and 218)
<b>Ad-valorem property tax</b>	A general tax levied on property based on its assessed value.	Limited to 1% of assessed value. Annual increases limited to 2% (regardless of actual increase in value). Local governments have no power to impose or increase.	Cal. Const. Art. XIII A (Proposition 13)

<b>Assessment (also called benefit assessment or special assessment)*</b>	<p>A charge imposed on real property for a local public improvement of direct (and special) benefit to that property.</p> <p>May not be used to pay for general benefits conferred on real property or on the public at-large.</p>	<p>Parcels to receive benefit are identified, total costs and benefits calculated in a detailed engineer's report. Any "general" benefit received must be separated out and cannot be charged as part of assessment (i.e., each parcel may only be charged for the "special" benefit it receives -- general enhancement of property values not considered a special benefit). Notice, ballot, and public hearing held. Assessment may not be imposed if majority protest of property owners, with votes weighted according to proportional financial obligation of property owners.</p>	<p>Cal. Const. Art. XIID (Proposition 218)</p>
<b>Property-related fee or charge*</b>	<p>A fee or charge imposed upon a parcel or person as an incident of property ownership. (E.g., storm water management fees, water or sewer fees.)</p>	<p>Each property owner notified by mail of the amount of the fee, how calculated, the reason for it, and the date, time and location of a public hearing on its imposition. If there is a majority protest by owners – or by 2/3 of electors residing in affected area – then the fee may not be imposed.</p> <p>Must meet five requirements: (1) fee revenues may not exceed cost to provide service; (2) fee may only be used for purpose it was imposed; (3) amount of fee shall not exceed proportional cost of the service attributable to each parcel; (4) no fee for potential or future use; (5) can't be imposed for general governmental services, including police, fire, ambulance, where service is available to the public at large in same manner as it is to property owners.</p>	<p>Cal. Const. Art. XIID (Proposition 218)</p>

<b>User fee*</b>	A charge imposed for a specific government service or product. (Ambulance fees for service fall into this category.)	The service or product must be provided directly to the person paying the fee, and not provided to those not charged. May not exceed the reasonable costs of providing the service or product.	Cal. Const. Art. XIIC (added by Proposition 26)
<b>Regulatory fee*</b>	A charge imposed for reasonable regulatory costs associated with issuing licenses and permits, performing investigations, inspections, and audits, and for associated administrative enforcement and adjudication.	Must be adopted by resolution of the governing body.  Cannot exceed reasonable cost of providing the service or regulation.	Cal. Const. Art. XIIC (added by Proposition 26)
<b>Fee for use of government property</b>	A charge imposed for entrance to, or use, purchase, rental, or lease of local government property.	Approved by governing body or its designee.	Cal. Const. Art. XIIC (added by Proposition 26)
<b>Fine or penalty</b>	A fine, penalty, or other monetary charge imposed as a result of a violation of law.	Must be adopted by resolution of the governing body.	
<b>Development fee*</b>	A monetary exaction other than a tax or special assessment, whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project.	Amount of fee must be reasonably related to the cost of the impacts of the development giving rise to the fee (rough proportionality) and the fee must relate to the impact created by the development activity (nexus).	Gov't Code §§ 66000-66025 (The Mitigation Fee Act)

\* If the amount of a fee or charge exceeds the reasonable cost to provide a service or regulatory activity, then any excess amount is a “special tax” which must be approved by 2/3 vote.

# June Lake Short-Term Rentals

## Solutions Analysis

June 14, 2017

### Low-Hanging Fruit

- Private-Side Issues/County can disclose responsibilities:
  - Codify Liability (renters vs homeowners)
  - Insurance Requirements
  - Lender Notification
  - CC&Rs: County shall not approve STRs if notified that CC&Rs prohibit
- Potential New Regulations:
  - Post enforcement # on Site and Online
  - Require Education by Owners of Rentals on Specific Conditions (trash, roads, boundaries)
  - Expand Direct Notice Calculation Based off of Farthest Edge of Contiguous Parcel of Same Owner
  - Limit # of Vehicles Allowed
- Roads as Criteria
  - Include Road Conditions as Part of Permit Process

### Not Viable: Existing/Legal Issues/Not a County Activity

- Existing/Outside County Authority:
  - Require Damage from New Construction to be Repaired
- Not a County Activity:
  - Ensure cell phone service
  - Build More Commercial Lodging/Condos
  - Develop HOA's to Enforce CCRs
- Legally Problematic
  - Only allow where ALL want STRs
  - Allow for Direct Neighbor Veto of STR Permit

### For Discussion: Community-wide

- Fees/Funding/Exactions for Services/Benefits or Mitigation of Impacts:
  - Tie fees (e.g., TOT) to community services (Roads/Medics)
  - Dedicate fees (TOT) to fund enforcement
  - Require Affordable Housing Mitigation
  - Require STRs to Contribute to Road Repair
  - Ensure STR TOT Compliance Equal to Other Lodging
- Enforcement:
  - Provide Another Reporting Method Other than Neighbors Policing Neighbors
  - Hire More Code Compliance Officers
  - Enforcement should be available nights/weekends
  - Advertising/reservation access: gain access for enforcement



- Potential New Regulations:
  - Short time response to issues (require local phone # with 1 hr response time)
  - Noise Regs
- Mapping:
  - Create Single STR Policy Community-Wide
- Decision-Making Tool:
  - Send the issue to a vote of the people

**For Discussion: By Neighborhood**

- Ban/Prohibition
  - Prohibit STR Type I
  - Prohibit STR Type II
- Allow as Proposed
  - Allow Type I & Type II for Leonard Avenue
  - Enforce Existing Rules
- Potential New Regulations
  - Seasonal Restrictions
  - Density Limit
  - Rental Day Limit
  - Limit Type I with Occupancy Limits (1-2 people)
  - Allow Type II with New Regulations
  - Allow Type I with New Regulations
- Roads as Criteria
  - No Rentals on Private Roads
  - No Short-Term Rentals in the Clark Tract to Ensure / Provide for Work Force Housing
  - Restrict STR to Areas Accessed by County Roads
- Mapping/Scale
  - Partition Clark with Different STR Regulations (Nevada St)
  - Partition Clark with Different STR Regulations (Los Angeles St)
  - Partition Clark with Different STR Regulations (W Washington - where there is existing rental and commercial)
  - Ensure Some Neighborhoods Remain Residential without any STR
  - Maintain Clark as a Contiguous Neighborhood
  - Split off Mt View Ln as Allowable for STR

# June Lake Short-Term Rental Policy Direction

Clark Tract  
June 28, 2017

## Ground Rules

- Be respectful and civil
- Represent yourself and your own opinion/intentions
- Participate positively
- Give all ideas an honest chance
- Seek understanding
- Stay focused



June Lake:  
Business and Property Owners' Focus Meeting



## Staff Role

- **We are listeners, facilitators, and analysts:**
  - Accurately record what you say
  - Provide analysis to show where there is common ground
  - Identify irreconcilable differences
  - Encourage the exploration of solutions
  - Develop policies based on these outcomes

## Why are we doing this, again...?

*\*Subcommittee provided guidance to develop this process.*

- **Purpose:** *Conduct a community conversation to update June Lake Area Plan policies to address short-term rentals in residential areas.*
- **Need:**
  - Short-term rentals are a common issue in resort areas and is not going away.
  - Decisions are needed to handle the issue and ensure protection of area and neighborhood character.
- **Principles:**
  - Opportunity for input
  - Consensus/common ground in the best interest of the community
  - Public engagement
  - Finality and certainty



## Process & Calendar

- **Completed:** May workshops, review of workshop input, discussion of solutions and policy direction for all areas except Clark Tract
- **Review Draft Area Plan Policies: June 28, 6-9 pm**
  - Identify policy direction for Clark Tract
- **CAC Review & Recommendation: Aug. 2 at 7 pm**
- **Planning Commission: August 17 (or Sept 21)**
- **Board of Supervisors: September 5, 12 or 19 (or Oct)**

## May Workshops

1. Knowledge base
2. Review June Lake neighborhood maps
3. Neighborhood values
4. Concerns, fears & negatives
5. Opportunities, benefits & positives
6. Potential solutions
7. Next steps





## Clark Tract: Neighborhood Values

- Wildlife
- Nature & environment
- Dark skies
- Sense of neighborhood/friendly neighbors
- Peace & quiet/privacy
- Views
- Low density & residential development
- Safe
- Low/slow traffic
- Access to activities
- Other

## Clark Tract: STR Negatives

- Disrupts sense of neighborhood
- Disrespectful/disruptive behavior
- Management/regulatory issues
- Inadequate enforcement/ Neighbors policing each other
- Change in property values and low density/residential character
- Increased noise
- Increased trash
- Increased lights
- Parking issues
- Road issues: traffic, winter conditions, maintenance, liability
- Decreased safety
- Impacts to wildlife
- Negative impacts to local business
- Reduced workforce housing
- Equity: No \$\$ for costs
- Too dense
- Other



## Clark Tract: STR Positives

- Economic benefits for June Lake (and entire county)
- Meets a market need
- Increases County revenue/taxes for services
- Opportunity for wildlife education
- Regulatory control/increased accountability
- Social Opportunities
- Benefits property owner/provides for property improvements
- Short term is less impactful/ location matters
- Provides flexibility & personal choice
- None

## Clark Tract: Impacts on June Lake Overall

- Potential to incentivize construction
- Infrastructure/service impacts
- Economic benefits
- Negative economic impacts
- Property value impacts: positive & negative
- Change in residential character
- Appropriate in some locations, not in others
- Reduction of workforce housing



## Potential Solutions & Sticky Dots



## Decision Point #1: Allow or Prohibit?

### Available Choices:

- **Option A:** Prohibit Type I & Type II rentals
- **Option B:** Allow Type I with enhanced regulations, Prohibit Type II
- **Option C:** Allow Type I & Type II rentals under enhanced regulations
- **Option D:** Allow Type I & Type II rentals under Chapter 26

### Current Status:

- **June Lake:** Type I and Type II prohibited pending area plan update.
- **County:** Type I allowed, Type II under moratorium



## Decision Point #1: Allow or Prohibit?

Workshop information inconclusive...

	5/13	5/20	5/22	5/25	Open
Prohibit STR Type I	5	2	4	3	3
Prohibit STR Type II	8	7	4	4	3

Emails:

- Support = 14
- Opposed = 16
- Yellow blocks = "Lukewarm" (e.g. less than majority of participants)
- Slightly more support for prohibition of Type II rentals (non-owner occupied)

## Decision Point #1: Allow or Prohibit?

Available Choices:

- Option A: Prohibit Type I & Type II rentals
- Option B: Allow Type I with enhanced regulations, Prohibit Type II
- ~~Option C: Allow Type I & Type II rentals under enhanced regulations~~
- ~~Option D: Allow Type I & Type II rentals under Chapter 26~~



## Option 1A. Prohibit Type I & Type II Rentals

- **Due to increased negative impacts, such as:**
  - Disruption of sense of neighborhood
  - Disrespectful/disruptive behavior by renters
  - Management, enforcement, and reporting issues
  - Changes to low-density residential character (e.g. commercialization)
  - Increased noise, trash, lights, wildlife problems
  - Road issues, traffic problems, especially in winter
  - Safety
  - Changes in property values, negative impacts to local businesses
  - Reduction of workforce housing units
  - Equity: homeowners not contributing to neighborhood maintenance costs
- **STOP HERE.**

## Option 1B. Allow Type I & Prohibit Type II

- If this option is selected, what are the “enhanced regulations” that should apply? Community input is key.



- Start by reviewing how solutions address (or don't address) impacts...



## Current Regulations: Chapter 26

### Vacation Home Rental Permit Requirements:

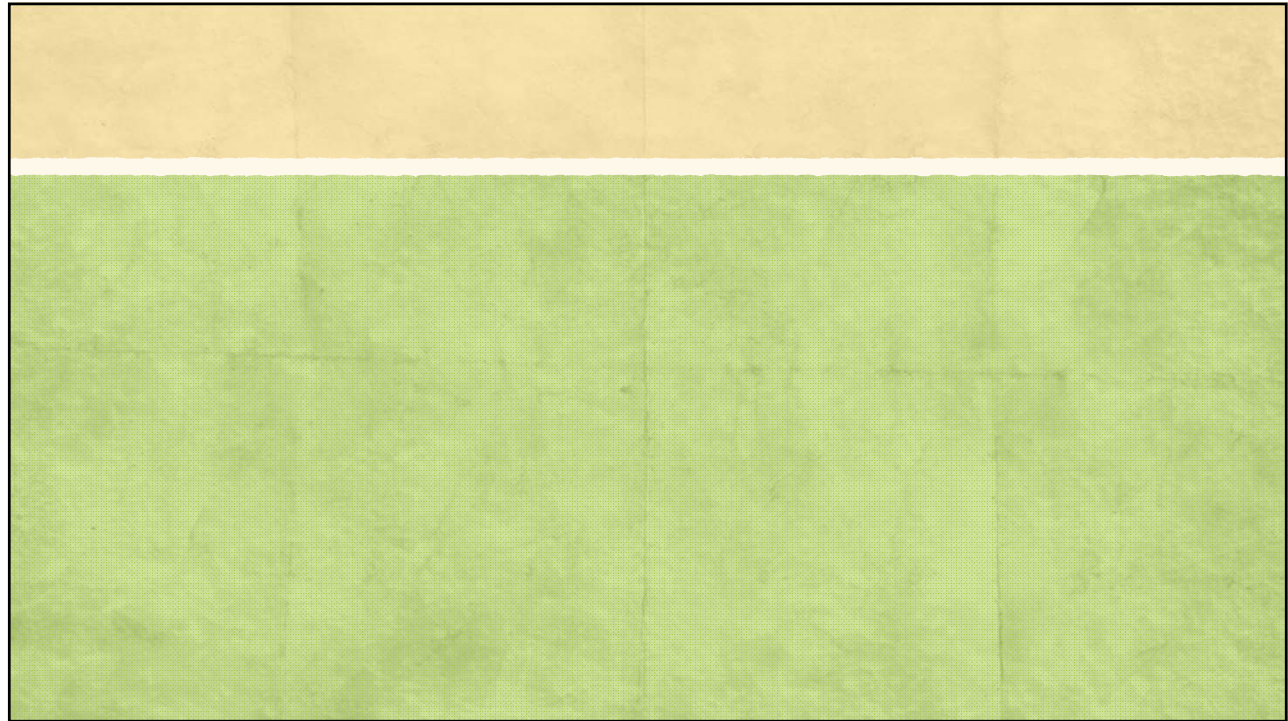
- **Property management** available 24 hours a day by phone, contact number posted on exterior of unit
- **Maximum Occupancy:** Two persons per bedroom plus two, up to maximum of 10
- **Parking:** Must meet on-site parking requirements, no off-site or on-street parking permitted
- **Trash and solid waste** removed once a week, bear-resistant exterior containers
- **Snow removal** required

## Current Regulations: Chapter 26

### Vacation Home Rental Permit Requirements:

- **Basic health & safety:** good repair, fire extinguishers, CO2 detectors, etc.
- **Business license** required
- **Transient Occupancy Taxes** required





## Option 1B. Potential Regulations

### Applicant Requirements

- Post enforcement phone number on site and online (for legal rentals)
- Number of vehicles limited to number of parking spaces
- Responsible for adequate insurance and notifying lender of change
- Provide information & education via signed rental contracts on: trash, road conditions, boundaries/trespassing, cell phone & internet availability, quiet hours
- Provide landline phone service
- Provide "hideaway" key on site
- Ensure 30 minute on-site response time



## Option 1B. Enforcement

- Fund enforcement (partially) through fees
- Establish new reporting methods (so neighbors are not policing)
  - Host Compliance phone number\*
  - Enforcement education campaign
  - Prohibit advertising...???
- Hire more code compliance officers
- Gain access to advertising/reservation information\*
- Ensure TOT compliance equal to other lodging\*

*\*May be handled via contract with Host Compliance*

## Option 1B. Potential Policies/Actions

- County shall not approve STRs where CC&Rs prohibit
- Notification distance based on farthest edge of contiguous parcel of same owner
- Neighbors shall be notified of management phone number
- Enforcement campaign to educate property owners
- Seasonal Restrictions: summer only



## Option 1B. Potential Policies/Actions

- Housing mitigation: annual long-term rental requirement (4-6 mo)
- Density Limit:
- Dispersal Distance
- Rental Day Limit:
- Limit Occupancy to Less than 10

## Next Steps

- Potential policy direction must be further vetted
  - Other departments may be involved
  - Legal considerations
  - Resource considerations
- Mechanisms to enact the policies must be identified
- Then... policy language and regulations will be drafted for discussion
- Next meeting (CAC): August 5 at 7 pm

## Clark Tract Solutions Evaluation (6/28/17)

### Assumptions:

- All Chapter 26 requirements shall continue to apply.
- Type II (non-owner occupied) rentals prohibited.
- Current Transient Rental Overlay Districts are approved and remain.
- The liability for private roads & paying for costs are not addressed.

### Neighborhood Character:

- Wildlife
- Nature & environment
- Dark skies
- Sense of neighborhood/friendly neighbors
- Peace & quiet, privacy
- Views
- Low density & residential development
- Safe
- Low/slow traffic
- Access to activities
- Other

Enhanced Regulatory Solutions	Negative Impacts Addressed								
	Neighborhood Disruption	Problematic Renter Behavior	Mngmt/ Enfrcmnt/ Reporting	Changes to Res. Chrctr	↑ noise, trash, lights, wldlf probs	Roads: traffic, prkg, conditions	Safety	Reduction of workforce housing	Too Many/ Local Biz & Prop Impacts
<b>Applicant Requirements</b>									
Post enforcement phone number & mgmnt # on site and online (for legal rentals)			X				X		
Homeowners given notice that they are responsible for adequate insurance and notifying lender of change			X				X		
Homeowners to provide information and education via signed rental contracts on the following: trash, road conditions, boundaries/ trespassing, cell phone & internet availability, parking & other Ch. 26 req's • Quiet hours: 10 pm – 7 am?	X	X	X	X	X	X	X		
Require landline phone svcs			X				X		
Require “hideaway” key	X		X				X		
30 min on-site response time	X	X	X		X	X	X		
Limit # of vehicles allowed – Ch 26	X			X		X	X		

[illegible]

Enhanced Regulatory Solutions	Negative Impacts Addressed								
	Neighborhood Disruption	Problematic Renter Behavior	Mngmt/ Enfrcmnt/ Reporting	Changes to Res. Chrctr	↑ noise, trash, lights, wildlf probs	Roads: traffic, prkg, conditions	Safety	Reduction of workforce housing	Too Many/ Local Biz & Prop Impacts
Enforcement									
Fees (TOT, new reg program) to fund enforcement			X						
Reporting methods (so neighbors are not policing) • Host Compliance phone #* • Enforcement ed. campaign* • Prohibit advertising...???			X						
Hire more code compliance officers			X						
Gain advertising/reservation access for enforcement*			X						
Ensure TOT compliance equal to other lodging*			X						

\*May be handled via contract with Host Compliance

The following solutions are not included in the matrix because they have been deemed “Not Viable:”

- Tie fees (e.g., TOT) to community services (roads/medics)
- Require STRs to contribute to road repair
- Ensure cell phone service
- Build More Commercial Lodging/Condos
- Develop HOA's to Enforce CCRs
- Only allow where ALL want STRs
- Allow for Direct Neighbor Veto of STR Permit
- Require Damage from New Construction to be Repaired

Not Applicable (these address other decision points in the process):

- Create Single STR Policy Community-Wide
- Send the issue to a vote of the people
- Allow Type I & Type II for Leonard Avenue
- Enforce Existing Rules
- No Rentals on Private Roads
- No Short-Term Rentals in the Clark Tract to Ensure / Provide for Work Force Housing
- Restrict STR to Areas Accessed by County Roads
- Ensure Some Neighborhoods Remain Residential without any STR



To: Paul McFarland  
Subject: June Lake short-term rentals

We understand there is discussion going on now regarding short-term rentals in the June Lake Loop. We wanted to share our experience with the short-term rental of our home.

My wife and I have owned property in June Lake since 1988 and have been coming to the loop for much longer than that. We love the peace that it gives when we are there. In our experience we feel that legal, professionally managed short-term rentals will not adversely impact that.

At some point we needed to be able to rent our place in order to keep it. We did not want a long-term rental as we come up and use the house on almost a monthly basis.

Having a TROD in place gives us another option to keep our second home by allowing us to rent the house. Our experience with short-term rentals has been very positive. We feel the key to the success of short-term rentals is the management of the guests who stay there, and that management is through professionally property management firms. We have not had one bad experience in renting out our home and feel that our property managers are key to our experience. Also, we have not experienced complaints from our neighbors.

We know of several homeowners who have had to either sell their house or rent it out full time to be able to keep it.

We do not rent our home out to make money, but to offset some of the costs of second home ownership.

We feel that at least some if not all the problems with some short-term rentals in the loop are lack of a legal TROD and professional property management for those properties.

Thank you for including our input to the short-term rental topic.

Respectfully,

Robin & Debby Anderson

April 20, 2017

Subject: June Lake Area Plan Update- Short Term Rental Policy

I am a homeowner in what is currently shown as the Clark Tract area of June Lake. I recently received via the mail a flyer providing information on upcoming Neighborhood Conversations regarding consideration of potential changes concerning short term vacation rentals.

I plan to attend the meeting scheduled for Saturday May 13<sup>th</sup> but wanted to provide you with some of my thoughts prior to the meeting. Hopefully this will allow those leading the discussions advance preparation time such that my input can be adequately addressed as part of the meeting agenda. Should anyone have any advance questions or require any additional input just let me know.

#### **General Thoughts**

- Understanding that the current situation involving both illegal short term rentals and spot/noncompliant Chapter 25 TROD approved properties needs to be resolved, discussions on whether to rezone our existing single family residential areas to allow for short term rentals I feel is premature. First we should have discussions regarding removal of the Chapter 25 TROD overlay and enforcement of the current regulations.

We originally purchased our property many years ago knowing that it was in a single family residence zoned area along with all the provisions included with this designation. The same should have been true of all the other property owners in our community. If some of them now want to rent out their property on a short term basis, that is outside allowed usage of their property, their desires to change the land use designation should not impact the rest of us. Those that purchased and utilize their property in accordance with the law should not have to bend to the desires of those who want to change things. If they wanted to have a short term rental property that is what they should have purchased upfront.

- Should the upcoming discussions as outlined continue as planned and should the decision be made to not change the current land use designation then discussions must continue with regard to how to enforce the current no short term rental rules/laws.

#### **Thoughts/Considerations Involving Potentially Allowing Short Term Rentals**

- This change would devalue all area properties. Many people do not want to live in a short term rental transient population community.
- This would also be in direct opposition to community values that lead many of us longer term owners to originally purchase and develop our properties.
- It could negatively affect our homeowners insurance policies and premiums.

- There are many fragile environmental situations and areas that would need to be considered in advance of approval of any such change. There are many wildlife and vegetation circumstances that would need to be reviewed. An Environmental Impact Report would have to be completed and properly filed before any of this could move forward.
- Many of us maintain our own roadway systems and pay for the required snow removal etc. This is not covered by the county. Should Short Term Rental plans move forward provisions need to be included such that the short term rental property owners pick up an additional share of these costs based on rental usage of their property. Not sure how this would be set up exactly but it still needs to be considered. Another consideration would be for the county to handle this again with an increased portion of the costs being covered by the short term rental owners.
- Short term rentals bring with it a number of people that really don't care about the impact they may have on our community as a whole. After all they are only there for a night or a week etc. Just take a look at some of our existing areas that allow out of the area/short term use. There are many areas that once opened up to increased non-resident usage that have dramatically gone downhill. By way of example look at the shooting range area east of town. When used primarily by area residents it was mostly maintained in a clean and usable condition. Now that it is used by a large percentage of out of the area people it is in very poor shape most of the time. If short term rentals are allowed then provisions should be included to provide increased revenue to the county and others to adequately take care of all these common facilities. The community as a whole should not have to clean up after short term rental customers.
- I believe this is the case now but consideration should be given that all Short Term Rental properties be clearly designated as being such. This should be done with a large sign on the front door including the name and 24 hour phone number of the person to contact should there be issues with the short term renters. Consideration should also be included that any such issues need to be addressed and resolved by the short term rental property owner within a reasonable time period. If this is not considered the only other means available would be for other area residents to call the sheriff's office. If this were to be required any associated liability should fall back on the short term rental property owner. They need to be held totally responsible for the actions of their renters.
- Consideration should be given to Short Term Rentals being treated exactly the same way as area motels and lodges. I believe they pay a bed tax etc. to the county. Short Term Rental property owners should have to pay the same taxes and fees. Consideration should also be given to their property taxes being commercial property based and not single family resident based.
- Consideration should be given such that Short Term Rental property owners are required to designate their properties as being such to both their lien holders and insurers. There needs to be assurance that they are carrying the proper insurance to cover maintaining property upkeep, damage to surrounding neighborhood property and also liability related to their renters. Any issues that might come up belong to the short term rental property owner and not the renters.
- I would tend to guess that those who would like to see Short Term Rentals be allowed are either not community full time residents (just looking for extra income) or full time residents that are

okay with this as long as Short Term Rental is not allowed in their neighborhoods. If true both of these thoughts are not in support of making a change.

As noted early on this whole process seems to be being handled in reverse. It seems to be being driven by those wanting to get things changed to allow for short term rentals. It should be being handled such that current rules are being both explained and enforced subject to current property zoning absent the overlapping provisions of Chapter 25.

No matter how all this ends up enforcement is going to need to be adequately addressed one way or the other.

Changing the property usage designations will not diminish the burdens on the county. It will increase them. It will also result in additional conflicts between property owners which will have a negative effect on the overall community.

I look forward to attending as many of the scheduled meetings as possible and participating in this process to the full extent I can.

Bob Rock

## Wendy Sugimura

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**From:** Susan Binkerd <sgbinkerd@gmail.com>  
**Sent:** Wednesday, May 10, 2017 11:53 AM  
**To:** Wendy Sugimura  
**Subject:** rental issue for Clark Tract

**Categories:** JL STRs

Hi: My family has owned the property on Idaho for over 70 years. I bought it from my brother-in-law, Craig Cooley, in 2008 and we have made extensive improvements to our log cabin. Our cabin is next to the trailer that the Endos own. We are on a cul-de-sac with a dirt road. My husband and I do not see how temporary rentals would work in our street. The street is in terrible shape right now for various reasons. Also, we did not know (for some odd reason) that the roads were our responsibility completely until we refinanced in 2012 (I believe). For that reason and that we do not have ample parking, we would not want to see renting become a reality. Thank you for letting us have input in this matter. Our address is: 19 Idaho. Best of luck, Sue and Andy Binkerd

## Wendy Sugimura

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**From:** Lynn Doran <lynnsky@earthlink.net>  
**Sent:** Saturday, May 06, 2017 9:14 AM  
**To:** Wendy Sugimura  
**Subject:** Transient Rentals

**Categories:** JL STRs

Dear Wendy,

Ann Tozier asked me to send you my thoughts on the transient rental situation.

I am totally opposed! I signed a petition years ago against the transient rentals. I also attended meetings voicing my opposition.

At the last meeting it was ruled that the Clark Tract was not suitable for transient rentals. Has that changed?

I have had my home, second home, in the Clark Tract since 1982.

My home is on the turn in the road near the A frame rentals owned by Whispering Pines.

The A frames are not used much anymore but when they were there could be a lot of noise at night.

One of the biggest problems from a safety point is the treacherous road in the Winter. Tourists do not know how to drive up and down that road in the snow and ice. Even locals get stuck. I have a birds eye view of the mess that happens on that road. Evening entertainment at times. Cars have been left on the road because they can not maneuver, blocking everyones access up or down.

Our roads are in terrible shape and extra traffic is not going to help. These are not the people who are going to repair our roads. Ten years ago I took on the project to repair our roads in the Clark Tract. It was a bandaid but it got us 10 years.

It cost \$200 per property owner. It was like pulling teeth to get that small amount from some people. Some never paid. Some paid double and thanked me profusely. The expense is far great now. We have no support from the County since it is a private road.

Let me know id there is anything else you need.

Sincerely,

Lynn Doran

**May 19, 2017**

**To Supervisors of Mono County, June Lake Community, and Other Interested Parties:**

We are writing this letter in regard to public discussions concerning a proposal to allow for overnight rentals of properties located in June Lake. We specifically are writing to support this activity in the Clark Tract. Our family has owned property in this area of June Lake since the early 1970s. We currently own a house on Nevada Street and in the past year completed construction on home on Washington Street. We currently do not offer monthly or overnight rentals on these properties.

We have reviewed materials on the website many of which were quite useful. The report from CAST is particularly useful, especially in its balanced and thorough review and discussion of best practices. The historical perspective provided by Supervisor Johnston was also helpful. However, the editorialized analysis and proposals was problematic in biased assertions and recommendations. For example, why should anyone making informed recommendations be excluded from the process simply because they may have business or other interests on this matter? Everyone has an important perspective, and I would rather see informed inputs by all parties, with proper disclosures of interests. Johnston proposes a 4/5 vote for approval; this is not feasible for any issue put to voters; what is an appropriate level of consensus at the small committee level or representative level does not seem appropriate for a voter determined issue.

**We support proposals to allow owners to offer their properties for overnight rentals.**

Our reasons for support of transient rentals are outlined below:

1. **Owners should have the right** to offer their properties for responsible transient or long-term rental. June Lake is a popular recreation area in both the summer and winter months. We believe responsible rental is consistent with recreational use;
2. **There are limited options for quality transient housing for families in June Lake.** We believe transient rentals will complement existing businesses by creating more options for those seeking housing;
3. **Transient rentals would promote upgrading of existing properties for rental use, thus increasing the overall economic activity and tax base for the County;**
4. **Increased number and quality of rental properties would promote the recreation-based economy of the June Lake area.** More use would support a struggling but grown economy in June Lake service based businesses, including restaurants, ski area, stores, and other support services;
5. **A regulated, well-funded approach can be successful.** The CAST report is one of many sources of information that can be used to identify best practices and avoid unintended consequences;

6. **Transient rental properties would support other service industries, including property management, cleaning, and maintenance businesses.** Increased utilization of these properties promotes the service economy;
7. **Owners of transient properties can be responsible.** Properties granted a variance for transient rentals on Washington Street have been successfully and conscientiously managed by owners and their property managers. Responsible owners have insured that renters adhere to noise and parking rules, and have intervened when necessary;
8. **We would support an appropriate modest transient tax for overnight rentals** that would support the implementation and administration of the program and maintenance of infrastructure for Town or County services. These taxes could also create funding repair damaged private roads from recent snow run-off and plows that are used by both residents and renters. For many of these roads, there is no mechanism for repair or maintenance of these badly damaged roads and drainage areas, and a mechanism to do this important work is not available;
9. **We believe that a “one size fits all” approach is not appropriate**, and that neighborhoods could be allowed to determine use based on considerations outlined in supportive materials on the website.

We urge the Supervisors to develop and consider proposals, and a regulatory structure that would allow for overnight rentals by responsible owners and tenants.

Thank you for the opportunity to comment.

Sincerely yours,

Dr. and Mrs. Michael and Catherine Dudley  
[mndudley@aol.com](mailto:mndudley@aol.com)



**Wendy Sugimura**

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**From:** Ian Fettes <ian@mechdc.com>  
**Sent:** Friday, May 26, 2017 4:14 PM  
**To:** Wendy Sugimura  
**Subject:** Re: STR's

Hi Wendy,

By all means put my emails into the data base, if you think it's appropriate.

If I may, I've given this a lot of thought and I'd like to offer you a quick summary of my thinking.

I don't think *Prohibition* is the solution to this issue.

I think the solution can be summed up under three headings - *Restriction*, *Compromise* and *Control*.

*Restriction*: In terms of things like Density Limits, Noise Limits, Seasonal Use limits - all of which address specific concerns that form the basis for the anti-STR attitude.

*Compromise*: It speaks for itself, but I suspect that any good solution will have a heavy dose of compromise associated with it.

*Control*: Code Enforcement, and also Property Management, needs to have the Capacity and Commitment to ensure that the rules are adhered to.

I feel that, if we can frame a solution that encompasses all three of these headings, we'll have a solution that everybody can live with.

Thanks for all the hard work that you and your colleagues have put in.

Ian

On Fri, May 26, 2017 at 2:08 PM, Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)> wrote:

Ian,

Question – would you like me to include a copy of this email string with the other written comments I have received?

Thanks again for all your participation. Have a great weekend!

Wendy

**From:** Ian Fettes [mailto:[ian@mechdc.com](mailto:ian@mechdc.com)]  
**Sent:** Tuesday, May 23, 2017 2:54 PM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** Re: STR's

Hi Wendy,

I want to make sure I follow you.

I could see, for instance, that a Type 1 might be further defined as limited to a maximum of 2 adults - which is in line with the spirit of a Type 1 anyway.

That, coupled with a density limit, would help to address the concern expressed by some regarding the possible development of a "mini-Motel" district.

Regarding Type 2's, there aren't a whole lot of 5-bedroom homes in the Clark or Peterson tracts. That size of home is the only way that you'd get up to

the 10-guest maximum.

10 guests and no control on the number of vehicles scares people, including me. Maybe we should think about a lower guest limit.

Is that the sort of thing you had in mind?

On an other topic, these people who are negative are not against STR's - they just don't want them in their neighborhood, and they certainly don't want workforce housing.

This elitist attitude upsets a lot of people.

On the other hand, accepting that there are properties that will never become workforce housing - for a number of reasons - these same properties offer amenities that make them

appealing to the STR market - amenities and an environment not otherwise available in June Lake.

If we don't make these types of properties available, these people will not come to June Lake.

I guess what I'm saying is that these people want the quiet residential atmosphere, which is not available in the Village. If we exclude the Clark and Peterson tracts, we're excluding

the very properties that people want to rent without offering an alternative. The Highlands is still so undeveloped that it has yet to develop any character.

The Internet has completely changed the way people access temporary accommodation - in the same way that it has affected brick & mortar retail.

June Lake, which is almost totally dependant on Tourism, needs to embrace this reality.

Most of the Motel/Hotel business's understand this and support STR's.

Our job is to embrace it gracefully and sensitively, with controls that work and have teeth.

While everyplace else in California has seen property values increase, June Lake's property values have declined from where they were in 2007.

Some people in this town need a good shot of reality!

Ian

On Mon, May 22, 2017 at 12:00 PM, Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)> wrote:

Ian,

Thanks for the feedback – I'll do my best to explain it better and check to see if folks understand.

Also, keep in mind we're not restricted to only allowing Type I's and II's – June Lake could make their own options and we would just write it into the area plan and Chapter 25.

Thanks,

Wendy

**From:** Ian Fettes [mailto:[ian@mechdc.com](mailto:ian@mechdc.com)]  
**Sent:** Sunday, May 21, 2017 7:05 PM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** STR's

Hi Wendy,

I'm a little disturbed that it's apparent that people still do not understand the difference between Type 1's and Type 2's - even though you outline the differences at the beginning of each meeting.

Jill Stark, who I think has attended most of the meetings so far, came up to Scott Burns and I on Saturday and, in the course of our discussion, asked "what exactly is the difference between the two types of rentals".

Also, again on Saturday, I had a discussion with Roxanna (Fodera?) and it was clear that she did not appreciate the difference between the two. She has been present at every meeting that I've attended.

As you know, the two types of rentals are significantly different, and that is presumably why the County has introduced the concept of the Type 1.

Type 1's have been excluded from the moratorium on SLR's in Mono County (with the exception of June Lake) precisely because they have not attracted the controversy associated with Type 2's.

The occupancy of Type 1's is limited - typically one to two people and, because the properties are owner-occupied, the management is on-site.

That's obviously why Type 1's have received more general acceptance.

I listen to your description of the two types and, although it seems clear to me, I'm concerned that somehow it's just not getting across.

Anything that you can do to better clarify this distinction would be greatly appreciated.

Thanks!

Ian

*Of wed known this*  
Subject: June Lake- Clark Tract -Short-Term-Rentals-STR *Use*

From: [gretchen03@earthlink.net](mailto:gretchen03@earthlink.net)

May 13, 2017

To: Council Members and CAC members

To Whom It Concerns,

→ We really resent having to again, spend our time and energy protecting the zoning that was in place when we bought. our home, which is our *sanctuary. home is safety, privacy.*

~~This resentment comes because we have~~ already listened to both sides of the issue. We attended local meetings. We attended Co. meetings. At Bldg & Safety Co. meeting 4 of the 5 voted against STR in the Clark Tract. And here we are again. The Co. says it set up more meetings for a further consensus. Well, that is what we've already done and here we are again. Originally it was said STR wouldn't happen if anyone objects, w/out having to give explanation, It did not say it was by consensus or survey.

The County asked if the homeowners wanted to change the zoning of our area. After the Co. received resistance to the idea that is enough. Homeowners should not continue to be hounded. *That should be enough.*

Then on the PlanningCommissionDraft, DevelopmentStandards, CH.25-TransientRentals, Sec.25.010 INTENT "In recognition of the demand by visitors for diverse lodging options, this CH. is intended to establish a process to permit transient rental w/in residential areas that do not exhibit reasonable opposition by neighbors who may be directly affected, and that are consistent with the applicable AreaPlan." *First of all, concerning the 1st sentence. "demand by visitors" let's be clear STR is not being driven by visitors, but it is being driven profiteers. Profiteers want the zoning contract we made w/ the Co. to be changed so they can make money, and turn our home into a motel zone. We resent their disregard for us. who just want to have peace at our home. They misuse the term "progress" to defend their case. This isn't progress, it is profiteering at the expense of others.*

*We bought our home knowing the inconveniences that come along with buying in this particular area. It was worth it for us because we enjoy the peace, quiet, & privacy.. We do not want zoning changed because we bought a home, not a motel. Pure and simple. We know our neighbors. We watch out for each other. We know what to expect from each of our neighbors. We are a neighborhood community, not a business community.*

The Clark Tract is not like housing in the the city. It has special needs. The roads of course. And the house has special needs. Care needs to take place for water pipes not to break and cause damage and flooding. Heat needs to remain above freezing. Heat sources need to be monitored for safety. Food smells need to be handled so that bears do not cause damage to the home. Once a bear finds food sources it may remain in an area and cause damage to other homes too. STR unfamiliar w/ these special needs cause concern.

*Technical constraints*  
The roads in the Clark Tract are steep, narrow, winding, and icy during the winter. In all seasons familiarity w/ the road is of utmost importance for safety, and maintenance. Particular procedures are known by those familiar w/the Clark Tract. Homeowners, Emergency and Snow Removal drivers are familiar w/ the roads, and the unique area. Homeowners know to keep children away from roads and equipment. They know road conditions, road etiquette, when to give right a way, to drive a slow consistent speed as to not further damage the roads, to watch for children, and wild animals,. Of course we are concerned about STR not invested in our best interests, or those just unfamiliar w/the Clark Tract not following these unique safety and maintenance efforts. *Spin wheels*

Regarding - 1)Porch lights at night 2)Sound The Clark Tract has hills. Therefore allowing STR on any nearby street would affect all residents as light and sound travel up and down the hills. We are across from the Double Eagle Resort so we do hear sound from their events, but it is not in our Clark Tract and the Double Eagle respects time limits on there events. *stars*  
*also many of their events support The community.*



There is an Environmental Impact.

We supported the Ski Mtn. building a chalet and hotel. We attended meetings. We agreed that this BUSINESS would bring progress to June Lake.

Having to constantly defend a zoning law ,that only adds to the value of our home, makes us resentful. When we are in the company of our June Lake community we want to enjoy comradery....instead here we are again defending our zoning.

*of our community*

Thank you for your attention,  
Tony & Roxanna Fodera  
[gretchen03@earthlink.net](mailto:gretchen03@earthlink.net)

Subject: June Lake,- CLARK TRACT Short-Term-Rentals=STR

From: [gretchen03@earthlink.net](mailto:gretchen03@earthlink.net)  
June 6, 2017

To: Council Members and CAC members  
Board of Supervisors- JL-BobGardner

To Whom It Concerns,

This conversation explains our position about STR in the ClarkTract= At a meeting I was placing a sticker on Prohibit Option 2, then Option1 STR ,,,A proponent of Option 1 said, "Really, you're placing a sticker there,,, I built the Grannyhouse for my relatives & friends to visit. Now I want to do STR to earn extra money. I don't want to rent by the Mo. due to the cost of propane"

My response= "You can rent by the month during the seasons that don't require much propane. It is not our place to hear of other's financial decisions, and it feels uncomfortable to be placed in that position. What is our place is to defend our way of life, especially when another is trying to earn money at our expense, both by affecting both our present peace of mind and pocketbook (private road upkeep, ins.)" At this meeting this same person invited a so-called self-proclaimed STR expert who was given audience to spout all the financial gains of STR to property value, of which he had no real evidence. He clearly was trying to persuade owners to the moneyMaking aspects of STR. This persuasion is exactly what we who want to keep Zoning as is, are against. MoneyMaking versus neighborhood home living. (motels vs single-family-homes) These two versions of lifestyle are very different and incompatible, particularly when we are responsible for the roads.

We really resent having to again spend our time and energy to protect the zoning in place when we bought. our home, which is our sanctuary.

This resentment comes because we have already listened to both sides of the issue. We attended local meetings. We attended County meetings. At Bldg & Safety Co. meeting 4 of the 5 voted against STR in the Clark Tract. And here we are again . The Co. says it set up more meetings for a further consensus.. Well that is what we've already done and here we are again. Originally it was said STR wouldn't happen if anyone objects , w/out having to give explanation, It did not say it was by consensus or survey.

Then on the PlanningCommissionDraft, Development Standards, CH.25-TransientRentals, Sec.25.010 INTENT "In recognition of the demand by visitors for diverse lodging options, this CH. is intended to establish a process to permit transient rental w/in residential areas that do not exhibit reasonable opposition by neighbors who may be directly affected, and that are consistent with the applicable AreaPlan. "

First of all concerning the 1st sentence. "demand by visitors" let's be clear STR are not being driven by visitors, but it is being driven by Profiteers.. They want the zoning contract we made w/ the Co. to be changed so they can make money, and turn our home into a motel zone. We resent their disregard for us. who just want to have peace at our home. They misuse the term "progress" to defend their case. This isn't progress it is money-grabbing at the expense of others.

We bought our home knowing the inconveniences that come along with buying in the ClarkTract. It was worth it for us because we enjoy the peace and quiet. We do not want zoning changed because we bought a home, not a motel. Pure and simple. We know our nieghbors. We watch out for each other. We know what to expect from each of our neighbors. We are a neighborhood community, not a business community.

#### CLARK TRACT SPECIAL NEEDS HOME

- Heat sources need to be monitored for safety and kept above freezing
- Care needs to take place for water pipes not to break and cause damage ie.flooding to themselves and neighbors
- Food smells need to be handled so that bears do not cause damage to the home. Once a bear finds food sources it may remain in an area and cause damage to other homes too.

- Disposal of ash from heat sources and BBQs
- No rule for having sprinklers in home as is the case w/ motels

### ROADS

- Roads in the ClarkTract are steep, narrow ,winding. and icy during the winter
- In ALL SEASONS familiarity w/the road is of upmost importance for safety. and maintenance
- Particular procedures are known by those familiar w/the ClarkTract. Homeowners, Emergency and Snow Removal vehicles are familiar w/ the roads, and the unique area
- Homeowners know to keep children away from roads and equipment. They know road conditions, road etiquette, when to give right a way, HOW to drive a slow consistent speed as to not damage the roads, where to watch for children, and wild animals,. Of course we are concerned about STR not invested in our best interests, or just unfamiliar w/the Clark Tract not following these unique safety and maintenance efforts.
- ClarkTract roads are private meaning homeowners, not the County care for them (therefore the County should not allow STR which would add to expense of maintenance to the homeowners

- WE are liable for the roads

### LIGHT AND NOISE

Regarding dark night skies (star gazing) 1)Night-Porch lights, car headlights 2)Sound The Clark Tract has hills, therefore allowing STR would affect any nearby street residents as light and sound travel up and down the hills.

We are across from the Double Eagle Resort so we do hear sound from their events, but it is not in our Clark Tract and the Double Eagle does respect time limits on their events. Also many of their events support the JuneLake Community.

### CHARACTERISTIC OF THE CLARK TRACT WE ENJOY

- Peaceful, serene, private, quiet
- quality-of-life and public safety

-Neighbors watch out for each other.

-We arrive at solutions with each other, which takes time and negotiation, and respect.

- Accepting of neighbors, degree of understanding
- Wildlife
- Feel Safe

### NEGATIVES OF CLARK TRACT STR

- Lifestyle change to neighbors which is incompatible
- Neighbors deal w/Management Companies(MoneyMakers), rather than each other
- A Gvt.agency is created to oversee STR, paid for with our tax dollars, which would be better used for schools, roads, public transportation
- Cannot contact Gvt.agency on weekends, phone number??
- Response time to disruptions
- Our privacy is disrupted
- The worry about vandalism, trespassers, crime
- STR unaware of lot boundaries
- STR using our property and roads for snow sledding
- We don't want to be the police (monitoring STR when not in compliance)
- Decreased property values
- Insurance liability
- STR impact JuneLake workforce by out pricing affordable housing
- Monthly renters pay less, if they rent at all, because renters don't want STR next to them
- Being woken at night and early in the morning by STR arriving and unpacking
- Dogs-ignoring dog leash laws because they are in nature i.e.. pooping on other's property and roads; dogs running up and barking at people and their dogs which are on a leash, noise of barking
- Noise

- It negates of argument that STR would lead to more homeowners contributing to SnowRemoval and maintenance, because at the same time they're adding to road wear, and unfamiliar drivers to ClarkTract roads.
- parties
- trash
- excessive coming and going
- commercial use of residential
- not the same safety rules of motels ie.Sprinklers,
- background checks for all who are in STR are unlikely
- motels in neighborhoods go against the intent of a residential zones
- STR owners expect neighbors to deal with their business dealings ie.clients Not a neighborly thing to do
- distance from main JuneLakeVillage therefore visitors will spend less money in town
- strong disagreements between neighbors
- The price of STR lead to more people rent one in order to enable them to afford it. Results in more people and cars .

#### IDEA THAT LEGAL STR WILL GIVE COUNTY CONTROL

- This is almost impossible for the County to control
- Homeowners will just say those staying in their homes are friends or relatives

#### TO THOSE WHO SAY STR WOULD HELP THEM FINANCIALLY

- Homeowners knew the Zoning Laws when they bought. To change the lifestyle of the community for financial gain is incompatible. Don't expect to change other's lifestyle for your financial gain, and for the BusinessCompanies running the STR.. Being able to afford property is a personal responsibility.

#### TO THOSE WHO SAY STR ALLOW OTHER'S TO EXPERIENCE THE AREA

- There are multiple ways for vacationers to experience JuneLake
  - Camping is probably the most adventurous way to enjoy JuneLake is highly available, and is affordable way to enjoy JuneLake. Camping is a way of being much more involved w/the environment i in comparison to STR in the ClarkTract. Also campers spend money in the town.

#### ENVIRONMENTAL IMPACT

What is the environmental impact of STR? What studies have been done?

The reason for the County to have Zoning Laws is to separate various kinds of buildings for the benefit of all, separating business from residential

#### SOLUTIONS OF STR

- Allow only where the County cares for the roads, and where all the homeowners in that Tract want STR. The County does not pay for ClarkTract roads AND ClarkTract homeowner are liable for the roads, not the County. It is unreasonable for the County to expect homeowners to take on the extra responsibility of STR drivers.

The County asked if the homeowners want to change the zoning of the ClarkTract. After the Co. received resistance to the idea that is enough. Homeowners should not continue to be hounded. Other Tracts want STR which would give the necessary beds to JuneLake.

As per PlanningCommissionDraft, Devel.Standards, CH.25-TransientRentals, Sec.25.010 INTENT "In recognition of the demand by visitors for diverse lodging options, this CH. is intended to establish a process to permit transient rental w/in residential areas that do not exhibit reasonable opposition by neighbors who may be directly affected, and that are consistent with the applicable AreaPlan. "

Well, reasonable opposition by neighbors who may be directly affected have spoken again, and again. When we are in the company of our June Lake community we want to enjoy camaraderie....Instead here we are again defending our zoning. Due to roads, technical and community issues of the ClarkTract Please let us enjoy our chosen lifestyle again.

Thank you for your attention,  
Tony & Roxanna Fodera

[gretchen03@earthlink.net](mailto:gretchen03@earthlink.net)

## Wendy Sugimura

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**From:** 601club@adelphia.net  
**Sent:** Friday, May 26, 2017 12:30 PM  
**To:** Wendy Sugimura  
**Subject:** RE: Short Term Rentals

Clark Tract on Washington St

---- Wendy Sugimura <wsugimura@mono.ca.gov> wrote:

> Just a quick note, would you be interested in sharing which "neighborhood" you live in so I can file your comment as input on that particular neighborhood? No problem if not, I'll record your input as a general comment.

>

> -----Original Message-----

> From: 601club@adelphia.net [mailto:601club@adelphia.net]

> Sent: Friday, May 26, 2017 9:50 AM

> To: Wendy Sugimura <wsugimura@mono.ca.gov>

> Subject: Short Term Rentals

>

>

> I am against all short term rentals in June Lake. Tired of the trash and noise issues.

>

> Greg

## Wendy Sugimura

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**From:** Kevin Haley <kevinhaley@sbcglobal.net>  
**Sent:** Sunday, May 28, 2017 10:55 AM  
**To:** Wendy Sugimura  
**Cc:** kevin haley  
**Subject:** STR Support for the Clark Track in June Lake CA

**Categories:** JL STRs

To Whom it may concern:

My name is Kevin Haley,

I have owned a home in the Clack Track in June Lake CA for over 10 years, ( 139 Wyoming Street )

I am very much in support of the option for Short Term Rentals in the Clark Track, I feel it is a much better option than renting monthly.

With STR you have many more checks and accountability of guests renting than with a standard 31 day rental .

I travel for work about 5 months of the year and would really appreciate the opportunity to try and rent my house during that period.

Thank you so much for your time and I am really hoping we will be able to make this STR a option for the Clark Track.

Kevin Haley  
139 Wyoming Street  
June Lake, CA  
93529

760 648 1199

Mono County Board of Supervisors

May 20, 2017

C/O Clerk of The Board

PO Box 715

Bridgeport, CA 93517

Subject: Short Term Rentals in June Lake

Dear Supervisors,

We purchased our home in 1983, in a Single Family Residency (SFR) zone, in a family neighborhood and do not want our area (Clark Tract) neighborhood zoning changed. We specifically bought in the Down Canyon area to avoid the traffic, noise and tourist's issues associated with commercial/multi uses areas.

We have been defending our homeowner rights since 2008, when, the then, Supervisor Bauer wanted to change the zoning to TROD because, according to County Planning, Rusty Gregory wanted more "Warm Beds". Supervisor Bauer stated that SFR areas were exempt from TROD which would only be pursued in multi-use areas.

However, this is not about empty promises, this county proposed zoning change affects residents and is a quality of life and liability issue. Rezoning our family neighborhoods to allow nightly rentals will create numerous financial, safety, legal, and quality of life concerns and issues. It will also reduce the amount of affordable housing which is already at an extreme shortage level. There will be significant additional costs that this change will impose on the county to monitor compliance of these new zoning requirements that will not be offset by TOT income. At a recent meeting, it was disclosed, by County Council, that the Clark Track roads are private roads and that the homeowners are liable for the roads. This creates more concerns when weekenders travel through private areas. With all of the negative issues and concerns, this proposed zoning change is not in the best interests of the majority of residents of the Clark Tract.

We have written and expressed our opposition to the proposed zoning change to Short-Term Rentals for many years and our letters should be on file. We would like to see this continued attempt by the county to force our neighborhood to change zoning stop, once and for all. We don't understand how many times we have to tell you NO, not in the Clark Tract.

We recommend that you put this issue on the ballot and leave the democratic decision to the people like the past Measure Z in Mammoth Lakes.

Sincerely,

  
Al and Patti Heinrich

June Lake Residents

661-400-0922



## Wendy Sugimura

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**From:** PC <pch1951@msn.com>  
**Sent:** Monday, May 01, 2017 8:43 AM  
**To:** Wendy Sugimura  
**Cc:** Ann Tozier  
**Subject:** Transient rentals in the Clark Tract

**Categories:** JL STRs

I would like to express our total disagreement with transient rentals in the Clark Tract. We have been directly impacted by two neighbors over the past ten years. We have had constant trespass, illegal parking, destruction of property, litter, noisy parties, and some nasty people when you ask them to leave our property or not to park their vehicles in our driveway including boats, campers, and SUV's.

We intentionally purchased our home in this neighborhood for our current retirement thinking that the zoning of Single Family Residential (SFR) would protect and safeguard ourselves and property from the problems of living in areas where nightly rentals are allowed. But there are a few people who built their homes in our neighborhood with the sole intention of renting their homes to produce income. None of this income comes back to our neighborhood for snow removal or for the repairs of our roads. We find many renters ill equipped to traverse our roads and many times they have blocked egress and ingress to the tract as a whole.

It has been said by management of Mammoth Mountain that June Lake needs more beds so the mountain can make more money and therefore cause improvements of June Mountain. They believe more beds brings more people. Their logic is incorrect as it was borne out this ski season where the mountain received huge crowds all season. The only thing June Lake needs is snow to bring the crowds. We went through many years of draught where the crowds did not come. But this season the crowds all managed to find a place to sleep and they were not from illegal rentals in areas designated SFR.

We have wrote many letters and attended many meetings by the Planning Department and the County Supervisors. And each time we believe the issue was settled but it comes up again. We do not understand that a few people over the majority of home owners can keep this tragedy to our neighborhood to continue.

We request that no transient rentals inclusive of what are called "granny units" not be allowed in our tract and that the County keeps its promise that we purchased our home in a SFR area.

Sincerely,

Patrick and Catherine Hoefer

## Wendy Sugimura

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**From:** hughes@qnet.com  
**Sent:** Tuesday, May 30, 2017 11:25 AM  
**To:** Wendy Sugimura  
**Subject:** short term rentals

**Categories:** JL STRs

Hi Wendy

This email is in support of short term rentals in June lake. Aside from the improved economy, TOT, and more jobs, We believe that there is a need for this type of rental. we have been traveling quite a bit lately and always seek out this type of accomadition. The experience is much better. Thanks for your hard work on this difficult issue.

Larry and Lucille Hughes  
5464 hwy 158 JL

## Wendy Sugimura

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**From:** Bob Madgic <bmadgic@yahoo.com>  
**Sent:** Thursday, June 29, 2017 6:05 PM  
**To:** Wendy Sugimura  
**Subject:** June Lake short term rentals

Dear Wendy,

As owners of a vacation house in the Carson Track for 27 years, we feel that the County should allow type 1 short term rentals. Although we doubt that we would participate, from such a ruling, we feel that it would benefit the June Lake community.

Diane and Bob Madgic  
167 S. Texas St.

## Wendy Sugimura

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**From:** Debra Bryan Mahony <bryanmahony@gmail.com>  
**Sent:** Monday, May 29, 2017 10:22 AM  
**To:** Wendy Sugimura  
**Subject:** Short Term Workshops

**Categories:** JL STRs

Hi Wendy,

Thank you for all your hard work at the STR workshops.

The workshops were very helpful in confirming and defining (for me) the need for STR. and why I support STR in the Clark Tract.

I also learned (to support my neighbors) that there is room for compromise on my views.

I saw room for compromise on the opposition side too.

This gave me hope that a middle ground could be struck for STR in the Clark Tract..

Again, many thanks.

Best,  
Bryan Mahony

--

Bryan Mahony  
[760 937 7142](tel:7609377142)  
[bryanmhaony@gmail.com](mailto:bryanmhaony@gmail.com)  
PO Box 69  
June Lake, CA 93529

## Wendy Sugimura

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**To:** Wendy Sugimura  
**Subject:** FW: follow-up to today's workshop  
**Attachments:** MtnViewLane\_Accidents.ppsx; Letter from Jill Malone and Rod Goodson.docx; ch\_25\_final\_revision\_04.06.17-highlighted.pdf

**From:** Malone, Jill [mailto:JMalone@miracosta.edu]  
**Sent:** Wednesday, June 21, 2017 12:29 PM  
**To:** Wendy Sugimura <wsugimura@mono.ca.gov>  
**Cc:** rgoodson@cox.net; Paul McFarland <pmcfarland@mono.ca.gov>  
**Subject:** Re: follow-up to today's workshop

Hello Wendy,

I hope you're doing well. Here is the email I promised you earlier that lists Rod's and my concerns regarding Clark Tract short-term rentals, along with a few thoughts on some possible solutions. There are three attachments to this email: (1) a short PowerPoint slideshow that visually expresses the dangerous road conditions within the Clark Tract - notably Mountain View Lane; (2) a letter addressing how short-term rentals inhibit valuable long-term rentals – a letter that Ann Tozier has promised to read to the group on our behalf at the June 28 meeting; and (3) a copy of the Chapter 25 Short-Term Rental Development Standards with the missing/problematic text highlighted. If any of these attachments don't come through correctly, please let me know and I'll resend them.

Significant concerns:

- 1) Liability from the use of private roads in the Clark Tract is a critical issue. The County has stated on more than one occasion that they cannot assume liability for the private roads in the Clark Tract. As such, the liability for accidents (and their subsequent lawsuits) from short-term transient renters falls to the homeowners. This is a burden that we, the homeowners, decline to accept. We don't feel we should be asked to do so since we purchased our property in a single-family residence neighborhood that expressly prohibits short-term transient rentals. STRs bring additional people into this area with its steep, narrow, hazardous roads that lack guardrails, proper drainage, and other safety features. This liability issue is of paramount importance.

Please see the **attached PowerPoint slideshow** that pictographically documents what happens when non-residents who don't understand the danger of our roads attempt to drive on them. This particular documented incident occurred on Mountain View Lane on a Fourth of July weekend when conditions were at their safest. Rainy and foggy weather create exponentially more hazardous conditions, and Mountain View Lane in winter is so dangerous that Marzanzo & Sons, Inc. refuses to plow it.

- 2) Short-term transient rentals will reduce the already limited supply of long-term rental housing available in June Lake. With the new Chapter 25 allowances for Type I and Type II short-term rentals, we can expect certain homeowners to convert their long-term rental residences to short-term transient rentals. This conversion will exacerbate the existing long-term-rental housing problem. This shortage of long-term rentals is of significant importance to the next generation of June Lakers who are moving here trying to make this community their home.

For more details on this important issue and why it is in everyone's best interest to help this next generation of June Lakers with their long-term rental needs, please see the **attached Word document entitled "Letter from Jill Malone and Rod Goodson"** to be read to the group by Ann Tozier at the June 28 meeting.

3) Incorrect wording of Development Standard 25.020 "Establishment of Type I Short-Term Rental"

As mentioned in my earlier mail, the language for this 25.020 standard does not conform to the Intent (25.010) or the Establishment of Type II Short-Term Rental (25.030) and needs to include: "must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year-round access." We understand from you that this Development Standard language will soon be corrected, and that's good.

Here is why this is so important: June Lake residents have been instructed that the *only* difference between Type I and Type II rentals is that one is owner-occupied and the other is not. As such, the language for these two standards is understood to be exactly the same, with the exception of the "owner-occupied" differentiation. Unfortunately the current wording of Chapter 25 (25.020) for Type I Short-Term Rentals can be interpreted as follows: Unlike Type II Rentals, NO community input requirements exist for Type I rental applications. Clearly the necessary checks-and-balances for permitting Type I Rentals are missing with the current 25.020 wording. This important error needs be corrected before any decisions are made regarding short-term transient rentals and/or any permits are issued. Please see the attached document **ch\_25\_final\_revision\_04.06.17-highlighted.pdf** that highlights the missing/problematic text within the Chapter 25 Short-Term Rental Development Standards.

Thoughts on solutions:

The following possible solutions are Rod's and mine alone. We understand there are many others who want no short-term transient rentals anywhere at all in the Clark Tract. Although we value their opinion and understand their point of view, we hope that by offering the following compromise with Nevada Street, we can allow STRs in a restricted, safer area of the Clark Tract. In return, there needs to be a written guarantee that for the remaining streets within the Clark Tract short-term transient rentals are expressly prohibited. Details for this solution are provided below:

- Separate Nevada Street from the rest of the Clark Tract and allow Type I and/or Type II rentals on Nevada Street only. Nevada Street is closer to the main road (Highway 158), and it is not as hazardous as the other roads in the Clark Tract with their dangerously steep drop-offs and no guardrails.
- Create a legally binding document that states Nevada Street is responsible for its own road maintenance and snow removal, separate from the rest of the Clark Tract.

- Create a waiver signed by the owners along Nevada Street stating they assume liability for any accidents on their street due to transient rental use.
- Generate a legally binding document for the Clark Tract expressly prohibiting Type I and Type II transient rentals on any street other than Nevada.

Once again, thank you for all the work you're doing on this issue. It's extremely important to those of us who live here and who value the serenity and peacefulness of this community. We very much appreciate your efforts, your time, and your patience.

Best regards,

Jill Malone and Rod Goodson

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**Jill Malone, Department Chair**

:: Media Arts & Technologies, MiraCosta College  
:: Professor of Digital Imaging and Graphic Design

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## Letter from Jill Malone and Rod Goodson

First, we would like to thank Ann Tozier for generously agreeing to read this letter on our behalf since we cannot attend this meeting, and second, we offer a special thanks to Wendy and Paul and the concerned residents of June Lake for taking the time to listen.

Full disclosure: I, Jill, am a fulltime community college professor and have been for 25 years. As such, the 20-somethings have a special place in my heart. They are our future, and what we do for them now will benefit all of us in the long run. I've noticed that the voice of this next generation has been missing from our meetings and from this short-term rental conversation so I'll do my best to speak on their behalf.

As I'm sure you've noticed, the next generation of June Lakers are already creating business opportunities in this town. You only need to look as far as the June Lake Brewery to witness their success. They love this area. They want to raise their families here. They want to contribute to the progress of this unique community and the wonderful lifestyle it embraces. This next generation of young people arrives with energy and ideas and a vision for the future.

And they need somewhere to live. Unfortunately long-term rentals in June Lake are very hard to come by. Even more unfortunately, short-term transient rentals exacerbate this problem. Taking a house zoned as a single-family residence (which legally allows for long-term renting) and converting this to a short-term rental seriously undermines the already limited housing available for these next-generation June Lakers.

As we continue this conversation regarding the appropriateness, or **inappropriateness**, of short-term transient rentals, we should consider the needs of this younger, innovative demographic. If you ask them what they require, it isn't expensive transient rentals geared for tourists. It's long-term housing for themselves and their young families. Rather than attempting to maximize personal revenue with short-term transient rentals in neighborhoods that are not suited for them, we believe we should work toward providing long-term rental accommodations for our next generation of June Lake residents so they and their children can thrive and flourish in this beautiful and unique community.

Thank you,  
Jill Malone and Rod Goodson



## Letter from Jill Malone and Rod Goodson

First, we would like to thank Ann Tozier for generously agreeing to read this letter on our behalf since we cannot attend this meeting, and second, we offer a special thanks to Wendy and Paul and the concerned residents of June Lake for taking the time to listen.

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Thank you,  
Jill Malone and Rod Goodson

# Mountain View Lane

## Summer 2014

Why this steep off-camber private road with  
no guardrails is dangerous year-round and  
should not be permitted for STRs

July 4<sup>th</sup> 2014: A woman driving up Mountain View Lane near the Fettes residence maneuvered her truck off the cliff.









Fettes Residence





Mountain View Lane is a private road that is NOT maintained by the County, and it is steep and dangerous. The residents (not the County) are liable for these roads, and these residents have repeatedly stated their opposition to short-term rentals and their potential liability.



## DEVELOPMENT STANDARDS

### CHAPTER 25 – SHORT-TERM RENTAL

#### Sections:

<b>25.010</b>	<b>Intent.</b>
<b>25.020</b>	<b>Establishment of Type I Short-Term Rental: Owner-Occupied.</b>
<b>25.030</b>	<b>Establishment of Type II Short-Term Rental: Not Owner-Occupied.</b>
<b>25.040</b>	<b>Notice requirements.</b>
<b>25.050</b>	<b>Uses permitted.</b>
<b>25.060</b>	<b>Uses permitted subject to director review</b>
<b>25.070</b>	<b>Uses permitted subject to use permit</b>
<b>25.080</b>	<b>Additional requirements</b>

#### **25.010 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.<sup>1</sup>

#### **25.020 Establishment of Type I Short-Term Rental: Owner-Occupied**

Type I short-term rentals are owner-occupied or associated with an owner-occupied principal residence. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum a sleeping room (with shared full bathroom). Rental is limited to a single party of individuals, and the owner is required to be present during the rental. The short-term rental use may be permitted for any single-family unit having land use designation(s) of SFR, ER, RR, MFR-L or RMH subject to Use Permit, if consistent with applicable Area Plan policies.<sup>1</sup> The use permit for this rental shall run with the owner and not the land, and shall terminate upon a change of ownership. Fees for appeal of Type I Use Permit decisions shall be waived.

#### **25.030 Establishment of Type II Short-Term Rental: Not Owner-Occupied**

Type II short-term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The short-term rental use may be established on any parcel (or group of parcels) with a single-family unit,, meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH. The short-term rental must be consistent with applicable Area Plan policies,<sup>1</sup> must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year-round access.

In addition to the requirements of this chapter, initiation and application for a Type II short-term rental shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters STR (e.g., SFR-STR) would indicate a Type II short-term rental is permitted.

#### **25.040 Notice requirements.**

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<sup>1</sup> The June Lake Area Plan will be revised shortly after the adoption of this chapter to identify appropriate areas for short-term rentals. Until the Area Plan revision is complete, no short-term rental applications shall be processed for June Lake. After Area Plan revision, applications can be accepted and evaluated for consistency with June Lake Area Plan policies per 25.010, 25.020, and 25.030.



- A. Notice shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius drawn from the nearest limits of the parcel that is subject of the land use application. If a property is located more than 500 feet from the boundary of the parcel, but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed. Further, any property owners, regardless of their location or proximity to the parcel subject to a land use application, may receive notice as long as they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given to those properties at least 20 days in advance of the hearing by mail to all persons whose names and addresses appear on the latest adopted tax roll of the County.

**25.050 Uses permitted.**

The following uses shall be permitted with a short-term rental approval, plus such other uses as the commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

**25.060 Uses permitted subject to director review.**

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

**25.070 Uses permitted subject to use permit.**

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

**25.080 Additional requirements.**

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family or multi-family residence located within an approved short-term rental established by this chapter, for a period of less than thirty (30) days, must first obtain a vacation home rental permit and comply with all applicable requirements of that permit, as set forth in Chapter 26, Transient Rental Standards and Enforcement.

Parcels located within conditional development zones (avalanche) shall not be allowed short-term rentals during the avalanche season, November 1 through April 15.

## Wendy Sugimura

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**From:** Paul McCahon <jlvvrentals@gmail.com>  
**Sent:** Tuesday, May 23, 2017 2:50 PM  
**To:** Wendy Sugimura  
**Subject:** TROD in June Lake

Hi Wendy,

My name is Paul McCahon. My wife Carol and I have lived at 130 West Steelhead Rd in the Clark Tract for the past 17 years. I am unable to attend the meetings regarding the TROD issues but want to express my opinion (for what seems like the 100th time) with regard to TROD in the Clark Tract.

I want to be very clear. Carol and I are **Very Much Against** allowing any Transient Rentals in the Clark Tract. We are against Type 1 and Type 2. In other words ***No Transient Rentals in the Clark Tract period!***

Our reasons are as follows:

- 1) Winter access is difficult at best. Impossible at times. One of the proponents of TROD in the Clark Tract, Ian Fettes, managed to get his own vehicle stuck a winter ago (I personally witnessed this) and his solution was to just leave his vehicle there for the night. Very difficult for anyone else to get up the hill with his car there. And he is a Type 1 advocate. If the owner can't make it up the hill how are we to expect a guest to make it?
- 2) Snow Removal is a huge issue. In the Clark Tract contributing to snow removal is voluntary. It costs a minimum of \$32,000 per year. More if there is more snow. This past year our first month alone was \$36,000. Most everyone contributes. The two aforementioned residents of the Clark Tract do not contribute but, of course, are happy to use the road to access their property.
- 3) You are probably aware of the meeting a week ago to discuss the Clark & Peterson Tract Roads at the June Lake Community Center. In attendance was County Supervisor Gardner, County Counsel Stacey Simon and Public Works Engineer Garrett Higert. The issue of Liability came up regarding anyone that may have a slip and fall or otherwise fall victim of a mishap as a result of the deteriorating roads. Atty Simon said that the County had no liability but that the individual property owners could be found liable. Now I ask you ... How can you, in good conscience, "**force**" us to allow transient rentals in an area that may result in us absorbing an increase in personal liability as stated by your own County Attorney?

There are places that Transient Rentals are appropriate. I own a company (June Lake Village Vacations) that the viability of which depends on Transient Rentals. I will loose potential rental income if Transient rentals are not allowed in the Clark Tract. I stand to profit if Transient Rentals are allowed yet I remain adamantly against it. Why is that? Because the Clark Tract is unique and is not an appropriate place to allow this type of activity.

Thank You,

Paul McCahon  
Carol McCahon

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June Lake Village Vacations

**From:** Denise Miller <dmillerhb@gmail.com>

**To:** Al And Patti Heinrich <heinrichsfour@aol.com>

**Subject:** Proposed Zoning for "Short Term Rental"

**Date:** Tue, Jun 27, 2017 9:34 pm

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Subject: June Lake-Proposed Zoning for- Short Term Rental

To whom it may concern,

We built our home over 25 years ago which is located in the Clark Tract of June Lake. We will not be able to attend the meeting on June 28, 2017 regarding the proposed "Short Term Rental (STR)" zoning change, we are **opposed** to the STR zoning change below are following concerns:

If this proposed zoning change for STR passes will the County bring the existing private roads to code to handle the new zoning change? If so, Mono county should maintain the roads and accept the liability if this proposed zoning change is approved by Mono county. If not we as owners of the private roads will have all the liability: so our solution is to put locked gates on our property where the misplaced roads go thru.

The second home/ vacation owners that are wanting this zoning proposal to go thru will have a big effect in the residential area with noise, traffic and destruction on our private roads caused by the STR.

Full time business, motel and hotel owners income and livelihood will decline.

As a Realtor this type of zoning for STR directly effects property value in a negative way.

Regards,

The Miller's

**From:** Virginia O'Malley <virgomalley@gmail.com>

**To:** wsugimura <wsugimura@mono.ca.gov>; sburns <sburns@mono.ca.gov>; pmcfarland <pmcfarland@mono.ca.gov>

**Subject:** June Lake - Proposed Zoning for "Short Term Rental"

**Date:** Mon, Jun 26, 2017 9:24 pm

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As residents of June Lake for over 11 years, we would like to take this opportunity to express our concern about the proposed zoning change of "Short Term Rental" (STR) to our community.

We are deeply troubled about this proposal as the impact would be devastating. As property owners in another community in California, we have seen first-hand the deplorable consequences and deterioration of our neighborhood because of the STR zoning change.

In addition, this zoning change would have a significant liability and safety impact on all the residents of the Clark Tract.

In summary, we are strongly opposed to the proposed zoning change to Short-Term Rentals.

Sincerely,

Virginia and Tom O'Malley  
215 Deer Meadow Lane  
June Lake, CA

John and Doris Reilly  
PO Box 630  
June Lake, CA 93529

June 19, 2017

Wendy Sugimura  
Mono County Community Development Department  
PO Box 347  
437 Old Mammoth Road, Ste P  
Mammoth Lakes, CA 93546

RE: Comments Regarding Short-Term Rentals in the Clark Tract of June Lake

Dear Ms Sugimura,

Thank you for conducting the numerous workshops held recently in June Lake regarding short-term rentals (STR). We have attended several and appreciate the staff time dedicated to this effort. We are home owners and full-time residents in the Clark Tract for over five years. We wish to preserve the peaceful environment that brought us to this mountain community, and are against STR in the Clark Tract for two primary reasons: roads and topography.

The Clark Tract roads are private, and the property owners are ultimately liable for accidents that may occur in the neighborhood. We live on the corner of W Steelhead Rd and Texas St, and we have seen several non-residents, unfamiliar with how to drive the icy winter roads, positioned sideways and sliding down the hill just outside our window. There is currently a group of residents working towards trying to find a solution to long-term road maintenance. This effort, if it succeeds, would hopefully address the pavement and drainage issues, but the narrow roads and steep grades that make for hazardous driving would still exist.

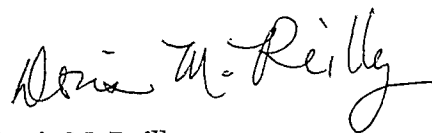
Topography is the other issue in the Clark Tract. Homes are built on extremely steep hillsides, and homes are tiered in such a way that line-of-sight and sound impacts of activities often exceed the 500-foot buffer that is defined as "surrounding property". Any increase in traffic on the roads is amplified because cars and trucks strain to get up the steep grades.

As you know, there is strong opposition to STR in the Clark Tract. None of the mitigations discussed at the workshops would resolve the roads and topography issues in our neighborhood. The County should not allow STR in the Clark Tract without a vote by the community.

Thank-you for your consideration,



John P. Reilly



Doris M. Reilly

## Wendy Sugimura

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**From:** Beth Renner <bethmrenner@yahoo.com>  
**Sent:** Wednesday, May 31, 2017 9:09 AM  
**To:** Wendy Sugimura  
**Subject:** STR--June Lake

**Categories:** JL STRs

Hi Wendy,

Once again I'd like to thank you for having the workshops at the June Lake Community center. You ran a productive and informative meeting and I appreciated that.

I own a home in the Clark track; 14 Wyoming St; and am in favor of the STR type 1 and type 2 rentals. Having this option benefits many people.

Besides the obvious increase in local businesses revenues, home rentals also have a variety of other perks for the City of June Lake. Take for example, the word of mouth families who visit June Lake (and the eastern sierras in general) will make to their friends and family. When more people hear about June Lake and the surrounding area this is a win win for all. But I do want to stress that these home rentals will especially help local businesses. I've had many conversations over my years in June with not only business owners, but also local tradesmen (contractors, cleaning people, appliance repair companies, painters, snow removal companies, handymen, carpenters, the list goes on and on) about their struggle to make ends meet and continue to pay their bills and support their families in June Lake. This problem can be solved by the increased revenue which tourism provides, keeping in mind that it's tourism which drives most of California's economy in the first place.

Even more importantly, this outcome will not only affect current homeowners, but also future home owners and those who are lucky enough to inherit their families already existing homes in June Lake.

Thank you,  
Beth Renner  
949-510-7193

Sent from my iPhone

## Wendy Sugimura

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**From:** william renner <williamrenner2@gmail.com>  
**Sent:** Tuesday, May 30, 2017 7:23 AM  
**To:** Wendy Sugimura  
**Subject:** STRs June Lake  
  
**Categories:** JL STRs

Hello Wendy,

I own a home in the Clark tract at 14 Wyoming Street. I am in favor of STRs type 1 and 2 for the Clark tract and for all of June Lake.

I am sure with the proper guidelines and regulation these rentals will have little impact in our neighborhoods. I have four children and they all love June Lake. I want every opportunity available for them to keep the property and this will help my family.

Bill Renner  
14 Wyoming St.  
June Lake

## Wendy Sugimura

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**From:** Wendy Sugimura  
**Sent:** Friday, June 09, 2017 3:48 PM  
**To:** Wendy Sugimura  
**Subject:** RE: June lake Trod & CAC

**From:** mike rosas [mailto:mrosasltd@hotmail.com]  
**Sent:** Thursday, June 08, 2017 1:07 PM  
**To:** Wendy Sugimura <wsugimura@mono.ca.gov>  
**Subject:** Re: June lake Trod & CAC

Hi Wendy,

I wanted to send an email in support of nightly rentals in the Clark Tract and all of June Lake. As you know I have operated in the Clark Tract a successful Vacation Rental property for over (2) years under the vacation rental permit through the TROD program. We have contributed over (\$12,000) annually in TOT as the demand for my Vacation Rental continues to grow. It's been a source of over (500) guests annually to the June Lake economy. The contributions to the economy have made a huge impact locally.

My property manager or myself have never received a single complaint from any neighbor with respect to noise/parking/trash or any issue. We also had no problem conducting rentals during the area's biggest winters. Most visitors that arrived during winter storms had chains on already after making it over Highway (395) summits, just to arrive in June Lake. It would be a difficult argument to make that a guest cannot negotiate the Clark Tract neighborhood roads after they just made it over "Deadman's Summit". My vacation rental proves rentals can be done without issue during winter storms. We handled over twenty separate rentals during this winter without a single issue! Guests need to be prepared and be made aware of the winter conditions. Just for a comparison: The steep roads of the Timber Ridge condos in Mammoth have never been limited in winter rentals. In contrast the neighborhood roads near Timber Ridge have far more snow and steepness than the roads in the Clark Tract.

I would also like to include my written report (**The importance of Single Family Vacation Homes in June Lake's Tourist economy**). This report would be the most thorough evaluation that anyone has done on the effects of vacation rentals on the June Lake economy. I feel it's important to discuss issues that would help minimize the impact in the neighborhood such as density, quiet hours, neighborhood rules and cooperation. There would be irrevocable damage to June Lake's economy and property values to consider any limitation on the short term rentals. Most communities that do not rely on a tourist economy have opted to include short term rentals in their neighborhoods. It would be a mistake to prevent short term rentals in a 100% tourist economy that clearly has a deficiency in quality and quantity of lodging choices.

Thanks,

Mike Rosas  
PO Box 6  
June Lake Ca  
93529



# The importance of Single Family Vacation Homes in June Lake's Tourist Economy

The future of the travel industry has greatly changed with the advent of the information sharing (internet) and the growth of web portals such as VRBO and HomeAway. Short term rental guest spending can be a vital part of the tourism sector in June Lake, ultimately creating many jobs and millions of dollars of economic activity, wages, and tax revenue for the community each year. This net new spending increases in vacation rental activity compliment rather than substitute, goods in the local accommodations market. Different types of lodging serve discrete segments of the visitor market, and diversity within the accommodations market is essential to meeting future customer demand.

June Lake relies primarily on a 99% tourist economy. Bringing visitor's to spend money in the local tourist economy is vital (365) days a year. The option of rejecting the largest growing future segment of the travel industry is unimaginable. The reasons to support this type of travel guest in a remote, picturesque and entirely tourist driven economy town are substantial. Many town and cities have come to this conclusion in far less tourist based communities than June Lake.

This report's purpose is to outline the clear benefits of welcoming the fastest growing segment of the tourist based economy. The economic benefits are not only extended to local business owners and county tax revenues but also homeowners increased property values. The report will also address any perceived negative aspects of short term vacation rentals.

## June Lake's positive Economic benefits from Short term rentals (365) days per year

The economic benefits from short term rental are too numerous to possible mention all in one analysis. A recent economic analysis from TXP, Inc., an economic analysis and public policy consulting firm hired by Monterey County revealed the economic impact from the additional short term rentals in Monterey County produced \$131.8 million in total economic activity and 1,400 jobs in 2014. The same level of economic activity can be experienced proportionally by June

Lake as well. The report showed for every **one dollar** spent on VRBO/Home Away Accommodations there is economic benefit of **Two dollars** to the local economy. The average VRBO/HomeAway visitor will be on the (highest end) of disposable income spending that June Lake experiences. Most guests have planned a destination family vacation in advance that promotes greater local spending. Visitors are not the typical 2-3 night budget vacation guest but more likely the higher income wage earner with disposable income. The current mix of vacation housing in June Lake is limited in attracting the discrete vacation traveler of the future. These potential future guests will look elsewhere such as (Tahoe, Mammoth, Big Bear, Colorado, Utah) if quality single family vacation rentals are not available to rent in June Lake. This approach would make June Lake an anomaly in the Mountain Town Vacation rental industry. June Lake has had very limited opportunity in economic growth for decades. It would not be acting in the best economic interests of all homeowners, business owners and work force of the June Lake community to even consider excluding June Lake from benefiting from this largest growing segment of the travel industry.

### **Examples of Business Community Benefit**

Increased Food and Beverage spending: Double Eagle, Carson Peak, June Lake Brewery, Tiger bar, Sierra Inn, etc.

\* Increased recreational, entertainment spending: June Mountain, Marinas, Double Eagle, etc.

\* Increased demand for complimentary housing, extended stays, motel rooms.

\* Increased retail sales: June Lake General store and local markets, June Mountain, Ernie's, galleries, etc.

\* Increased Ground transportation: Shell station

### **Examples of local Workforce Benefit**

\* Increased hours, wages and tips at local eating establishments.

\* Increased demand for Property Management services.

\* Increased demand for housekeeping services/laundry mat.

- \* Increased demand for local contracting services for repairs/maintenance and Remodeling jobs.
- \* Increased ski/board lessons demand for instructors
- \* Increased demand for Massage therapists
- \* Increased demand for fishing guides, photographers

## The increase in June Lake Property Values from SFR Vacation rentals

A single family home in Zip code **93529, June Lake Ca.**, was worth \$342,756 on average in 2015, about **14 percent or (\$58,194) less** than in 2004. The majority of Nations and California's Real Estate values have rebounded to their new all-time highs while June Lake has gone **(14%) backwards** in property values during over a decade of time. This data is from Black Knight Financial Real Estate Data Services spanning 2004 through 2015. The demand for a single family home in June Lake is presently extremely weak. This effects current property owners wishing to sell their property or a homeowner wishing to refinance without sufficient equity. The demand for single family homes in June Lake has no forward direction, momentum or reason for optimism under the current market conditions.

In areas where short-term rentals are accepted or encouraged, a home with "rentable" features might sell for more money based on a survey of realtors from a recent National Association of Realtors Conference. In some vacation resort areas according to the American Hotel and Lodging Association, there's evidence vacation home sales are going up because these sorts of platforms have become an accepted way to book a vacation.

The ability to rent one's property can actually help preserve property values by providing income to homeowners that can be used to offset mortgage and maintenance costs. If homeowners are able to do so, they are more likely to be able to maintain homes in the short term and, in the long term, to maintain ownership. By providing short term rentals, owners may share the burden and

benefits of home ownership. This sharing of use and benefit can reduce the loss of neighborhood character due to disrepair, distressed sales at below market prices and even foreclosures. In consequence the community's character and property values are protected from the effects of negative housing market downturns.

## Solutions for negative perceptions of Single Family Vacation Rentals

Most homeowners purchased a home in June Lake for its scenic beauty and peace and quiet. This is the draw for the family oriented vacation Guest that the VRBO/HomeAway model attracts. The family vacation visitor has been the trademark of June Lake history for a hundred years. The renting of a home for less than 30 days is still a residential activity vs. a commercial activity. The usage of a home by a vacationing 2<sup>nd</sup> homeowner family is the same as a visiting vacation home rental family. The vast majority of the homes in all June Lake neighborhoods are second homes. The family vacation model fits the nature of usage the neighborhood and homes were designed for. Allowing vacation rentals in any June Lake neighborhood is in the character and actually enhances the cosmetic charter of any given neighborhood.

There are numerous reasons to license vacation rentals vs. having continuing efforts citing illegal rentals without a long term solution.

- \* Legal Vacation Rentals (Pay TOT Tax) Vs. (No taxes) collected with illegal rentals
- \* Licensed Vacation Rentals have fire safety guidelines, inspections and insurance protecting the neighbors vs. illegal rentals with no protection or enforcement.
- \* Opportunity for neighborhoods to set specific vacation rental policies that protect homeowners and promote quiet family getaway seekers not loud party noise.

### **Ideas for reducing impact on neighborhoods quiet enjoyment**

- \* Establish quiet hours 10:00PM - 8:00 AM on future rentals
- \* Adopt Neighborhood (Quiet Zone) signage that promotes guests to be respectful, like they would want in their own neighborhoods. This type of minimal signage is often seen in upscale neighborhoods that value their quiet nature and want it reinforced with visitors. This can also be reinforced inside the vacation rentals as additional reminders to guest to behave in a respectable fashion.
- \* Restrict college group rentals and have minimum age restrictions that promote family rentals in neighborhoods intended for family rentals.
- \* Input from adjoining neighbors to inform Property Managers and owners of undesirable guest behavior. This allows swift action to curb disturbances so they do not become ongoing disturbances. This type of enforcement is not possible with illegal rentals that have no guidelines or avenue for enforcement.

## **Conclusion**

Challenging property owner's rights and restricting any opportunity for visitors to enjoy the charm of renting a single family home in June Lake would be an epic mistake. June Lake should be a town that caters to and welcomes their second homeowners and their family, friends and yes, short term family vacation guests! The businesses would prosper from the families who rent these homes and eat out, shop and spend money in the local economy. Many visitors love the opportunity to rent a home in June Lake. If this opportunity were permanently taken away, then the June Lake homeowners, business owners and workforce would be adversely economically affected from losing a huge and growing segment of the tourist industry. June Lake is a resort town- our economy is based on tourism. Visitors to our community like renting vacation homes. Vacation rentals are a good thing! June Lake has suffered enough economic stagnation for too long. Let's make the right decision. Support June Lakes best future. Support the best future for June Lakes businesses and property values. Support vacation rentals of Single Family homes in June Lake's future.

## Paul McFarland

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**From:** David Rosky <dave.rosky@gmail.com>  
**Sent:** Wednesday, June 21, 2017 4:56 PM  
**To:** Wendy Sugimura; Paul McFarland  
**Cc:** Bob Gardner  
**Subject:** Some observations and comments  
**Attachments:** str\_observations\_suggestion.pdf

Hi Wendy, Paul,

I've been thinking quite a bit and formulating some observations and suggestions after attending the last meeting, which went a decidedly different direction than the previous ones. I wasn't sure I should send an email because I'm sure you already have a vision of what the process should be, but I ended up speaking with Bob since he lives quite close, and he feels it might be worth considering.

Basically, it involves taking some steps to keep the next meeting from being mostly a repeat of the grandstanding, position statements, and horror stories we've already heard, and specifically aim it in a certain direction which could generate some useful discussion of the type we had during the earlier workshops.

It got a bit long to type into an email, so I ended up typing it up as a PDF file, which I attached here. Please let me know if for some reason the PDF didn't arrive (firewall problems, etc.).

It's a little complicated, and if you think it has some merit, I'd be happy to talk about it on the phone or in person if I happen to be around at the time. My phone number is 530-320-0404.

Regards,  
David

## Paul McFarland

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**From:** David Rosky <dave.rosky@gmail.com>  
**Sent:** Wednesday, June 21, 2017 6:32 PM  
**To:** Wendy Sugimura; Paul McFarland  
**Cc:** Bob Gardner  
**Subject:** An example from Sunnyvale

Hi Wendy, Paul,

I'm going to pass along an example that happened some years ago in Sunnyvale, the other place where we live. It's not exactly the same situation, but I think it has a number of important take-aways. I've already passed this on to Bob.

Property values have been going up quite fast in the bay area for some time, and at some point, that triggered a sharp increase in the number of home remodels. The high volume of remodels caused a number of conflicts to arise to the point that it became an issue for the city. The conflicts were over the adding of second stories to houses.

The controversies revolved around the fact that in some cases, the additions resulted in a significant reduction in the amount of available sunlight on parts of neighbors' yards and houses during the winter.

So, how did the city deal with it? Did they just do nothing? No. Did they completely disallow permit applications for second stories? No. Did they go through and carve up Sunnyvale into neighborhoods with differing amounts of opposition to second stories and tell some neighborhoods they could not even apply for a second story because their block has too many people who just disagree with second stories? Not that either.

What they did was two things. First, they instituted a policy that anyone applying to change their roof line by more than a certain amount was required to obtain a "light and shadow analysis" done by a licensed contractor or architect which calculated what changes there would be in the patterns of sunlight, and second, they implemented a consistent set of guidelines that could be fairly and equitably applied to all applicants regarding allowable effect on sunlight. It didn't completely eliminate all the conflicts, but it reduced them significantly.

To me, the important take-aways here are that:

1. everyone in the city is treated the same. All residents are allowed to apply for a permit. There are no areas excluded simply because there are some second story opponents living nearby. Some may not get a permit depending on the analysis results, but all are allowed to apply, none are denied the due process of a permit application.
2. As the result of 1. above, all cases are handled individually, with some amount of burden on the applicant and some amount acceptance on the neighbors. Nobody gets everything they want, but everyone gets most of what they want. There is a balance of property rights with effects on neighbors.
3. There is, as much as possible, a consistent set of guidelines that can be applied fairly and equitably to every applicant. There are probably always some details that have to be worked out on a custom basis, but the guidelines get 90% of the work out of the way quickly.

While being perhaps a somewhat simpler case than STR, it seems like a reasonable framework to work from.

Best regards,  
-David



## Wendy Sugimura

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**From:** David Rosky <dave.rosky@gmail.com>  
**Sent:** Thursday, June 01, 2017 12:02 AM  
**To:** Wendy Sugimura  
**Subject:** Some comments

**Categories:** JL STRs

Dear Wendy and the Community Development Staff,

First of all, I know I've said this before but I think it bears repeating, from what I saw, I think you guys did a great job of creating an environment where ideas could come out without turning into arguments. Congratulations to the community development staff for that.

Although I've made my thoughts known regarding the process, I thought I would add a few comments regarding the issue itself.

First and foremost, I think the approach should be pragmatic and not dogmatic. There is enough dogmatism to go around, but any solution that addresses all aspects will need to be pragmatic.

From the meetings I attended, people seem to fall into three general groups depending on what their primary area of concern is. 1) On one end are people who have no interest in STR, and are either against them or at least suspicious of them because they feel STRs might negatively affect the character of the neighborhoods. 2) At the other end are people who are either currently interested in engaging in STRs, feel they may be interested in the future, or see a general benefit to the community, and would not like to see them entirely prohibited. 3) Off to the side are businesses and other people (such as June Mountain and others) who are dependent on the tourist-based economy and who are generally in favor of increasing the number of beds in the area.

There is also a fourth group, which is essentially the silent majority who are more-or-less neutral on the issue.

My personal opinion is that it is possible to have a solution that largely meets all three of these group's concerns by allowing STRs with a reasonable set of regulations coupled with responsive enforcement if and when problems arise. Many of the possible regulations were captured in the meetings so I won't repeat them here.

I browsed through the document posted by the county regarding the research conducted by the coalition of Colorado ski towns, and noted a level of similarity between many of the suggestions that came up in our meetings and some of the "best practices" proposed in the document. Additionally, the research document was pretty clear in advocating against a complete prohibition since it would 1) be ineffective without a herculean enforcement effort, resulting in many unlicensed STRs despite them being prohibited, 2) result in unfair competition with traditional accommodations due to the fact that the unlicensed STRs will not be paying fees and taxes, and 3) result in a correspondingly large loss of revenue to the community, further weakening enforcement efforts. Essentially, the research acknowledges that the vacation rental landscape is changing and that a pragmatic solution is required. In fact, the document points out that most resort areas are actually moving in the direction of legalizing some amount of STRs where they were previously prohibited.

Rather than prohibition, the research document concludes that the best approach is to allow STRs with a reasonable set of regulations and adequate enforcement. Reasonable regulations can preserve the character of

the neighborhoods, while providing revenue to support enforcement to both deal with problems that may occur and prevent runaway unlicensed operations.

While there will always be a handful of dogmatic people who will not budge from the extreme ends, at the meetings I attended it seemed as though there was a hint that the sort of compromise proposed by the research team might be possible, and it is my hope that the community development staff will propose movement along that direction.

Please feel free to forward this to anyone you deem appropriate.

Thanks, and best regards,

David

## Wendy Sugimura

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**From:** wendy.rosky@gmail.com on behalf of wendy roskey <wendy@nerdsofparadise.com>  
**Sent:** Sunday, May 21, 2017 6:44 PM  
**To:** Wendy Sugimura  
**Cc:** Bob Gardner  
**Subject:** Additional comments on Short Term Rentals

Dear Community Development staff members,

We attended a few of the recent meetings, which were managed very well. Many good ideas came up, but I thought of a few additional things I would like to pass along.

1. We discovered June Lake five years ago while visiting some long-time friends who had moved here. We loved the area, decided to purchase a house here, and are planning to live here full time when we retired. One of the things we really value here is neighborhood harmony, something that wasn't quite mentioned that way but is probably something most people value. Harmony is more than just knowing your neighbors.
2. One concern I have is that if short term rentals (especially type 1) are completely banned, results on the neighborhood will be mostly negative. First, the county will likely step up efforts to locate illegal short term rentals. There will be many more of these if people cannot legalize their activities. This will result in essentially good people being fined and punished. Furthermore, it will encourage other people to spy on their neighbors, going around in the middle of the night taking photos, etc. This last thing wasn't brought up much, but we had all of these things happen on our street two years ago and it was extremely sad to see.
3. This isn't to say that there shouldn't be reasonable enforcement - short term rentals should definitely be regulated in a way that encourages responsibility on the part of the homeowners. I would just like to live in a neighborhood where there is a lot less incentive for neighbors to spy on each other and turn each other in for activities that have little or no direct effect on them, instead of caring for each other.
4. I am also concerned that if short term rentals are locked out of a few individual neighborhoods, it will be extremely difficult to undo that in the future, despite it being theoretically possible. There's a Chinese expression that cooked rice cannot be un-cooked. In the case of the short term rentals, it might not be completely impossible to lift a ban in the future, but my experience is some kinds of things once done are far harder to undo. Rather than ban them, which would be very difficult to undo, it would be better to allow them in a restricted way that can then be tightened or loosened depending on how well things go. This will also help treat everyone in the county the same way, for fairness.

Best regards,

Wendy Rosky

## Wendy Sugimura

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**From:** Charlie Stender <cfstender@gmail.com>  
**Sent:** Thursday, June 29, 2017 7:34 PM  
**To:** Wendy Sugimura  
**Subject:** Short Term Rentals

We are against ANY short-term rental activity in our neighborhood. (Clark Tract)  
Charles and Phyllis Stender  
52 Mountain View Lane

Hi Wendy, Paul,

I apologize this is kind of long, so please read it when you have a few minutes to spare.

Since I live close to Bob, I visited with him recently to talk over some observations and ideas. I'd been planning to send an email anyway, but I'm glad I waited, since the discussion with Bob resulted in some ideas that might work better than what I was originally thinking.

The idea I have is somewhat bold and possibly different from what you might have in mind for the next meeting. If it doesn't fit your vision of the process, that's fine, but I'll put it out there in case you think it might be worth some consideration. Basically, this is aimed at trying to have the next meeting not just be yet another session of grandstanding as the last one was, and to produce something besides just a stalemate to be passed upstream. It involves taking a fork in the road, albeit a "virtual" fork in the road, in order to possibly get a usable policy compromise. We probably do have a stalemate that must be passed upstream, but this way, we can send a possible policy with it.

First some background.

When we started coming to the workshops, I expected to see things start out with people fairly polarized. On one side, I expected to see people strongly against, thinking that any amount of STR was unacceptable, and I also expected to see a contingent of "pro" folks taking a similarly strong property-rights stance, that they should be allowed to do whatever they wanted with their property and that the government shouldn't be interfering with them.

I then was expecting that the process of getting ideas out on the table in the earlier workshops (which were executed extremely well by the staff), might jump-start bringing people together, at least a bit, trying to work things out.

In the end, I never did see a hard-line extreme on the "pro" side -- no fist-pounding "who's the government to tell me what to do" folks; in fact, the pro side consisted mostly of people willing to accept reasonable controls, mitigations, and enforcement in order to be given the opportunity to engage in some sort of STR. On the other hand, while the pro side seems willing to come to the table, the "anti" side has their heels dug in as much as ever, pushing themselves to the wall and seemingly not willing to budge an inch or consider any small change. This seemed pretty clear at the last meeting.

I understand that your goal starting out was to try to get some sort of movement, even if small, toward a possible middle ground that most people would find workable, and come up with some policy direction. Because of the large imbalance, however, with one side willing to come to the table and the other side remaining as intransigent as ever, it's hard to see that any clear direction will emerge. The turning point for me came with the gentleman who, when asked if things might work if everyone magically followed the rules, just responded "No!" With all due respect, I thought to myself, this is really not going to go anywhere, especially the next time if the topic is the Clark Tract.

What I propose is a way to actually try to define that middle ground, even if a decision isn't immediately made to adopt it. It involves, temporarily at least, getting the "just disallow all

STRs” option off the table, to free up a path to actually define a middle ground should STRs be allowed.

So here’s the bold idea:

The rationale for this idea is the following:

1. The data show a split in the Clark Tract. The data may not be rigorously scientific, but it was taken in an unbiased manner and is the best we have. If you wish, you could compensate the data for cheating, since you know where the cheating was. This data cannot and should not be disregarded. Future meetings may be attended more heavily by the extremely vocal “anti” contingent, but that doesn’t justify ignoring the previously collected data that points pretty clearly to a split.
2. It is unlikely that another meeting focusing mainly on the question of should or shouldn’t we just disallow STR will result in any more agreement than previously. It could very likely be another meeting of grandstanding and horror stories and not likely to produce any more actual guidance than the earlier workshops, which engaged a much larger cross section of the community and were highly productive. More than likely, the fact that Clark Tract is split on this issue will need to be passed upstream, and we may need to accept this. The results of the data cannot be changed simply because the “anti” side is more vocal and persistent in attending the more recent meetings. You can’t expect the large numbers of people who attended the original workshops to keep coming to all the followup meetings.
3. If STRs are ultimately not allowed, there is nothing to talk about, we all just go home. On the other hand, if STRs are ultimately allowed, the community should have generated some input as to what the policy details might be. Since there probably can’t be a clear policy decision on the question of should we just disallow STR, I suggest pointing the meeting in a specific direction that could possibly result in something tangible, namely forming a sustainable policy in the case that the county does allow STR.

What I propose/suggest is the following:

1. At the beginning of the meeting, the staff could state that for the Clark Tract, the data you gathered clearly show a split. Don’t even accept any argument on that, you’ve already sent out and presented the data and the fact is that there is a split. Once again, it may be the case that these later meetings are attended more heavily by “anti” folks, but that doesn’t justify throwing away the previous data that shows that opinion is split on this issue, certainly on Type I, but on Type II as well.
2. Point out that without a clear direction of opinion, the fact that there is a split or stalemate will very likely need to be passed upstream. That’s fine, that was always one possible outcome.
3. Point out that the county could go either way with this. If they decide to disallow it completely, there’s nothing else to talk about. On the other hand, if they choose to allow

it, there would be a need for people to have generated some input on what the policy would be.

4. Since there's no need to discuss anything for the case where all STR is disallowed, state that for the purposes of this meeting, we are, for now, taking the "just disallow all STR" option off the table and will focus on defining a sustainable policy compromise should they end up being allowed. If you wish, you could stress that the county has made no decision yet, but that the community needs to spend some time generating input into the policy if that's what happens, instead of just endless arguing and soapboxing. If you think it would be more productive, this process could start with just Type I, since it's not quite as controversial as Type II.

5. This is more incidental, but I would suggest not discrediting your own data at the beginning of the discussion. You've already mentioned that you feel the data aren't rigidly scientific, I suggest letting it go with those previous statements.

I think this will force the meeting out of the grandstanding and argument mode over the decision of allowing or disallowing all STR, and might actually result in some useful discussion of the type we saw in the earlier workshops. You might actually get some sort of policy formulated to handle the case that STRs do end up being allowed, which, IMHO, would be a lot more valuable than more argument and position statements with no real resolution of the split in opinion. At the very least, you will see if there are any "anti" folks who are willing to take a step or two towards the bargaining table and help define a sustainable policy. Some people might stomp out of the room, but that's fine, the ones who stay are the ones interested in having some say in shaping what could potentially happen.

Since this is kind of complicated, I'd be happy to talk about it on the phone, or in person if I'm in town at the time, Bob suggested that might be useful. If you wish to get in contact, my phone number is 530-320-0404.

Regards,  
David

## Wendy Sugimura

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**From:** Stacey Simon  
**Sent:** Monday, May 15, 2017 10:32 AM  
**To:** Wendy Sugimura; Garrett Higerd  
**Cc:** Paul McFarland; Scott Burns  
**Subject:** RE: June lake Trod & CAC

We cannot expend public moneys on private roads. It's a gift of public funds.

Stacey Simon  
Mono County Counsel  
P.O. Box 2415  
Mammoth Lakes, CA 93546  
(760) 924-1704 (Mammoth Lakes office)  
(760) 932-5417 (Bridgeport office)

---

**From:** Wendy Sugimura  
**Sent:** Monday, May 15, 2017 10:02 AM  
**To:** Garrett Higerd <ghigerd@mono.ca.gov>; Stacey Simon <ssimon@mono.ca.gov>  
**Cc:** Paul McFarland <pmcfarland@mono.ca.gov>; Scott Burns <sburns@mono.ca.gov>  
**Subject:** FW: June lake Trod & CAC

Stacey and Garrett,

FYI – see the email trail below on using TOT for roads, in case this comes up at the June Lake Roads meeting. We'll look into it for the Short-Term Rental (STR) process. (I think the consensus he represents is overstated, but the point is that it may be a point of compromise that has some support.)

I think Paul and I will not attend the roads meeting to try to keep the two issues separate. If you feel like comments/discussion are related to STRs specifically, feel free to punt those back to me.

Thanks,  
Wendy

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**From:** Wendy Sugimura  
**Sent:** Monday, May 15, 2017 9:58 AM  
**To:** 'mike rosas' <[mrosasltd@hotmail.com](mailto:mrosasltd@hotmail.com)>  
**Subject:** RE: June lake Trod & CAC

Hi, Mike,

Thanks very much for your positive and valuable participation on Saturday.

I'm not sure of the possibilities on this issue, either, but we will dig into it and find out. Unlike many of the other potential solutions suggested, Community Development doesn't have anything to do with TOT, so it'll take us a little longer to get some answers. We'll work on it!

Thanks,  
Wendy



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**From:** mike rosas [<mailto:mrosasltd@hotmail.com>]  
**Sent:** Sunday, May 14, 2017 8:27 PM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** Re: June lake Trod & CAC

Hi Wendy,

Thanks for hosting a very productive and civil meeting Saturday at the June Lake Community center. I wanted to mention something that seemed to stand out greatly at the meeting. The idea of using a small percentage of the (12%) TOT to help

fund road repairs and maintenance in the Clark Tract seemed to evoke an overwhelming support in the room for short term rentals if this could be accomplished. Even some of the outspoken critics of short term rentals seemed to reverse their position if some portion of the TOT could help subsidize the much needed road repairs and maintenance in the Clark Tract.

I am not sure of the legal/tax possibilities with the subsidizing part of the TOT in the Clark Tract but I think it's a win/win for all sides. It's worth aggressively pursuing because it solves the problem of trying to determine the future of short term rentals since the consensus would be near 100% in the neighborhood. Another option to consider is to raise the TOT in the Clark Tract from 12% to 13-14%. This additional 1-2% could help subsidize the roads without affecting the current TOT. Mammoth's TOT is 13%, so it would not be unreasonable.

Please let me know if I can help with any of these ideas because it would really remove any friction in the future with everyone getting something valuable out of the process..

Thanks,

Mike Rosas

**From:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Sent:** Thursday, April 6, 2017 6:23 PM  
**To:** mike rosas  
**Subject:** RE: June lake Trod & CAC

Hi, Mike,

Thank you for providing that report, and for your participation. I know it is hard not to be offended and defend yourself – the attacks can be quite personal. I appreciate your self-restraint last night!

I don't know how much we will dig in to details about any one issue, including economics. There will certainly be a time and place, though, to provide education and clarify the realities of current short-term rentals. We'll have to figure out how all the puzzle pieces fit to make a complete workshop in the time we've allotted.

Thanks again for your participation and the information! Look forward to continuing to work with you.

Thanks,

Wendy

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**From:** mike rosas [<mailto:mrosasltd@hotmail.com>]  
**Sent:** Thursday, April 06, 2017 12:45 AM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** Re: June lake Trod & CAC

Hi Wendy,

I have attached a copy of the June Lake Vacation rental report. Please let me know if you have any questions. One of the purposes of the report is to point out economic benefits and ramifications of this issue. The positives far outweigh the negatives and the misinformed and uninformed are going to try and cloud the productivity of these meetings with whining rants and a loose representation of the facts or reality. They are focused on the past illegal rentals and legal short term monthly rentals that will never have regulation. The subject is legal nightly rentals and how they mitigate the problems with illegal rentals. I have never had a single complaint against my TROD vacation rental in 2.5 years. I feel the need to be able to respond to the false facts and narrative that might be presented in the future. I can combat this with an actual successful

vacation home in the Clark Tract that brings the town over (500) visitors annually and ranks in the top 5% VRBO/Home Away in bookings and revenue.

We are going to have very strong June Lake Business Community support for single family vacation rental homes. We will present this with letters and appearances from the business owners, homeowners and the June Lake workforce. My (active 2.5 years) TROD vacation rental home generates over \$350,000 in June Lake annual economic activity and its just one home. June Lake does not have "Mammoth's bed base". June Lake can use more single family vacation homes. Thanks for your efforts on this very important and contentious subject.

Mike Rosas

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**From:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Sent:** Friday, March 10, 2017 2:48 PM  
**To:** mike rosas  
**Cc:** Paul McFarland; Nick Criss; Bob Gardner  
**Subject:** RE: June lake Trod & CAC

Hi, Mike,

I know you've been in contact with several other staff on this subject and with Supervisor Gardner, so I'll keep my comments focused on the June Lake Area Plan update.

We will be releasing the calendar of meeting dates within the next couple of weeks (I hope). Those meeting dates will be the appropriate time to voice your opinions about short-term rental housing.

Until then, if you'd like to be a part of discussions about how and when we make sure the conversations are conducted and the June Lake area plan update is completed, sign up for the June Lake RPAC newsletter (<http://monocounty.ca.gov/rpac-june-lake>). All the meetings for the subcommittee that provides guidance on the process will be emailed through this subscription list.

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[June Lake Citizens Advisory Committee \(CAC\) Home | Mono ...](#)

[monocounty.ca.gov](http://monocounty.ca.gov)

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JUNE LAKE CITIZENS ADVISORY COMMITTEE. Regular meeting time/location: First Tuesday of each month at 7 p.m. at the June Lake Community Center. Location may vary.

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I've attached the work plan and proposed maps (with an accompanying technical analysis) for delineating "neighborhoods" for your information. I'd be happy to discuss if you have questions.

Thanks,

Wendy

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**From:** mike rosas [<mailto:mrosasltd@hotmail.com>]  
**Sent:** Monday, March 06, 2017 1:39 PM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** Re: June lake Trod & CAC

Hi Wendy,

Thanks for your quick response. I just became aware of the meetings going on about the nightly rentals in June Lake and cannot attend tomorrow's meeting in short notice but I plan on attending all meetings in the future to help make the process smoother. I would appreciate any documents for the meeting that can help keep me in the loop. Please let me know how I can help between now and the next meeting (4/3)? I plan on compiling a list of Clark Tract homeowners that wish to support nightly rentals and do not wish to relinquish their rights to future vacation rentals because a small group of vocal, locals that seek to undermine everyone's future rental opportunities. Thanks for your support.

Mike Rosas

818 324-0656

**From:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Sent:** Monday, March 6, 2017 1:58 PM  
**To:** mike rosas  
**Subject:** RE: June lake Trod & CAC

Hi, Mike,

Thank you for your email. Your participation would certainly be welcome and appreciated. I'm assuming you're referring to the "Short-Term Rental Subcommittee" meetings – these are open and informal, with no appointed members, so please feel free to join us!

At this point we're discussing the process, and not debating positions. The time will come for that as well, but we want to make sure we understand how we're going to get from where we are today to some type of decision, first.

Several documents were sent out for tomorrow night's discussion. Please let me know if you need those.

Hope to see you tomorrow night!

Thanks,

Wendy

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**From:** mike rosas [<mailto:mrosasltd@hotmail.com>]  
**Sent:** Monday, March 06, 2017 11:54 AM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** June lake Trod & CAC

Hi Wendy,

My name is Mike Rosas. I am a homeowner (155 Washington St) in the Clark Tract in June Lake. I have a TROD approved vacation rental property that I have run for the past two years. I have just become aware of these CAC meetings regarding the future of the nightly rental program. I am rather dismayed at the misconceptions

and misinformation being thrown around at these meetings which are comprised of a small number of locals that want to dismantle the program. They only represent themselves individually and do not speak for anyone except themselves as individuals. I have spoken with other homeowners that are very upset that a few local individuals are trying to disparage their rights from ever having a vacation rental property in the Clark Tract. I believe it's necessary for me to join this committee in order to provide input from someone that has been running a successful TROD rental property in the Clark Tract for the past two years. I intend to provide a strong amount of information to help address many of the concerns that some are experiencing. I have several recommendations to help make the program more of a success. I intend to provide many of the positives of the program as well address the concerns that have been expressed. Please let me know how I can assist in making this process work better for everyone.

Thanks,

Mike Rosas

818 324-0656

## Wendy Sugimura

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**From:** Ann Tozier <anntozier@gmail.com>  
**Sent:** Friday, May 26, 2017 9:41 AM  
**To:** Wendy Sugimura; Paul McFarland; Bob Gardner; Scott Burns  
**Subject:** Another thought about the STR meeting experience

Don't you love when you wake up in the middle of the night and your brain turns on? NOT!

Well I was thinking about the meeting yesterday and how the exercises moved us through the Negatives and the Positives of STR, then on to the Negatives & Positives for June Lake as a whole. I thought about how my group didn't have anything to add on the last exercise because when we wrote down negatives and positives the first time around we did not restrict them to the Clark Tract neighborhood; we wrote down ANY negatives or positives.

As I thought about that I had this realization that most negatives affect the residents and character within the tract, and most of the positives affect the town as a whole, or Mono County. It seemed to become clear to me that from a perspective of the neighborhood it is clear that STR are more bad than good. Examples:

### **Negatives:**

Noise/party disturbances  
Trash  
loss of dark sky  
people in the hood you don't know (security)  
road wear and tear  
people who have trouble on the roads and get stuck  
enhancement of bear breaking from folks who don't understand bears  
liability  
hotel zone character  
loss of affordable housing (this is an exception to what I am saying)  
parking on roads

### **Positives:**

TOT for the county  
employment for locals  
attracts visitors  
helps someone keep their second home (only helps ONE person)  
type of rental option desired by some people who want to visit  
listings are free advertising for June Lake

I don't remember all of the ideas, of course, but it seems to ME there is this trend within the negative and positive groupings. I may bring this up on June 7,

THANKS AGAIN FOR ALL OF YOUR HARD WORK ON THIS!!!!

Ann

## Wendy Sugimura

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**From:** Ann Tozier <anntozier@gmail.com>  
**Sent:** Tuesday, May 23, 2017 12:27 PM  
**To:** Paul McFarland  
**Cc:** Wendy Sugimura  
**Subject:** Re: comment on my comment

Sure. There are some of those type of rentals on Nevada also, I guess. I would hate to see locals aced out of housing!

On Tue, May 23, 2017 at 9:18 AM, Paul McFarland <[pmcfarland@mono.ca.gov](mailto:pmcfarland@mono.ca.gov)> wrote:

Thanks, Ann.

**From:** Ann Tozier [mailto:[anntozier@gmail.com](mailto:anntozier@gmail.com)]  
**Sent:** Tuesday, May 23, 2017 8:25 AM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>; Paul McFarland <[pmcfarland@mono.ca.gov](mailto:pmcfarland@mono.ca.gov)>  
**Subject:** comment on my comment

I came by the open house for the transient rentals yesterday and wrote down a comment and gave it to Scott Burns. In rethinking it some more I want to add this...

I had mentioned that perhaps flatter roads, like LA and Nevada streets, could be split off from the Clark tract due to fewer road issues. However, transient rentals still replace long term rentals for locals, and for example on LA street there are 7 long term rentals that have potential of being replaced by STR. That would not be good for locals.

It is all so complicated! However, could you add this email to my comment please?

thanks!!

Ann



## Wendy Sugimura

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**From:** jillwallentine@gmail.com  
**Sent:** Thursday, June 01, 2017 5:19 PM  
**To:** Wendy Sugimura  
**Subject:** Clark tract nightly rentals

**Categories:** JL STRs

My name is Jill Wallentine. I've lived in the Clark tract for 38 years. We've raised our children on Washington st. Now, we have grandchildren being raised on this same street. The Clark tract roads are not in the best shape already. Now people want more traffic and more cars. Absolutely not! In the winter people who are here for the weekend do not know how to drive in the snow. That was proven more than once! This tract has never been zoned for nightly rentals and folks knew that before building or buying their home! If these folks who want this can't afford their homes maybe they should sell and buy where the rental situation is ok. Thanks for your time.

Sent from my LG G Vista, an AT&T 4G LTE smartphone

## Wendy Sugimura

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**From:** Scott Burns  
**Sent:** Wednesday, May 17, 2017 4:15 PM  
**To:** CD Ritter  
**Cc:** Wendy Sugimura; Paul McFarland  
**Subject:** FW: Short term rentals in June Lake

CD:

Will you please send Mary Jo your typical acknowledging response and file.

Thanks  
Scott

-----Original Message-----

From: Mary Jo Whritner [mailto:whmaryjo@aol.com]  
Sent: Wednesday, May 17, 2017 3:51 PM  
To: Scott Burns <sburns@mono.ca.gov>  
Subject: Short term rentals in June Lake

To whom it may concern:

I'm sending this email because it is impossible for us to be in June Lake on May 20,22,and 25 to attend the meetings for discussion on "short-term rentals". We live in tract 4 in June Lake and we are opposed to short-term rentals in our quiet neighborhood I hope this will suffice as giving our opinion toward the matter under discussion.

Regards,  
Mary Jo and Bob Whritner  
131 Bay Dr

Sent from my iPhone

## Wendy Sugimura

---

**From:** Joyce Kaufman <joycepkaufrnan93@gmail.com>  
**Sent:** Saturday, July 22, 2017 10:09 AM  
**To:** Scott Burns; Bob Gardner; Wendy Sugimura  
**Cc:** heinrichsfour@aol.com; stark@fairplex.com; Robert Marks  
**Subject:** Vacasa  
**Attachments:** scan vacation home 1.jpg; vacation home scan 2.jpg; vacation home scan 3.jpg; vacation home scan 4.jpg; vacation home scan 5.jpg

Dear All,

I am attaching to this e-mail scans of materials that my husband, Bob Marks, and I received unsolicited at our home in Whittier. We have been homeowners in June Lakes since we built our house in Peterson Tract in 2005, and we plan to retire here permanently. Thus, we have been following the issue of rentals with great concern. We are especially dismayed that someone has been reaching out aggressively to seek rental properties. I am not as familiar with the law about rentals as I should be but it is my understand that there are limits and prohibitions about private rentals in Mono County in general and in June Lake specifically. I would also guess that if we received this materials, then others are getting it as well and I am sure that there are some who would be very willing to rent their second homes, especially with the "guarantee" of a "net increase of \$5,00 in your first year with Vacasa." As a concerned homeowner, this to me is a recipe for disaster.

I know that the CAC is very concerned about this issue and has held a number of meetings about it, and we have made our position known. But given this set of mailings, I specifically wanted to bring this to your attention and also to ask what, if anything, we can do to stop these solicitations and others as well as make sure that vacation rentals are limited if not prohibited in our area.

Thank you for your attention. I look forward to hearing from you.

Sincerely,

Joyce Kaufman  
PO Box 671  
660 Piute Drive,  
June Lake, CA 93529  
760-648-7629 (home)  
562-972-1336 (cell)  
[joycepkaufrnan93@gmail.com](mailto:joycepkaufrnan93@gmail.com)

2303639  
PO BOX 2532  
MAMMOTH LAKES, CA 93546



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When you entrust us with your vacation home, our professional Vacasa-employed staff will handle all the details, including:

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### Earn More, Work Less. Guaranteed.

We are confident in our ability to put more money in your pocket. If you currently list your home through another management company, **we will guarantee a net increase of \$5,000 in your first year with Vacasa.** If you currently manage your property yourself, we guarantee that you will earn more than you did in the prior year, while we do all the work.

We'd love to show you how our highly visited website, specialized proprietary rate algorithms and analysis tools can maximize your home's income. Please contact me for an analysis of how much you could earn, should you list your home with Vacasa.

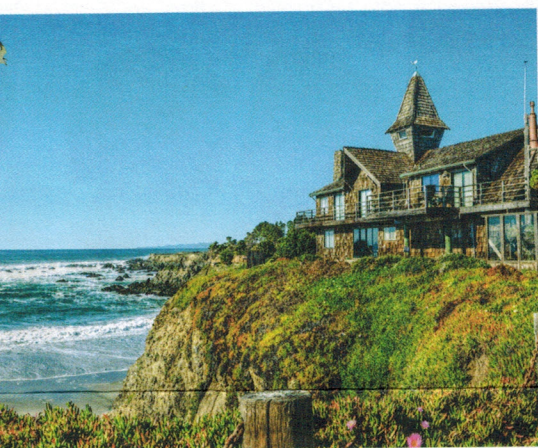
Sincerely,

Emma Haisten, Vacasa Business Development Manager, June Lake  
(760) 201-1614 | emma.haisten@vacasa.com





# Why Choose Vacasa? Comprehensive Management



**Full-service vacation rental management is a full-time job. Let us do the work!**

## Comprehensive Management

We provide full-service management, including plenty of services for which our competitors charge extra. If you're new to renting your home, we can help arrange the permits and any other details required to set up your property.

## Innovative Technology

Using our specialized rate algorithm and analysis tools—among the most advanced in the industry—we automatically optimize rates year-round, ensuring your home is truly maximizing its potential earnings.

## World-Class Marketing

We invest in extensive advertising for your home, with top-tier listings on sites like VRBO, HomeAway, FlipKey, TripAdvisor, and VacationRentals.com. Our innovative marketing team will help you find customers you didn't even know existed.

## A Strong Local Presence, On Call 24/7

We have the resources of a national company, but our focus is inherently local. Our Local Operations Managers are on call 24 hours per day, seven days per week. If a problem arises, we're here to help.

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You bought a vacation home so that you could enjoy it. That's why Vacasa doesn't limit the time you can spend in your own home.

Time with family.  
Time with friends.  
**That's why we're here.**





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invites your  
guests inside





## Wendy Sugimura

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**From:** Stan Bluhm <bluhms2@cs.com>  
**Sent:** Monday, May 22, 2017 1:53 PM  
**To:** Wendy Sugimura  
**Subject:** June Lake Short Term Rentals

Hello Wendy,

I own a single family residence at 37 Lyle Terrace Road in June Lake. This, I believe, is in the Highway 158 Hillside Area.

I would like to go on record as being opposed to any allowance of short term rentals in this neighborhood.

Thank you for your diligent work on this issue.

Stan Bluhm

## Wendy Sugimura

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**From:** lynn stepanian <lynn\_stepanian@hotmail.com>  
**Sent:** Tuesday, May 23, 2017 2:43 PM  
**To:** Wendy Sugimura  
**Cc:** Barbara Prince; Larydsforell@aol.com; Bill@NanoStencil.com; Mt.Chet@roadrunner.com; bprince@princefinancial.com; Crest06@aol.com; waltstreeton@hotmail.com; jeripp@gmail.com; bryonny@amesdesignbuild.com; brett@amesdesignbuild.com; connielear@hotmail.com; Bob Gardner; Paul McFarland  
**Subject:** Re: Team LCVHOG SHOW TIME! Good Meeting!

Thank you Wendy, Chet and Lary for all your efforts on behalf of Our group and June Lake as a community!

On May 23, 2017, at 1:32 PM, Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)> wrote:

Hi, Lary and LCVHOG,

Thank you for the update, Lary, and thank you to the all the whole LCVHOG! It's a pleasure to work with a neighborhood group who coordinates on issues and can represent a united opinion.

As Lary mentioned, Chet did an excellent job capturing comments that the Leonard Avenue area is well-suited for short-term rentals with no known opposition.

Just the clarify next steps, these comments will be carried forward with a recommendation that short-term rentals be permitted in the Leonard Avenue Area. This approval would be approved through a General Plan Amendment, which will first be considered by the Planning Commission and then the Board of Supervisors. We hope this decision will come before the Board by late summer (hopefully September).

Assuming the Leonard Avenue policy to allow short-term rentals is approved by the Board, the County would then be able to accept and process the applications that Connie is holding for you. Let's hold off, though, on discussing the specifics of how that would work and the fees. While I could explain the how it would currently work under Chapter 25 and 26, some of those details may change as a result of these workshops. It's very complicated to keep track of all the bits and pieces at this stage, and so I just don't want to mistakenly misrepresent how things would work while so much is still in flux.

My suggestion to all of you is to continue to follow the discussion and the direction it takes, and continue to provide input. Once we understand better how this is all working out, then we can get into the details of processing your applications. One step at a time, to keep things simple!

Again, thank you! We appreciate your positive engagement and neighborhood coordination, and look forward to resolving this issue with your help!

Best,  
Wendy

---

**From:** Barbara Prince [[mailto:princefinancial@sbcglobal.net](mailto:mailto:princefinancial@sbcglobal.net)]  
**Sent:** Sunday, May 21, 2017 2:57 PM  
**To:** [Larydsforell@aol.com](mailto:Larydsforell@aol.com); [lynn\\_stepanian@hotmail.com](mailto:lynn_stepanian@hotmail.com); [Bill@NanoStencil.com](mailto:Bill@NanoStencil.com); [Mt.Chet@roadrunner.com](mailto:Mt.Chet@roadrunner.com); [bprince@princefinancial.com](mailto:bprince@princefinancial.com); [Crest06@aol.com](mailto:Crest06@aol.com);

[waltstreeton@hotmail.com](mailto:waltstreeton@hotmail.com); [jeripp@gmail.com](mailto:jeripp@gmail.com); [bryonny@amesdesignbuild.com](mailto:bryonny@amesdesignbuild.com);  
[brett@amesdesignbuild.com](mailto:brett@amesdesignbuild.com); [connielear@hotmail.com](mailto:connielear@hotmail.com); Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
Cc: Bob Gardner <[bgardner@mono.ca.gov](mailto:bgardner@mono.ca.gov)>  
Subject: Re: Team LCVHOG SHOW TIME! Good Meeting!

Thank you all for the report and the update. We had planning on being there but Dave was not out of the woods in time to clear him for the travel. we will definitely try to make the next one thank you again Barb & Dave Prince

**Barbara Prince**  
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From: "[Larydsforell@aol.com](mailto:Larydsforell@aol.com)" <[Larydsforell@aol.com](mailto:Larydsforell@aol.com)>  
To: [Larydsforell@aol.com](mailto:Larydsforell@aol.com); [lynn\\_stepanian@hotmail.com](mailto:lynn_stepanian@hotmail.com); [Bill@NanoStencil.com](mailto:Bill@NanoStencil.com);  
[Mt.Chet@roadrunner.com](mailto:Mt.Chet@roadrunner.com); [bprince@princefinancial.com](mailto:bprince@princefinancial.com); [Crest06@aol.com](mailto:Crest06@aol.com); [waltstreeton@hotmail.com](mailto:waltstreeton@hotmail.com);  
[jeripp@gmail.com](mailto:jeripp@gmail.com); [bryonny@amesdesignbuild.com](mailto:bryonny@amesdesignbuild.com); [brett@amesdesignbuild.com](mailto:brett@amesdesignbuild.com);  
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Cc: [bgardner@mono.ca.gov](mailto:bgardner@mono.ca.gov)  
Sent: Saturday, May 20, 2017 8:49 PM  
Subject: Re: Team LCVHOG SHOW TIME! Good Meeting!

Hey All Again:

We were well represented today at the 3PM meeting that was very well conducted by Wendy Sugimura of the Mono County Planning Division. Bob Gardner, the Mono County Supervisor who is responsible for June Lake was also in attendance.

Wendy Sugimura worked through a focus group like process, with Chet Schrieber of our LCVHOG recording inputs from the group. Connie Lear also provided valuable inputs to the discussion and focus effort. These results will be published via the Mono County Email in conjunction with the ongoing working group efforts.

The good news is that our area, LEONARD AVENUE AREA (which includes the house on North side of Bruce street to the forestry service land), is a VERY GOOD FIT with no drawbacks for SHORT TERM Rental policy update to the General Plan. This process may take until September. Both Supervisor Gardner and Wendy Sugimura are encouraged by our Group's joint effort writing to the Planning Division and the Board of Supervisors as a group and submitting our LCVHOG package.

Next steps as I understand them are as below. I have cced Wendy Sugimura on this email with a request that she correct my next steps if I have it wrong.

Step 1: After completion of the ongoing community outreach and analysis efforts, the Mono County Planning Division will submit the LEONARD AVENUE AREA (LAA) for a Mono County General Plan Amendment that will set policy in place that will allow permitting of Short Term Rentals in the LAA in June Lake.

Step 2: A second General Plan Amendment will then be processed by the PLanning Division that modifies the June Lake General Plan to permit Short Term Rentals in the LAA of June Lake. This process is kicked off by a Joint Request from the Members of the LCVHOG. I am not clear on the fee/s for a General Plan Amendment??? Maybe Wendy can help us out here???

Step 3: Given a Modified June Lake General Plan, the individual home owner VACATION RENTAL PERMIT REQUESTs will then be processed by the Mono County Planning Division. The fee for this permit is \$495. I know we wrote checks for \$500 last October. We can fix that if we have to update our applications. Also good to know, this is a once forever fee!!

PLease note that the LCVHOG package of seven permit requests that Connie Lear hand carried to the Planning Division last October, is held by Connie in her office. We may need to update our permit request due to the time lapse since October 2016.

OK, all for now. Unless there is some major unforeseen event that occurs, it looks like we are track to reach our goals for getting ST permits in place in 2017.

We owe many thanks to Wendy Sugimura and the Planning Division Staff for there longstanding efforts to work this problem with and for us.

Also many thanks to Supervisor Bob Gardner, our new Mono County Supervisor for June Lake, for his interest and support.

Recommend look for updates to status as they are sent out via email and the Planning Division's Website.

Best Regards to All,

Lary

Lary Don Smith  
Incite Support Services, LLC  
1211 W. Imperial Hwy Ste 223  
Brea, CA 92821  
P.O. Box 10403  
Fullerton, CA 92838  
Phone: 202-251-0021  
Email: [Larydsforell@aol.com](mailto:Larydsforell@aol.com)

-

[In a message dated 5/18/2017 10:14:47 P.M. Pacific Daylight Time, Larydsforell@aol.com writes:](#)

Hey All:

- I hope all have taken time to look at the documentation and efforts that the Mono County Planning Division has been making to move the Short Term Rental permitting process forward in June Lake. Wendy Sugimura in particular has thrown herself into this challenge full bore. Please, Let us give her our best support by showing up at the Community Center at 3 PM - 4:30 this coming Saturday 20 May, to participate in discussion and promotion of Transient Rental permitting for the Leonard Avenue Area Neighborhood work shop, led by Wendy.

- I have pasted in the schedule for these activities at the bottom of this email.

- See you there!

- Best,

-

Lary Don Smith

Phone: 202-251-0021

Email: [Larydsforell@aol.com](mailto:Larydsforell@aol.com)

-

### NEIGHBORHOOD WORKSHOPS

Location: June Lake Community Center

90 West Granite Avenue

June Lake, CA 93529

May 13 – Sat

1:00 pm – 2:30 pm Clark Tract

3:00 pm – 4:30 pm Open Session (All Neighborhoods)

May 20 – Sat

12:00 pm – 1:00 pm Open Session (All Neighborhoods)

1:00 pm – 2:30 pm Peterson Tract

3:00 pm – 4:30 pm Leonard Avenue Area

5:00 pm – 6:30 pm Highlands

7:00 pm – 8:30 pm Clark Tract

8:30 pm – 9:00 pm Open Session (All Neighborhoods)

May 22 - Mon

12:00 pm – 1:00 pm Open Session (All Neighborhoods)

1:00 pm – 2:30 pm Clark Tract

3:00 pm – 4:30 pm Hwy 158 Hillside

5:00 pm – 6:30 pm Dream Mountain

7:00 pm – 8:30 pm Focus Group: Lodging and Business

8:30 pm – 9:00 pm Open Session (All Neighborhoods)

May 25 – Thurs

4:00 pm – 5:00 pm Open Session (All Neighborhoods)

5:00 pm – 6:30 pm Clark Tract

7:00 pm – 8:00 pm Open Session (All Neighborhoods)

### COMMUNITY-WIDE MEETINGS

1. Discussion of Workshop Data & Information

June 7, 6-9 pm

2. Discussion of Data Analysis & Policy Direction

June 14, 1-4 pm

3. Discussion of Potential Draft Policies

June 28, 6-9 pm

The community-wide meetings will be followed by meetings and/or public hearings by the Planning

Commission, and then the Board of Supervisors, to make a final decision.

For details and updates, see the website and register your email address:

<http://www.monocounty.ca.gov/rpac-june-lake/page/june-lake-short-term-rentals>

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## Wendy Sugimura

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**From:** lynn stepanian <lynn\_stepanian@hotmail.com>  
**Sent:** Friday, May 19, 2017 8:35 AM  
**To:** Wendy Sugimura  
**Cc:** Nick Criss; Scott Burns  
**Subject:** Subject: Status of Mono County Code Chapter 25:Transient Rental Overlay District. and Candidate Properties for Overlay on Leonard Avenue and Carson View in June Lake CA 93529

Wendy,

I will unfortunately will not be able to attend the 5/20/17 meeting tomorrow because my children are in the midst of finals, so I ask that this email memorialize my thoughts in my absence. I have spoken to Scott Burns and Nick Criss throughout this process and they have been very generous with their time in discussing this important process with me. I now want to introduce myself to you.

I am a second generation resident of June Lake, dating back to my parents move to June Lake in 1984 as the proprietors of Lake Front Cabins for the next 20 years until their health forced them to move south, closer to family. In that time, I have come to find June Lake the most stunning and peaceful place to spend my precious free time. I have myself been a June Lake property owner since 1988, presently at 27 Carson View Drive, the street immediately above Leonard Avenue. In fact, my original address for that property was 42 Leonard Avenue and was subsequently re-identified as Carson View Drive.

I am among the consortium of property owners that, on 31 October 2016, submitted a "package" of Vacation Rental Permit Requests for several properties on Leonard Avenue/Carson View Drive, June Lake was hand carried to the Mono County Planning Division office in Mammoth Lakes under a forwarding letter to Messrs Nick Criss and Scott Burns. This package by the JUNE LAKE Leonard/Carson View Home Owner Group (LCVHOG) for Transient Occupancy Rental Overlay (TORO), was subsequently returned to our courier, Connie Lear of June Lake by Mr. Criss citing the reason that the Mono County Code Chapter 25:Transient Rental Overlay District was not accepting applications at that point.

As a property owner and long time participant in June Lake recreational and scenic attractions, I, along with our LCVHOG property owners, unanimously concur that Vacation Home Rental in June Lake needs to be regulated via permitting. Relative to this case of our LCVHOG-TORO request, the County has permitted Transient Occupancy Rental on both sides of LCVHOG properties, i.e., the North and South ends of Leonard Avenue, June Lake. Our properties in this area are significantly removed from Down Canyon residents (i.e., Clarke Track and others) many of whom are categorically opposed to Vacation Rental. Our LCVHOG believes that a Transient Occupancy Rental Overlay for our properties that lie between currently permitted properties will be of great benefit to June Lake and to Mono County in regulating and collecting taxes for Transient Rental Occupancies.

While I can appreciate the opposition to this permit process by those that love June Lake "as it is", I am concerned that they fail to recognize is that the very desire to preserve our hamlet frozen in time is hindering its economic viability and sustainability. I, like, others, chose June Lake because it is not "Mammoth", but the pushback has made it difficult for businesses to thrive. Through the permitting process, growing the tourism base will be controlled, bringing tax dollars while monitoring the influx. Our town needs an injection of dollars to sustain. If I understand correctly, second home residents don't have a vote as primary residents do. Given that

we pay taxes, I am in the dark on way this would be. If i misunderstand, please correct me. If that is true, I would appreciate some clarity on why this is so.

Thank you, Scott and Nick for your dedication and thoughtful hard work on this. I hope the other residents see that your intentions and goals are purely for the good of the June Lake community. We certainly recognize that and welcome the changes. We understand that the issue of Transient Occupancy Rental is pervasive across the State of California and the Nation in many areas such as June Lake where tourism is a big part of the local economy. We believe a path of least resistance approach to getting a TORO in place in at least one area of June Lake to be important to Mono County's ability to deal with this issue County wide. Our LCVGHOG neighborhood is cohesive in our request and can be a good test neighborhood for Mono County. As a neighborhood, we have worked together to communicate our unanimous desire to see this permitting move forward. Such communication is what this is all about, neighbors working together for our community.

The LCVHOG property owners are ready to resubmit our permits requesting the Planning Division and the Mono County Board of Supervisors to process each of our Group's request and provide us Vacation Home Rental Permits and then a related Transient Occupancy Rental Overlay for our properties on Carson View Drive and Leonard Avenue, June Lake.

Here's to a productive and successful weekend of meetings!

Lynn Stepanian  
323 309-4103



## Wendy Sugimura

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**From:** Randy <Randy@haaker.com>  
**Sent:** Wednesday, May 31, 2017 4:18 PM  
**To:** Wendy Sugimura  
**Subject:** June Lake Short Term Rentals

**Categories:** JL STRs

Wendy

Last Thursday I attended the meetings you conducted – one a general session and one focused on the Clark Tract. We met briefly and I appreciate all the work you have done to involve the Community in discussion about this important issue. My wife, Allison, and I have a strong interest in the June Lake Community and it's future as we have been coming here for many years and now own a home in the Peterson Tract at 841 Palisades Dr.

We do not presently rent our home and have no plans to do so. However, many family members, friends, employees, and others have visited our home and we hope will continue to do so. We have also offered a stay at our home at numerous charitable auctions, raising many thousands of dollars for good causes.

We chose to become homeowners in June Lake because of the incredible natural beauty and recreation, the laid back lifestyle, and our general love of the area. In many ways, I would want things to stay just as they are, even including the iconic fixed double chair from the parking lot to the June Mountain ski lodge. However, I know things can't stay the same. In fact, they don't. Our Community is dependent upon tourism in order to survive. Without a regular influx of visitors, our businesses of all types will struggle and even close and the local agencies on which we all depend will decline for lack of revenue.

In my opinion, we need to do all we can to stay relevant as an Eastern Sierra tourist destination. There is a change to a sharing economy world – wide. Solvable fears about bad behavior shouldn't get in the way of taking a logical step to support the tourism industry that supports all of us who live and/or own property in the area. We need to encourage responsible investment and development in June Lake or the relatively minor concerns voiced by those against short term rentals will be irrelevant.

Further, I know of no study or logic indicating that short term renters are more likely to engage in disruptive behavior than longer term renters or any other group. I personally think that if short term rentals are generally allowed throughout the community, the impact will be minor in terms of the number of homeowners utilizing their home for that purpose, and non – existent in terms of disruption. However, one likely impact if we take the restrictive route is that June Lake property values will lag, reducing future investment and stability.

The need for our Community to support our economy is way more important than other solvable concerns. Let's send a message encouraging visitors. That's my opinion.

Randy

E.R. "Randy" Blackman  
President  
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**"Nobody works harder for you than Haaker."**

## Wendy Sugimura

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**From:** K Taylor <forkendrick@gmail.com>  
**Sent:** Thursday, April 27, 2017 8:35 PM  
**To:** Wendy Sugimura  
**Subject:** Re: June Lake short term rentals - Neighborhood Maps

**Categories:** JL STRs

Hi Wendy,

Thanks for the fast response and explanation of the land use designation in the Peterson Track.

However that still does not explain why the two areas are being separated for consideration of allowing short term rentals. The area functions as one geographic neighborhood with one set of rules related to short term rentals. Allowing two sets of rules related to short term rentals within the same geographic neighborhood does not make sense. So I think both the MFR and SFR areas of the Peterson Track should be in the same "Neighborhood" for the short term housing discussion because, in fact they ARE in the same neighborhood on the ground.

It is not fair that two lots adjacent to mine will be able to vote to change the rules to allow short-term rentals and I will NOT be able to vote on the change because of a new line on a map. Allowing short term rentals on properties adjacent to mine will certainly have an adverse effect on me. I know this from personal experience.

It is my rough understanding that in Mammoth owners within 500 ft of a property have an opportunity to oppose a change that allows short term rentals. Could a similar situation be implemented in June, such that property owners within 500 ft of any "short-term neighborhood" would be able to have the same influence on the outcome as the people that live in the "short-term neighborhood"?

Thank you,

Ken Taylor

On Thu, Apr 27, 2017 at 4:02 PM, Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)> wrote:

Hi, Ken,

Thanks for your email. That orange area in the Peterson Tract actually has a different land use designation that governs its land uses. It is Multi-Family Residential (MFR), and the rest of the Peterson Tract is single-family residential (SFR).

This policy discussion is only applicable to single-family land use designations, and so that orange area is excluded. I know it doesn't look different, but that is the technical land use designation in the General Plan.

Thanks,

Wendy

**From:** K Taylor [mailto:[forkendrick@gmail.com](mailto:forkendrick@gmail.com)]  
**Sent:** Thursday, April 27, 2017 3:56 PM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** June Lake short term rentals - Neighborhood Maps

Hi Wendy,

I am confused by the June lake neighborhood map that is on line. It shows the Peterson track in yellow. But the eastern portion of the Peterson track is shown in orange.

When you walk around there is no noticeable difference between the yellow and orange areas. The orange area does not have adjacent commercial property, different zoning, or any natural barrier. The boundary runs down the middle of the street and doesn't make sense. It looks like a special carve out for someone.

Is the orange portion being treated as a separate neighborhood?

What is the name being given to it?

Why is it being treated differently?

The orange area should be treated like the rest of the Peterson track.

Ken Taylor

May 11, 2017

June Lake Citizens Advisory Committee  
c/o Wendy Sugimura, Mono County, California  
PO Box 347  
Mammoth Lakes, CA 93546  
[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)

Re: June Lake Single Family Home Short Term Rentals – Petersen Tract

Dear June Lake Citizens Advisory Committee:

Unfortunately, we are unable to attend the neighborhood discussion meetings and instead offer this letter as our strong opposition to short term rentals in the Petersen tract.

Since we were children we have been visiting and loving June Lake and all it has to offer all year round. We've spent many vacations here with our families and friends.

For the past four years, we have been the proud owners of a second home in June Lake's Petersen tract. We chose this area because of the quiet, peaceful surroundings of the neighborhood and because short term rentals are not allowed. It's our place to get away from the city and relax in nature.

Prior to residing in the Petersen tract, we owned a condo in the village. While we were thrilled to buy our first place in our beloved June Lake, the excitement died a few months after we moved in. We quickly realized that the majority of the units were rentals and were stuffed with too many people nearly every weekend. Parking was a nightmare due to the increased number of cars. Parties would go on all night. Early-rising fishermen would drag their coolers across the asphalt and yell from the car to their buddies. After midnight arrivals would wake us every weekend. We complained but were met with deaf ears by the rental company.

We encourage the committee to recommend AGAINST short term home rentals in the Petersen tract for several reasons:

- Access in and out of the tract is very limited; only one road is available (Rainbow Street)
- Road conditions have been getting worse every year due to weather and use
- Streets are narrow and will not be able to handle additional traffic
- Parking is very limited especially in the winter when empty lots are used for snow storage (the topography adds to this problem)
- Private roads are not maintained in the winter
- Pet feces is already a problem; short term renters are likely to make it worse
- Residents purchased/live in the neighborhood because short term rentals are not allowed
- Preservation of the quiet and scenic neighborhood
- Wildlife (deer, bear, cats, etc.) are able to roam freely without being disrupted

- Some (possibly all) of the rental company owners do not live in the Petersen tract and will benefit monetarily without having to experience the problems caused by short term renters

We believe that allowing short term rentals in the Petersen tract will be detrimental to the many families that choose the neighborhood as their home. We hope that the committee will consider the undeniable benefits of keeping the tract free of short term rentals.

Sincerely,

Danny and Gina Stymacher  
803 Piute Drive  
June Lake, CA 93529

## Wendy Sugimura

---

**From:** David Rosky <dave.rosky@gmail.com>  
**Sent:** Thursday, May 11, 2017 3:41 PM  
**To:** CD Ritter  
**Cc:** Wendy Sugimura; Bob Gardner  
**Subject:** Re: June Lake Short Term Rental Process

Dear CD,

Thank you very much. I apologize if the tone of my letter seemed a little too strong, I'm just a proponent of a process that is fair to both sides.

I recently thought of one additional point I'd like to make to the commission in advance of the meetings, I hope you feel it's appropriate to pass this on as well.

The additional point I'd like to make is that in his document, Supervisor Johnston justifies the necessity of an 80% approval rate by the fact that the vote must be taken on an underlying zoning change as opposed to simply an overlay or special use permit approach. The necessity of requiring an underlying zoning change is justified by the assertion that allowing any overlay or special permitting process would represent a de facto zoning change.

I believe this is hyperbolic at best, somewhat misleading at worst. It is the county's prerogative to manage land use based on a number of criteria, and often simple zoning can't provide the nuanced or fine-grained control required to meet multiple sets of goals in a harmonious way. Overlays and special use processes are long-established ways of providing this. They have been utilized in many locations to provide fine-grained control and to allow multiple goals to coexist in realistic ways that are often not feasible with a blanket zoning change.

An approach of requiring an underlying zoning change is excessive and ill-suited to achieving the original goals that were envisioned by allowing limited, controlled short term rentals in the most non-impactful way possible, and would introduce a (perhaps intended) unnecessary bias into the decision making process.

Respectfully yours,

David Rosky

On Wed, May 10, 2017 at 10:01 AM, CD Ritter <[cdritter@mono.ca.gov](mailto:cdritter@mono.ca.gov)> wrote:

Dear Mr. Rosky,

Thank you for your comment letter on short-term rental meetings. It has been scanned and forwarded to the Planning Commission.

~ CD

**From:** David Rosky [mailto:[dave.rosky@gmail.com](mailto:dave.rosky@gmail.com)]  
**Sent:** Tuesday, May 09, 2017 10:50 PM  
**To:** Larry Johnston; Fred Stump; Bob Gardner; John Peters; Stacy Corless; CD Ritter

**Cc:** Wendy Sugimura  
**Subject:** June Lake Short Term Rental Process

Dear Mono County Supervisors and Planning Commission,

My name is David Rosky and we are residents of June Lake, in the Clark Tract. We received the mailings regarding the short term rental meetings, and I decided to take a look at the detailed documentation on the county web site. With all due respect, I was both surprised and dismayed by what I saw.

Please note, this letter is not to discuss the merits, issues, or implementation details of short term rentals, it is to express concern over the process as laid out in the documentation. I will simply note here that we have been generally in the middle on the issue itself. We have not had any plans to engage in short term rentals ourselves, although we are not afraid of it, and if it is implemented in a careful and reasonable way, we see possible benefits to the community and members of the community.

This process is being presented as an open, fair community process, yet the primary document driving the process (.../johnston\_trod\_process\_10.04.16.pdf) is an extremely biased document written by supervisor Johnston, who, from reading the document, is very heavily against any implementation of additional short term rentals in June Lake, a district which the supervisor does not even represent.

The supervisor has a right to his opinion, as does everyone, but to base a supposedly fair and open community process on such a heavily biased document is unconscionable. To wit:

1. After any discussions, the process specifies an 80% approval vote in any given community. This is outrageous. Obtaining such a large majority on even a slightly controversial issue would be nearly impossible. One might as well just skip the discussions and implement what would essentially be a forgone conclusion. Even if there is a "silent majority" in favor of short term rentals, requiring an 80% approval stacks any election hopelessly in favor of those opposing. This represents a poisoning of any fair community process with an extremely biased election.
2. The process specifies the vote be on a change to the underlying zoning, not on an overlay zoning. As if an 80% approval vote isn't enough, this is an attempt to stack the process even further. Many people who are relatively middle-ground on the issue (as I am), and probably even many who are largely in favor of limited short term rentals would be reluctant to vote for an underlying zoning change, whereas they may be willing to consider an overlay process requiring special permits that would allow more fine-grained control over the short term rentals.



The combination of the above do not represent an open and fair community process, but rather a thinly veiled attempt to stack the decision making process so heavily and unfairly in favor of opposition that a "no" vote is a guaranteed outcome, which can then be presented to the board and planning commission as "proof" that June Lake is "incompatible" with short term rentals of any kind.

With all due respect, it is surprising and disappointing that the board and planning commission would sanction, promote, and incorporate such a heavily biased process based on a similarly biased document, and present it as a fair, open community process. I am completely in favor of accessible public input, but I sincerely hope the more extreme specifications of this process will be reconsidered.

Respectfully yours,

David Rosky

June Lake, CA

## Justin Nalder

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**From:** Wendy Sugimura  
**Sent:** Thursday, March 16, 2017 2:35 PM  
**To:** 'Ian Fettes'  
**Subject:** RE: Short-term rentals - neighborhoods

Hi, Ian,

Thanks for your input.

The map exercise is to define neighborhoods so we can hold separate meetings for the various areas. It was suggested (by Supervisor Johnston and confirmed by the CAC subcommittee) that the answer to the rental question should be determined at a neighborhood scale.

Your comment is very applicable, I think, to an actual policy about how to evaluate a rental proposal. I'll record it as part of the conversation and make sure it is reflected in the input received.

Just a clarification on your rental – a rental for 30 or more days is not considered a “transient” or “short-term” rental. That is defined as a “long-term” rental and the County doesn't have anything to do with it. If you want to rent for less than 30-days at a time, you'd need to apply for a Use Permit for a Type I rental.

If you would still like to provide input on how to separate out neighborhoods so these areas can discuss rentals, please feel free to do so! I'll be sending a reminder email to the group a little later, hopefully this afternoon.

Thanks,  
Wendy

**From:** Ian Fettes [<mailto:ian@mechdc.com>]  
**Sent:** Wednesday, March 15, 2017 3:44 PM  
**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
**Subject:** Short-term rentals - neighborhoods

Hi Wendy,

During to the June Lake sub-committee meeting last week, you asked for our thoughts on definitions of neighborhoods.

Personally, rather than trying to define neighborhoods, I wonder if a better approach would be to define areas of influence.

In other words, if a dissenting person can neither see nor hear the property wishing to rent - and no traffic to or from the rental property passes the dissenters property - then the dissenters opinion should have no influence on decisions regarding that particular rental property.

In my particular case, I have what would be considered a Type 1 property. I rent it on a longer term basis - one month or more. When I rented short-term, my occupancy rate was about 40%. Now my occupancy rate is essentially 100%. Before, I had one/two guests with one car. Now I have 2-plus guests with 2 cars, so, consequently, the vehicle traffic is higher. The argument against short-term rentals gets pretty thin when applied to Type 1 rentals - which will be rented, one way or another.

I hope this is useful.

Thanks,

Ian Fettes

## Wendy Sugimura

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**From:** Wendy Sugimura  
**Sent:** Wednesday, May 24, 2017 10:31 AM  
**To:** 'Ann Tozier'; Bob Gardner; Paul McFarland; Scott Burns  
**Subject:** RE: concerns

Hi, Ann,

Thanks for your email and for sharing your concerns. I can appreciate how this stage of the process is very unsettling. It seems like a lot of chaos and information, and how that will get us to where we want to go seems very unclear.

I would ask you to be patient – the next step of analysis should help clarify what has support and what doesn't, and where we might go from here.

I think of it like this - anytime something big is reorganized – let's say a kitchen – all the dishes, pots and pans, various implements, spices and food, etc., have to be pulled off the shelves so everything can be emptied and cleaned. At that point, it's a massive mess of stuff and we wonder what in the world we're doing, and how we're going to put it all back so that we have a functional kitchen again.

However, we plan for where things will go, and as we start to put things back, the pieces fall into place, perhaps in ways we didn't entirely expect when we set out.

In this process, we're at the point where we've pulled everything off the shelves. I think it's been a great conversation – folks have aired their issues and been able to discuss them in a non-confrontational way, and I think some folks have learned a lot about the whole spectrum of issues and opinions that are out there. We now need to start putting things back on the shelves and applying some order to all this stuff – that is the next step.

I'd also point back to the "principles" the sub-committee established at the outset of this process, before we ever knew how many workshops we would hold or what the format would be. Opportunity for input, consensus/common ground, public engagement, and finality and certainty provide the sideboards for how we do this. These workshops were purposely designed to extract people from entrenched positions for and against, and allow for discussion about the issue itself – not just one's position. That is how we ensure input and engagement, and seek common ground.

At the end of the day, if the Board wants to send the question to a vote, they can still do that. There would be a lot of questions to figure out, and so that would be a whole different conversation. We did discuss the vote in the sub-committee, and I think it was you who raised the point that there would need to be a lot of education that would need to go along with it. At the very least, these workshops provide that education for those who have attended.

Also, keep in mind that while the Clark Tract (and to some extent, Petersen Tract,) is the most contentious, this process may allow for the other areas of June Lake to be resolved. That resolution would be better than where we started from, at any rate.

I think the long time frame of workshops is playing into some frustration as well. We started these workshops on May 13, and folks won't start to see how the information works for us until early June. Uncertainty for that long can be aggravating.

Normally, we would have kept things moving faster from workshops to analysis, but these dates were identified by the subcommittee and community as being needed to ensure adequate opportunity for input. We just have to be patient and allow everyone that opportunity before we start to sort through the information. You raise valid points about the

information itself, and Paul and I have been discussing these issues as well. We'll do our best to address these issues and try to clarify what this information represents and how it is to be used. It certainly does not meet statistical or scientific data integrity, and we would never represent it that way.

Anyway, I don't know if this helps at all. My main point, I suppose, is to ask you to be patient and let it play out.

Thanks,  
Wendy

**From:** Ann Tozier [mailto:anntozier@gmail.com]

**Sent:** Wednesday, May 24, 2017 7:34 AM

**To:** Bob Gardner <bgardner@mono.ca.gov>; Wendy Sugimura <wsugimura@mono.ca.gov>; Paul McFarland <pmcfarland@mono.ca.gov>; Scott Burns <sburns@mono.ca.gov>

**Subject:** concerns

I have already expressed my concerns over how this transient rental issue is going to be determined for each neighborhood in June Lake, and yes my primary concern is for my, the most contentious, tract. Though I have already expressed myself a little to Wendy and Scott, I would like to emphasize my thoughts in an email, because a lot of time is being spent on this and a lot is at stake.

I don't see any way to get around a vote, at least for the Clark Tract, by property owners. The way the information is being gathered makes no sense to me toward the eventuality of finding a clear answer, yay for STR, yay for STR with modifications, or nay to STR.

For starters, I know you have received emails and they were probably not able to attend any meeting and produce sticky dots or "get educated." Attendees were "forced" to write negative comments, even if they were for STR, and positive comments, even though they may have been against them. As a result, those ideas mean nothing about how anyone feels about allowing them or not. The same goes for the sticky dot exercise. The sticky dot exercise was the only one that resembled, and I say "resembled" because I know it was not, a vote. I put a number of dots on ideas of how to improve STR, even though I am against them in the Clark Tract (except for possibly Type 1). I did that because if the "vote" was to keep them, I would want them modified... but it did **not** mean I want them in my neighborhood. The mere gathering of ideas from both sides does not constitute a conclusion of how folks feel.

I don't see getting around a vote. What do you see?

Thanks, Ann

## Wendy Sugimura

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**From:** David Rosky <dave.rosky@gmail.com>  
**Sent:** Thursday, May 04, 2017 2:19 PM  
**To:** Wendy Sugimura  
**Subject:** Re: Short term rental workshop question

**Categories:** JL STRs

Hi Wendy,

Thanks for the reply.

I will try to make one of the meetings. We're part time residents, planning to be full time in a few years, but at the moment we here primarily on weekends. If I end up not being able to make the meeting, then I can perhaps make a statement through email.

It also sounds like some letters should potentially be addressed to the supervisors and planning commission, since it sounds like to some degree, decisions have already been made regarding June Lake, and these meetings might largely be passing it down. I don't specifically mean that to sound cynical, but it sounds like it might be the case to some extent.

A few additional observations for the moment:

What really concerns me is the process. I could accept what you are saying if, for example, it can be proven (through an official vote of some kind, not just a count of vocal people at a meeting) that a true majority of the residents of, say, the Clark Tract are strongly against it. My perception, however, is that the "incompatibility" is the perceived result of a very vocal minority. Casting separate rules into concrete for individual neighborhoods based on a vocal minority is not right just to make sure that the county will never need to deal with and resolve conflict. Conflicts may occur, but they should be dealt with rather than cause everyone to be unable to avail themselves of the general policy.

Furthermore, for specific restrictions to be placed on individual neighborhoods, people should have to show that such activity actually physically affects them in a negative way.

I don't want to be all negative, and I've been taught that if you are going to complain about something, you should offer an alternative. To that effect, what I feel would be far more appropriate are specifically stated mitigations that have to do with physical issues like parking, traffic, noise, etc., not some general "incompatibility" based on a loud minority of people who just simply don't like the policy even though it can be implemented in a way that would not affect them.

Examples of the above might be limits on the number of nights per year, limits on the number of rooms or renters, limits that state that the property owner must be present (e.g., bed and breakfast type operation vs. all-out rental), etc. These kinds of limits might be acceptable in order to reduce the impact in certain areas rather than a black-and-white, all or nothing approach.

To end with a question, are the specific characteristics of these overlays still under consideration, such as I just mentioned in the previous paragraph? If so, I might like to add some details to those proposals and have you register that as a comment. Or is the decision now just whether various June Lake neighborhoods are completely in or out?

Thanks..

Best regards,  
David

On Tue, May 2, 2017 at 1:46 PM, Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)> wrote:

Hi, David,

I understand your concern, and your rationale is the reason why the initial approach utilized one “tool” or “mechanism” for all of Mono County. Through the controversy that ensued, and conversations with the Mono County Board, Planning Commission, the June Lake Citizen Advisory Committee, and general community conversations, some recognition surfaced that different neighborhoods in June have different characteristics and different levels of tolerance for short-term rentals.

The current approach is similar to a land-use “zoning” type of exercise, where some areas are more appropriate for commercial, or residential, or mixed use. Even within residential, there are several levels of “intensity” that are zoned differently. So, the idea that different neighborhoods have different character such that short-term rentals are compatible with some and not others has the same logic pattern.

Regardless, you are welcome to voice your concern about the approach, either in the upcoming meetings or I can log your email as your comment. However, just to be clear, this approach is the direction I received from the Board, which was then vetted with the Planning Commission and June Lake CAC, and so I can’t unilaterally decide to change it. I would still encourage you to add your opinion about it to the mix, though.

Hope this helps!

Thanks,

Wendy

**From:** David Rosky [mailto:[dave.rosky@gmail.com](mailto:dave.rosky@gmail.com)]

**Sent:** Thursday, April 27, 2017 9:34 PM

**To:** Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>

**Subject:** Short term rental workshop question

Hi Wendy,

My name is David Rosky, and we are in the Clark Tract. I have received the mailings regarding the workshops and will try to attend one of them.

I'm particularly both curious and concerned about a comment in the body of the email, though. At one point, it says "Each neighborhood will have the opportunity to consider if short-term rentals should be allowed or not, and the implications of those decisions." I'm wondering how such a decision would proceed. Would a small handful of vocal opponents of short term rentals be allowed to decide at a meeting for the entire community? Would it require a vote among the community at large, with a required minimum participation?

I personally feel that in an area without a specific HOA or specific CC&Rs, whatever rules the county adopts as whole should apply in those areas. Otherwise, we are effectively being forced into a de facto CC&R that we never agreed to.

The county should consider public opinion in its rule making, but whatever the county decides should be both binding on, and available to, all residents that don't have specific overriding CC&Rs already in place. If a certain neighborhood can make themselves exempt from one set of rules, what't to keep them from making themselves exempt from any other set of rules? It sets a bad precedent to do so.

Best regards,

David



**Wendy Sugimura**

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**From:** Ian Fettes <ian@mechdc.com>  
**Sent:** Sunday, May 21, 2017 7:05 PM  
**To:** Wendy Sugimura  
**Subject:** STR's

Hi Wendy,

I'm a little disturbed that it's apparent that people still do not understand the difference between Type 1's and Type 2's - even though you outline the differences at the beginning of each meeting.

Jill Stark, who I think has attended most of the meetings so far, came up to Scott Burns and I on Saturday and, in the course of our discussion, asked "what exactly is the difference between the two types of rentals".

Also, again on Saturday, I had a discussion with Roxanna (Fodera?) and it was clear that she did not appreciate the difference between the two. She has been present at every meeting that I've attended.

As you know, the two types of rentals are significantly different, and that is presumably why the County has introduced the concept of the Type 1.

Type 1's have been excluded from the moratorium on SLR's in Mono County (with the exception of June Lake) precisely because they have not attracted the controversy associated with Type 2's.

The occupancy of Type 1's is limited - typically one to two people and, because the properties are owner-occupied, the management is on-site. That's obviously why Type 1's have received more general acceptance.

I listen to your description of the two types and, although it seems clear to me, I'm concerned that somehow it's just not getting across.

Anything that you can do to better clarify this distinction would be greatly appreciated.

Thanks!

Ian

## Wendy Sugimura

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**From:** Debra Bryan Mahony <bryanmahony@gmail.com>  
**Sent:** Friday, May 12, 2017 12:18 PM  
**To:** Paul McFarland  
**Cc:** coachronci@gmail.com; lilabldona@suddenlink.net; sammahony@gmail.com; sierrahiker@hotmail.com; Member Service; Ann Tozier; Bob Gardner; ian@mechdc.com; mrosasltd@hotmail.com; dlindsey@juno.com; bill@nanostencil.com; gretchen03@earthlink.net; carol.postmus@gmail.com; rebjl1@yahoo.com; Wendy Sugimura  
**Subject:** Re: Vacation Rental Study - Colorado Association of Ski Towns

Hi Paul,

Thank you for the Colorado Ski Town discussion.

Another interesting manner in which Lake Tahoe is managing the nightly rental situation, can be found on VRBO, HomeAway/VacationRental website.

Tahoe has 'noise sensitive communities'. These are homes that are close together, where loud noise in or out could disturb neighbors.

The rental agreements for these nightly zoned rentals, have very stringent and specific rules regarding noise and the control of noise.

This is another way the Tahoe communities have addressed nightly rentals.

Sam and I will miss the May 13, 2017 meeting, as we are out of town moving the 90s parents into assisted living.

We look forward to attending the remainder of the community meetings.

Sincerely,

Bryan Mahony

On Wed, May 10, 2017 at 9:09 AM, Paul McFarland <[pmcfarland@mono.ca.gov](mailto:pmcfarland@mono.ca.gov)> wrote:

Hello June STR sub-committee folks –

Please find attached a study from the Colorado Association of Ski Towns addressing the issues, emerging trends and best practices surrounding vacation home rentals. This report is also now posted on the County's short-term rental webpage at <http://www.monocounty.ca.gov/community-development/page/short-termtransient-rentals>

Please feel free forward this report around to others you know are interested.

Thanks, paul

Paul McFarland

Assistant Planner

Mono County Community Development Department, Bridgeport Office

[760-932-5433](tel:760-932-5433)

Office Hours – Tuesday, Wednesday, Thursday 8am to 3pm

--

Bryan Mahony

760 937 7142

[bryanmhaony@gmail.com](mailto:bryanmhaony@gmail.com)

PO Box 69

June Lake, CA 93529

## Wendy Sugimura

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**From:** Dale Greiner <dtgreiner@gmail.com>  
**Sent:** Saturday, May 27, 2017 11:26 AM  
**To:** Wendy Sugimura  
**Subject:** STR's

**Categories:** JL STRs

Hi Wendy:

I am submitting this email in support of the STR approach in a form that benefits the owners to the max. This is a win-win situation for all involved. Any other approach would be a disadvantage to the owners or the County. I would like to see the County be more involved in the code enforcement portion to provide a level of comfort for the citizens who encounter unsavory renters.

As a side note; not allowing STR would be very detrimental to the Village of June Lake as well as income for the County.

Respestfully--  
Dale Greiner  
23 Granite Ave  
June Lake

## Wendy Sugimura

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**From:** Leslie Chapman  
**Sent:** Monday, April 17, 2017 3:48 PM  
**To:** Scott Burns; Wendy Sugimura  
**Subject:** FW: Form submission from: Contact the County

-----Original Message-----

From: Mono County California [mailto:noreply@mono.ca.gov]  
Sent: Monday, April 17, 2017 3:10 PM  
To: Leslie Chapman <lchapman@mono.ca.gov>  
Subject: Form submission from: Contact the County

Submitted on Monday, April 17, 2017 - 3:10pm Submitted by anonymous user: [68.118.142.66] Submitted values are:

Name: James Heiting  
E-mail Address: heit49@aol.com  
County Department: Community Development  
Comments: I am a property owner in June Lake at the Edgewater Condos. I understand there may be a meeting to discuss short-term vacation rentals in June Lake in the next month or so. I want to voice my support for continuing availability of short-term rental space in June Lake. Such is a necessity to the economy of the area and the life of the area.  
IP Address: 68.118.142.66

The results of this submission may be viewed at:  
<http://monocounty.ca.gov/node/913/submission/1306>

## Wendy Sugimura

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**From:** Bob Gardner  
**Sent:** Wednesday, May 24, 2017 5:51 PM  
**To:** Wendy Sugimura  
**Subject:** FW: June Lake Short Term Rentals

fyi as we discussed.

Bob

-----Original Message-----

From: Gib Lanpher [mailto:eglanpher@yahoo.com]

Sent: Monday, May 1, 2017 9:10 AM  
To: Bob Gardner <bgardner@mono.ca.gov>  
Cc: stark@fairplex.com  
Subject: June Lake Short Term Rentals

Dear Bob:

I understand that there are a series of meetings scheduled at the end of May that will be addressing the issue of short term rentals on the June Lake loop. Like many second home owners we will not be able to attend as we normally spend July-September at the Williams Tract house that our family built in 1960. Through you, however, I would like to share a few thoughts on the issue.

First, the

Williams tract is quite small compared to the other tracts being evaluated. There are essentially only two roads, Aspen Road off of highway 158 which has long been accepted by and maintained by the County, and Pinecrest Avenue which is privately maintained. Our house, 75 Pinecrest, is one of four on the Avenue -- all second homes. Rarely are any used in the winter because Pinecrest is steep and impossible to plow once serious snow falls. While I hesitate to speak for my three Pinecrest neighbors, I'm quite sure that like us they do not favor opening our neighborhood to short term rentals.

Second,

let me address the Aspen Road portion of the Williams tract.

I think there are six privately owned single family homes and two long-term rental duplexes on the Road, and two commercial cabins/condos just as one enters Aspen Road from 158. I believe only one or two of the single family homes are occupied year-round. John and Candy Logue should be consulted as one of these owner/occupiers.

Finally, I'm

curious as to what is driving the push for short term rentals. Most, if not all, June Lake property owners knew or should have known about the 30 day rule when they acquired their properties. Now some want to change the rule so they can monetize what may have been an excessive investment. Is there a push by Mammoth/June Mountain to encourage more local beds to support the ski area? I imagine the County is probably supportive as it would increase TOT revenue from an unincorporated area. It seems to me that changing the long time well understood rules leaves those of us who bought/built in non-commercial areas of June Lake in the lurch.

Bob, Please  
share the foregoing with the relevant CAC and County folks.

As long time owners and pretty substantial taxpayers, I think it would be better to schedule important meetings for July/August when more second homeowners would be available to attend. While meetings are worthwhile, I think before there are any changes in the rules regarding rentals, the County should poll all property owners on each of the potentially affected tracts. It would not be hard as the County has all names and addresses in the tax office.

Best regards. Gibson  
Lanpher

3801 Warren st. NW

Washington, DC 20016



# June Lake Area Plan: Short-Term Rentals

June Lake CAC  
September 6, 2017

## Ground Rules

- Be respectful and civil
- Represent yourself and your own opinion/intentions
- Participate positively
- Give all ideas an honest chance
- Seek understanding
- Stay focused



## Staff Role

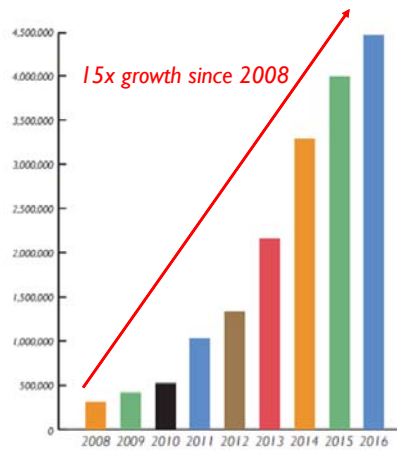
- **We are listeners, facilitators, and analysts:**
  - Accurately record what you say
  - Provide analysis to show where there is common ground
  - Identify irreconcilable differences
  - Encourage the exploration of solutions
  - Develop policies based on these outcomes
- **Our job is to lay out issues for decision – we aren't trying to “sell” anything**

## Discussion Outline

- Background
- Review of process
- Review workshop information
- Review policy direction and solutions
- **New: June Lake policies, best practices, solutions used by other jurisdictions**
- **New: Proposed policies**
- Next steps

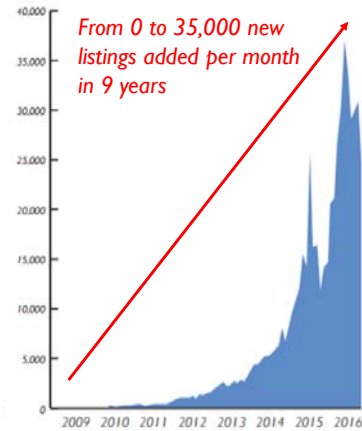
## THE SHORT TERM RENTAL INDUSTRY IS EXPLODING

Global listings on top four platforms\*  
(2008 - 16)



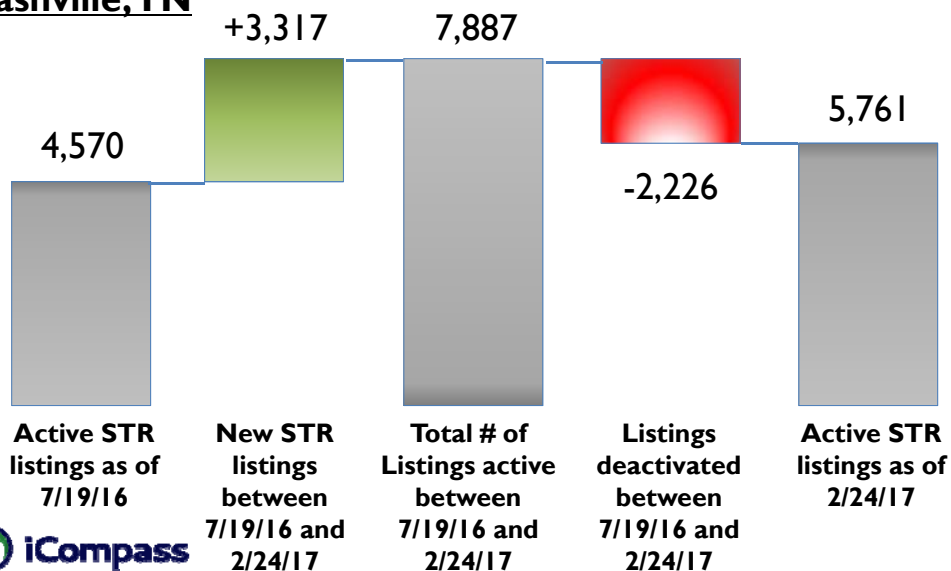
\*Airbnb, VRBO, Flipkey, Homeaway

Global listings created by month  
(Airbnb 2009 - 16)



## THE STR MARKET IS VERY DYNAMIC AND SEASONAL

### Nashville, TN



**New STRs  
as a % of  
Active STRs  
on 7/19/16  
= 72%**



# SHORT TERM RENTALS HAVE BECOME MAINSTREAM

More people visit Airbnb than any hotel or travel booking website

~25% of the travelling population in the U.S. has now stayed at a short-term rental

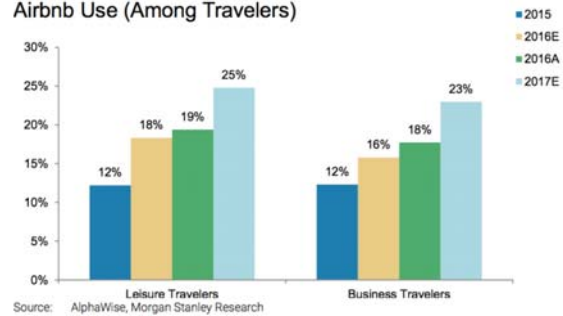
## Top 10 US Hotel & Accommodation Sites, Ranked by Total Traffic, Q1 2017

millions and % change vs. same period of prior year

1. Airbnb	106.9 (31%)
2. Booking.com	92.5 (7%)
3. Hotels.com	72.6 (3%)
4. Marriott International	63.2 (-8%)
5. Hilton	48.0 (-6%)
6. Vrbo.com	42.3 (-5%)
7. InterContinental Hotels Group	29.1 (-15%)
8. HomeAway	26.4 (20%)
9. Trivago	26.1 (-8%)
10. Choice Hotels International	22.7 (-18%)

Note: represents activity tracked by SimilarWeb, broader industry metrics may vary; includes desktop/laptop and Android mobile devices

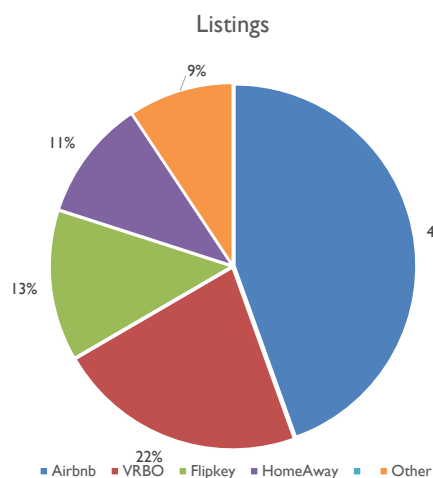
## Airbnb Use (Among Travelers)



Sources: SimilarWeb; "Travel Trends & Insights, May 12, 2017; AlphaWise; Morgan Stanley Research



# WHILE AIRBNB AND VRBO GETS ALL THE PRESS, THEY ARE ONLY TWO OF THE PLAYERS IN A FRAGMENTED MARKET



Source: Host Compliance



**We have heard you:**  
**Make It Go Away!**



## Stress Reduction Kit

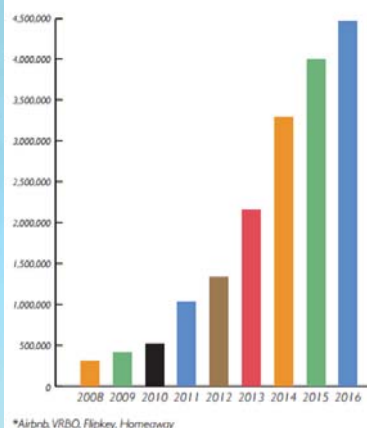
**Bang  
Head  
Here**

### Directions:

1. Place kit on FIRM surface.
2. Follow directions in circle of kit.
3. Repeat step 2 as necessary, or until unconscious.
4. If unconscious, cease stress reduction activity.

## Reality: No Silver Bullet, No Magic Wand

Global listings on top four platforms\*  
(2008 - 16)



COMMUNITY TENSION: SHORT-TERM RENTALS IS A POLITICALLY SENSITIVE ISSUE WHICH CAN CAUSE A LOT OF TENSION IF UNRESOLVED



## Past Mono County Policies

- ~2008-2015: Transient Rental Overlay Districts (TRODs)
  - Focus: Increase tourism opportunities and provide additional economic support to homeowners
  - Process: Overlay district approved by General Plan Amendment
- 2015-2017: Type I & Type II Short-Term Rentals
  - Type I rentals are owner-occupied and approved by Use Permit
  - Type II rentals are non-owner occupied and approved by General Plan Amendment
  - Moratorium county-wide on Type II rentals until Feb. 26, 2018
  - June Lake Area Plan policies to be updated before applications can be processed
- 2017: June Lake Area Plan Policy Update

## Residents Established the Process

- **Purpose:** *Conduct a community conversation to update June Lake Area Plan policies to address short-term rentals in residential areas.*
- **Need:**
  - Short-term rentals are a common issue in resort areas and is not going away.
  - Decisions are needed to handle the issue and ensure protection of area and neighborhood character.
- **Principles:**
  - Opportunity for input
  - Consensus/common ground in the best interest of the community
  - Public engagement
  - Finality and certainty

## Residents Established the Process

- Neighborhood maps: Board direction & subcommittee consensus on the premise that neighborhood character varies
- Outreach campaign and calendar
- Workshop Calendar

*Set up to avoid the “yes” vs. “no” trap that does not create space to explore nuanced, tailored policies.*

*Policy development and public opinion is messy. There are no black-and-white, right-or-wrong answers.*

## Steps

1. **Community Outreach:** mailer to all tax addresses & PO Boxes
2. **Workshops:** ~40 hours of public engagement
3. **Analysis:** common ground, irreconcilable differences, potential solutions
4. **Develop Policy Direction** consistent with input and analysis
5. **Proposed Policies:** craft June Lake Area Plan policies
6. **Adoption:** Vetted through the June Lake CAC and Planning Commission, the Board of Supervisors adopts the final policies.

## Body of Information

- **242 pages of workshop information:** presentations, raw verbatim public input, sorted information and initial analysis, analysis of potential solutions, attempt to seek consensus
- **Best practices:** Colorado Ski Towns study, Host Compliance research
- **Other jurisdictions:** researched specific examples, Community Development Director Listserv discussion (Calaveras, Mariposa, Alpine counties; city/county of San Francisco)

**No Silver Bullet. No Magic Wand.**



## **Neighborhood Character: WHY we regulate**

- Wildlife
- Nature & environment
- Dark skies
- Sense of neighborhood/friendly neighbors
- Peace & quiet, and privacy
- Views
- Low density & residential development
- Safe
- Low/slow traffic
- Leonard: well-planned, larger lots, accessible

## **Concerns: reduce, eliminate, mitigate**

- Disrupts neighborhood / disrespectful behavior
- Poor management & inadequate enforcement
- Change in property values / residential character, too many
- Increased noise, lights, trash, parking, traffic problems
- Decreased safety
- Wildlife issues
- Negative impacts to local businesses (particularly lodging)
- Reduced workforce housing
- No equity – no contribution to neighborhood needs

## Impacts may be caused by:

- Permanent residents
- Second homeowners
- Guests of residents and/or second homeowners
- Legitimate long-term renters
- Legal short-term renters
- Illegal short-term renters

## Opportunities: enhance, increase, support

- Local economic benefit
- Meets market need
- Increased county revenue
- Opportunity to be ambassadors and educate visitors (e.g., about wildlife issues), social opportunity
- Increased regulatory control and accountability
- Benefits property owners, incentive to maintain property
- Potential to financially contribute to neighborhood needs
- Provides flexibility and personal choices

## Issues, Opportunities and Constraints



## Adopted June Lake Area Plan: Land Use

**Goal 13:** That June Lake ultimately develop into a moderately sized, self-contained, year-round community.

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

**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.

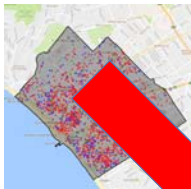
**Policy 13.K.1.** Retain the area's single-family residential character while allowing for pockets of higher-density residential developments in areas that have good automobile access and commercial developments, bordering SR 158.

## Proposed Policies

- Existing June Lake policies exhibit a “push-pull” dynamic between community character and the tourist economy.
- To swing too far in one direction is to neglect the other, which is not consistent with current policy.
- However, given the issues, opportunities, and constraints, the proposed policies contain a shift in focus.
  - Focus: Support a small-scale supplemental sharing model rather than a business or investment model.

## COMPLETE SHORT-TERM RENTAL BANS HAVE PROVEN TO BE INEFFECTIVE AND EXPENSIVE TO ENFORCE.

**Santa Monica, CA**  
**1,252 STRs**



**Miami Beach, FL**  
**7,112 STRs**



**New York, NY**  
**45,433 STRs**



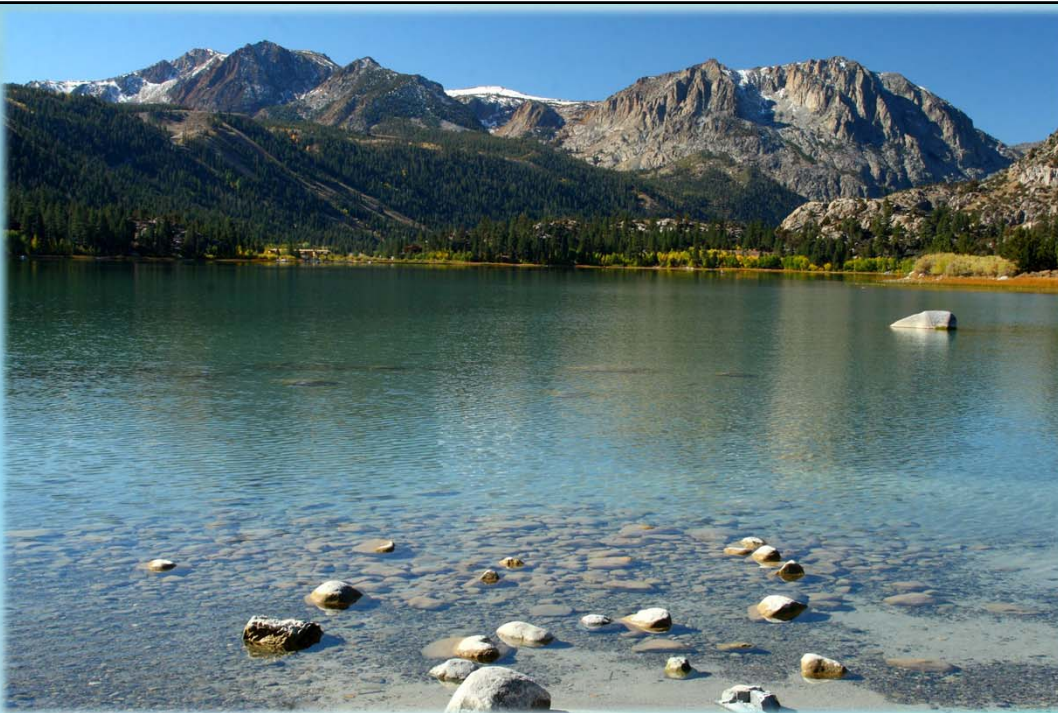
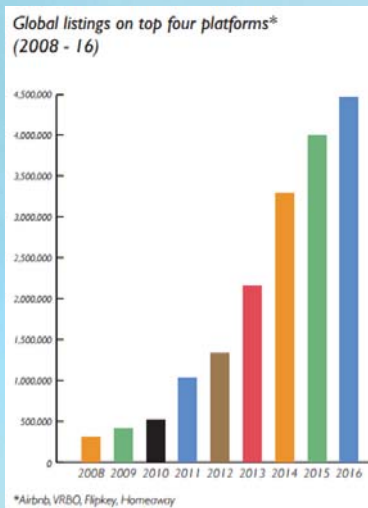
**West Hollywood, CA**  
**1,324 STRs**



Bans  
don't  
work!



## Reality: No Silver Bullet, No Magic Wand



## **June Lake Area Plan Update 2017**

### **Short-Term Rental Policies**

#### **I. ISSUES, OPPORTUNITIES AND CONSTRAINTS**

##### Community Development: Land Use

16. The short-term rental market (i.e., rentals for less than 30 days) in residential neighborhoods has exploded worldwide, exhibiting a 15x growth rate from 2008 to 2016, and is also affecting June Lake. The market is dynamic and seasonal, and rentals have become mainstream. No “silver bullet” exists; a variety of creative solutions and mechanisms are needed to address the complexity of the issue. Effort is being made to avoid the trap of “yes” vs. “no,” which results in a polarized discussion that does not delve into nuances of how to best tailor policies and regulations to solve problems and take advantage of opportunities.
17. The short-term rental phenomenon in residential neighborhoods has some basis in the idea that excess assets can be rented to or shared with others, potentially for a fee that benefits the owner. Given the growth in the short-term rental market, the market has evolved from a small-scale supplemental sharing model to a full investment or business model.
18. In order to provide opportunity for public input, develop and identify any consensus/common ground in the best interests of the community, engage residents in conversations about the character of their neighborhoods, and seek certainty and finality regarding short-term rentals, over 50 hours of community workshops were held supported by over 200 hours of staff time since Dec. 2016. Workshops included education on the existing industry/market and County regulations and identification of community character, technical considerations and issues of individual neighborhoods, concerns and negative impacts, opportunities and benefits, and potential solutions, and the input is funneled into the development of policies and regulations.
19. Concerns expressed about short-term rentals include disruption of the sense of neighborhood, impacts to quality of life, inappropriate behavior and lack respect for the neighborhood by renters, lack of enforcement, poor management, reduction in workforce housing units and property values, reduction in safety, inequitable competition for traditional hotels/motels, and environmental and wildlife issues.
20. Opportunities expressed about short-term rentals include meeting a tourism market need, economic development for June Lake, tax revenue for the County, assisting homeowners in keeping and upgrading their properties, the potential for reduced impact compared to long-term rentals, accountability and enforcement through regulation, protecting property rights, and educating, socializing with, and serving as ambassadors to visitors.
21. Very few legal mechanisms exist that require accountability by the online platforms, and some of these platforms are lobbying for regulations at the state level to limit local government power. As a result, a regulatory solution is not likely to emerge by regulating online platforms any time soon unless legal proceedings are pursued.
22. Differentiating between neighborhood impacts of illegal rentals vs. legal rentals is difficult, and the court of public opinion often does not recognize a difference. The County has received very few complaints and had only one enforcement case to date against regulated and properly permitted short-term rentals.
23. Local governments like Mono County are challenged to provide cost effective enforcement, whether rentals are legal or illegal, due to 1) rental properties spread across many hosting platforms; 2) listings are highly dynamic, constantly changing and requiring frequent monitoring and tracking; 3) data is not easily accessible through the

hosting platforms, making acquisition of addresses, owners, frequency of renting, etc., very difficult; and 4) hosting platforms may prevent property owners from including permit data on their listing. A multi-pronged enforcement effort is needed to be successful, and be should coordinated across County departments.

24. Industry data indicates short-term rentals will not stop if they are banned or prohibited. They will continue to be an issue that potentially impacts neighborhoods and requires a County response.

#### Community Development: Housing

25. The increase in short-term rentals in single-family residential areas has the potential to further reduce the already limited housing stock available for workforce housing.

#### Community Development: Tourism

61. Short-term rentals (rentals less than 30 days) in single-family residential areas meets a tourism market need and has the potential to utilize existing units for additional visitor accommodations, rather than units remaining vacant and not contributing to the local economy.



## June Lake Area Plan Update: STR Policy Options

### Existing Policies

#### Community Development: Land Use

### **GOAL 13. That June Lake ultimately develop into a moderately sized, self-contained, year-round community.**

#### **Objective 13.A.**

Promote the expansion of the June Lake Loop's privately owned land base to accommodate planned community growth.

**Policy 13.A.3.** Consistent with the intent Chapter 25 of the Land Use Element, approve Transient Rental Overlay Districts (TRODs) only within June Lake residential neighborhoods exhibiting support for allowing transient rental of single family homes.

#### **Objective 13.B.**

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

**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.

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### Policy Revision Options

Proposed Policies	Alternatives (not comprehensive or exhaustive)
1. Delete Policy 13.A.3.	2. Retain Policy 13.A.3. and replace the TROD reference with Short-Term Rentals. Type I and II rentals would be regulated under Chapter 25 as it currently exists.
3. <b>Objective:</b> 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.	4. <b>Policy:</b> Prohibit short-term rentals in all single-family residential land use designations in June Lake. a. <b>Action:</b> The community acknowledges a ban will not make short-term rentals disappear; industry data indicates rentals continue despite a ban. b. <b>Action:</b> The County shall pursue enforcement efforts within available resources (see #22 below), and it is acknowledged that while progress can be made, illegal rentals are likely to persist.
5. <b>Policy:</b> Short-term rentals should be evaluated in June Lake within the context of specific neighborhoods (see map), which vary in character. a. <b>Action:</b> Policies and regulations may be tailored to meet individual neighborhood character.	6. Establish policies and regulations that apply to all of June Lake, and do not consider regulations specific to various neighborhoods.



<p>7. <b>Policy:</b> Short-term rentals in single-family residential neighborhoods should support a model for the supplemental sharing of excess assets, rather than a full business or investment model.</p> <p>a. <b>Action:</b> Only the property owner may apply for a short-term rental permit, and the owner is the responsible party.</p> <p>b. <b>Action:</b> Short-term rentals shall be limited to one per person or entity and one per parcel.</p>	<p>8. Modify, add, or eliminate policy or actions.</p>
<p>9. <b>Policy:</b> Type I (owner-occupied) short-term rentals, as defined in Chapter 25, in single family residential land use designations may be considered only under limited and highly regulated conditions in some areas, subject to Chapters 25 and 26.</p> <p>a. <b>Action:</b> To address concerns raised by the community regarding potential neighborhood impacts, the following requirements and regulations shall be added to Chapter 26 for short-term rentals in June Lake:</p> <ul style="list-style-type: none"> <li>• Exterior lighting fixtures shall comply with Chapter 23 – Dark Sky Regulations, which may require existing fixtures to be replaced or retrofitted.</li> <li>• Owner or manager must respond on-site when warranted within 30 minutes.</li> <li>• Quiet hours from 10 pm to 7 am, and no outdoor amplified sound.</li> <li>• Outdoor parties, which may include special events, outdoor events, lawn parties, weddings, and similar activities, are prohibited.</li> <li>• Owner shall acquire home insurance coverage that specifically covers short-term renting, and shall maintain appropriate liability coverage that covers injury and damage to hosts, guests, and others.</li> <li>• Owner shall notify lender of change in use to short-term rental, and provide verification to County upon request.</li> <li>• Maximum occupancy of 10 persons, which may be further limited by septic system or other requirements, and shall be posted over the primary exit door.</li> <li>• The number of allowed vehicles shall not exceed the number of on-site parking spaces.</li> <li>• In order to rent a detached and separate unit, the property owner must occupy the other unit on the property.</li> <li>• Landline phone service is required, and owner must disclose the limited service by cell phone carriers.</li> <li>• A “hideaway” key or other access is required in the event a guest is locked out.</li> </ul>	<p>Potential regulations pending legal counsel advice:</p> <ul style="list-style-type: none"> <li>• Owner and renters shall hold harmless area residents where private roads are used to access the property.</li> <li>• Can the County require payment into a private fund for community services, such as road repair?</li> </ul> <p>10. Add, modify, or eliminate policies or actions.</p>

<ul style="list-style-type: none"> <li>• For emergency and safety purposes, provide a medical kit consisting of basic first aid equipment, and a survival kit including water, food, radio, batteries, and other common equipment. The kits must be maintained in good order and clearly identified.</li> <li>• Post management contact information online.</li> <li>• Interior informational sign shall also include an evacuation plan and a statement regarding respect for adjacent property owner's rights, neighborhood character, and trespassing concerns.</li> </ul> <p>b. <b>Action:</b> In order to limit changes to residential neighborhood character, short-term rentals in the Clark Tract shall not exceed ~3% of parcels, or eight rentals (of 245 parcels), similar to Durango, CO.</p> <p>c. <b>Action:</b> In the Clark Tract, in order to ensure prepared visitors, the following must be disclosed in advertisements and the rental agreement: a description of rough road conditions, and the potential need for chains in winter conditions. Contact information for the manager/owner if road assistance is needed shall be included in the rental agreement.</p> <p>d. <b>Action:</b> Explore options to offset loss of workforce housing via housing studies and General Plan policy development, which may include requiring a unit be available for long-term rentals for 4-6 months of the year, mitigation fees, etc.</p>	<p>11. Expand the 3% cap to all single-family residential land use designations in June Lake.</p>
<p>12. <b>Policy:</b> Short-term rentals may be prohibited in neighborhoods with certain safety and/or infrastructure characteristics that are not compatible with visitor use, or where conflicts with other regulations exist.</p> <p>a. <b>Action:</b> Short-term rentals may be prohibited where one or more of the following safety or infrastructure conditions exist:</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• 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.</li> <li>• 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.</li> <li>• Current water or sewer service is inadequate or unable to meet Environmental Health standards.</li> </ul>	<p>13. Add, eliminate, or modify conditions supporting prohibition.</p>

<ul style="list-style-type: none"> <li>b. <b>Action:</b> Short-term rentals may be prohibited in the following neighborhoods due to small parcels and/or emergency access issues: Petersen Tract and Williams Tract.</li> <li>c. <b>Action:</b> Short-term rentals should not be approved when prohibited by homeowner association CC&amp;Rs and proof is submitted by the HOA to the County in order to respect the local homeowner's determinations and prevent civil legal issues.</li> <li>d. <b>Action:</b> Uses on federal lands (e.g., Forest Service cabins) are governed by federal regulations, and the County's current understanding is that short-term rentals are allowed up to two weeks. These rentals are required to comply with TOT requirements.</li> </ul>	
<p>14. <b>Policy:</b> Short-term rentals may be considered in non-owner occupied properties, where deemed appropriate, by changing the Land Use Designation to Single Family Residential – Short-Term Rental (SFR-STR).</p> <ul style="list-style-type: none"> <li>a. <b>Action:</b> A short-term rental use shall be subject to use permit, applicable provisions of Chapter 25, and Chapter 26 (including provisions specific to June Lake). The use permit shall run with the owner and not with the land, and the rental shall be limited to a single party of individuals.</li> <li>b. <b>Action:</b> Due to large lot sizes, roads similar to County standards, and proximity to the Village, the Leonard Avenue neighborhood and Highlands Specific Plan area should be redesignated SFR-STR.</li> </ul>	<p>Modify the SFR-STR Land Use Designation:</p> <ul style="list-style-type: none"> <li>15. Allow short-term rentals in SFR-STR as a permitted use or Director Review (with or without notice), subject to Chapter 26.</li> <li>16. Reduce the minimum district size.</li> </ul> <p>Utilize a different approval process:</p> <ul style="list-style-type: none"> <li>17. Permit Type II rentals in specified areas as defined in Chapter 26.</li> <li>18. Require identified areas to change their Land Use Designation by annexing into an adjacent LUD, or to an applicable existing LUD.</li> </ul> <p>Other:</p> <ul style="list-style-type: none"> <li>19. Do not allow Type II rentals or the equivalent.</li> </ul>
<p>20. <b>Policy:</b> To support the tourist economy, short-term rentals are allowed in a limited form, and additional opportunities could be explored.</p> <ul style="list-style-type: none"> <li>a. <b>Action:</b> The Rodeo Grounds development could be a potentially appropriate location for short-term rentals, and the opportunity should be explored.</li> <li>b. <b>Action:</b> Support an even playing field, e.g., equitable regulations and taxation, between hotels/motels and short-term rentals to support existing commercial lodging facilities.</li> </ul>	<ul style="list-style-type: none"> <li>21. Add, modify, or eliminate policies or actions.</li> </ul>
<p>22. <b>Policy:</b> Expand the enforcement effort to be more proactive, comprehensive, and include a larger suite of tools and methods, subject to County resource availability.</p> <ul style="list-style-type: none"> <li>a. <b>Action:</b> Implement an education campaign on short-term rentals, which may include a flyer in property tax bills or other County mailings/communications, posting regulations on hosting websites (e.g., Airbnb's "Responsible Hosting" webpage), refocus the County's related webpage, information via Mono County tourism</li> </ul>	<ul style="list-style-type: none"> <li>23. Add, modify, or eliminate policies or actions.</li> </ul>

<p>marketing and the Chamber of Commerce, and local media articles.</p> <p>b. <b>Action:</b> Provide for a private right of action for property owners within 100' of a short-term rental, similar to the City and County of San Francisco, which may be resolved in small claims court and does not provide for attorneys' fees recovery.</p> <p>c. <b>Action:</b> Consider a "three strikes" mandatory permit revocation policy, similar to Steamboat, CO and Santa Fe, NM.</p> <p>d. <b>Action:</b> Provide an anonymous reporting hotline for illegal rental activity.</p> <p>e. <b>Action:</b> The County shall, resources permitting, invest in technology, systems, and services to support identification of violations, tracking, enforcement actions, and other compliance issues, such as provided by Host Compliance.</p> <p>f. <b>Action:</b> The County shall, within legal constraints, coordinate information between department such as Community Development, Environmental Health, Tax Collector, Sheriff, and Assessor, to ensure comprehensive permitting, taxing, approvals, and enforcement.</p> <p>g. <b>Action:</b> Require Vacation Home Rental permit numbers to be posted in the title of the short-term rental online advertisement.</p> <p>h. <b>Action:</b> Existence of a listing for an unpermitted unit is <i>prima facie</i> evidence of a violation.</p> <p>i. <b>Action:</b> To support accountability, an annual permit renewal, certification report, and fees shall be required for short-term rental use permits, subject to the following requirements (coordinate this renewal with business license renewal process):</p> <ul style="list-style-type: none"> <li>• An annual self-certification under penalty of perjury for all requirements in the June Lake Area Plan and Chapter 26 is required.</li> <li>• Owner must confirm/update management contact information, to be kept on file by the Community Development Department.</li> <li>• Payment of fees, as established by the Board of Supervisors, for staff time.</li> <li>• Failure to submit annual report by deadline would result in a delinquency letter and additional fee.</li> <li>• After 45 days from the notification letter, failure of an owner to meet all requirements in this section shall be deemed a violation and the permit shall not be renewed.</li> </ul>	<p>24. Specific private right of action language needs to be provided by County Counsel.</p> <p>25. Legal barriers for sharing Tax Collector information, even between County departments, exist and may prevent seamless coordination.</p> <p>26. Pending legal counsel guidance, listing an unpermitted unit could be considered a violation.</p> <p>27. A request was made during public workshops to have contact information mailed to property owners within 500' annually. The associated staff workload appears overly burdensome and problematic. An alternative is to maintain current contact information for all properties online.</p>
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#### Changes to Chapter 25:

- 500' noticing distance shall be based on the farthest edge of a contiguous parcel of the same owner.
- Add to Type I rentals (25.020) that the short-term rental must exhibit no reasonable opposition from neighbors within 500' of the subject parcel.

## **Single-Family Residential – Short-Term Rental (SFR-STR)**

**INTENT:** The “SFR” district is intended to provide for the development of single-family dwelling units in community areas.

### **PERMITTED USES**

- Single-family dwelling
- Accessory buildings and uses<sup>1</sup>
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Small-scale agriculture
- Accessory Dwelling Unit (as prescribed in Chapter 16, Development Standards – Accessory Dwelling Units)
- Manufactured home used as a single-family dwelling<sup>2</sup> sl
- Transitional and Supportive Housing<sup>6</sup>

### **USES PERMITTED SUBJECT TO DIRECTOR REVIEW** (Director Review Processing, Ch. 31)

- None stated

### **USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

- Cluster development of single-family dwellings on lots of 3+ acres
- Country clubs and golf courses
- Mobile-home parks (see Dev. Standards – Mobile Homes & RV Parks, Ch. 17) c
- Construction of an accessory building prior to construction of the main building
- Manufactured housing subdivision (see Ch. 18)
- Non-owner occupied short-term rentals
  - Definition: Rental for less than 30 days of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel (or an adjacent parcel) as a principal residence concurrently occupied by the owner.
  - Rental limited to single party of individuals.
  - Subject to 25.040 (noticing), 25.080 (additional requirements), Chapter 26, and area plans
  - This use permit runs with the owner, not with the land.

### **DEVELOPMENT STANDARDS**

**Minimum Lot Size:** 7,500 sf <sup>3,5</sup>

**Minimum District Area:** 5 acres

**Minimum Lot Dimensions:** Width – 60’  
Depth – 100’

**Maximum Lot Coverage:** 40%

#### **Minimum Setbacks:**

**Front:** 20’      **Rear:** 10’      **Side:** 10’

See Section 04.120 for other provisions.

**Building Density:** 1 du/lot and an Accessory Dwelling Unit (see Ch. 16, Development Standards – Accessory Dwelling Units).

**Population Density:**

Maximum population density of 15 persons per acre

**Maximum Building Height:** 35' See Table 04.010 for other provisions.

**NOTES**

1. Accessory buildings and uses customarily incidental to any of the permitted uses are permitted only when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Provided that the unit is fewer than 10 years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Accessory Dwelling Unit requirements (see Ch. 16), or 2) comply with State standards for a mobile-home park and obtain a use permit from the County (see Ch. 17, Mobile Homes and RV Parks).
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" (Ch. 04, Uses not listed as permitted).
5. Lots requiring individual septic systems are subject to minimum dimensions as determined by the Lahontan Regional Water Quality Control Board.
6. Transitional and Supportive Housing projects are permitted in the same manner as other residential housing.

**SEE ALSO**

**Land Development Regulations –**

Ch. 04 Development Standards – General  
Ch. 06 Development Standards – Parking  
Ch. 10 Development Standards – Equestrian Overlay District  
Table 04.010 Building Heights

**FOOTNOTES**

- c. Clarification
- sl. State Law requirement

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August 25, 2017

Supervisor Bob Gardner  
Planning Director Scott Burns

Dear Supervisor Gardner and Director Burns:

I understand that the subject of short-term rentals will be taken up at the September June Lake CAC meeting with the expectation that the subject will then move to the Planning Commission and then to the Board of Supervisors. Unfortunately, the CAC meeting takes place just as my teaching begins, so I will not be able to attend. As a substitute, I am writing to offer some suggestions that grow out of my concerns over the approval process for short-term rentals in the June Lake neighborhoods and over the lack of enforcement resources should such rentals be approved in residential neighborhoods. I think it fair to say that my concerns are widely shared in the community.

My discomfort over the approval process is that the zoning change approving short-term rentals has the most specific impact on individuals' homes in a neighborhood and yet neighbors have no influence over whether the approval takes place. I think this result is based on reasoning that gets the analysis backwards. County zoning decisions, which ultimately rest with the Board of Supervisors, takes place at the county level because zoning must be consistent over larger areas. Commercial districts, for example, have to be defined and separated from residential districts. rather than on smaller areas. These decisions have to be made at the county level.

Short-term rentals are exactly the opposite. Here the new zoning affects areas that are already residential and where there is no plausible reason why the designations of the areas where short-term rentals should be approved needs to be made other than at the neighborhood level. The people who live in the neighborhood know better than the Planning Department, the Planning Commission or the Board of Supervisors whether short-term rentals fit in their

neighborhoods. I understand that the County's position initially was that short-term rentals would not be allowed in a neighborhood without the neighborhoods approval. However, it now seems that the resolve to follow the sensible course of allowing those directly affected to make the decisions seems to have evaporated. The understanding of the June Lake community is that while we will be given an audience for our concerns, the decision whether to approve short-term rentals in a neighborhood will be made at the county level and will not be limited by a neighborhood's preference. This is the source of the disaffection of many in the June Lake community over the decision process: the decisions will be made at the county level rather than at the neighborhood level for no good reason. People feel like they ought to retain decisions over their neighborhoods unless there is a reason for the decision to be made at the county level by people who did not live in their neighborhoods. No such reason has been offered as yet. I do not believe there is one.

There is an approach to this issue that can accommodate both points of view. Stated in non-technical terms, it is easy to require that an applicant for the right to rent their property on a short-term basis must demonstrate that a majority of their neighbors favor the application. This still leaves the ultimate decision in the hands of the county if the county has an interest in prohibiting short-term rentals that the neighborhood would allow, but respects the neighborhood's decision if a majority do not want this activity. Avoiding "big" government starts at the county level.

I recognize that implementing this simple idea will require some line drawing, for example identifying the area a majority of whose residents must approve an application in order for it go forward. I would be happy to assist the County Counsel's office in drafting the language, but this is not a difficult exercise and Mono County has a very talented County Counsel's office.

My second suggestion goes to the problem of enforcing the limits that the County proposes to impose on owners availing themselves of short-term renting. My concerns, which are no different than those of others with whom I have spoken and which have been voiced at prior CAC meetings, is that the absence of enforcement can be expected to degrade their neighborhoods and the quality of their lives. A few examples are obvious. If garbage is not handled carefully, it will attract bears, the damage from which will not be limited to the renter of the property whose tenants' sloppiness endangers everyone else's property. While such behavior can be prohibited, its proof will be difficult, and the county's enforcement budget is limited. Similarly, if houses in neighborhood are rented to groups, the potential for misbehavior from alcohol, noise from parties and like behavior is significant, and there can be no expectation that there will be enforcement resources to stop the behavior. At 10:00 pm on a Saturday night, there will be no one from the County to call, a designated agent may not answer their phone (and would be ill-equipped to handle misbehaving renters) and I have been advised that the Sheriff's office would view such behavior as a civil matter. The threat of an after-the-fact enforcement action against a real estate agent or the property owner simply would not be helpful.



The under-enforcement problem is not so easy to mitigate, and is itself reason for residents to oppose short-term rentals in their neighborhoods. Nonetheless, in other circumstances where it can be expected that insufficient public enforcement resources will be available, a common approach is to supplement public enforcement with private enforcement. This is accomplished by giving affected individuals the right to enforce the terms of the government regulation, in this case, the right to bring a private action against a short-term renter who ignores the County restrictions. Like the requirement for neighbor approval of an application to engage in short-term renting, the terms of the private right of action, for example, the right to recover attorney fees, will need to be carefully drafted. However, the task is not rocket science. More important, the private right will not be practical unless there is a pattern of misbehavior sufficient to warrant the expense of an enforcement action (I would make sure that the right could be enforced in small claims court). For this reason, conditioning a permit on neighbor approval will be more effective than supplementing limited public enforcement with private enforcement. Given the fact that allowing short-term rentals affects existing neighborhoods in a fashion different from any other zoning change, every effort to limit the negative impact on the surrounding neighborhoods is worth the effort.

Left to my own assessment, I would solve the problems that I have addressed in this letter by not allowing short-term rentals at all in residential neighborhoods. Taking into account what necessarily will be inadequate County enforcement, the game cannot be worth the candle. But if the County determines to go forward, the two suggestions I've described – requiring majority approval by neighbors and providing for private enforcement – at least will somewhat mitigate the impact on surrounding neighbors and at least give residents of June Lake neighborhoods the ability to control their own fate.

If there are questions about the suggestions I have made, I would be happy to respond to them.

Sincerely,

Ronald J. Gilson

# Mono County Community Development Department

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October 4, 2017

To: June Lake Citizens Advisory Committee (CAC)

From: Wendy Sugimura, Senior Analyst

**RE: ADDITIONAL INFORMATION FOR AGENDA ITEM #8 – RECOMMENDATION ON  
THE JUNE LAKE AREA PLAN UPDATE: SHORT-TERM RENTAL POLICIES**

Please find enclosed the additional following documents:

1. Memorandum responding to various questions and issues raised at and since the last CAC meeting.
2. Three public comment letters received since the last meeting.

Please contact Wendy Sugimura (760.924.1814, [wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)) with any questions.

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October 4, 2017

To: June Lake Citizens Advisory Committee (CAC)

From: Wendy Sugimura, Senior Analyst

## **RE: QUESTIONS AND ADDITIONAL INFORMATION ON SHORT-TERM RENTALS**

At the last meeting on September 6, 2017, the CAC received a presentation on potential policy and regulatory options for addressing short-term rentals (STRs) in June Lake. Several questions were asked at and following that meeting, and this memorandum is intended to provide a response and applicable information.

### **1. Can the CAC review STR applications in June Lake and provide either a pre-approval or recommendation to the Planning Commission?**

The role of the CAC is to help develop and advise various decision-making bodies on local planning policy. By developing planning policies, the CAC establishes the vision, community character, and guidelines by which development projects are evaluated. The evaluation itself, however, is the role of the Planning Commission who is charged with certain approval authorities. One way to think of the system is that the CAC advises on setting the rules, and then the Planning Commission implements the rules. If the roles are not respected, the system does not function as intended.

### **2. Can STRs be banned?**

Yes, STRs can be banned outright in June Lake, either in specific neighborhoods or in all single-family neighborhoods.

### **3. If STRs can be banned, why was it not the proposed policy at the last meeting? Certain people have been attending these meetings over and over to say the same thing, and are still not being heard.**

The people in favor of banning STRs have been heard. Banning STRs was included as a policy option that could be selected, and was included as an option in the "Solutions" sticky dot exercise from Day One during the May workshops.

In the "Solutions" sticky dot exercise, "Prohibit STR Type I" and "Prohibit STR Type II" were available for people to select at all 10 neighborhood workshop meetings, meaning this data has enough integrity to represent input from all the meetings. None of the Clark Tract meetings resulted in a majority of sticky dots for prohibiting either rental type, although some workshops approached half (around the 40-50% range), particularly for Type II rentals. Only the Petersen Tract workshop resulted in a majority of sticky dots for

prohibiting Type II rentals. The number of “dots” in favor of prohibition dropped slightly from Type IIs to Type Is, indicating slightly fewer objections to Type I rentals. The raw data collected is as follows:

Solutions	Clark #1	Clark #2	Clark #3	Clark #4	Clark/Open	Petersen
Prohibit STR Type I	5	2	4	3	3	3
Prohibit STR Type II	8	7	4	4	3	6
Total Workshop Participants	38	15	10	15	7	10

*\*Note: Only the Clark and Petersen Tract meetings had enough participants to conduct the sticky dot exercise.*

Staff’s role is to accurately record and represent the overall result of all input into this process. The information from the May workshops did not support a complete and outright ban of Type I and II rentals in any neighborhood, and therefore a ban was not the proposed policy. A case could be made, based on public opinion only, for banning Type II rentals in the Petersen Tract.

As was emphasized in the goals established by the Steering Committee for this process, there is a difference between “being heard” and “getting what you want.” The people who would like to see STRs banned have been heard, and the workshop information does not support their position.

However, for those who continue to believe that “everyone” is in favor of prohibiting STRs in a neighborhood, an option does exist. Covenants, Conditions and Restrictions (CC&Rs) can be developed without forming a homeowner’s association, and voted upon by residents. Residents can impose their own rules, provided a vote on the CC&Rs pass (which should be no problem if everyone does indeed agree), and ban STRs regardless of the County’s policies.

**4. If the workshop input does not support prohibiting Type II rentals (except perhaps in the Petersen Tract), why is the policy solution for Type II rentals so onerous that it could result in a de facto ban? Changing the land use designation and meeting the minimum district size is not easy, and could result in a concentration of rentals that overly commercialize an area instead dispersing rentals and impacts.**

While the workshop information does not support a ban or prohibition on Type II rentals, there were higher numbers and more support for doing so. Logically, then, Type II rentals should be more limited than Type I rentals. Combined with the premise that STRs should be based on the old “sharing economy” model that benefits local residents and does not support a business model, Type II rentals then should be highly restricted.

The proposed policy to require changing the land use designation to a new designation (Single Family Residential – Short Term Rental) is more of a traditional “zoning” exercise. The concept is that if an area (a five-acre minimum, in this case) is deemed to have a character more compatible with visitor lodging uses, then the land use designation and permitted uses should reflect that character. Because of this character, more intensive rentals, such as Type II, would be compatible and eventually, the character of the area may indeed change to be more commercialized.

**5. Do other caps on the number of permits exist elsewhere? How were they established?**

A tremendous variety of caps exist, from the number of permits, to the number of days that a unit can be rented, to residency requirements before the unit can be rented, to other creative solutions, and the numerical range for the caps is very broad. The County does not have the resources to exhaustively research the issue, identify the range of caps, or contact individual jurisdictions to research their rationale. Instead, a few detailed studies that seem applicable to the County were identified and researched. Ultimately, if a cap is utilized, June Lake should select a limit that reasonably protects community character.

## **6. STR data summary from the Mono County Housing Needs Assessment and Residential Survey:**

A housing needs assessment for Mono County and the Town of Mammoth Lakes is underway, and questions about STRs were included on a resident survey conducted earlier this year. A total of 860 residents responded to the survey, of which 284 were County residents.

Overall, one in 20 year-round resident homeowners who responded to the survey intend to convert their property to short-term rentals in the next five years. Most (82%) live in Mammoth Lakes. The remainder live in June Lake (13%) and Bridgeport (5%). Among seasonal homeowners, 8% plan to convert to STRs within the next five years, and half (4%) live in June Lake. According to the survey results, current owners who plan to convert their homes into rental units are most likely to choose long-term rentals (55%), followed by short-term rentals (32%), and then seasonal rentals (14%). Note the survey did not identify individual properties, and so whether the land use designation (e.g., Single-Family Residential or a designation where STRs are permitted) of these potential short-term rental conversions is unknown.

In general, the housing needs assessment is identifying and defining the housing problem, and the data indicates STRs represent a small impact overall. Other issues, such as the age, condition, affordability, and quantity of housing units appear to be more significant drivers. However, including incentives for property owners to convert STRs into long-term rentals is important, and is expected to be part of the housing policy toolkit. The final report and toolkit is anticipated to be released for public review in the next couple of months.

## **7. Can the County provide for a single-person veto in order to deny an application?**

No, County Counsel has determined that the County cannot arbitrarily “give away” its discretionary decision-making authority to a single individual (or even a party of individuals). It is the County’s responsibility to evaluate land use applications for compliance with the General Plan and any other applicable regulations, and make a determination based on that compliance, the merit of the project, and public input.

The fact that Mono County respects public input in this process is supported by denials of STR applications (which were called Transient Rental Overlay Districts [TRODs] back then), and this extensive public input process in June Lake to try to craft a different solution.

## **8. What about Monterey County’s private road ordinance that allows for a single resident on a privately-owned road to veto a project accessed by that road?**

This ordinance (see attached) applies to discretionary land use applications where parties have disputed the legal authority of the applicant to use private roads in the manner proposed by the development application. Monterey County has a situation where private parties may have "Private Road Agreements" and "Private Road Maintenance Agreements," which don't apply in Mono County. Those sections are not included in this excerpt. The ordinance also contains language throughout that the County is not party to the private agreements, which does apply to Mono County, but is also not included in this excerpt. Applicable excerpts are included below, along with a very basic analysis.

First, a couple of definitions are needed in order to discuss the ordinance:

21.64.320(C)(6). *"Party to a Private Road" means both: any person or entity that owns the underlying fee interest in land that is subject to and burdened by a Private Road ... and any person or entity that holds an interest in the Private Road and benefits from it ... (such as an easement holder)*

21.64.320(C)(11). *"Proof of Access" means one or more of the following: a.) Written concurrence of all Parties to a Private Road; or...*

So then, applications fall into different "tiers" based on private agreements. All situations in Mono County would fall under Tier 1:

21.64.320(D)(2)(c)(i). *Tier 1: The Project is not subject to a Private Road Agreement or a Private Road Maintenance Agreement;*

Then, standards are defined and used in evaluating Tier 1 projects:

21.64.320(E). *Regulations. For all nonexempt Projects, the following standards, based on substantial evidence in the record, shall apply:*

*1. Tier 1 Projects: The Appropriate Authority shall consider any objection from a Party to a Private Road regarding access a substantive dispute and shall either deny the Project on that basis or approve the Project subject to the Proof of Access condition described in Subsection 21.64.320(F)(1) and/or the Private Road Maintenance condition described in Subsection 21.64.320(F)(2).*

This section means that if a single party objects to the use of the road for this project, then the project shall be denied or the "Proof of Access Condition" described below must be met.

21.64.320(F)(1). *Proof of Access Condition*

*If the Appropriate Authority finds, based on substantial evidence in the record, that a substantive dispute exists regarding the use of a Private Road for a Project, said Authority may approve the Project but shall require as a condition of Project approval that the Applicant provide the County with Proof of Access demonstrating that the dispute has been satisfactorily resolved, in accordance with the Tier standards set forth above.*

This section means the "Proof of Access" definition (above, section 21.64.320(C)(11)) must be met, which requires the written concurrence of all parties to a private road. Presumably, if even one person on the private road objects, the condition cannot be met and, in a roundabout way, requires the project to be denied.

If the costs of repairing and maintaining the road are in dispute (as opposed to access), then the provision below allows for a private agreement, settlement, or other written documentation that the dispute has been resolved. Presumably, the resolution would be for the project applicant to provide repair and maintenance resources.

21.64.320.F.2. *Private Road Maintenance Condition*

*If the Appropriate Authority finds, based on substantial evidence in the record and in accordance with the Tier standards set forth above, that a substantive dispute exists regarding the costs of repairing or maintaining a Private Road as it relates to a Project, said Authority may approve the Project but shall require as a condition of Project approval that the Applicant provide the County with adequate documentation demonstrating that the dispute has been satisfactorily resolved. For the purposes of this Section, adequate documentation may include written withdrawal of objections, a properly executed Private Road Maintenance Agreement, a final settlement or final judicial determination, or written documentation showing that a majority of the Parties to a Private Road have agreed to repair and maintenance terms in light of the Project.*

The conclusion is that this ordinance does allow for one person on a private road to object to access for the project and cause a denial of the application. A couple of points should be noted:

- This ordinance applies to private roads, and would therefore apply to all private roads throughout the county. No distinguishing traits would allow private roads in June Lake to be treated differently than private roads in other parts of the county.
- Development and adoption of this ordinance would be handled separately from the STR issue. It is almost a completely separate issue, relating more to the use and management of private roads.
- The ordinance would apply to any discretionary permit (e.g., use permit), not just short-term rentals. Again, it is an issue related to private roads, not a specific land use.
- Recommendation of this ordinance concept raises an entirely different policy question to the County, and discussion with and direction from the Planning Commission and Board of Supervisors would be required before proceeding. This ordinance expands this particular discussion to a countywide level, and legally limiting the conversation to June Lake does not seem possible.
- The relationship between this ordinance and areas with Zones of Benefits is unknown at this time.

Finally, however, this ordinance could potentially achieve the desired result of allowing a veto by a single person through a different mechanism based on private roads.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,  
ADDING SECTION 320 TO CHAPTER 21.64 OF THE MONTEREY COUNTY CODE  
TO ESTABLISH REGULATIONS RELATING TO THE ISSUANCE OF LAND USE  
PERMITS AND ENTITLEMENTS FOR DEVELOPMENT UTILIZING PRIVATE  
ROADS.**

**County Counsel Summary**

*This ordinance amends Chapter 21.64 of Title 21 (non-coastal zoning) of the Monterey County Code to establish special regulations for the issuance of land use permits and entitlements for development utilizing private streets, roads, and other travelled ways. The ordinance, which would apply in the non-coastal unincorporated area of Monterey County, provides for the resolution of disputes regarding the use of a private road, street, or other travelled way as part of the process by which discretionary permits, licenses or other entitlements for a development are considered by the County of Monterey.*

The Board of Supervisors of the County of Monterey ordains as follows:

**SECTION 1. Findings and Declarations:**

1. Pursuant to Article XI of the California Constitution, the County of Monterey ("County") may adopt and enforce ordinances and regulations to protect and promote the public health, safety, and welfare of its citizens.
2. The County is charged with, among other tasks, the responsibility of assuring that development is compatible with surrounding neighborhoods and incorporates provisions for adequate access for occupants, residents and emergency services.
3. Many of the streets, roads, and other travelled ways in the County are privately owned ("Private Roads") the use of which is governed by agreements among private parties ("Private Road Agreements"). The County is not a party to such agreements and does not enforce their terms and conditions, nor does the County have jurisdiction to adjudicate a dispute among the parties to such agreements. Applications for development that require discretionary permits or other entitlements have, in some instances, proposed to use Private Roads, and, also in some instances, other parties to the applicable Private Road Agreement, or adjoining landowners, have disputed the legal authority of the applicant to use the Private Road in the manner proposed by the development application.
4. Issues have arisen during the County's consideration of discretionary land use permit applications as to whether the issuance of certain land use related permits, licenses, entitlements and other approvals is consistent with any applicable Private Road Agreement, and County desires that any issues that may arise over the use of Private Roads are resolved by the parties to the applicable Private Road Agreement. The County also wishes to provide certainty to the applicant and the public in the planning process as to the manner in which the County will



address disputes among parties to a Private Road Agreement that arise in connection with land use related applications.

5. In view of the foregoing and to protect the public health, safety, and welfare, it is necessary for the County to enact this ordinance to set forth standards to review the use of Private Roads in conjunction with certain land use related applications. These standards provide guidance for how and when the County may consider requiring additional proof demonstrating legal rights surrounding use of Private Roads as part of the land use entitlement and permitting process.

6. The Board of Supervisors finds that the ordinance is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15060(c)(3) and 15378(b)(5) because the ordinance establishes permit review procedures for development projects utilizing existing private roads and does not authorize nor require any physical change to the environment.

**SECTION 2.** The Table of Contents of Chapter 21.64 of the Monterey County Code is amended to add Section 21.64.320 to read as follows:

**21.64.320 Regulations relating to applications involving use of private roads.**

**SECTION 3.** Section 320 is added to Chapter 21.64 of the Monterey County Code to read as follows:

**21.64.320 Regulations relating to applications involving use of private roads.**

A. Purpose: The purpose of this Section is to establish regulations relating to the issuance of certain discretionary permits or entitlements that may result in the intensification of use of a Private Road.

B. Applicability: These regulations apply to all properties in the inland (non-coastal) unincorporated area of the County in all zoning districts. Where a conflict exists between the provisions of this Section and other provisions of the County Code, the provisions of this Section prevail.

C. Definitions: In addition to the definitions found in Chapter 21.06 of this Title, the following definitions shall apply to this Section:

1. "Applicant" means the person or entity submitting an Application to the County of Monterey for a discretionary permit.

2. "Application" means an application for a Project.

3. "Final Settlement or Final Judicial Determination" means a written agreement between Interested Parties resolved personally or through other avenues including but not limited to mediation, arbitration, or a document evidencing a binding arbitration decision or final court judgment.

4. "Interested Party" means any person or entity that owns property abutting a Private Road but that is not a Party to a Private Road.

5. "Notice" means written notice of an Application provided to all Parties to a Private Road and Interested Parties that will be used to access a Project, such notice to be personally delivered or deposited in the United States Mail, first class postage pre-paid.

6. "Party to a Private Road" means both: any person or entity that owns the underlying fee interest in land that is subject to and burdened by a Private Road, such as the servient tenement in the case of an easement; and any person or entity that holds an interest in the Private Road and benefits from it, such as the dominant tenement in the case of an easement.

7. "Private Road" means any travelled way, avenue, place, drive, lane, street, boulevard, highway, easement, or alley not owned, maintained, nor required to be maintained by the state, county, incorporated city, or other public agency, except that the term "Private Road" for purposes of this Section shall include quasi-private roads that have all of the following characteristics: the road is under the jurisdiction of a federal governmental agency; it lies on national forest or private land; it is open to public use; and private users bear or contribute directly to the cost of maintenance.

8. "Private Road Agreement" means any document of record, properly executed and recorded, that is an agreement between parties concerning the right to use private property as access to another parcel of private property. A Private Road Agreement may include, without limitation, a written contract, an easement, grant deed, reservation or a designation on a final subdivision map. A Private Road Agreement also includes a final court judgment documenting an easement or other right of access.

9. "Private Road Maintenance Agreement" means a document of record, properly executed and recorded, that is an agreement between parties to a Private Road concerning the costs and responsibilities of those parties for upkeep and repair of the Private Road.

10. "Project" means:

a. a use for which a discretionary permit, license or other entitlement from the County is required; or a change in land use from an agricultural designation (Farmland, Permanent Grazing, Rural Grazing) to a non-agricultural designation; and

b. in either case, where access to the property from a public road is, or will be, provided either primarily or subordinately by a Private Road.

11. "Proof of Access" means one or more of the following:

a. Written concurrence of all Parties to a Private Road; or

b. Existence of a Final Settlement or Final Judicial Determination that the Private Road may be used to access the Project; or

c. A properly executed Private Road Agreement.

D. Application review and procedures:

1. Application Requirements. An Applicant shall provide the following with any Application, and an Application will not be deemed complete until the information or documentation required is provided:

a. A copy of the Private Road Agreement, if applicable;

b. A copy of the Private Road Maintenance Agreement, if applicable;

c. Written permission to use a Private Road for the Project from a Private Road governing structure, if applicable;

d. A Site Plan that includes, but is not limited to, documentation showing existing access limits and minimum access requirements from the Project to the primary public road or right-of-way. If access does not meet minimum requirements of the local Fire Authority and Monterey County Resource Management Agency--Public Works Department, the Applicant must demonstrate the ability to meet the minimum level of improvements required.

2. Application Review. Upon submittal of an Application, the Director of Planning shall:

- a. Review the Application to determine if the Project is exempt pursuant to Subsection 21.64.320 (D) (4) of this Section;
- b. Provide Notice pursuant to Subsection 21.64.320(D)(3) of this Section;
- c. If the Application is not exempt pursuant to Subsection 21.64.320 (D) (4), the Director of Planning shall classify the Project as belonging within one of the following categories:
  - i. Tier 1: The Project is not subject to a Private Road Agreement or a Private Road Maintenance Agreement;
  - ii. Tier 2: The Project is not subject to a Private Road Agreement but is subject to a Private Road Maintenance Agreement;
  - iii. Tier 3: The Project is subject to a Private Road Agreement but not a Private Road Maintenance Agreement; or
  - iv. Tier 4: The Project is subject to a Private Road Agreement and a Private Road Maintenance Agreement.
- 3. Notice Requirements.
  - a. The Director of Planning shall provide Notice of a Project to all Parties to a Private Road and Interested Parties within 10 working days of submittal of an Application for a Project except Notice is not required for the following types of Projects:
    - i. The first single family dwelling on a legal lot of record;
    - ii. Any action authorized by an emergency permit issued pursuant to Chapter 21.75 of this Title provided that such action exists or occurs only so long as the emergency permit is effective;
    - iii. Projects with access via public road(s) only;
    - iv. Projects whose use of a Private Road is limited to emergency access only;
    - v. Routine and Ongoing agricultural uses;
    - vi. Accessory Dwelling Units, Guesthouses, and/or other subordinate uses that are accessory to the primary use of the property; and
    - vii. Projects with access via a Private Road(s) that are subject to a legally established Private Road governing structure such as a homeowners' association or similar organization where said governing structure is authorized to make determinations regarding the use, maintenance, and related matters regarding the Private Road(s) and where such governing structure has provided written permission to use the Private Road(s) for the Project. Examples of Projects within this exception may include but are not limited to projects considered allowed uses within the Del Monte Forest area, the Monterra and Tehama subdivisions, and similar subdivisions with previously contemplated allowed uses and Private Road governing structures. This exemption does not apply if access to the Private Road(s) subject to the governing structure is accessed by another Private Road(s) not subject to the governing structure. In such a case, Notice shall be provided to Interested Parties outside of the jurisdiction of the governing structure.
  - b. The Notice shall provide the opportunity for any Party to a Private Road to object to the use of the Private Road, for purposes of the Project, within 30 days from the mailing of the Notice. The purpose of this early Notice and objection is to provide an opportunity for resolution of disputes prior to consideration of the Project by the Appropriate Authority or for staff to consider a recommendation following the provisions of this Section. For the purposes of this Section, objections from Interested Parties who own land abutting a Private Road shall be

considered on a case by case basis. Objections from Interested Parties shall not provide a basis for applying the conditions described in subsection F of this Section.

c. The Notice may include notification of the Land Use Advisory Committee meeting where the Project will be considered if such consideration is required pursuant to the Land Use Advisory Committee Procedures adopted by the Board of Supervisors.

4. Exemptions: The following types of Projects shall be exempt from the regulations contained in Subsections E and F of this Section:

a. The first single family dwelling on a legal lot of record;  
b. Any action authorized by an emergency permit issued pursuant to Chapter 21.75 of Title 21 of the Monterey County Code provided that such action exists or occurs only so long as the emergency permit is effective;

c. Projects with access via public road(s) only;  
d. Projects whose use of a Private Road is limited to emergency access only;  
e. Projects that, in the opinion of the Director of Planning, do not result in intensification of the use of a Private Road(s);

f. Projects with access via a Private Road(s) that are subject to a legally established Private Road governing structure such as a homeowners' association or similar organization where said governing structure is authorized to make determinations regarding the use, maintenance, and related matters regarding the Private Road(s) and where such governing structure has provided written permission to use the Private Road(s) for the Project. This exemption does not apply if access to the Private Road(s) subject to the governing structure is accessed by another Private Road(s) not subject to the governing structure. In such a case, the Project is not exempt from the regulations contained in Subsections E and F of this Section;

g. Routine and Ongoing agricultural uses;  
h. Accessory Dwelling Units, Guesthouses, and/or other subordinate uses that are accessory to the primary use of the property;  
i. Federal project on a Private Road.

5. In all cases, Applicants are encouraged to provide early notification of a Project to Interested Parties and Parties to the Private Road and to work collaboratively with all parties to resolve issues. For Projects falling within Tier 1, Tier 2, or Tier 3, Applicants are encouraged to prepare or cause to be prepared, executed and recorded, Private Road Agreements and/or Private Road Maintenance Agreements, as the case may be.

6. The exemption from the regulations contained in Subsections E and F of this Section is not intended to limit the discretion of the Appropriate Authority to consider access as part of its review of Applications.

E. Regulations. For all nonexempt Projects, the following standards, based on substantial evidence in the record, shall apply:

1. Tier 1 Projects: The Appropriate Authority shall consider any objection from a Party to a Private Road regarding access a substantive dispute and shall either deny the Project on that basis or approve the Project subject to the Proof of Access condition described in Subsection 21.64.320 (F) (1) and/or the Private Road Maintenance condition described in Subsection 21.64.320 (F) (2).

2. Tier 2 Projects: The Appropriate Authority shall consider any objection from a Party to a Private Road regarding the legal rights to use a Private Road for the Project a substantive dispute and shall either deny the Project on that basis or approve the Project subject to the Proof of Access condition described in Subsection 21.64.320 (F) (1). Matters of

proportionate costs for repair and maintenance of such roads shall be subject to the terms of the Private Road Maintenance Agreement.

3. Tier 3 Projects: The Appropriate Authority shall rely on the plain language of the Private Road Agreement regarding rights of access. If an objection is made involving proportionate costs for repair and maintenance of the Private Road(s), the Appropriate Authority shall consider an objection of fifty percent or more of the parties to a Private Road Agreement a substantive dispute and in this case, shall either deny the Project on that basis or approve the Project subject to the Private Road Maintenance condition described in Subsection 21.64.320 (F) (2). An objection of fifty percent or more of the Parties to a Private Road Agreement shall be determined on a one vote per lot basis.

4. Tier 4 Projects: The Appropriate Authority shall rely on the plain language of the Private Road Agreement and Private Road Maintenance Agreement regarding rights of access and proportionate costs for repair and maintenance. Unless a Project proposes a use that is clearly inconsistent with the plain language of the Agreements, the Appropriate Authority may approve a Project without applying conditions to the Project outlined in this Section.

5. The "Tiers" described above are intended to provide standards that the Appropriate Authority will apply when considering an Application for a Project that is not exempt from the requirements of this Section pursuant to Subsection 21.64.320.D.4 and that involves a substantive dispute over the Private Road as described within the applicable Tier. Generally where a legally executed document exists, the County will consider such documentation to be adequate evidence to demonstrate access for the purposes of this Section and conditions of approval will not typically be warranted where such documentation exists. In all cases, regardless of whether the Appropriate Authority elects to apply a condition of approval to a Project, Interested Parties, Parties to a Private Road, and/or Applicants may have legal rights under the California Civil Code, and nothing in this Section is intended to preclude their exercise of rights under the Civil Code.

F. Project Conditions.

1. Proof of Access Condition

If the Appropriate Authority finds, based on substantial evidence in the record, that a substantive dispute exists regarding the use of a Private Road for a Project, said Authority may approve the Project but shall require as a condition of Project approval that the Applicant provide the County with Proof of Access demonstrating that the dispute has been satisfactorily resolved, in accordance with the Tier standards set forth above.

2. Private Road Maintenance Condition

If the Appropriate Authority finds, based on substantial evidence in the record and in accordance with the Tier standards set forth above, that a substantive dispute exists regarding the costs of repairing or maintaining a Private Road as it relates to a Project, said Authority may approve the Project but shall require as a condition of Project approval that the Applicant provide the County with adequate documentation demonstrating that the dispute has been satisfactorily resolved. For the purposes of this Section, adequate documentation may include written withdrawal of objections, a properly executed Private Road Maintenance Agreement, a final settlement or final judicial determination, or written documentation showing that a majority of the Parties to a Private Road have agreed to repair and maintenance terms in light of the Project.

a. Maintenance of any Private Road will be subject to a Private Road Maintenance Agreement, or if no such Agreement exists, then County recognizes that parties may have recourse pursuant to California Civil Code Section 845. The County is not a party to such

Private Road Maintenance Agreement and does not interpret or enforce their terms and conditions, nor does the County have jurisdiction to adjudicate a dispute among the parties as to the maintenance of any Private Road.

3. If a condition of approval is added to a Project pursuant to this Section, said condition shall be satisfied prior to issuance of any other permits in furtherance of the Project or recordation of a final map, whichever occurs first and as applicable.

4. If a Project is approved subject to one or more of the conditions provided in this Section, the Director of Planning shall, in his or her discretion, have the authority to stay the expiration of the entitlement for the Project for a period no greater than the number of days from initial filing of judicial proceedings to the final judicial determination or settlement regarding the access dispute.

G. Nothing in this Section:

1. Affects the authority of the County to exercise the power of eminent domain pursuant to Government Code Section 66462.5 of the California Subdivision Map Act; or

2. Diminishes or in any way alter or lessen the effect of the California Civil Code. Where a conflict exists between these provisions and the provisions of State or Federal laws, the State or Federal law shall prevail.

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall become effective on the thirty-first day following its adoption.

**PASSED AND ADOPTED** on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

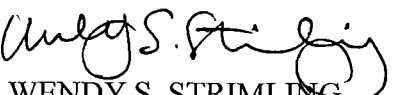
ABSENT:

\_\_\_\_\_  
Chair,  
Monterey County Board of Supervisors

A T T E S T:

GAIL T. BORKOWSKI  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM  
  
WENDY S. STRIMLING  
Senior Deputy County Counsel

## Wendy Sugimura

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**From:** Burdette, Dorothy A <Dorothy.Burdette@wyn.com>  
**Sent:** Monday, September 18, 2017 6:07 PM  
**To:** Wendy Sugimura  
**Subject:** Letter from Petersen Tract homeowner

**Importance:** High

Wendy,  
Please include this in the letters received re STR.  
Thank you,  
Dorothy Burdette

Norma Jean Deak – Petersen Tract Homeowner

I would like to express my opposition to short-term rentals in residential neighborhoods in June Lake. Allowing such rentals has the potential to change the nature of the community. I am not suggesting that short-term renters are bad people nor that they come in with the intention to create nuisance, but your attitude toward a neighborhood where you will be spending two or three days may not be the same as your attitude toward the neighborhood in which you live. By increasing the number of people you also increase the potential for problems. If you look on-line you will see that a two or three bedroom house that would normally house a family of four or maybe five could potentially accommodate up to eight people. Furthermore, since it has been claimed that enforcement of regulations is difficult who would stop someone from purchasing a home or two in the middle of a residential area with the sole purpose of weekend rentals?

But my main concern is not nuisance but safety. With more people come more cars on roads that are already challenging. I live in the Petersen Tract and we have had several near misses this summer entering and leaving. The roads are narrow and in the summer there are trees and bushes that block visibility. If someone is entering and leaving at the same time someone has to go to the side to let the other get through. Imagine how this would be with the increase in traffic and winter weather conditions. You will also have an increase in drivers who are not familiar with the roads or perhaps inexperienced in dealing with ice and snow. Like other areas we have private roads so we are responsible if accidents occur on the road in front of our property. The argument that accidents can occur anyway is totally beside the point. The risk increases exponentially with an increase in traffic and with no benefit at all to those of us who will not be involved in the short-term rental business.

It is true that neighbors or longer-term renters can create problems but a community has more effective ways of dealing with issues that arise among neighbors. These neighborhoods are small. Neighbors know each other and can talk to each other about problems. There is also community pressure at work. If you live in a community most people will try to live harmoniously. (Noise complaints are understandably a very low priority for police. Police arrive late or in most cases the following day. No one believes that a sheriff will come from Bridgeport or Bishop after midnight because of a noise complaint in June Lake.) The idea that even if short-term rentals are forbidden in residential neighborhoods that it will happen anyway is irrelevant. Of course that's true but it's true of any law. There will always be people who break the law or try to stretch it. It doesn't mean that we stop passing laws. If there is a ban in place it increases the pressure that a neighborhood can put on a homeowner who ignores it. Also there are many law-abiding citizens who even if they disagree will not break the law. In the end, there will be a lot fewer short-term rentals in a neighborhood that does not allow short-term rentals than in one that does.

I would like to end with some of my impressions of the Sept. 6 meeting. I do not wish to impugn anyone's motives. I honestly believe that the majority of those on both sides of this issue have good intentions and believe that their view would be best for the community. What I found troubling was that I felt that the power point was bias in favor of short-term rentals in residential neighborhoods. Graphs that show the "exploding" "dynamic" market that is now "mainstream"

juxtaposed with a man with his head in the sand as he attempts to deny that he has no ability to stop or a frustrated man with his head on his desk pleading “make it go away” communicate clearly that if you are not in support of short-term rental you are in denial fighting against something that is unstoppable. Personally I found it patronizing and counterproductive. Rather than having our heads in the sand or despondently crying out “Make it go away” we are choosing to take a stand against something that we do not believe is in the best interest of our community no matter how popular or widespread it is. Finally, this debate should be concerned with local conditions, not what is happening in Manhattan, West Hollywood or Santa Monica.

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Dear CAC Board Members,

I'd like to take this opportunity to express my support for STR's in June Lake - with, of course, an appropriate level of control and regulation. June Lake relies almost entirely on tourism for its survival and it would be extreme folly to not embrace this rapidly growing segment of the tourist market.

However, at this time, I would like to focus on the Type 1 category - specifically in the Clark Tract. My property would fall under the heading of a Type 1, as it is an on-site Guest House and I am a full-time resident in June Lake.

I am probably the only Type 1 candidate in the Clark Tract. If there are more, I think it's safe to say that the number of potential Type 1's in the Clark Tract is minimal.

My Cabin has a single bed loft bedroom and, when I rented it on a short-term basis, I had a strict occupancy limit of two adults - no exceptions for visitors. That translated into one car in the driveway.

The people that would be attracted to my Cabin are not looking for the Hotel/Motel experience. They want a peaceful, self-contained environment and, if it is not available, they will not come to June Lake.

For the last twelve months I've been renting longer term. The rules have to change for longer term rentals. As a Landlord, you can't restrict tenants from having friends and family over to visit - which means more cars and more potential for issues.

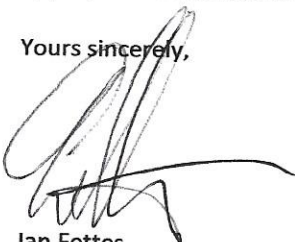
I've been generally fortunate in terms of my tenants. However, we typically now have two vehicles in the driveway, with more at weekends. And, unlike my short-term renters who come to June Lake for the peace and tranquility, my longer-term renters develop their own social network of local friends who want to visit - not to mention friends and family from further afield.

There's a strong case to support the notion that the longer the tenancy, the greater the potential impact on the neighborhood. A 40% occupancy is typical for short-term rentals, whereas longer-term rentals are approaching 100% occupancy.

I cannot comprehend how anyone would conclude that, in a situation such as mine, short-term rentals would be anything other than the least impactful rental option for my neighborhood.

I truly hope that the CAC Board will, at the very least, support Type 1 STR's in the Clark Tract - with, of course, the appropriate controls and regulations.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ian Fettes', with a long horizontal flourish extending to the right.

Ian Fettes

149 Mountain View Lane,

June Lake

September 20, 2017

## Wendy Sugimura

---

**From:** Dorothy Burdette <lildabldoya@suddenlink.net>  
**Sent:** Wednesday, September 13, 2017 1:53 PM  
**To:** Wendy Sugimura  
**Subject:** Short-term rentals not allowed in San Diego, city attorney says - The San Diego Union-Tribune

Please include in emails re SFR for CAC members to read

<http://www.sandiegouniontribune.com/business/tourism/sd-fi-shortterm-rentals-20170315-story.html#share=email~story>



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[www.avast.com](http://www.avast.com)

**Wendy Sugimura**

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**From:** Wendy Sugimura  
**Sent:** Friday, September 29, 2017 1:16 PM  
**To:** Wendy Sugimura  
**Subject:** FW: Short-term Rental Survey - Last Opportunity

----- Forwarded message -----

From: **Thomas G. Duffy, CPA/PFS** <[tom114@dkllpcpa.com](mailto:tom114@dkllpcpa.com)>  
Date: Thu, Sep 28, 2017 at 11:59 PM  
Subject: RE: Short-term Rental Survey - Last Opportunity  
To: Ann Tozier <[anntozier@gmail.com](mailto:anntozier@gmail.com)>

Hi Ann,

I have been mulling over this issue for over a year. My wife, Anne and I bought our cabin/house in June Lake on Silver Meadow Lane 11 years ago. The property had been in the Borst family for about 10 years prior and I am a partner in other real estate ventures with Lee Borst, the son of the prior owner. I have been backpacking and skiing in the Sierra's since the early 70's and have felt a very strong connection with nature and the outdoors from the physical presence of being in the Sierra's. The idea of sharing this experience with others is a gratifying and compelling discussion. I have a STR across the street from my cabin and when I am relaxing, hiking, skiing and enjoying my experience, there have been many others sharing it across the street. The owners of the property across from me have their reasons for the STR and the property management company appears to do a great job of maintenance and review of the property. While the traffic on our self-maintained dirt roads is heavier, our cost of repair of the roads probably would be the same if the STR's were not in the neighborhood. There is also a STR relationship next to my neighbor but this STR has the owner present for most of the year. So, the plusses of the STR relationship, in my opinion, is that it leaves the original owner, who has been in the property for years, still in the capacity of being sensitive to the neighborhood and also needing the STR income to make the ownership of the property still viable. It is bringing a source of support to the local economy in that the vacant property now has tenants that are visiting and enjoying the local offerings and stimulating the local economy and allowing the landlord the ability to keep the property. The cons can be just as compelling in that a couple of bad apples in the tenant screening can really disrupt the local environment. While the economic benefits will probably be the same for the community and the owner, the ambiance and serenity of my Sierra experience will be diminished and tarnished. Fortunately, I have not experienced any of the cons over the last year in my stay at my house in June Lake. While I try to get my cabin every month and stay four to five days at a time, my continued involvement in managing my CPA firm and maintaining client relationships has not allowed me this time in the Sierra's. For the first 5 to 7 years I was there almost every month. I am hopeful that I will be there more as I was in the first 5 to 7 years of ownership. In my time at the cabin over that time period there were no absentee STR's in our area. So now that the times are changing and the economics are more compelling, we will all have to review this STR's policy carefully. In my professional training, I understand the economics of the STR's and the benefits that the owners of the STR's will receive. If the whole Silver Meadow and Nevada streets were to be allowed STR's, I think that the whole experience in the local neighborhood would be negatively affected. Certainly, our little neck of the woods is very private and serene and the STR's could really jeopardize that whole experience. I would not want to see that every house is allowed an absentee owner STR's but I feel that for many that economic reality or investment could be compelling, only for personal economic gain. The owners that are in the properties and renting out rooms to tenants, have a much more vested interest in the community and maintain the ambiance of the experience and are probably making a positive impact to the community and the local experience. So, to your question: Type I STR, yay; Type II STR, NIMBY (nay), but my neighbor across the street is my exception. It all revolves around the intent, compassion, communication and sensitivity of the property owner to control the environment that they are creating around their property.

And last but not least, I have been reviewing all of the emails on the Clark tract roads with the folks up the hill next to our cabin and I want to thank you Ann for your efforts in bringing together the neighborhood and being a voice of reason among the masses. It appears to me that you have taken this all on due to your commitment to make a difference in the community and to bring a certain sense of balance to the local area. I applaud your efforts and commitment and I wish you continued strength in your journey.

Sincerely,

Tom Duffy

**Thomas G. Duffy, CPA/PFS** | Managing Partner

## Wendy Sugimura

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**From:** Carol McCahon <cemccahon@gmail.com>  
**Sent:** Friday, September 29, 2017 2:49 PM  
**To:** Brown, Julie; jora@friendsoftheinyo.org; Al & Patti Heinrich; mrm@shat.com; Jeff Ronci; dave.rosky@gmail.com; Ann Tozier; Wendy Sugimura  
**Subject:** STR in the Clark Tract

I have lived in June Lake for 42 years. Most of those years, I have been a resident of the Clark Tract. I am very much opposed to STR (short term rentals) in the Clark Tract for all the reasons that have been given many, many times. My neighbors, the Escoto's are also opposed, but they are out of town.

Please listen to us, we have spoken, but it doesn't seem like any one is paying attention. We don't want this!

If you must have Short Term Rentals, I propose it is on Nevada Street and Highway 158. Other than those two areas, I am adamantly opposed!

Sincerely,

-

Carol McCahon

## Wendy Sugimura

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**From:** Dorothy Burdette <lildabldoya@suddenlink.net>  
**Sent:** Monday, October 02, 2017 3:34 PM  
**To:** Wendy Sugimura  
**Subject:** Fw: Petersen Tract

Another opinion re SFR

----- Original Message -----

From: "Byron Light" <bhlite@earthlink.net>  
To: "Dorothy Burdette" <lildabldoya@suddenlink.net>  
Sent: Monday, October 02, 2017 3:29 PM  
Subject: Petersen Tract

> Dorothy - sorry for the delay:back and computer problems  
>  
> Please add our names to those strongly opposed to efforts to change our  
> Petersen Tract zoning to STR.  
>  
> Byron H. and Patricia C. Light  
> 903 Mono Drive  
> June Lake, CA

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

**To: Members of the June Lake Citizens Action Committee**

**From: Jill Malone and Rod Goodson**  
**100 Mountain View Lane, June Lake, CA 93529**

**Date: October 2, 2017**

**Re: Concerns about Short-Term Rentals (Type I and Type II)**

We are taking this opportunity to send our concerns to the June Lake CAC at their meeting on October 4, 2017 about short-term rentals in June Lake. Transient rentals have been a topic at June Lake CAC meetings for several years. Attempts at obtaining a transient rental overlay in our area of the Clark Tract in June Lake have met with stiff neighborhood resistance and have been ultimately and appropriately rejected. Our concerns include the following:

1. The continuing issue of transient rentals has caused much discord in the neighborhood. It has pitted neighbor against neighbor, breeding dishonesty and intimidation on the part of its proponents. Sadly this has degraded the harmony and welfare of the neighborhood as the issue drags on without resolution. Homeowners in the neighborhood are overwhelmingly against transient rentals of all types and are continuously on the defensive with respect to their rights. A final resolution that excludes this area of June Lake from all types of transient rentals would be a welcome relief.
2. We have a serious bear intrusion problem in the Clark Tract. Houses on either side of our home have been ransacked, and there are extensive invasions throughout the neighborhood. Much care and a diligent defense against this threat are needed at all times. Residents have a unique knowledge of this problem from seeing damage and hearing reports of the break-ins. They are conscientious in their behavior to prevent this problem. However, transient rentals would bring in people who do not have knowledge of and experience with this bear break-in problem and who are not conditioned to act accordingly. The likely and unfortunate outcome of transient rentals in our area would be an increase in bear break-ins, ultimately teaching these bears to be even bolder in their actions.



3. General opinion in the neighborhood is against transient rentals of all stripes. Repeatedly it has been shown that the overwhelming majority of people who have taken the time to attend CAC meetings in the past few years are against short-term rentals and TRODs. Approximately 40 people attended a

transient rental/TROD workshop meeting, and of those in attendance 30 people signed a statement in opposition to transient rentals and TRODs. This statement was forwarded to the CAC committee.

4. Access in the Clark Tract is limited. This is a remote, difficult-to-reach area. Services that are customary for a visiting tourist are not located in the tract. One must leave the tract for shopping, restaurants, food, or entertainment. This increases traffic and road problems within the tract.
5. The roads are hazardous in the tract. The roads are narrow, and they lack parking and turnaround space. These conditions are intensified in the winter months with snow and ice. However, even in the summer there have been problems with turnarounds, accidents, and emergencies. The photo below documents such a situation in summer when emergency services were called to the scene.



6. Since the roads are privately maintained for both maintenance and snow removal, there is a legal risk of lawsuits against homeowners of these private roads. Opening up these private roads to tourism leaves the homeowners liable to litigation from individuals who drive into the area unaware of the inherent hazardous conditions.
7. Allowing private short-term rentals of any kind detracts from the legitimate hotel businesses in the area that meet all hotel standards and legal requirements (e.g., the Americans with Disabilities Act). These legitimate hotel businesses can be trusted to keep accurate records of all their rentals and pay their required taxes.
8. We and many of our neighbors built or bought into this area because of the unique character of the neighborhood. The character is one of quiet mountain living where one knows one's neighbors, where there is a common interest in maintaining the beauty and serenity of the area, and where the residents understand the hazards of the region and the proper conduct required. All this is threatened by a TROD or any transient rental permit that allows short-term rentals in this area. It is clear that the people in favor of transient rentals are not doing so to maintain the serenity of the region and ensure its safety, but rather to benefit financially from renting short-term to out-of-town tourists.

Please consider these points when contemplating any amendments to the General Plan. Type I and Type II transient rental permits are inappropriate, unwanted, and hazardous in certain areas of June Lake. Specifically, the Clark Tract needs to be excluded from any General Plan amendments authorizing transient rentals. Thank you.



## Wendy Sugimura

---

**From:** Ross Biederman <rebjl1@yahoo.com>  
**Sent:** Wednesday, October 04, 2017 10:15 AM  
**To:** jbrown@mammothresorts.com; jora@friendsoftheinyo.org; heinrichsfour@aol.com; mrm@schat.com; coachronci@gmail.com; Ann Tozier; dave.rosky@gmail.com; Wendy Sugimura; Scott Burns  
**Subject:** CAC meeting tonight

First a heartfelt thank you for the time and energy you devote to the CAC.

Lynda and I urge you to vote NO on Short Term Rentals (type I and type II) within the Clark Tract. Many Clark Tract residents have for years now, at numerous town, CAC, Planning Commission and Board of Supervisors meetings, presented the problems with unacceptable dangerous roads, homeowner liability, safety issues of bringing unknown people weekly to our residential neighborhood along with issues commonly observed with current visitors: noise, garbage, blocked roads, loose dogs. The Planning Dept. in return has offered no solution to our incurred liability, no assurance of any of the STR funds generated returning to June Lake and no demonstrated ability to enforce any of the myriad rules and regulations newly generated to sway us into accepting STRs. This despite opening every recent meeting with the same speech reporting that law enforcement CANNOT adequately monitor existing illegal rentals or enforce existing law. Unless of course, as the Planning Department suggests, we permit STRs next to our homes in which case magically all these problems are resolved.

At the last CAC meeting Planning Dept. personnel dismissed and discounted most, if not all, persons who have reported observed complaints of bad behavior by renters and other tourists in our neighborhoods. Further, we who oppose STRs were depicted in a projected cartoon image with our heads in the sand. The Planning Dept. has degenerated into an openly biased sales dept. for AirBnd and VRBO. Such unprofessional and prejudicial behavior at every meeting I have attended (town meetings, CAC, Planning Commission, Board of Supervisors) for the past 3 years proves them an undependable partner in any venture risking the sanctity of our homes. All this of course is now labeled with the politically correct term of "transparency". Indeed it is transparent; the relentless pushing of STRs is most certainly transparent. Who would this TRULY benefit? Money for the county? Mammoth Mountain? Certainly income for a few self-serving home owners who elected to purchase homes within the Clark Tract and now wish to rent their property expecting neighbors to tolerate the ramifications; something akin to buying a house near an airport and then demanding change to the flights. We've seen this before.

But really in a decent society none of this should be necessary. The elephant in the room is simply that the Clark Tract is zoned SFR and that we, each and every one of us, found that desirable and chose to buy or build a home here. Each of us signed purchase contracts promising to preserve that SFR character. It's time for integrity.

Other towns have resisted this takeover by AirBnB and VRBO whom our Planning Dept seems to represent. We must do the same.

We urge you to protect and preserve our single family residential neighborhood in the Clark Tract and vote NO to STRs in the Clark Tract, both type I and type II.

Sincerely,

Dr. and Mrs. Ross Biederman

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**Sent:** Friday, September 29, 2017 1:16 PM  
**To:** Wendy Sugimura  
**Subject:** FW: Short-term Rental Survey - Last Opportunity

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**Date: October 2, 2017**

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**To:** Brown, Julie; jora@friendsoftheinyo.org; Al & Patti Heinrich; mrm@shat.com; Jeff Ronci; dave.rosky@gmail.com; Ann Tozier; Wendy Sugimura  
**Subject:** STR in the Clark Tract

I have lived in June Lake for 42 years. Most of those years, I have been a resident of the Clark Tract. I am very much opposed to STR (short term rentals) in the Clark Tract for all the reasons that have been given many, many times. My neighbors, the Escoto's are also opposed, but they are out of town.

Please listen to us, we have spoken, but it doesn't seem like any one is paying attention. We don't want this!

If you must have Short Term Rentals, I propose it is on Nevada Street and Highway 158. Other than those two areas, I am adamantly opposed!

Sincerely,

-

Carol McCahon

# **June Lake Citizens Advisory Committee**

## **October 4, 2017**

The meeting was called to order at 7:02 pm. Committee member attendees were Ann Tozier, Jeff Ronci, Patti Heinrich, Julie Brown, Jora Fogg, and Dave Rosky. Bob Gardner was also in attendance.

### **Agenda Items:**

#### **Public Comment:**

Jil Stark: Jil thanked Bob Gardner and the Board of Supervisors for their support of the June Lake trails by increasing next year's budget amount for trails to \$12,000 from this year's \$8,500.

She also added that she is concerned that the new holes SCE cut into the Agnew Dam will allow large amounts of silt to flow from Agnew Lake into Silver Lake. The Silver Lake Cabins Association paid a large sum of money, a number of years ago; to dredge upper Rush Creek as it enters into Silver Lake. Jil was hoping the need for this to be done again could be mitigated. Bob said he would talk to SCE.

**Review of Minutes:** The September 6th CAC minutes were approved.

#### **Board of Supervisors Report (Bob Gardner):**

SCE has completed work on the dams for this year. Next year they will return to cut holes in the Rush Meadow Dam (at Waugh Lake).

Monday, October 16th, the USFS will begin replacement of the restrooms at June Lake Beach. They received a lot of complaints about them this summer.

Caltrans' chip seal of Highway 158 has been delayed until next year. The project was postponed due to weather conditions. Bob added that he would be approaching Caltrans to better maintain their culverts this winter, in June Lake.

#### **Chairperson/Members Reports:**

Chairperson Jeff Ronci: (no comment)

Jora Fogg: The JL Trails Committee meeting is tomorrow (last one of the year) at the Double Eagle Resort, at 9 am. Public comment period is still open for the proposed Down Canyon Trail. See the Mono County website for info and survey access:

<http://www.monocounty.ca.gov/rpac-june-lake/page/june-lake-trails-committee>

Other Members: (no comments, in the interest of time)

**Approve Letter of Appreciation for Community Center Funding:** The Board of Supervisors approved \$4,500 in their budget for the JL Community Center fund next year. Jeff Ronci wrote them a letter of thanks, on behalf of the JL CAC. Ann moved the letter be approved, and the motion passed. Patti added that anyone can make tax-deductible donations to that fund, and it is tax-deductible.

## **Recommendation on June Lake Area Plan Update: Short-Term Rental Policies:**

The agenda item opened with a comment from the public about how offended they were by aspects of last month's County presentation on STRs. In particular they brought up the picture included in the presentation showing a man with his head in the sand. They felt that this was a statement directed at the JL community. Scott Burns clarified that it was a "comment" directed at the County, not the Public. He said it was not meant to insult anyone, but to illustrate that the County needs to know that the issue is not going away.

Dorothy Burdette produced a petition from 37 Petersen Tract residents who signed in opposition to short-term rentals in their tract. There was one signature, also in opposition, from a Williams Tract resident.

The petitions prompted Jeff Ronci to start the agenda discussion with the Williams Tract. The process was to go around the CAC members to find out how they "vote" on Type I and Type II Short-Term Rentals for each tract.

The final tally of these "votes," as well as comments made by members, is attached at the end of these minutes.

Public comment on the agenda item followed:

Al Heinrich: Al made a comment on Ann's survey of the Clark Tract owners. He felt that if Ann had mentioned private road liability, the survey results might have been different. [Note, Ann intentionally did not want to put any bias into the survey email. See email and survey results attached to the minutes.]

Also, Al is opposed to zoning changes and thinks it would decrease property values. In the Highlands and on Nevada St. he knows folks against short-term rentals. Workforce housing would be lost, because if STR were approved some owners would evict long-term renters.

Pat Gale: 3% capacity limits on STR in the Clark Tract are too small. Most folks on Nevada St. do not want to rent short-term, but don't object to STR. In regards to single egress issues, note that there is a single egress for all of June Lake in the winter! Pat had long-term renters in his house and they trashed the house. There is only one workforce unit on Nevada. If STR were limited to summer, would ski season not be a choice?? Limiting STR density to within 200 or 300 feet is "all of Nevada."

Ian Fettes: He was told that his homeowner insurance covers him for liability. Patti Heinrich responded that her insurance agent told her to triple her umbrella policy. Dave Rosky was told to increase his insurance if he were to rent. Jora Fogg added that maybe liability insurance should be required of STR.

Ian continued that he has rented long and short-term. With short-term there are no extra guests and, at his place, only one car. However, with long-term it is different, because you can't restrict long-term renters from having friends over. STR is typically only 40% occupancy, so there is more impact from long-term rentals. STR people come to enjoy June Lake.

Larry Smith (Leonard St): Leonard has a hotel and STR on either side. Patti wants to hold off on the vote for Leonard, so will my street have to wait? How long will this take? When will the BOS decide?

Ralph Lockhart: His was the first STR. He wonders what constitutes a full-timer? The end result is about enforcement. Workforce housing affects the Double Eagle and June Mountain, but he is not

worried about it; he could rent a house for employees if necessary. Will the new regulations apply to existing ones? [No, per Wendy Sugimura.]

Jil Stark: People will continue to rent illegally. How is that going to be handled?

It was decided that Ann Tozier, as secretary, will send her meeting notes of the votes to Wendy, and they will work together to get an accurate tabulation of them. Wendy will then send them out to the members. If everyone is okay with the final votes, then no further review process will be necessary and they can move on to the Planning Commission for review.

Meeting was adjourned at 9:52 pm. Next meeting will be on November 1st at 7 pm.

*Minutes taken by Ann Tozier*

**June Lake Citizens Advisory Committee Recommendation on Short-Term Rentals (Oct. 4, 2017)**

Type I Tally	Type II Tally	Nbrhood / Member Vote	Type I	Type II	Comments
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*(CAC Member Rob Morgan absent)*

No	No	Williams			
		Patti	No	No	Concerns: Single egress, private roads & liability, workforce housing
		Jora	Abstain	Abstain	
		Ann	Yes, summer only	No	Ann was somewhat uncertain but could accept Type I in summer
		David	No*	No	* No on Type I until single egress is resolved then could support Type I on larger lots
		Julie	Abstain	Abstain	
		Jeff	No	No	Concerns: Roads, single access point, liability

No	No	Petersen			
		Patti	No	No	Concerns: Roads, workforce (WF) housing, Crowley STR are reducing WF housing
		Jora	No	No	Lots of long-term renters in Petersen who could be displaced, single egress, lots of neighborhood opposition
		Ann	No	No	Concerns: Private roads, uniform small lot size
		David	No*	No	* No on Type I until single egress is resolved then could support Type I with cap on numbers, Concerns: Single egress and small lots
		Julie	No	No	Type I is different, but votes "no" due to single egress
		Jeff	No	No	Concerns: Small lot sizes, single access point, roads, liability

Postpone	Postpone	Leonard			
		Patti	Postpone	Postpone	Patti feels the CAC should not decide until the BOS has completed their investigation into current illegal STR on Leonard
		Jora	Postpone	Postpone	Agree with Patti
		Ann	Postpone	Postpone	Agree with Patti
		David	Yes	No*	*David might change Type II to a "yes" if the County created a Type II STR that follows the owner rather than the parcel
		Julie	Yes	No*	*Agrees with David on Type II
		Jeff	Postpone	Postpone	Agree with Patti

No Comment	No Comment	Highlands			
		CAC defers to Tract Map Modification and Specific Plan Amendment process for Highlands.			

Type I Tally	Type II Tally	Nbrhood / Member Vote	Type I	Type II	Comments
No Comment	No Comment	<b>Dream Mountain</b>			
		No recommendation. This area may have CC&Rs may prohibit STRs, but this information has been unverifiable. No owners attended workshops or meetings.			

Tie	No	<b>South 158</b>			
		Patti	No	No	Patti feels that Type I rentals also impact workforce housing
		Jora	Yes*	No	Jora is concerned that Type II rentals would impact existing multiple long-term rentals (WF housing) in this area, *Jora recommended a probationary period for Type I rentals
		Ann	No	No	Avalanche prone area, steep roads, private road liability
		David	Yes*	No*	*David had concerns about lumping all of the parcels in this area together. He could accept Type II for the larger lots. He felt workforce housing issues are primarily an issue for Type II rental. He was not so concerned about the terrain in this area as he felt that should be a consideration in the permitting process. He liked the idea of a trial period of 3-4 years for Type I rentals.
		Julie	Yes	No	Julie would like more information about the larger lots to see if they might be compatible with Type II
		Jeff	No	No	Not in favor of any trial periods for STR

Yes, summer with a 3% cap	No	<b>Clark</b>			
		Patti	No	No	Concerns: Roads, road liability, safety, workforce housing
		Jora	Yes*	No	*Type I in summer only, decrease maximum people to 4, limit vehicles to 2 or less, consider further mitigations listed by Wendy at September meeting, Note: Jora was against both STR types for Los Angeles St due to workforce housing there
		Ann	Yes*	No	*Type I in summer only, with density and capacity (numbers) limitaions
		David	Yes*	No	*Type I up to 3% of parcels as counted in entire tract (including Nevada and Silver Meadow), but NOT in winter months
		Julie	Yes*	No	*Type I in summer with 3% cap
		Jeff	No	No	STR people do not go to hotels/motels so his opinion is not based upon ownership of a motel, Concerns: roads, liability, limited access

Type I Tally	Type II Tally	Nbrhood / Member Vote	Type I	Type II	Comments
Yes, year-round	No	Nevada/Silver Meadow			
		Patti	Yes	No	
		Jora	Yes	Yes	Jora wants the Planning Commission to consider the additional rental mitigations listed by Wendy at the September meeting
		Ann	Yes*	No	*Type I in summer only, with density and capacity (numbers) limitations
		David	Yes*	No*	*Type I up to 3% of parcels as counted in entire tract (including Nevada and Silver Meadow). OK in winter also. Would consider Type II for Nevada area if Type II could be changed to lapse with change of ownership
		Julie	Yes	Yes	Julie agrees with capacity limits as calculated tract-wide from Nevada over to Los Angeles St.
		Jeff	No	No	STR people do not go to hotels/motels so his opinion is not based upon ownership of a motel



Documents submitted at Oct. 4, 2017 June Lake CAC meeting

----- Original message -----

From: Ann Tozier <[anntozier@gmail.com](mailto:anntozier@gmail.com)>

Date: 9/10/17 12:35 PM (GMT-08:00)

To:

Subject: Personal Survey on Transient Rentals in the Clark Tract

I am on the June Lake CAC and curious about how each of you (I did a blind copy) in the "Clark Tract" feel about Type I and Type II transient rentals (fewer than 30 days) in your neighborhood. I know that some of you have come to meetings and workshops and made your views clear, but I just grabbed the Silver Lake Pines Snow Removal Fund emails and thought I would do my own quick survey, so bear with me.

Type I are owner occupied, for example someone with a granny unit or an extra bedroom, but the owner must be on site. Type II are transient rentals where the owner is not on site.

The CAC is charged with coming to a recommendation regarding transient rentals in the various neighborhoods of June Lake, so I thought I would reach out to each of you. If you have a moment could you please let me know "yay" or "nay" for each of those two transient rental types.

Thanks so much!!!

Ann Tozier

## Email Survey of Clark Tract Parcel Owners Type I & Type II Short-Term Rentals

180 Individual parcel owners in Clark Tract (Nevada to Los Angeles St.)

145 Developed parcel owners (excluding Los Angeles St. condos, which are, zoned commercial, but including homes accessed directly from Highway 158)

106 Developed parcel owners contacted via email/verbal, 85 responded:

59% of all parcel owners contacted

73% of all developed parcel owners contacted

80% of contacted people responded

Area	Type	NO	NO %	YES	YES %	Undecided	Undecided%	Total
All	I	37	43.5%	44	51.8%	4	4.7%	85
All	II	53	62.4%	29	34.1%	3	3.5%	85
NV-SM*	I	3	27.3%	8	72.7%	0	-	11
NV-SM*	II	5	45.5%	6	54.5%	0	-	11
Upper-LA**	I	34	46.0%	36	48.6%	4	5.4%	74
Upper-LA**	II	48	64.9%	23	31.1%	3	4.0%	74

\* Nevada & Silver Meadow St., Note: 2 non-responders have legal TRODs

\*\* Upper Clark (from California St.) over to Los Angeles St., Note: 2 non-responders had signed past petitions against TRODs

Submitted by Dorothy Burdette  
Oct 4, 2017

## PROTECT SINGLE FAMILY RESIDENCE AREA (PETERSEN TRACT)

Please support us in the effort to inform the county the actual consensus of opinion. The county desires to change our Single Family Residence (SFR) area to Short-Term Rental (STR) area. Our June Lake Area Plan (JLAP) at this time states, "retain the Down Canyon's single-family residential character while providing for additional commercial development along State Route 158 and pockets of higher-density residential uses." This does not say change SFR to commercial use. If you do not voice your opinion the county may change our land use from SFR to STR. When you purchase or build a home in an SFR area you go in knowing there are no night-to-night rentals allowed.

Here are some pros/cons:


- Income for properties sitting vacant part of the year.
- Substandard Private Roads-maintained through Zone of Benefit with County. Paid by homeowners thru property taxes only.
- Income for County (None of TOT that would be generated would come back to the Petersen Tract road maintenance.)
- Our roads are narrow. All property owners – YOU are Responsible for the road in front of YOUR property. With possible increase in traffic you may want to check into YOUR liability insurance.
- Our emergency access is a single point, limited ingress/egress
- Steep topography in the southern section with a few dead-end roads and only one way out. Drivers unfamiliar with driving in snow and ice could end up stuck in the road thereby blocking any entry or outlet.
- There are snow storage issues
- Loss of workforce housing-inventory is already low
- A 2or 3 bedroom house normally accommodating approximately 4 to 6 would be allowed to have 10 guests per short-term rental reservation.
- Improper trash disposal
- Excessive noise after 10 pm
- Possible increase in crime.
- Income for property manager and other business in town and ski area.


By signing this petition we are reminding the county that our voice counts!

The JUNE LAKE CITIZENS ADVISORY COMMITTEE is charged with coming to a recommendation regarding transient rentals in the various neighborhoods of June Lake.

This meeting is scheduled for October 4, 2017 at 7pm in the JL Community Center


Name (print) Address Signature Pro STR/Con STR

Veronica Share 682 Palisades  CON

Mark Stead 181 Rainbow  CON

Nicole Stead 181 Rainbow  CON

Adam Southwick 692 Palisades  CON

Tom Helvie 890 Piute  CON

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Name (print)	Address	Signature	Pro STR/Con STR
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Steve Martire	842 Piute Dr	<i>Steve Martire</i>	CON STR
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JIM BORTOLOTTI	885 PIUTE	<i>Jim Bortolotti</i>	CON
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RONN B. KAUFMANN	830 Piute	<i>Ronn B Kaufmann</i>	CON STR PRO
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Reck Freeman	688 Garnet Dr	<i>Reck Freeman</i>	(CON)
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TODD KIDWELL	(CON 11)	<i>Todd Kidwell</i>	674 MINARET RD JUNE LAKE, CA 93529
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Andrew Cook	(CON)	<i>Andrew Cook</i>	656 Minaret
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Steve Joyce	705 Garnet Dr.	<i>Steve Joyce</i>	(CON)
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NIKI & Matt Meyer	682 Garnet Dr.	<i>Niki &amp; Matt Meyer</i>	(CON)
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Becky Blum	775 GARNET DR	<i>Becky Blum</i>	(CON)
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Jeffrey R Yanez	827 PIUTE DR	<i>Jeffrey R Yanez</i>	(CON)
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John Shickle	869 PALISADES	<i>John Shickle</i>	(CON)
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John Wedderburn	74 CAINWOOD ST	<i>John Wedderburn</i>	(CON)
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Name (print)	Address	Signature	Pro STR/Con STR
Nancy Light	903 Mono Drive	Nancy Light	Con STR
Chris Fichtel	903 Mono Drive	Chris Fichtel	Con STR
Dorothy Burdette	891 Mono Dr.	Dorothy Burdette	Con STR
David C Burdette	891 Mono Dr	D.C. Burdette	Con STR
Loke Connaughton	904 Mono Dr		Con
Gina Connaughton	904 Mono Dr.		Con
Rita Powers	714 Piute Dr.		Con STR
Ralph Oberberg	865 Mono Dr		Con STR
Herbert Cook	882 Mono Dr		Con STR
Sarah Cook	882 Mono Dr		Con STR
Leo Jankowski	850 Mono Dr		Con STR
CAROLE JANKOWSKI	850 Mono Dr.		Con STR
WILSON	761 Steelhead		Con

**This meeting is scheduled for October 4, 2017 at 7pm in the JL Community Center**

<b>Name (print)</b>	<b>Address</b>	<b>Signature</b>	<b>Pro STR/Con STR</b>
---------------------	----------------	------------------	------------------------

John O'Gara 778 Minaret Rd ~~John O'Gara~~ [CON]//  
 Deborah Shields O'Gara " " " ~~Deborah Shields O'Gara~~ STR  
 Norma Jean Deak 783 Steelhead Rd. ~~Norma Jean Deak~~ [CON-STR]  
 Frantisek Deak June Lake ~~Frantisek Deak~~ 11/5  
 Gail K. Ross 735 Steelhead Rd J.L. ~~Gail K. Ross~~ [CON]  
 Ryan Dermody 39 Aspen Grove Lane ~~R Alden~~ [CON]

The JUNE LAKE CITIZENS ADVISORY COMMITTEE is charged with coming to a recommendation regarding transient rentals in the various neighborhoods of June Lake.

This meeting is scheduled for October 4, 2017 at 7pm in the JL Community Center

Name (print)

Address

Signature

Pro STR/Con STR

ANNE HARSLEM 876 PALISADES DR

ALL

Con

Carmen Hernandez Smith 255 Piute Drive

Carmen Hernandez Smith

Con



Submitted by Dorothy Burdette  
Oct. 4, 2017

## PROTECT SINGLE FAMILY RESIDENCE AREA (WILLIAMS TRACT)

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**The JUNE LAKE CITIZENS ADVISORY COMMITTEE is charged with coming to a recommendation regarding transient rentals in the various neighborhoods of June Lake.**

**This meeting is scheduled for October 4, 2017 at 7pm in the JL Community Center**  
**Name (print)                      Address                      Signature      Pro STR/Con STR**

EDWARD G. LANDPHER

75 Pinecrest Ave

P.O. Box 316 - June Lake

3801 Warren St NW

Washington, DC 20016

— Con STR

Submitted by CAC member David Rosky  
Oct. 4, 2017

## Summary of proposals and mitigations

### A. General Direct Mitigations / Regulations / Restrictions for Short Term Rentals

These are the general mitigations/regulations/restriction in Wendy's proposal. These would apply to any area where Type I or Type II will be allowed. I have marked a few possible suggestions in blue. These mitigations and regulations will be assumed to apply anywhere that either Type I or Type II STR is allowed, unless specifically mentioned in the individual area sections.

[illegible]

General mitigations / regulations / restrictions for Type I and Type II

## **B. Type I General Policy**

Allow type I applications in all areas subject to limitations shown in the area sections below.

## **C. Type II General Policy**

Propose that Type II be generally disallowed area-wide as it is currently structured. Currently, a Type II designation stays with the property, even if it is sold. There is a concern that Type II properties would then become investment targets, resulting in undesirable effects.

Nevertheless, acknowledge that some Type II may be appropriate in some areas IF the county redefines Type II in such a way that the designation lapses with transfer of ownership of the property. At that point, applications in appropriate areas could be allowed based on area limitations.

## **D. Variations for individual areas (as defined by staff)**

### **June Lake Highlands**

No Proposal. Policies defined in Highlands Specific Plan (preliminary map plan)

### **Leonard Ave. Area**

1. Type I applications allowed.
2. Type II applications allowed subject to section C above and any additional county restrictions.

### **Petersen / Williams Area**

1. Type II applications not allowed
2. Type I applications not allowed until there is a second ingress / egress road.
3. After additional ingress / egress becomes available, allow type I applications on lots which are large enough to be appropriate for such activity. Do not allow applications on the smaller lots comprising most of the tract.

### **Clark Tract**

1. Allow Type I applications up to a cap of 8 total STR properties in the Clark Tract (3% of total lot count).
2. For "upper Clark Tract" only (areas served by California St. and W. Steelhead St.), STR activity will be disallowed during the mid-winter months (exact limits to be determined by a statistical historical weather analysis).
3. For Nevada St. only, Type II applications are allowed subject to section C above and any additional county restrictions.

### **Dream Mountain Area**

Propose a "no decision" at this point. The status of short-term rentals in Dream Mountain is unclear from the available documentation at this point. Propose revisiting Dream Mountain when more definitive information is available.

### **June Lake Village**

No specific proposal. The village is a mix of things but is mostly MU anyway. We probably don't have enough details to form a specific proposal.

### **Southern 158**

There has been no response. Propose defaulting to what the county is doing county-wide, which would be to allow Type I applications, and allow Type II applications subject to section C above and any other restrictions the county applies.

## **E. Additional provisions not specific to individual properties.**

Wendy's proposals contain a number of items that would be general provisions, mostly incumbent on the county, and not individual mitigations or regulations that homeowners are responsible for implementing. These are listed here (my comments in blue):

<b>General Policies incumbent on county, not homeowners</b>
1. Implement an education campaign on short-term rentals, which may include a flyer in property tax bills or other County mailings/communications, posting regulations on hosting websites (e.g., Airbnb's "Responsible Hosting" webpage), refocus the County's related webpage, information via Mono County tourism marketing and the Chamber of Commerce, and local media articles.
2. Provide for a private right of action for property owners within 100' of a short-term rental, similar to the City and County of San Francisco, which may be resolved in small claims court and does not provide for attorneys' fees recovery.

**General Policies incumbent on county, not homeowners**

3. Consider a "three strikes" mandatory permit revocation policy, similar to Steamboat, CO and Santa Fe, NM. (note: due to legal constraints, the "three strikes" action may be a suspension rather than revocation, pending further hearings)

4. Provide an anonymous reporting hotline for illegal rental activity.

5. The County shall, resources permitting, invest in technology, systems, and services to support identification of violations, tracking, enforcement actions, and other compliance issues, such as provided by Host Compliance.

6. The County shall, within legal constraints, coordinate information between department such as Community Development, Environmental Health, Tax Collector, Sheriff, and Assessor, to ensure comprehensive permitting, taxing, approvals, and enforcement.

7. Require Vacation Home Rental permit numbers to be posted in the title of the short-term rental online advertisement.

8. Existence of a listing for an unpermitted unit is *prima facie* evidence of a violation. (Legally problematic due to first amendment)

9. To support accountability, an annual permit renewal renewal, certification report, and fees shall be required for short-term rental use permits, subject to the following requirements (coordinate this renewal with business license renewal process):

- An annual self-certification under penalty of perjury for all requirements in the June Lake Area Plan and Chapter 26 is required.
- Owner must confirm/update management contact information, to be kept on file by the Community Development Department.
- Payment of fees, as established by the Board of Supervisors, for staff time.
- Failure to submit annual report by deadline would result in a delinquency letter and additional fee.
- After 45 days from the notification letter, failure of an owner to meet all requirements in this section shall be deemed a violation and the permit shall not be renewed.

# Mono County Community Development Department

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

## Planning Division

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

October 19, 2017

To: Mono County Planning Commission

From: Wendy Sugimura, CDD Senior Analyst

Re: WORKSHOP – June Lake Area Plan Update on Short-Term Rental Policies

### RECOMMENDATION

Receive workshop presentation, and provide any desired direction to staff.

### FISCAL IMPACT

No impact.

### BACKGROUND

In late 2016, the June Lake Citizens Advisory Committee (CAC) raised various concerns regarding proposed changes to General Plan Chapter 25, and recommended that language be revised to allow short-term rentals only if consistent with applicable area plans. This language was adopted, and June Lake initiated a process to determine where short-term rentals would and would not be allowed within the community.

At about the same time, Supervisor Johnston presented an alternative proposal on short-term rentals specific to June Lake. His process included identifying and mapping individual neighborhoods that may be appropriate for these rentals, among other requirements, such as a vote of the area property owners. Supervisor Johnston's proposal was presented to the CAC and incorporated into the process.

### DISCUSSION

In December 2016, the June Lake CAC established a subcommittee to help design the area plan update process. The subcommittee established a purpose, need, principles, work plan, and calendar of workshop dates), incorporated Supervisor Johnston's proposal, and assisted with outreach.

Over 45 hours of community meetings were held to discuss short-term rentals and seek viable policy solutions. These meetings represent an impressive commitment of time and energy by community members and the CAC, who worked very hard to be objective and provide a recommendation to the Planning Commission. In addition, the process required well over 250 hours of staff time. The full compilation of area plan update proceedings is provided as Attachment 1.

The purpose of this workshop is to review the entire process to provide a full understanding of the area plan update, and receive input from the Commission. At a future Commission meeting, specific area plan revisions based on CAC recommendations and Commission direction will be considered for recommendation to the Board of Supervisors.

Please note the June Lake CAC recommendations are being checked for accuracy and were not available at the time this agenda packet was published, but will be provided at the meeting.

**ATTACHMENTS**

1. Compilation of area plan update proceedings



## **PROTECT SINGLE FAMILY RESIDENCE AREA (PETERSEN TRACT)**

**Please support us in the effort to inform the county the actual consensus of opinion. The county desires to change our Single Family Residence (SFR) area to Short-Term Rental (STR) area. Our June Lake Area Plan (JLAP) at this time states, "retain the Down Canyon's single-family residential character while providing for additional commercial development along State Route 158 and pockets of higher-density residential uses." This does not say change SFR to commercial use. If you do not voice your opinion the county may change our land use from SFR to STR. When you purchase or build a home in an SFR area you go in knowing there are no night-to-night rentals allowed.**

**Here are some pros/cons:**

- **Income for properties sitting vacant part of the year.**
- **Substandard Private Roads-maintained through Zone of Benefit with County. Paid by homeowners thru property taxes only.**
- **Income for County (None of TOT that would be generated would come back to the Petersen Tract road maintenance.)**
- **Our roads are narrow. All property owners – YOU are Responsible for the road in front of YOUR property. With possible increase in traffic you may want to check into YOUR liability insurance.**
- **Our emergency access is a single point, limited ingress/egress**
- **Steep topography in the southern section with a few dead-end roads and only one way out. Drivers unfamiliar with driving in snow and ice could end up stuck in the road thereby blocking any entry or outlet.**
- **There are snow storage issues**
- **Loss of workforce housing-inventory is already low**
- **A 2or 3 bedroom house normally accommodating approximately 4 to 6 would be allowed to have 10 guests per short-term rental reservation.**
- **Improper trash disposal**
- **Excessive noise after 10 pm**
- **Possible increase in crime.**
- **Income for property manager and other business in town and ski area.**

**By signing this petition we are reminding the county that our voice counts!**

Name (print)	Address	Signature	Pro STR/Con STR
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DAVID DAY 793 M, MARET David Day

# Mono County Community Development Department

PO Box 347  
Mammoth Lakes, CA 93546  
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[commdev@mono.ca.gov](mailto:commdev@mono.ca.gov)

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## June Lake Area Plan Update: Attachment #3

Planning Commission: November 16, 2017

The following potential policies and adjustments were reviewed by the June Lake Citizen's Advisory Committee (CAC) but not included in the recommendation. During discussion, review by the Commission of the potential additional regulations to Chapter 26 was mentioned by several CAC members. Any updated language resulting from the CAC's recommendation is shown in "track changes" edits.

### Edits to General Plan Chapter 25 (countywide):

- 500' noticing distance shall be based on the farthest edge of a contiguous parcel of the same owner.
- Add to Type I rentals (25.020), consistent with Type II language, that the short-term rental must exhibit no reasonable opposition from neighbors within 500' of the subject parcel.

### Existing June Lake Area Plan Policy: to be deleted

**Policy 13.A.3.** Consistent with the intent Chapter 25 of the Land Use Element, approve Transient Rental Overlay Districts (TRODs) only within June Lake residential neighborhoods exhibiting support for allowing transient rental of single family homes.

### Potential June Lake Policy Additions:

**Objective:** 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.

**Policy:** Short-term rentals should be evaluated in June Lake within the context of specific neighborhoods (see map), which vary in character.

**Action:** ~~Policies and regulations may be tailored to meet individual neighborhood character.~~ Insert CAC recommendations on neighborhoods, as modified/recommended by the Planning Commission.

**Policy:** Short-term rentals in single-family residential neighborhoods should support a model for the supplemental sharing of excess assets, rather than a full business or investment model.

**Action:** Only the property owner may apply for a short-term rental permit, and the owner is the responsible party.

**Action:** Short-term rentals shall be limited to one per person or entity and one per parcel.

**Policy:** Type I (owner-occupied) short-term rentals, as defined in Chapter 25, in single family residential land use designations may be considered only under limited and highly regulated conditions in some areas, subject to Chapters 25 and 26.

**Action:** To address concerns raised by the community regarding potential neighborhood impacts, the following requirements and regulations shall be added to Chapter 26 for short-term rentals in June Lake:

- Exterior lighting fixtures shall comply with Chapter 23 – Dark Sky Regulations, which may require existing fixtures to be replaced or retrofitted.
- Owner or manager must respond on-site when warranted within 30 minutes.
- Quiet hours from 10 pm to 7 am, and no outdoor amplified sound.
- Outdoor parties, which may include special events, outdoor events, lawn parties, weddings, and similar activities, are prohibited.
- Owner shall acquire home insurance coverage that specifically covers short-term renting, and shall maintain appropriate liability coverage that covers injury and damage to hosts, guests, and others.
- Owner shall notify lender of change in use to short-term rental, and provide verification to County upon request.
- Maximum occupancy of 10 persons, which may be further limited by septic system or other requirements, and shall be posted over the primary exit door.
- The number of allowed vehicles shall not exceed the number of on-site parking spaces.
- In order to rent a detached and separate unit, the property owner must occupy the other unit on the property.
- Landline phone service is required, and owner must disclose the limited service by cell phone carriers.
- A “hideaway” key or other access is required in the event a guest is locked out.
- For emergency and safety purposes, provide a medical kit consisting of basic first aid equipment, and a survival kit including water, food, radio, batteries, and other common equipment. The kits must be maintained in good order and clearly identified.
- Post management contact information online.
- Interior informational sign shall also include an evacuation plan and a statement regarding respect for adjacent property owner’s rights, neighborhood character, and trespassing concerns.

~~**Action:** In order to limit changes to residential neighborhood character, short-term rentals in the Clark Tract shall not exceed ~3% of parcels, or eight rentals (of 245 parcels), similar to Durango, CO. (Note: this action has been incorporated into the CAC’s recommendation for the Clark Tract.)~~

**Action:** In the Clark Tract, in order to ensure prepared visitors, the following must be disclosed in advertisements and the rental agreement: a description of rough road conditions, and the potential need for chains in winter conditions. Contact information for the manager/owner if road assistance is needed shall be included in the rental agreement.

**Action:** Explore options to offset loss of workforce housing via housing studies and General Plan policy development, which may include requiring a unit be available for long-term rentals for 4-6 months of the year, mitigation fees, etc.

**Policy:** Short-term rentals may be prohibited in neighborhoods with certain safety and/or infrastructure characteristics that are not compatible with visitor use, or where conflicts with other regulations exist.

**Action:** Short-term rentals may be prohibited 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.

**Action:** Short-term rentals may be prohibited in the following neighborhoods due to small parcels and/or emergency access issues: Petersen Tract and Williams Tract.

**Action:** Short-term rentals should not be approved when prohibited by homeowner association CC&Rs and proof is submitted by the HOA to the County in order to respect the local homeowner's determinations and prevent civil legal issues.

**Action:** Uses on federal lands (e.g., Forest Service cabins) are governed by federal regulations, and the County's current understanding is that short-term rentals are allowed up to two weeks. These rentals are required to comply with TOT requirements.

~~**Policy:** Short-term rentals may be considered in non-owner occupied properties, where deemed appropriate, by changing the Land Use Designation to Single Family Residential—Short-Term Rental (SFR-STR).~~

~~**Action:** A short-term rental use shall be subject to a discretionary permit, applicable provisions of Chapter 25, and Chapter 26 (including provisions specific to June Lake). The discretionary permit shall run with the owner and not with the land, and the rental shall be limited to a single party of individuals.~~

~~**Action:** Due to large lot sizes, roads similar to County standards, and proximity to the Village, the Leonard Avenue neighborhood and Highlands Specific Plan area should be redesignated SFR-STR.~~

Note: CAC comments did not appear to support a new land use designation. This issue will be clarified when the CAC reconsiders a recommendation for the Leonard Avenue Area.

**Policy:** To support the tourist economy, short-term rentals are allowed in a limited form, and additional opportunities could be explored.

**Action:** The Rodeo Grounds development could be a potentially appropriate location for short-term rentals, and the opportunity should be explored.

**Action:** Support an even playing field, e.g., equitable regulations and taxation, between hotels/motels and short-term rentals to support existing commercial lodging facilities.

**Policy:** Expand the enforcement effort to be more proactive, comprehensive, and include a larger suite of tools and methods, subject to County resource availability.

**Action:** Implement an education campaign on short-term rentals, which may include a flyer in property tax bills or other County mailings/communications, posting regulations on hosting websites (e.g., Airbnb's "Responsible Hosting" webpage), refocus the County's related webpage, information via Mono County tourism marketing and the Chamber of Commerce, and local media articles.

**Action:** Provide for a private right of action for property owners within 100' of a short-term rental, similar to the City and County of San Francisco, which may be resolved in small claims court and does not provide for attorneys' fees recovery.

**Action:** Consider a "three strikes" mandatory permit revocation policy, similar to Steamboat, CO and Santa Fe, NM.

**Action:** Provide an anonymous reporting hotline for illegal rental activity.

**Action:** The County shall, resources permitting, invest in technology, systems, and services to support identification of violations, tracking, enforcement actions, and other compliance issues, such as provided by Host Compliance.

**Action:** The County shall, within legal constraints, coordinate information between department such as Community Development, Environmental Health, Tax Collector, Sheriff, and Assessor, to ensure comprehensive permitting, taxing, approvals, and enforcement.

**Action:** Require Vacation Home Rental permit numbers to be posted in the title of the short-term rental online advertisement.

**Action:** Existence of a listing for an unpermitted unit is *prima facie* evidence of a violation.

**Action:** To support accountability, an annual permit renewal, certification report, and fees shall be required for short-term rental permits, subject to the following requirements (coordinate this renewal with business license renewal process):

- An annual self-certification under penalty of perjury for all requirements in the June Lake Area Plan and Chapter 26 is required.
- Owner must confirm/update management contact information, to be kept on file by the Community Development Department.
- Payment of fees, as established by the Board of Supervisors, for staff time.
- Failure to submit annual report by deadline would result in a delinquency letter and additional fee.
- After 45 days from the notification letter, failure of an owner to meet all requirements in this section shall be deemed a violation and the permit shall not be renewed.

## Wendy Sugimura

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**From:** Pam Bold <pamela\_bold@yahoo.com>  
**Sent:** Wednesday, November 15, 2017 2:55 PM  
**To:** CD Ritter  
**Cc:** Wendy Sugimura  
**Subject:** Input on June Lake Nightly Rental Policy

Hello C.D.,

Could you please forward this email to the planning commissioners? I am unable to attend tomorrow's meeting and hope to get this to them prior to the meeting.

Thanks,  
Pam

\*\*\*\*\*

Dear Planning Commissioners,

I am writing in consideration of the proposed changes to the nightly rental policy in June Lake. I have participated in some of the workshops as we have a second home in the Peterson Tract. I understand peoples' concerns with the potential impact on the neighborhood, but I also don't know that it will be as bad as some people believe. Many people enjoy the fact that their neighbors do not live in their homes full time and are annoyed by any regular occupation of neighboring properties – even if it is by the owner.

My understanding is that nightly rentals will not be approved for the Peterson Tract until a secondary access is established. Since that is not currently in the pipeline, I believe the proposal to exclude homes participation in nightly rentals on lots of lesser than 7,500 square feet be postponed until the secondary access has been established. To minimize the impact on our neighborhoods, I would suggest that the policy include a maximum number of rental nights per property and/or reducing the maximum number of occupant for smaller lot sizes. Many people who rent on a nightly basis are couples or small families and having diverse offerings would provide the benefits that nightly rentals bring to communities.

I appreciate your consideration and value your time and commitment on behalf of Mono County communities.

Regards,

Pam Bold

760-914-3136

## Wendy Sugimura

---

**From:** Pat Gale <pgale81@gmail.com>  
**Sent:** Wednesday, November 15, 2017 5:41 AM  
**To:** Scott Burns; Wendy Sugimura  
**Cc:** Gardner, Bob & Karen; Brian & Regina Brosgart; Larry & Jamie Marsh; Raymond Sopfe; Karl & Didi Seiberling; Igor Vorobyoff  
**Subject:** Vacation Rentals - Nevada Street / Silver Meadow Lane, June Lake

Wendy and Scott,

Thank you for all your phenomenal efforts and support regarding the vacation rental issue in June Lake.

As we have discussed many times, my family REALLY wants the rules in place to allow us to have control over our home - our property, with the safeguards required by the county. The financial gains by the county, the community, and the individual homeowners, and the controls will be incredibly positive.

Through many meetings over the last couple of years, people have had the opportunity to express their feelings regarding vacation rentals. Most of the issues and objections raised were not relevant to legal rentals, or to the Nevada Street/Silver Meadow Lane neighborhood.

As many will attest, so many things are different - even the road maintenance is separate with the 'upper' Clark Tract and the Nevada Street/Silver Meadow Lane neighborhoods. We have our own issues, as does the 'upper' Clark tract.

Please vote in favor of allowing vacation rentals in the Nevada Street / Silver Meadow Lane neighborhood.

Thank you

Pat and Valorie Gale  
130 Nevada Street



## Wendy Sugimura

---

**From:** Ray Sopfe <rsopfe@yahoo.com>  
**Sent:** Wednesday, November 15, 2017 7:34 AM  
**To:** Pat Gale  
**Cc:** Scott Burns; Wendy Sugimura; Gardner, Bob & Karen; Brian & Regina Brosgart; Larry & Jamie Marsh; Karl & Didi Seiberling; Igor Vorobyoff  
**Subject:** Re: Vacation Rentals - Nevada Street / Silver Meadow Lane, June Lake

Pat Gale, Wendy Sugimura and Scott Burns,

RE: Voicing my support in favor of a TROD on Nevada Street, June Lake, CA,

As I have observed short term versus long term rentals, short term users have far less negative impact on the neighborhood than long term tenants. Short term users have fewer cars and far fewer trips up and down our streets, less traffic on our streets means less dust, fewer speeders, safer streets for children and pets, and lower maintenance on our privately maintained streets. Short term users have less "junk" laying around their yards, fewer vehicles parked in driveways and overall, from what I have seen, have always been respectful in the area. I would rather have a neighboring property used as a short term vacation rental than have long term tenants that move in, bring all their junk and make the property look trashy.

Drive down any street in the area it is obvious which homes are occupied by long term tenants, it will be the property that is way overused and not kept up.

In contrast, the short term vacation rental is kept picked up and clean as it has to be to attract short term vacation users.

I have been a landlord of long term rentals for 40 years and I know what I am talking about, long term tenants DO NOT take care of a property and once they move in, they are there for the long haul.....good or bad, and mostly bad.

Short term rental users would be my preference for properties in our neighborhood.

Sincerely a neighbor of Pat Gale's,

Ray and Betty Sopfe  
164 Nevada Street  
June Lake, CA

> On Nov 15, 2017, at 5:40 AM, Pat Gale <pgale81@gmail.com> wrote:

>

> Wendy and Scott,

>

> Thank you for all your phenomenal efforts and support regarding the vacation rental issue in June Lake.

>

> As we have discussed many times, my family REALLY wants the rules in place to allow us to have control over our home - our property, with the safeguards required by the county. The financial gains by the county, the community, and the individual homeowners, and the controls will be incredibly positive.

>

> Through many meetings over the last couple of years, people have had the opportunity to express their feelings regarding vacation rentals. Most of the issues and objections raised were not relevant to legal rentals, or to the Nevada Street/Silver Meadow Lane neighborhood.

>

> As many will attest, so many things are different - even the road maintenance is separate with the 'upper' Clark Tract and the Nevada Street/Silver Meadow Lane neighborhoods. We have our own issues, as does the 'upper' Clark tract.

>

> Please vote in favor of allowing vacation rentals in the Nevada Street / Silver Meadow Lane neighborhood.

>

> Thank you

>

> Pat and Valorie Gale

> 130 Nevada Street

## Wendy Sugimura

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**From:** Igor Vorobyoff <igorthe fifth@gmail.com>  
**Sent:** Wednesday, November 15, 2017 12:09 PM  
**To:** Wendy Sugimura  
**Cc:** Ray Sopfe; Pat Gale; Scott Burns; Gardner, Bob & Karen; Brian & Regina Brosgart; Larry & Jamie Marsh; Karl & Didi Seiberling; Tom Duffy; Ken & Elizabeth Corathers  
**Subject:** Re: Vacation Rentals - Nevada Street / Silver Meadow Lane, June Lake

Hello Wendy,

As a permanent resident next-door to a short-term rental home in our little community of 17 properties, I strongly support approval of vacation rentals on Nevada Street and Silver Meadow Lane. I've had no reason to complain about tenants over the last several years. On the contrary I enjoy interacting with them and sharing my knowledge of the Loop. They, in turn, appreciate the opportunity to learn more about life in the Loop than they would in a segregated tourist enclave. My own best travel memories center on such person to person contacts. Good memories mean return visitation, which is great for our economy.

I know of no spoken opposition to this idea in our separate corner of the Clark Tract. People in the rest of the tract oppose short-term rentals, and rightly so. Their issues and needs are different from ours. I feel that decisions regarding short-term rentals should not be imposed on the entire tract, but instead taken on a case by case basis with consideration for local wishes.

We have a good relationship with the rest of the tract. We are under their wing for snow removal, and cooperate on drainage issues. Think of us as England and Wales. Issues like these should never descend to "us against them."

Please convey my thoughts to the Planning Commission.

Thanks,

Igor Vorobyoff  
35 Silver Meadow Ln.  
760-914-1564

Sent from my iPad

> On Nov 15, 2017, at 8:15 AM, Wendy Sugimura <wsugimura@mono.ca.gov> wrote:

>

> Thank you, Ray and Pat, for your comments. I'll forward them to the Planning Commission at tomorrow's meeting.

>

> -----Original Message-----

> From: Ray Sopfe [mailto:rsopfe@yahoo.com]

> Sent: Wednesday, November 15, 2017 7:34 AM

> To: Pat Gale <pgale81@gmail.com>

> Cc: Scott Burns <sburns@mono.ca.gov>; Wendy Sugimura <wsugimura@mono.ca.gov>; Gardner, Bob & Karen <bob.karen@gmail.com>; Brian & Regina Brosgart <brosgart@hotmail.com>; Larry & Jamie Marsh <jlmarsh@uci.edu>; Karl & Didi Seiberling <seiberlink05@yahoo.com>; Igor Vorobyoff <igorthe fifth@gmail.com>

> Subject: Re: Vacation Rentals - Nevada Street / Silver Meadow Lane, June Lake

>

> Pat Gale, Wendy Sugimura and Scott Burns,

# **June Lake Citizens Advisory Committee**

**December 6, 2017**

The meeting was called to order at 7:07 pm. Committee member attendees were Ann Tozier, Jeff Ronci, Patti Heinrich, Julie Brown, Jora Fogg, and Dave Rosky. Bob Gardner was also in attendance.

## **Agenda Items:**

### **Public Comment:**

Wendy Sugimura announced that Scott Burns would be retiring December 30<sup>th</sup>, and passed around a "Thank You" card in order for anyone who would like to sign it.

Ann Tozier commented that she saw some duck hunters with rifles near Rush Creek and the Silver Lake Campground. They had parked across from a no shooting sign. She wondered about the hunting regulations on the loop and whether they were in compliance, as they claimed to her that they were, and who to talk to about this.

Jora Fogg let us know that the Friends of the Library had received a donation toward window replacement in the library.

Maribeth Kramer asked for a status update on the request from some community members for the construction of a skateboard park in June Lake. Jeff Ronci replied that the current roadblock is finding an available and suitable location for such a park. Maribeth wondered if it could be built behind the old Sheriff's building next to the JL Community Center.

**Review of Minutes:** The October 4th CAC minutes were approved.

### **Board of Supervisors Report (Bob Gardner):**

Caltrans completed culvert cleaning in June Lake and wanted to be notified if any of them become clogged. Meanwhile, the June Lake street lights still seem to go on and off at intervals, and Bob commented that SCE was still looking into this.

The Board of Supervisors is continuing to work on County cannabis regulations. They have extended a moratorium on cultivation within the County through November 2018. Some growers in North County are pushing for approval. Hopefully by March 2018 the County will have some regulations written up. The November ballot may include a measure for a tax on growers and sellers to vote on.

The ESTA summer shuttle in JL was up 89% in ridership from last summer, but still not ridden by many. Only one businessperson showed up at the ESTA meeting to talk about raising subsidy money for it again for next year. The inclination is to not provide the service next summer. Maribeth commented from the audience that the shuttle had not adhered well to its advertised schedule. Ann thought they should try it one more summer before abandoning the service. Bob Gardner said he would think about it some more before.

Thanks were given to the JL Women's Clubs for events they sponsor. Bob also introduced John Decoster of Insane Audio, a relatively new business in town, and Jamie Schectman of the Mountain Riders Alliance, who recently moved to town.

### **Chairperson/Members Reports:**

Chairperson Jeff Ronci: Jeff commented that holiday reservations for the coming winter were up, and hotels are busy from the 20<sup>th</sup> of December through the 10<sup>th</sup> of January. Also, there is a need for long-term rentals so he has converted his 6 A-frames of the Whispering Pines Motel into long-term rentals.

Patti Heinrich: There will be a "Breakfast with Santa" this coming Saturday from 8-10 at the JL Community Center. Adults are \$5 and children are free. Wednesday, December 16<sup>th</sup>, there will be a Christmas wreath-decorating event at the Community Center. Bring your own wreath.

Julie Brown: December 15<sup>th</sup> is the projected opening day for June Mountain.

Other Members: (no comments)

### **Recommendation on June Lake Area Plan Update: Short-Term Rental Policies:**

Wendy Sugimura updated the CAC that the STR rental issue, as it relates to updates to the June Lake Area Plan, had been presented to the Planning Commission, in great depth. The Commission took no formal vote, but they indicated that they were inclined to accept the JL CAC recommendations. The CAC still needs to vote on the Leonard Avenue neighborhood. Wendy went through the agenda handout.

The CAC then took a vote on STR's on Leonard Avenue. The vote was unanimous in favor of both Type I and Type II rentals for that neighborhood. Reasons given for the approval included ample ingress/egress, surrounding businesses in the Village, and County maintained roads.

Type I rentals in the "South Highway 158" area had been a tie, so discussion of that area ensued. It was noted that the housing in the demarcated neighborhood is very diverse. There were concerns for the workforce housing there also. No conclusions were reached.

Discussion of the proposed June Lake Area Plan update, provided by Wendy, followed. Some of the comments by members were:

Ann wanted road condition and liability language added to the reasons against rentals in relevant neighborhoods, where these constraints applied. It was decided to remove all reasons for allowing or not allowing Type I or II rentals in each neighborhood from the JL Area Plan update language. Also, Ann thinks that with Type I rentals it should be specified that the owner must live there and be present when it is rented. A long discussion of this followed.

There were some concerns about occupancy limitations, and how to define them.

Jeff felt that Type II rentals should preferably be required to hire a property management company. Also, they should be subject to County TOT audit procedures. The County should be doing this already for existing TROD's. Wendy said that is included in TROD Chapter 26 regulations.

Jora suggested the CAC adopt Action 13.M.4.c, from Wendy's handout. Wendy stated it needed rewording. Jora was supportive of Actions 13.M.7.d and 13.M.7.g.

Patti felt it was important to have both Type I and Type II permits follow the owner and not the property. Currently only Type I rental permits work like that. She also handed out a page of thoughts she had about the Area Plan update (included in these minutes at the end).

Julie supported the 3% cap on STR in the Clark Tract. Patti felt that if the 3% cap was calculated from the developed parcel total, rather than the all parcel total, that an annual review process could

adjust the numbers if any parcels were developed during the year. She withdrew this suggestion when Wendy stated that such a review would never happen.

Wendy is going to write up her notes from the meeting and send out to everyone on the CAC for corrections, prior to the next Planning Commission meeting in January. The updates would most likely reach the BOS in February or March of 2018.

**Report of Planning Activities:** There were none.

Meeting was adjourned at 9:11 pm. Next meeting will be on January 3, 2018, at 7 pm.

Minutes taken by Ann Tozier

Patti Heinrich

STR additional regulations: Clark tract

I would like to add the following Regulations to the STR:

- 1) Must be primary resident & present when rent.
  - 2) Can't be used by Airbnb
  - 3) Renters limited, 2 per rented Bedroom
  - 4) On-site parking required, no street parking
  - 5) Must comply with County & ADA Requirements
  - 6) Only one unit on the property can be rented
  - 7) permit renew annually
  - 8) TOT Tax
  - 9) permit Revoke process
  - 10) Evidence of Road maint. (ann provide)
- Action.
- 1) Vote on 3% parcel (should be developed only)
  - 2) explore New Tourism Improvement District fee in addition to TOT on Hospitality

# Mono County Community Development Department

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

## Planning Division

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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

December 21, 2017

To: Mono County Planning Commission

From: Wendy Sugimura, CDD Senior Analyst

Re: WORKSHOP – June Lake Area Plan Update on short-term rental policies

### RECOMMENDATION

Receive workshop presentation, and: 1) Review the June Lake Citizens Advisory Committee's recommendations on Chapter 25 and the June Lake Area Plan update for short-term rentals and modify as desired; 2) Consider whether any June Lake Area Plan amendments should apply countywide to short-term rental regulations (Chapters 25 & 26) and provide direction to staff, 3) Direct staff to bring back a General Plan Amendment at a future meeting, and 4) Provide any additional desired input.

### FISCAL IMPACT

Staff time for the General Plan Amendment is included in the current budget, providing for some short-term rentals in June Lake could increase TOT revenues for the County overall, and enforcement and monitoring of illegal rentals is an unquantified increased cost.

### BACKGROUND

In late 2016, the June Lake Citizens Advisory Committee (CAC) raised various concerns regarding proposed changes to General Plan Chapter 25, and recommended that language be revised to allow short-term rentals only if consistent with applicable area plans. This language was adopted, and June Lake initiated a process to determine where short-term rentals would and would not be allowed within the community.

At the Nov. 16 meeting, the Planning Commission held a workshop to review the results of over 50 hours of community meetings to develop the process, hold community discussions, review the input results, and review the CAC's preliminary recommendations. The full compilation of area plan update proceedings was published with the Oct. 19 Planning Commission meeting packet and can be accessed at

[http://monocounty.ca.gov/sites/default/files/pc\\_agenda\\_packet\\_10.19.17.pdf](http://monocounty.ca.gov/sites/default/files/pc_agenda_packet_10.19.17.pdf) (starting on p. 199).

### DISCUSSION

At its Dec. 6 meeting, the June Lake CAC finalized its short-term rental recommendation that includes amendments to Chapter 25 (applicable countywide); the addition of "issues, opportunities and constraints" to the June Lake Area Plan; and further policy amendments to specify rental locations (including Leonard Avenue), additional regulations, and an enhanced enforcement program for the June Lake Area (see Attachment 1).



The CAC was evenly split or chose not to make a recommendation on the South Hwy 158 neighborhood for Type I's and the Dream Mountain neighborhood (see Attachment 2 for neighborhood maps). The CAC agreed Type II's should not be allowed in the South Hwy 158 neighborhood. As a result, the CAC discussed that these two areas default back to the countywide standards where Type I and II could be permitted in Dream Mountain and Type I only in South Hwy 158, subject also to the additional policies identified in the June Lake Area Plan.

Another neighborhood that may bear specific discussion is the Nevada Street portion of the Clark Tract. Whether to split this street from the larger neighborhood has been on the table throughout the process, from the initial discussion of neighborhood maps, to the workshop "sticky dot" exercises, through an evaluation of the data, and didn't seem to gain any traction. Ultimately, however, the CAC recommendation did split out this street to a certain degree. The final CAC recommendation provides for year-round Type I rentals (as opposed to seasonal in the rest of the Clark Tract), and prohibits Type II rentals, although some CAC members were in favor of allowing Type II's on this street.

The CAC also requested an approval type that is specific to the property owner and does not run with the land for both Type I (owner occupied) and Type II (non-owner occupied) rentals, and provides for annual renewals, inspections, and fees. A similar permit type may be needed for commercial cannabis operations. The mechanism currently used by the County for short-term rental approvals does not address annual renewals, and could be refined given the potential for more approvals specific to the owner and the operation of the use. Therefore, in addition to the area plan text amendments, a new permit type that would apply countywide may also be brought forward with the General Plan Amendment in Attachment 1.

In addition, the Mono Lake Kutzadika<sup>a</sup> Tribe requested to meet on June Lake short-term rentals, and staff attended a meeting on December 1, 2017. The tribal representative, Ms. Charlotte Lange, expressed that some tribal members were concerned that allowing short-term rentals could incentivize more construction, which could create more impacts to the land, which is sacred. Staff responded that the permit applications to date have been for existing single-family units, not for new construction.

## **ATTACHMENTS**

1. June Lake CAC recommendations from the Dec. 6, 2017, meeting
2. June Lake Neighborhood Maps
3. Public Comments

**June Lake Citizens Advisory Committee Recommendation on Short-Term Rentals (Oct. 4, 2017, updated Dec. 6, 2017)**

Type I Tally	Type II Tally	Nbrhood / Member Vote	Type I	Type II	Comments
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*(CAC Member Rob Morgan absent)*

No	No	Williams			
		Patti	No	No	Concerns: Single egress, private roads & liability, workforce housing
		Jora	Abstain	Abstain	
		Ann	Yes, summer only	No	Ann was somewhat uncertain but could accept Type I in summer
		David	No*	No	* No on Type I until single egress is resolved then could support Type I on larger lots
		Julie	Abstain	Abstain	
		Jeff	No	No	Concerns: Roads, single access point, liability

No	No	Petersen			
		Patti	No	No	Concerns: Roads, workforce (WF) housing, Crowley STR are reducing WF housing
		Jora	No	No	Lots of long-term renters in Petersen who could be displaced, single egress, lots of neighborhood opposition
		Ann	No	No	Concerns: Private roads, uniform small lot size
		David	No*	No	* No on Type I until single egress is resolved then could support Type I with cap on numbers, Concerns: Single egress and small lots
		Julie	No	No	Type I is different, but votes "no" due to single egress
		Jeff	No	No	Concerns: Small lot sizes, single access point, roads, liability

Yes	Yes	Leonard			
		Patti	Yes	Yes	Consensus that Type I & II are appropriate due to condition of roads and maintenance under a ZOB, and homeowner acceptance. Type I and II must run with the owner, not with the land.
		Jora	Yes	Yes	
		Ann	Yes	Yes	
		David	Yes	Yes	
		Julie	Yes	Yes	
		Jeff	Yes	Yes	

No Comment	No Comment	<b>Highlands</b>			
		CAC defers to Tract Map Modification and Specific Plan Amendment process for Highlands.			
<b>Type I Tally</b>	<b>Type II Tally</b>	<b>Nbrhood / Member Vote</b>	<b>Type I</b>	<b>Type II</b>	<b>Comments</b>
No Comment	No Comment	<b>Dream Mountain</b>			
		No recommendation. This area may have CC&Rs may prohibit STRs, but this information has been unverifiable. No owners attended workshops or meetings.			

<b>Tie</b>	<b>No</b>	<b>South 158</b>			
		Patti	No	No	Patti feels that Type I rentals also impact workforce housing
		Jora	Yes*	No	Jora is concerned that Type II rentals would impact existing multiple long-term rentals (WF housing) in this area, *Jora recommended a probationary period for Type I rentals
		Ann	No	No	Avalanche prone area, steep roads, private road liability
		David	Yes*	No*	*David had concerns about lumping all of the parcels in this area together. He could accept Type II for the larger lots. He felt workforce housing issues are primarily an issue for Type II rental. He was not so concerned about the terrain in this area as he felt that should be a consideration in the permitting process. He liked the idea of a trial period of 3-4 years for Type I rentals.
		Julie	Yes	No	Julie would like more information about the larger lots to see if they might be compatible with Type II
		Jeff	No	No	Not in favor of any trial periods for STR

<b>Yes, summer with a 3% cap</b>	<b>No</b>	<b>Clark</b>			
		Patti	No	No	Concerns: Roads, road liability, safety, workforce housing
		Jora	Yes*	No	*Type I in summer only, decrease maximum people to 4, limit vehicles to 2 or less, consider further mitigations listed by Wendy at September meeting, Note: Jora was against both STR types for Los Angeles St due to workforce housing there
		Ann	Yes*	No	*Type I in summer only, with density and capacity (numbers) limitaions
		David	Yes*	No	*Type I up to 3% of parcels as counted in entire tract (including Nevada and Silver Meadow), but NOT in winter months
		Julie	Yes*	No	*Type I in summer with 3% cap
		Jeff	No	No	STR people do not go to hotels/motels so his opinion is not based upon ownership of a motel, Concerns: roads, liability, limited access

Type I Tally	Type II Tally	Nbrhood / Member Vote	Type I	Type II	Comments
Yes, year-round	No	Nevada/Silver Meadow			
		Patti	Yes	No	
		Jora	Yes	Yes	Jora wants the Planning Commission to consider the additional rental mitigations listed by Wendy at the September meeting
		Ann	Yes*	No	*Type I in summer only, with density and capacity (numbers) limitations
		David	Yes*	No*	*Type I up to 3% of parcels as counted in entire tract (including Nevada and Silver Meadow). OK in winter also. Would consider Type II for Nevada area if Type II could be changed to lapse with change of ownership
		Julie	Yes	Yes	Julie agrees with capacity limits as calculated tract-wide from Nevada over to Los Angeles St.
		Jeff	No	No	STR people do not go to hotels/motels so his opinion is not based upon ownership of a motel

# Mono County Community Development Department

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## Short-Term Rentals General Plan Amendment June Lake Citizens Advisory Committee (CAC) Recommendation

### **SECTION I. EDITS TO EXISTING GENERAL PLAN CHAPTER 25 (countywide):**

#### **DEVELOPMENT STANDARDS**

#### **CHAPTER 25 – SHORT-TERM RENTAL**

##### Sections:

- 25.010 Intent.
- 25.020 Establishment of Type I Short-term Rental: Owner-Occupied.
- 25.030 Establishment of Type II Short-term Rental: Not Owner-Occupied.
- 25.040 Notice requirements.
- 25.050 Uses permitted.
- 25.060 Uses permitted subject to director review
- 25.070 Uses permitted subject to use permit
- 25.080 Additional requirements

##### **25.010 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.

##### **25.020 Establishment of Type I Short-Term Rental: Owner-Occupied**

Type I short-term rentals are owner-occupied or associated with an owner-occupied principal residence. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum a sleeping room (with shared full bathroom). Rental is limited to a single party of individuals, and the owner is required to be present during the rental. The short-term rental use may be permitted for any single-family unit having land use designation(s) of SFR, ER, RR, MFR-L or RMH subject to a discretionary permit for short-term rentals-Use Permit, if consistent with applicable Area Plan policies, and must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel.<sup>14</sup> Fees for appeal of Type I Use Permit decisions shall be waived. The ~~use~~ permit for this rental shall run with the owner and not the land, and shall terminate upon a change of ownership. ~~Fees for appeal of Type I Use Permit decisions shall be waived.~~

##### **25.030 Establishment of Type II Short-Term Rental: Not Owner-Occupied**

Type II short-term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The short-term rental use may be established on any parcel (or group of parcels) with a single-family unit,, meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH. The short-term rental must be consistent with

applicable Area Plan policies, must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year-round access.

In addition to the requirements of this chapter, initiation and application for a Type II short-term rental (except in June Lake, see below) shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters STR (e.g., SFR-STR) would indicate a Type II short-term rental is permitted.

Per the June Lake Area Plan, Type II short-term rental approvals in June Lake are specific to the owner and does not run with the land.

#### **25.040 Notice requirements.**

A. Notice shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.

B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius measured-drawn from the nearest limits of the project parcel that is subject of the land use application. If a contiguous parcel (or parcels) are under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel, but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed. Further, any property owners, regardless of their location or proximity to the parcel subject to a land use application, may receive notice as long as they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given to those properties at least 120 days in advance of the hearing by mail to all persons whose names and addresses appear on the latest adopted tax roll of the County.

#### **25.050 Uses permitted.**

The following uses shall be permitted with a short-term rental approval, plus such other uses as the commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

A. All uses permitted in the underlying land use designation.

B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

#### **25.060 Uses permitted subject to director review.**

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

#### **25.070 Uses permitted subject to use permit.**

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

#### **25.080 Additional requirements.**

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family or multi-family residence located within an approved short-term rental established by this chapter, for a period of less than

thirty (30) days, must first obtain a vacation home rental permit and comply with all applicable requirements of that permit, as set forth in Chapter 26, Transient Rental Standards and Enforcement.

Parcels located within conditional development zones (avalanche) shall not be allowed short-term rentals during the avalanche season, November 1 through April 15.

#### **25.020 Establishment of Type I Short-Term Rental: Owner-Occupied**

##### **25.040 Notice requirements.**

- A. Notice shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.

Delete footnote 14: ~~The June Lake Area Plan will be revised shortly after the adoption of this chapter to identify appropriate areas for short-term rentals. Until the Area Plan revision is complete, no short-term rental applications shall be processed for June Lake. After Area Plan revision, applications can be accepted and evaluated for consistency with June Lake Area Plan policies per 25.010, 25.020, and 25.030.~~

## **SECTION II. JUNE LAKE AREA PLAN: PROPOSED ISSUES, OPPORTUNITIES AND CONSTRAINTS**

### **Community Development: Land Use**

16. The short-term rental market (i.e., rentals for less than 30 days) in residential neighborhoods has exploded worldwide, exhibiting a 15x growth rate from 2008 to 2016, and is also affecting June Lake. The market is dynamic and seasonal, and rentals have become mainstream. No “silver bullet” exists; a variety of creative solutions and mechanisms are needed to address the complexity of the issue. Effort is being made to avoid the trap of “yes” vs. “no,” which results in a polarized discussion that does not delve into nuances of how to best tailor policies and regulations to solve problems and take advantage of opportunities.
17. The short-term rental phenomenon in residential neighborhoods has some basis in the idea that excess assets can be rented to or shared with others, potentially for a fee that benefits the owner. Given the growth in the short-term rental market, the market has evolved from a small-scale supplemental sharing model to a full investment or business model.
18. In order to provide opportunity for public input, develop and identify any consensus/common ground in the best interests of the community, engage residents in conversations about the character of their neighborhoods, and seek certainty and finality regarding short-term rentals, over 50 hours of community workshops were held supported by over 200 hours of staff time since December, 2016. Workshops included education on the existing industry/market, County regulations and identification of community character; technical considerations and issues of individual neighborhoods; concerns and negative impacts; opportunities and benefits; and potential solutions; and the input is funneled into the development of policies and regulations.
19. Concerns expressed about short-term rentals include disruption of the sense of neighborhood, impacts to quality of life, inappropriate behavior and lack respect for the neighborhood by renters, lack of enforcement, poor management, reduction in workforce housing units and property values, reduction in safety, inequitable competition for traditional hotels/motels, private road ownership and liability, road conditions, inadequate ingress and egress, small lot sizes, and environmental and wildlife issues.
20. Opportunities expressed about short-term rentals include meeting a tourism market need, economic development for June Lake, tax revenue for the County, assisting homeowners in keeping and upgrading their properties, the potential for reduced impact compared to long-term rentals, accountability and enforcement through regulation, protecting property rights, and educating, socializing with, and serving as ambassadors to visitors.
21. Very few legal mechanisms exist that require accountability by online rental platforms, and some of these platforms are lobbying for regulations at the state level to limit local government power. As a result, a regulatory solution is not likely to emerge by regulating online platforms any time soon unless legal proceedings are pursued.
22. Differentiating between neighborhood impacts of illegal rentals vs. legal rentals is difficult, and the court of public opinion often does not recognize a difference. The County has received very few complaints and had only one enforcement case to date against regulated and properly permitted short-term rentals.
23. Local governments like Mono County are challenged to provide cost effective enforcement, whether rentals are legal or illegal, due to 1) rental properties spread across many hosting platforms; 2) listings being highly dynamic, constantly changing and requiring frequent monitoring and tracking; 3) data not easily accessible through the hosting platforms, making acquisition of addresses, owners, frequency of renting, etc., very difficult; and 4) hosting



platforms that prevent property owners from including permit data on their listing. A multi-pronged enforcement effort is needed to be successful, and should be coordinated across County departments.

24. Industry data indicates short-term rentals will not stop if they are banned or prohibited. They will continue to be an issue that potentially impacts neighborhoods and requires a County response.

#### Community Development: Housing

25. The increase in short-term rentals in single-family residential areas has the potential to further reduce the already limited housing stock available for workforce housing.

#### Community Development: Tourism

61. Short-term rentals (rentals less than 30 days) in single-family residential areas meets a tourism market need and has the potential to utilize existing units for additional visitor accommodations, rather than units remaining vacant and not contributing to the local economy.

### **SECTION III. PROPOSED JUNE LAKE AREA PLAN POLICY AMENDMENTS**

Delete old Policy 13.A.3. ~~Consistent with the intent Chapter 25 of the Land Use Element, approve Transient Rental Overlay Districts (TRODs) only within June Lake residential neighborhoods exhibiting support for allowing transient rental of single family homes.~~

#### **Add the following new policies:**

**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.

**Policy 13.M.1.** Short-term rentals are subject to Chapter 25 and 26 of the General Plan Land Use Element, with the following specifications based on the context of individual neighborhoods (see map), which vary in character.

**Action 13.M.1.a.** Prohibit Type I and Type II rentals in the Williams Tract and Petersen Tract.

**Action 13.M.1.b.** Defer short-term rental housing decisions for the Highlands to the appropriate tract map and specific plan procedures.

**Action 13.M.1.c.** No public input was received from the Dream Mountain neighborhood, and therefore short-term rentals may be permitted subject to the discretionary permit(s) for short-term rentals and June Lake area plan policies.

**Action 13.M.1.d.** In the Clark Tract, Type I rentals may be permitted, subject to the discretionary permit(s) for short-term rentals and June Lake area plan policies, year-round on Nevada Street/Silver Meadow and summer only in the rest of the tract, with a maximum cap of 8 parcels total (3% of existing parcels) including existing Transient Rental Overlay Districts (TRODs). New Type II rentals are prohibited.

**Action 13.M.1.e.** In the South 158 neighborhood, new Type II rentals are prohibited. The CAC was evenly split on Type I rentals, and therefore Type I's may be permitted subject to discretionary permit(s) for short-term rentals and June Lake area plan policies.

**Action 13.M.1.f.** Type I and Type II rentals may be permitted in the Leonard Avenue neighborhood subject to discretionary permit(s) for short-term rentals and June Lake area plan policies. Type II rental approvals are specific to the owner (not the property) in the Leonard Avenue neighborhood.

**Policy 13.M.2.** Type I and Type II short-term rental approvals are issued to the property owner and do not run with the land. Sale or transfer of the property, or the property no longer meets the definition of a Type I rental per 25.020, renders the approval to rent null and void.

**Policy 13.M.3.** Short-term rentals in single-family residential neighborhoods should support a model for the supplemental sharing of excess assets, rather than a full business or investment model.

**Action 13.M.3.a.** Only the property owner may apply for a short-term rental permit, and the owner is the party directly responsible for the management of the unit.

**Action 13.M.3.b.** Short-term rental permits shall be limited to one per person or entity and one per parcel.

**Policy 13.M.4.** Type I (owner-occupied) short-term rentals, as defined in Chapter 25, in single family residential land use designations may be considered only under limited and highly regulated conditions in some areas, subject to Chapters 25 and 26.

**Action 13.M.4.a.** To address concerns raised by the community regarding potential neighborhood impacts, the following requirements and regulations shall be added to Chapter 26 for short-term rentals in June Lake:

- Exterior lighting fixtures shall comply with Chapter 23 – Dark Sky Regulations, which shall require existing fixtures to be replaced or retrofitted to be compliant.
- Owner must be able to respond within a reasonable timeframe, preferably within an hour.
- Quiet hours from 10 pm to 7 am, and no outdoor amplified sound.
- Outdoor parties are prohibited, including but not limited to special events, outdoor events, lawn parties, weddings, and similar activities.
- Owner shall acquire home insurance coverage that specifically covers short-term renting, and shall maintain appropriate liability coverage that covers injury and damage to hosts, guests, and others.
- Owner shall notify lender of change in use to short-term rental, and provide verification to County upon request.
- The number of allowed vehicles shall not exceed the number of on-site parking spaces.
- In order to rent a detached and separate unit, the property owner must occupy the other unit on the property consistent with the definition of a Type I rental in 25.020.
- Landline phone service is required, and owner must disclose the limited service by cell phone carriers.
- A "hideaway" key or other access is required in the event a guest is locked out.
- For emergency and safety purposes, provide a medical kit consisting of basic first aid equipment, and a survival kit including water, food, radio, batteries, and other common equipment. The kits must be maintained in good order and clearly identified.
- ~~Post management contact information online.~~ *Comment: Staff recommends deleting.*

- Interior informational sign shall also include an evacuation plan and a statement regarding respect for adjacent property owner's rights, neighborhood character, and trespassing concerns.

**Action 13.M.4.b.** In the Clark Tract, in order to ensure prepared visitors, the following must be disclosed in advertisements and the rental agreement: a description of rough road conditions, and the potential need for chains in winter conditions. Contact information for the manager/owner if road assistance is needed shall be included in the rental agreement.

**Action 13.M.4.c.** Explore options to offset loss of workforce housing via housing studies and General Plan policy development, which may include requiring a unit be available for long-term rentals for 4-6 months of the year, mitigation fees, or other options.

**Policy 13.M.5.** Short-term rentals may be prohibited in neighborhoods with certain safety and/or infrastructure characteristics that are not compatible with visitor use, or where conflicts with other regulations exist.

**Action 13.M.5.a.** Short-term rentals may be prohibited 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.

**Action 13.M.5.b.** Short-term rentals may be prohibited in the following neighborhoods due to small parcels and/or emergency access issues: Petersen Tract and Williams Tract.

**Action 13.M.5.c.** Opposition by a Homeowner's Association (HOA) Board on a short-term rental application shall be considered and may constitute reasonable neighborhood opposition. The HOA Board should send a Board-approved comment letter on the project to the County prior to the public hearing.

**Action 13.M.5.d.** Uses on federal lands (e.g., Forest Service cabins) are governed by federal regulations, and the County's current understanding is that short-term rentals are allowed up to two weeks. These rentals are required to comply with County transient occupancy tax requirements.

**Policy 13.M.6.** To support the tourist economy, short-term rentals are allowed in a limited form, and additional opportunities could be explored.

**Action 13.M.6.a.** The Rodeo Grounds development could potentially be an appropriate location for short-term rentals, and the opportunity should be explored.

**Action 13.M.6.b.** Support an even playing field, e.g., equitable regulations and taxation, between hotels/motels and short-term rentals to support existing commercial lodging facilities.

**Policy 13.M.7.** Expand the enforcement effort to be more proactive, comprehensive, and include a larger suite of tools and methods, subject to County resource availability.

**Action 13.M.7.a.** Implement an education campaign regarding short-term rentals, which may include a flyer in property tax bills or other County mailings/communications, posting regulations on hosting websites (e.g., Airbnb's "Responsible Hosting" webpage), refocus the County's related webpage, information via Mono County tourism marketing and the Chamber of Commerce, and local media articles.

**Action 13.M.7.b.** Provide for a private right of action for property owners within 100' of a short-term rental, similar to the City and County of San Francisco, which may be resolved in small claims court and does not provide for attorneys' fees recovery.

~~**Action 13.M.7.c.** Consider a "three strikes" mandatory permit revocation policy, similar to Steamboat, CO and Santa Fe, NM. Comment: Staff recommends deleting.~~

**Action 13.M.7.d.** Provide an anonymous reporting hotline for illegal rental activity.

**Action 13.M.7.e.** The County shall, resources permitting, invest in technology, systems, and services to support identification of violations, tracking, enforcement actions, and other compliance issues.

**Action 13.M.7.f.** The County shall, within legal constraints, coordinate information between departments such as Community Development, Environmental Health, Tax Collector, Sheriff, and Assessor, to ensure comprehensive permitting, taxing, approvals, and enforcement.

**Action 13.M.7.g.** Require permit numbers to be posted in the title of any short-term rental advertisement, including online and any other promotional materials.

**Action 13.M.7.h.** Existence of a listing for an unpermitted unit is *prima facie* evidence of a violation.

**Action 13.M.7.i.** To support accountability, an annual permit renewal, certifications, fees, and any other requested information shall be required for short-term rental permits as follows:

- An annual self-certification under penalty of perjury of compliance with all requirements in the June Lake Area Plan and Chapter 26.
- Review of any complaints, violations, or other problems.
- Owner must confirm/update management contact information, to be kept on file by the Community Development Department.
- Payment of fees, as established by the Board of Supervisors, for staff time.
- Failure to submit annual report by deadline would result in a delinquency letter and additional fee.
- After 45 days from the delinquency letter, failure of an owner to meet all requirements in this section shall be deemed a violation and the permit shall not be renewed.

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DEC 13 2017

Mono County  
Development

Planning Commission,

This letter is to address the planning commission on the concerns that many Clark Tract homeowners have over the future of short term rentals in the Clark Tract and the CAC's current recommendation of no Type-2 rentals. As a successful operator of a TROD vacation rental in the Clark Tract since 2014, I can offer a wealth of information to help assist in directing our future. After speaking extensively with many neighbors, we would like to be properly represented by the Planning Commission to achieve a satisfactory result for the homeowners not wanting to ban Type-2 rentals. We have spent an enormous amount of time and goodwill trying to work with those opposed that have dug their heels in from the beginning of the process. It's very difficult to achieve results with others that are just determined to undermine the process from the beginning. A number of the CAC members have a previous long history against STR's and any potential growth and development. Out of the six CAC members, three have letters and well documented histories against STR's, Intrawest, and any growth for June Lake. How can someone possibly convince a panel of (6) when (3) are no's before the process begins. . There are many of us in June Lake that do not prescribe to this negative outlook for June Lake that the CAC often portrays. Many June Lake residents and second homeowners feel the CAC has been a major drag on June Lake's economy and this would be just one example.

During this process we reached out and compromised to try and find common ground. We established stronger guidelines that exceeded the already sufficient Chapter-26 regulations. We helped construct some of the strongest STR guidelines found in the nation. We compromised to make the number of STR's available a small and manageable percentage of homes in the neighborhood. Unfortunately we have yet to receive a recommendation that is forward thinking. We trust that the Planning Commission will have the common sense and ability to understand the importance of this issue. The planning commission must realize that significant considerations and compromises have been made to accommodate the opponent's point of view. They must also realize that this issue will never go away with a ban on Type-2 STR's. A resolution allowing some new STR's will give resolve to the issue.

Banning Type-2 STR's goes against any conventional wisdom for a tourist economy that lacks a diverse or sufficient bed base. Banning Type-2 STR's also goes against the majority will of Clark Tract homeowners based on the series of meetings held recently. The meetings were promoted and encouraged for all Clark Tract homeowners to attend and express their opinion on short term rentals. They were told to show up to express their right to short term rentals and avoid a permanent ban. During the meetings a survey was conducted revealing that only (23) out of the (78) attendees for all four meetings wished to ban Type-2 rentals. The largest meeting held on 5/13, where many second homeowners traveled from a far distance just to attend the meeting, showed only (8) out of the (38) attendees wished to ban Type-2, rentals. These figures cannot be ignored and show there is strong support not to ban Type-2 rentals.

While many of us feel that some level of Type-2 rentals should be allowed in the Clark Tract, the strongest support resides on Washington Street West, Nevada Street and Silver Meadow. The vocal opposition does not reside on these streets and is geographically removed from this side of the neighborhood. These streets are also the location of the (3) existing TROD vacation rental homes that have been operating incident free for over (3) years. This side of the neighborhood is surrounded by a commercial zone that has many A-frame rental cabins, duplex rentals and a motel run by the Whispering Pines. It is also boarded by the Double Eagle Resort property. Our neighborhood section experiences

commercial zoning activities from short term rentals that the rest of the neighborhood does not. We support the Double Eagle Resort and all their activities but in all fairness the noise and activity that we experience from the resort and Whispering Pines far exceeds the noise an STR has and ever will produce. I have actually fielded complaints from my STR guests about noise from the Double Eagle Resort and Whispering Pines activities. Again we support the Double Eagle because we believe in fair balance, especially in a 100% tourist economy. This section of the neighborhood makes these three streets more suitable for STR's than anywhere else in the neighborhood. Short term rentals have also been occurring on Washington Street just 200' from an approved TROD for decades at the Whispering Pines A-frame cabins. The streets have actual experience with the TROD rentals directly. They have accepted the concept of short term rentals and do not have the same unfettered concerns as some others. By the planning commission recommending STR's on Washington Street West, Nevada Street and Silver Meadow this would have little to no effect on the rest of the neighborhood. If the planning commission is looking for compromise, than allowing Type-1 & 2 here and Type-1 everywhere else might be a good compromise. We are just asking for some reasonable compromise.

Another major issue with the CAC's recommendation is banning winter rentals. This recommendation is an overreaction to something that has been done successfully the past three years. It's fair to be cautious with winter rentals as expected. When I presented my Chalet to the Planning Commission and the Board of Supervisors, they asked to see my plan to manage winter rentals during winter driving conditions. I presented a plan that included installing chains complimentary for our guests to promote safety. I have a staff in the neighborhood and on the street to manage this responsibility. Our guests are informed and updated on the current weather driving conditions from the 395 highway all the way to the Chalet. Their check-in is coordinated and they are met and greeted. We confirm the type of vehicles and tires and make sure our guests make it to the Chalet safely. In extreme cases we have brought the guests up to the Chalet while waiting for snow plowing or have referred cars to the June Mountain parking lot that are not suited for winter. We have never left our guests unprepared or unattended. It's a big responsibility to do winter rentals for the property owner and manager but to proclaim winter rentals cannot be done safely or responsibly is not accurate. Not allowing winter rentals would be ignoring the results of an already tested and safe plan to handle winter rentals. The resources to manage winter rentals could be shared between STR operators that plan to operate winter rentals in order to have consistent operating procedures. We can work together to construct a mutually beneficial plan to responsibly handle winter rentals. Some that have expressed concerns about winter rentals would appreciate our procedures and feel much better about what actually transpires from our end during winter rentals.

Banning Type-2, STR's does nothing to regulate several of the existing monthly rentals in the Clark Tract that are legally rented without regulation on legal 30 day leases. These rentals are predominately rented to short term renters utilizing the 30 day lease. They are not subject to regulation, taxes and have typically been rented to younger college groups including the UCSB ski/board team last winter. These rentals have been the subject of many of the complaints from the opponents over traffic, noise, and parking. However the solution the STR opponents seek of banning Type-2 STR's would contribute to the problems that they complain about. These monthly rental properties cannot be regulated under STR regulations that we established. They often end up renting to younger groups that the neighborhood as a whole would like to avoid including the owners that have been boxed into only offering these type of short term monthly rentals because their 30-day lease requirement. The properties also do not qualify

as long term monthly rentals because they would not be in the affordability range for the June Lake work force. This is a very unique situation and a policy banning Type-2 rentals will only contribute to the problems not address them. The Planning Commission should realize this would be bad public planning policy.

It's very typical for there to be opposition to short term rentals as the opponent's stoke the fears of the excess parking, traffic, noise and trash. This fear by intimidation has been played out in every city and county meeting for these short term rentals since they first became debate. Most have worked out a compromise that respected both sides in more working class neighborhoods. It would be highly unusual for any 100% tourist economy to ban Type-2 STR's permanently. The Clark Tract is made up of a large majority second homeowners that vacation and use their homes in the same manner as an STR guest. Allowing a small number of STR's will not change the character of the neighborhood at all.

There has been concern expressed about the roads and their condition. The Clark Tract is not the first neighborhood with older country roads to allow vacation rentals. The remote location is an appeal to most and this often comes with country type roads. Unlike anyone else visiting the neighborhood, a VRBO/HomeAway booking includes a 1 million liability insurance policy which protects a third party (neighbor) from liability. This policy does not cover 30 days leases which makes any visitors from those rentals uncovered compared with a STR visitor. There has been too much discussion from the opponents about liability and roads without any actual facts and common sense applied. Information on this liability policy has been attached.

During this process we have summoned the support of the local June Lake business community. Some of the supporters that attended meetings include the Double Eagle Resort, June Mountain Ski Resort and June Lake Brewery. They do represent a large number of the work force. These businesses realize that support of STR's equates to more customers and a brighter economic future for June Lake. STR's will positively impact June Lake's economy. June Lake has not had sufficient economic stimulation to grow an economy for decades. A position against STR's in June Lake is a position against proven economic growth in our existing weak economy. There are many peaks and valleys in the calendar year of June Lake and a single family residence can fill those valleys during the shoulder seasons that none of the existing rental market can attract. I have seen this rapid shoulder season growth in June Lake STR's first-hand the past several years. VRBO/HomeAway bring exposure to June Lake that no other source can. They are the future of vacation rentals. As these portals grow, a ban on Type-2, STR's will have a negative effect to our economy as guests seek destination vacations in other towns that welcome the future of STR's. June lake will be left in the weeds, stuck catering to the motel vacationer and campers. As the VRBO/HomeAway format continually grows the June Lake tourist market inevitably shrinks with a ban on Type-2 rentals.

The Planning Commission has the ability to make the right decision in what you present to the Board of Supervisors. This is completely in your hands at this time and we believe that you know what to do. We are very interested in working with the Staff, Planning Commission, CAC and the Board of Supervisors in creating a solution that is fair to everyone. Please feel free to contact me to discuss any of these matters.

Thanks for your consideration

Mike Rosas

Dear Mike,

Thank you for contacting HomeAway Customer Support. It was a pleasure speaking with you today. Below I have provided links to helpful articles, these articles are pulled directly from the Help Portal found through your owner dashboard.

[What is the \\$1M Liability Insurance?](#) \$1M Liability Insurance provides owners and property managers with liability protection for all stays processed online through the HomeAway checkout; giving you \$1,000,000 in primary liability coverage no matter what policy you currently have — at no additional cost to you.

This means that if you don't already have a liability policy, this policy responds first if someone makes a claim against you. If you already have a liability policy for your vacation rental, then consider this to be coverage additional to what you have. It will respond at the same time as your current policy and both policies will contribute if a claim is made against you.

How you're protected:

**Traveler injury claims made against you** - If a traveler is accidentally injured while staying in your rental property, this program may provide coverage for claims made against you.

**Property damage claims made against you** - If a traveler accidentally damages the property of a third party (such as a neighbor) while staying in your rental property that third party may sue you for that damage, this program may provide coverage for these types of claims.

**Looking ahead** - HomeAway will continue to look at options to further protect owners against the unexpected challenges involved with managing a vacation rental. Please note, \$1M Liability Insurance does not cover damage caused by a traveler to your own property.

How it works:

**Up to \$1 million in coverage** - Eligible claims handled under this program are subject to a maximum limit of \$1 million USD in coverage per property, per year.

**Primary coverage for eligible claims** - If you don't have liability insurance for your rental, this program provides that protection. If you do have liability insurance for your rental, this program works with your current provider and gives you \$1,000,000 in added protection.

**Liability protection for vacation rentals** - Typical homeowners policies may not provide liability protection when your property is used as a vacation rental. This program can provide that necessary coverage for when you are held liable for an accident during a stay at your property (Subject to certain conditions, limitations, and exclusions - [policy summary](#)).

**Global reach** - This program provides protection for every reservation processed through HomeAway checkout, no matter where in the world your property is located. Reservations processed through HomeAway checkout are automatically protected, there's nothing more you need to do!

[How do I file a claim using the \\$1M Liability Insurance?](#) The insurance provider, Generali Global Assistance, is happy to assist in filing a claim by phone 24 hours a day 7 days a week.

**Generali Global Assistance support:** 1-800-313-6457



Before filing there are a few things you may want to have ready:

- Full details on what happened.
- Any and all related documentation.
- Names of parties injured or claiming damages.

Additional information and a policy summary can be found [here](#).

If you have further questions about coverage and claims, please view the [policy summary](#).

Visit [www.help.homeaway.com](http://www.help.homeaway.com) for answers to frequently asked questions.

Sincerely,

Vida  
[HomeAway.com](http://HomeAway.com) Customer Support

-----  
Your Case Description:

ref:\_00D1aZzRr.\_5001aTgeuZ:ref

RECEIVED

DEC 19 2017

Mono County  
Community Development

December 19, 2017

Dear Planning Commission:

I am writing in support for allowance of Type 2 rentals of private residences in June Lake, and specifically for the Clark Tract. In particular, rentals should be allowed on Nevada Street and Washington Street areas would be particularly appropriate given the proximity to other existing commercial properties (Whispering Pines and Double Eagle Resort) in the area. We previously submitted a letter broadly supporting responsible and regulated rentals (May 19, 2017) and I will not reiterate those points here (letter attached).

Responsible owners can successfully operate Type 2 rentals as has been done in the Clark Tract. Successful operations can be facilitated by having local management oversight. I believe the reasons for allowing these are sound and the objections and reasoning for allowing Type 1 but not Type 2 rentals as forwarded by the June Lake CAC are flawed and inconsistent. I would like to address some of them below:

1. **Type 1 vs. Type 2.** I note that many of the members recommended only Type 1 rentals. Renting a "room" does not really seem to address the use by families and other groups that enjoy the recreational opportunities in June Lake.
2. **"Roads are not conducive".** As above, I do not understand why roads are sufficient to support a Type 1 rental, but not a Type 2. Yet CAC seems to be using this fallacy to support a position for allowance of one but not the other.
3. **Long term renters** tend to be associated with **more disruptive** and can be a persistent problem for neighborhoods. It is difficult evict long term renters that are disruptive. None of the recommendations recognize that Calif laws makes it quite difficult to evict these tenants. In contrast, **a bad transient renter can be "out" within hours** with responsive and regular oversight in the case of TRODs. Why do we want to restrict rentals to longer term ones where there is a greater risk of long term problems by long term rentals?
4. It is stated that neighborhood may be impacted by Type 2 rentals. In what way? By having people using properties rather than seeing empty houses for weeks at a time?
5. Overnight rental status stays with owner vs. house. I do not understand why this is a consideration. If a property qualifies for Type 2 status, why does it matter if the ownership changes, as each owner would be expected to comply with ordinance and operate responsibly? It seems that this just simply invites having this issue constantly require re-addressing. If a property is deemed acceptable, the owner (past and future) is expected to run in a compliant and responsible way.

6. Caps on number of properties. This seems arbitrary and no data are provided to support why or what size of a cap is appropriate. Given the lack of data, I do not support a cap .

We firmly believe that responsible transient overnight rentals can have a net positive effects on the area and specifically neighborhoods. I urge the planning commission to allow in the Clark Tract neighborhoods.

Thank you for the opportunity to comment.

Dr. Mike and Cate Dudley  
mndudley@aol.com

June Lake Home/Property addresses:  
92 Nevada Street  
145 Washington Street

**May 19, 2017**

**To Supervisors of Mono County, June Lake Community, and Other Interested Parties:**

We are writing this letter in regard to public discussions concerning a proposal to allow for overnight rentals of properties located in June Lake. We specifically are writing to support this activity in the Clark Tract. Our family has owned property in this area of June Lake since the early 1970s. We currently own a house on Nevada Street and in the past year completed construction on home on Washington Street. We currently do not offer monthly or overnight rentals on these properties.

We have reviewed materials on the website many of which were quite useful. The report from CAST is particularly useful, especially in its balanced and thorough review and discussion of best practices. The historical perspective provided by Supervisor Johnston was also helpful. However, the editorialized analysis and proposals was problematic in biased assertions and recommendations. For example, why should anyone making informed recommendations be excluded from the process simply because they may have business or other interests on this matter? Everyone has an important perspective, and I would rather see informed inputs by all parties, with proper disclosures of interests. Johnston proposes a 4/5 vote for approval; this is not feasible for any issue put to voters; what is an appropriate level of consensus at the small committee level or representative level does not seem appropriate for a voter determined issue.

**We support proposals to allow owners to offer their properties for overnight rentals.** Our reasons for support of transient rentals are outlined below:

1. **Owners should have the right** to offer their properties for

responsible transient or long- term rental. June Lake is a popular recreation area in both the summer and winter months. We believe responsible rental is consistent with recreational use;

2. **There are limited options for quality transient housing for families in June Lake.** We believe transient rentals will complement existing businesses by creating more options for those seeking housing;
3. **Transient rentals would promote upgrading of existing properties for rental use, thus increasing the overall economic activity and tax base for the County;**
4. **Increased number and quality of rental properties would promote the recreation- based economy of the June Lake area.** More use would support a struggling but grown economy in June Lake service based businesses, including restaurants, ski area, stores, and other support services;
5. **A regulated, well-funded approach can be successful.** The CAST report is one of many sources of information that can be used to identify best practices and avoid unintended consequences;
6. **Transient rental properties would support other service industries, including property management, cleaning, and maintenance businesses.** Increased utilization of these properties promotes the service economy;
7. **Owners of transient properties can be responsible.** Properties granted a variance for transient rentals on Washington Street have been successfully and conscientiously managed by owners and their property

managers. Responsible owners have insured that renters adhere to noise and parking rules, and have intervened when necessary;

8. **We would support an appropriate modest transient tax for overnight rentals** that would support the implementation and administration of the program and maintenance of infrastructure for Town or County services. These taxes could also create funding repair damaged private roads from recent snow run-off and plows that are used by both residents and renters. For many of these roads, there is no mechanism for repair or maintenance of these badly damaged roads and drainage areas, and a mechanism to do this important work is not available;
9. **We believe that a “one size fits all” approach is not appropriate**, and that neighborhoods could be allowed to determine use based on considerations outlined in supportive materials on the website.

We urge the Supervisors to develop and consider proposals, and a regulatory structure that would allow for overnight rentals by responsible owners and tenants.

Thank you for the opportunity to comment.

Sincerely yours,

Dr. and Mrs. Michael and Catherine Dudley

[mndudley@aol.com](mailto:mndudley@aol.com)

Date: Dec. 21, 2017

To: Mono County Planning Commission

From: Wendy Sugimura, Community Development Department

RE: Public Comment Letter for June Lake Short-Term Rental Workshop

The attached letter is submitted by Mike Rosas, a private citizen.

The property tax information is public record, but it was not compiled by any County officer or department and the County has not verified accuracy. Transient Tax Occupancy (TOT) information is confidential and not released to anyone, and the County did not provide the TOT information.

**RECEIVED****DEC 19 2017****Property tax payments for (30) Clark Tract Homeowners**Mono County  
Community Development**Proponents to STR****(6,264) Average**

Michael Rosas	155 Washington St (west)	(incl TOT) (20,426)
Michael & Catherine Dudley	137 Washington St (west)	(10,557)
Tim Shea	192 California St	(8,540)
Ian Fettes	Mountain View Lane	(7,405)
Tom Duffy	Silver Meadow Ln	(7,332)
William & Beth Renner	15 Wyoming St	(7,145)
Greg Shaw	128 Washington St (west)	(6,553)
Robert & Debbie Anderson	10 Silver Meadow Ln	(not incl TOT) (5,360)
Kevin Haley	132 Wyoming St	(4,582)
Patrick Gale	130 Nevada St	(4,310)
Chris Street	179 Washington St (west)	(4,060)
Sam & Bryan Mahoney	195 Washington St (west)	(2,633)
Steve Aldrich	173 Washington St (west)	(2,128)
Larry & Lucille Hughes	5464 Highway 158	(1,774)
Michael & Catherine Dudley	92 Nevada St	(1,156)

**Opponents to STR****(3,380) Average**

Jeff Ronci	105 Washington St (long term rental)	(940)
Jack & Jill Stark	(Los Angeles St area)	(1,162)
Alan & Patti Heinrich	(Los Angeles St area)	(1,809)
John & Doris Reilly	N/A	(2,759)
Antonio & Roxanna Fodera	(upper neighborhood area)	(2,567)
Blake & Carol Sibla	Mountain View Lane	(2,504)
Dewayne & Jill Wallentine	32 Washington St (east)	(2,776)
Andy & Sue Binkerd	19 Idaho	(2,907)
Paul & Carol McCahon	130 Steelhead Rd	(3,161)
Mary Jo & Bob Whritner	131 Bay Dr	(3,289)
Tom & Virginia O'Malley	215 Dear Meadow Lane	(3,492)



Charlie & Phyllis Stender	52 Mountain View lane	(3,768)
Lynn Doran	39 Washington St (east)	(4,149)
Ross & Linda Biederman	140 Wyoming St	(6,634)
Ann Tozier	302 Steelhead Rd	(8,791)

- This information was obtained from the Mono County Tax Assessor data. The homeowners that submitted letters of support or against were chosen. The data shows that the Pros have nearly double the housing expense on average.
- This information also allows us to pinpoint the support and opposition on a map with addresses. There has been a significant amount of false narrative given by the opposition without actual documented impact. It's important to analyze the neighborhood with these factual tools on a map. This allows us to identify road and geographical boundaries that divide the neighborhood. We for instance on Washington St west have no interaction with the Los Angeles Street area. We also do not turn right on Washington St which accesses the upper neighborhood and all points east. We turn left and pass the Whispering Pines A-frames commercial zone. If you turn left on Washington St (west) it dead ends and is only used by the residents of Washington St (west). Washington St west has homes on one side of the Street with long lots that touch Nevada Streets lots below.

**RECEIVED**  
**DEC 20 2017**  
Mono County  
Community Development

----- Original message -----

From: David Rosky <[dave.rosky@gmail.com](mailto:dave.rosky@gmail.com)>  
Date: 12/20/17 2:13 PM (GMT-08:00)  
To: Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>  
Subject: Comment on Nevada St.

Hi Wendy,

I'm going to try to make it to the meeting tomorrow, but I'm not 100% sure yet, so in case I can't make it, I wanted to pass along the following thought.

I was thinking about the CAC decision on Nevada St., prompted partially by an email from Jora, and in retrospect, given the similarity of public opinion in that area, I'm not sure why it should be treated differently than Leonard Ave, which received approval from the CAC in one of the few unanimous votes. I would think that there should be no issue with type II STRs in that area.

Note: I'm not proposing that the CAC revisit all of its decisions - it's time to move on - but this particular inconsistency, between Nevada St. and Leonard Ave., is large enough that I thought it was worth commenting on.

Regards,

-David

**RECEIVED**  
**DEC 20 2017**  
Mono County  
Community Development

----- Original message -----

From: David Rosky <[dave.rosky@gmail.com](mailto:dave.rosky@gmail.com)>

Date: 12/20/17 3:59 PM (GMT-08:00)

To: Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>

Subject: A few more comments for planning commission meeting

Hi Wendy,

I hope it's not too late, but I have a few more comments you can submit if you get this in time:

1. As a member of the CAC, I think it's important for the planning commission to realize that there was in fact very little unanimity or consensus within the CAC on the STR issue. This is a difficult issue with as many emotional components as rational ones. All of the actual data that was taken shows that there is a general split of public opinion in June Lake, even in neighborhoods which house the most vocal opponents. Undoubtedly, this led to some of the difficulty of reaching consensus and should be taken into account.
2. The CAC was asked to consider the appropriateness of STR based on essentially political boundaries (this tract or that tract, etc.). The problem is that the properties within these political boundaries are extremely varied in terms of topography, building spacing, roads, presence of affordable long-term rentals, and other issues which may affect the appropriateness for STR. As a result, in my own opinion, it is extremely difficult to come up with a one-size-fits-all solution for these areas. Besides the issue being an emotional one, this has also made it difficult to reach consensus in many cases. There needs to be some room for discretion on the part of the planning commission.
3. Much of the opposition hinged on fears of various "nightmare scenarios" that \*might\* happen, with no concrete evidence that these nightmare scenarios would actually occur to any significant degree. A small handful of anecdotes were presented, many of which couldn't even be verified as being related to illegal STR.
4. As a result of the above, my general opinion is that the county should set general goals and protective measures, and consider individual applications largely on a case by case basis, and provide a robust system by which properties which are not being responsibly managed can be dealt with in a reasonable time frame.
5. Things such as "neighborhood vision" are normally defined in instruments like HOAs and CC&Rs. We have been told by legal counsel that the county cannot directly enforce these HOAs and CC&Rs, yet we have been asked to cast neighborhood vision into stone though the area plan. This seems a bit hypocritical and an end-run around the normal process. I believe the area plan should be general in nature, not specific down to individual streets, etc.

Respectfully,

David Rosky



**Subject:**

FW: Vacation Rentals - Nevada Street / Silver Meadow Lane, June Lake

**RECEIVED**

**DEC 18 2017**

Mono County  
Community Development

----- Forwarded message -----

From: **Igor Vorobyoff** <[igortheifth@gmail.com](mailto:igortheifth@gmail.com)>

Date: Wed, Nov 15, 2017 at 12:08 PM

Subject: Re: Vacation Rentals - Nevada Street / Silver Meadow Lane, June Lake

To: Wendy Sugimura <[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)>

Cc: Ray Sopfe <[rsopfe@yahoo.com](mailto:rsopfe@yahoo.com)>, Pat Gale <[pgale81@gmail.com](mailto:pgale81@gmail.com)>, Scott Burns <[sburns@mono.ca.gov](mailto:sburns@mono.ca.gov)>, "Gardner, Bob & Karen" <[bob.karen@gmail.com](mailto:bob.karen@gmail.com)>, Brian & Regina Brosgart <[brosgart@hotmail.com](mailto:brosgart@hotmail.com)>, Larry & Jamie Marsh <[jlmarsh@uci.edu](mailto:jlmarsh@uci.edu)>, Karl & Didi Seiberling <[seiberlink05@yahoo.com](mailto:seiberlink05@yahoo.com)>, Tom Duffy <[tom114@dkllpcpa.com](mailto:tom114@dkllpcpa.com)>, Ken & Elizabeth Corathers <[kcorathers@hotmail.com](mailto:kcorathers@hotmail.com)>

Hello Wendy,

As a permanent resident next-door to a short-term rental home in our little community of 17 properties, I strongly support approval of vacation rentals on Nevada Street and Silver Meadow Lane. I've had no reason to complain about tenants over the last several years. On the contrary I enjoy interacting with them and sharing my knowledge of the Loop. They, in turn, appreciate the opportunity to learn more about life in the Loop than they would in a segregated tourist enclave. My own best travel memories center on such person to person contacts. Good memories mean return visitation, which is great for our economy.

I know of no spoken opposition to this idea in our separate corner of the Clark Tract. People in the rest of the tract oppose short-term rentals, and rightly so. Their issues and needs are different from ours. I feel that decisions regarding short-term rentals should not be imposed on the entire tract, but instead taken on a case by case basis with consideration for local wishes.

We have a good relationship with the rest of the tract. We are under their wing for snow removal, and cooperate on drainage issues. Think of us as England and Wales. Issues like these should never descend to "us against them."

Please convey my thoughts to the Planning Commission.

Thanks,

Igor Vorobyoff  
35 Silver Meadow Ln.  
[760-914-1564](tel:760-914-1564)

## Mono County Community Development Department

PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
[commdev@mono.ca.gov](mailto:commdev@mono.ca.gov)

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

### Short-Term Rentals General Plan Amendment Workshop

#### **SECTION I: PROPOSED ISSUES, OPPORTUNITIES AND CONSTRAINTS AMENDMENTS**

##### Countywide

16. The short-term rental market (i.e., rentals for less than 30 days) in residential neighborhoods has exploded worldwide, exhibiting a 15x growth rate from 2008 to 2016. The market is dynamic and seasonal, and rentals have become mainstream. No “silver bullet” exists; a variety of creative solutions and mechanisms are needed to address the complexity of the issue. (Also see June Lake Issues, Opportunities and Constraints for more details based on an extensive public engagement effort.)
17. The short-term rental phenomenon in residential neighborhoods has some basis in the idea that excess assets can be rented to or shared with others, potentially for a fee that benefits the owner. Given the growth in the short-term rental market, the market has evolved from a small-scale supplemental sharing model to a full investment or business model.
18. Very few legal mechanisms exist that require accountability by online rental platforms, and some of these platforms are lobbying for regulations at the State level to limit local government power. As a result, a regulatory solution is not likely to emerge by regulating online platforms any time soon unless legal proceedings are pursued.
19. Differentiating between neighborhood impacts of illegal rentals vs. legal rentals is difficult, and the court of public opinion often does not recognize a difference. The County has received very few complaints and had only one enforcement case to date against regulated and properly permitted short-term rentals.
20. Local governments like Mono County are challenged to provide cost-effective enforcement, whether rentals are legal or illegal, due to: 1) rental properties spread across many hosting platforms; 2) listings being highly dynamic, constantly changing and requiring frequent monitoring and tracking; 3) data not easily accessible through the hosting platforms, making acquisition of addresses, owners, frequency of renting, etc., very difficult; and 4) hosting platforms that prevent property owners from including permit data on their listing. A multi-pronged enforcement effort is needed to be successful and should be coordinated across County departments.
21. Industry data indicates short-term rentals will not stop if they are banned or prohibited. They will continue to be an issue that potentially impacts neighborhoods and requires a County response.
22. The increase in short-term rentals in single-family residential areas has the potential to further reduce the already-limited housing stock available for workforce housing.

23. Short-term rentals (~~rentals less than 30 days~~) in single-family residential areas meet a tourism market need and have the potential to utilize existing units for additional visitor accommodations, rather than units remaining vacant and not contributing to the local economy. ~~According to census data, Mono County has the second-highest vacation home ownership percentage of counties in the state.~~

#### June Lake – Community Development: Land Use

16. In recognition of the complexity, controversy, and sometimes personal nature of the impacts of short-term rentals, ~~Effort~~ is being made to avoid the trap of “yes” vs. “no” in policy and regulatory solutions, which often results in a polarized discussion that does not delve into nuances of how to best tailor policies and regulations to solve problems and take advantage of opportunities.
17. In order to provide opportunity for public input, develop and identify any consensus/common ground in the best interests of the community, engage residents in conversations about the character of their neighborhoods, and seek certainty and finality regarding short-term rentals, over 50 hours of community workshops were held supported by over 200 hours of staff time since December 2016. Workshops included education on the existing industry/market, County regulations and identification of community character; technical considerations and issues of individual neighborhoods; concerns and negative impacts; opportunities and benefits; and potential solutions; and the input was used as the basis for funneled into the development of policies and regulations.
18. Concerns expressed about short-term rentals include disruption of the sense of neighborhood, impacts to quality of life, inappropriate behavior and lack of respect for the neighborhood by renters, lack of enforcement, poor management, reduction in workforce housing units and property values, reduction in safety, inequitable competition for traditional hotels/motels, private road ownership and liability, road conditions, inadequate ingress and egress, small lot sizes, and environmental and wildlife issues.
19. Opportunities expressed about short-term rentals include meeting a tourism market need, economic development for June Lake, tax revenue for the County, assisting homeowners in keeping and upgrading their properties, the potential for reduced impact compared to long-term rentals, accountability and enforcement through regulation, protecting property rights, and educating, socializing with, and serving as ambassadors to visitors.

#### **SECTION II: PROPOSED COUNTYWIDE LAND USE ELEMENT POLICY AMENDMENTS:**

**Objective 1.L. Regulations of short-term rentals in residential neighborhoods are needed to protect residential character and quality of life, as well as capture potential benefits to the extent possible.**

**Policy 1.L.1.** Approvals of Type I and Type II short-term rental ~~approvals-operations~~ shall be specific to issued to the property owner and ~~non-transferrable do not run with the land.~~ Sale or transfer of the property, ~~or the property no longer meets the definition of a Type I rental per 25.020,~~ renders the approval to operate the rental null and void.

**Action 1.L.1.a.** The following permits are required to operate a short-term rental: 1) a Use Permit pursuant to Chapter 25, and 2) a Vacation Home Rental Permit pursuant to Chapter 26. The Vacation Home Rental Permit shall be specific to the property owner and non-transferrable.

**Policy 1.L.2.** Short-term rentals in single-family residential neighborhoods should support a model for the supplemental sharing of excess assets, rather than a full business or investment model.

**Action 1.L.2.a.** Only the property owner may apply for a short-term rental permit, and the owner is the party directly responsible for the management of the unit.



**Action 1.L.2.b.** Short-term rental permits shall be limited to one per person or entity and one per parcel.

**Policy 1.L.3.** In addition to reasonable opposition by the neighborhood, short-term rentals applications may be ~~prohibited-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.L.3.a.** Short-term rentals applications may be ~~prohibited-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.

~~**Action 1.L.3.b.** Short-term rentals may be prohibited in the following neighborhoods due to small parcels and/or emergency access issues: Petersen Tract and Williams Tract.~~

**Action 1.L.3.c.** Opposition by a Homeowner's Association (HOA) Board on a short-term rental application shall be considered and may constitute reasonable neighborhood opposition. The HOA Board should send a Board-approved comment letter on the project to the County prior to the public hearing or testify at the hearing.

**Action 1.L.3.d.** Uses on federal lands (e.g., Forest Service cabins) are governed by federal regulations, and the County's current understanding is that short-term rentals are allowed up to two weeks. These rentals are required to comply with County transient occupancy tax requirements.

**Policy 1.L.4.** To support the tourist economy, short-term rentals are allowed in a limited form, and additional opportunities could be explored.

~~**Action 13.M.6.a.** The Rodeo Grounds development could potentially be an appropriate location for short-term rentals, and the opportunity should be explored. (Moved to June Lake policies section.)~~

**Action 1.L.4.a.** Support an even playing field; e.g., equitable regulations and taxation, between hotels/motels and short-term rentals to support existing commercial lodging facilities.

**Policy 1.L.5.** Expand the enforcement effort to be more proactive, comprehensive, and include a larger suite of tools and methods, subject to County resource availability.

**Action 1.L.5.a.** Implement an education campaign regarding short-term rentals, which may include a flyer in property tax bills or other County mailings/communications, posting regulations on hosting websites (e.g., Airbnb's "Responsible Hosting" webpage), refocus the County's related webpage, information via Mono County tourism marketing and the Chamber of Commerce, and local media articles.

**Action 1.L.5.b.** Consider providing for a private right of action for property owners within 100' of a short-term rental, similar to the City and County of San Francisco, which may be resolved in small claims court and does not provide for attorney fees recovery.

~~**Action 13.M.7.c.** Consider a "three strikes" mandatory permit revocation policy, similar to Steamboat, CO and Santa Fe, NM. Comment: Staff recommends deleting.~~

**Action 1.L.5.c.** Provide an anonymous reporting hotline for illegal rental activity and complaints.

**Action 1.L.5.d.** The County shall, resources permitting, invest in technology, systems, and services to support identification of violations, tracking, enforcement actions, and other compliance issues.

**Action 1.L.5.e.** The County shall, within legal constraints, coordinate information between departments such as Community Development, Environmental Health, Tax Collector, Sheriff, and Assessor, to ensure comprehensive permitting, taxing, approvals, and enforcement.

~~**Action 13.M.7.g.** Require permit numbers to be posted in the title of any short-term rental advertisement, including online and any other promotional materials. (Moved to Chapter 26 section.)~~

~~**Action.** Existence of a listing for an unpermitted unit is *prima facie* evidence of a violation. (Moved to Chapter 25.)~~

~~**Action 13.M.7.i.** To support accountability, an annual permit renewal, certifications, fees, and any other requested information shall be required for short-term rental permits as follows:~~

- ~~• An annual self-certification under penalty of perjury of compliance with all requirements in the June Lake Area Plan and Chapter 26.~~
- ~~• Review of any complaints, violations, or other problems.~~
- ~~• Owner must confirm/update management contact information, to be kept on file by the Community Development Department.~~
- ~~• Payment of fees, as established by the Board of Supervisors, for staff time.~~
- ~~• Failure to submit annual report by deadline would result in a delinquency letter and additional fee.~~
- ~~• After 45 days from the delinquency letter, failure of an owner to meet all requirements in this section shall be deemed a violation and the permit shall not be renewed.~~



### **SECTION III. PROPOSED JUNE LAKE AREA PLAN POLICY AMENDMENTS**

Delete old Policy 13.A.3. ~~Consistent with the intent Chapter 25 of the Land Use Element, approve Transient Rental Overlay Districts (TRODs) only within June Lake residential neighborhoods exhibiting support for allowing transient rental of single-family homes.~~

**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.

**Policy 13.M.1.** Short-term rentals are subject to Chapter 25 and 26 of the General Plan Land Use Element, with the following specifications based on the context of individual neighborhoods (see map), which vary in character.

**Action 13.M.1.a.** Prohibit Type I and Type II rentals in the Williams Tract and Petersen Tract.

**Action 13.M.1.b.** Defer short-term rental housing decisions for the Highlands to the appropriate tract map and specific plan procedures.

**Action 13.M.1.c.** No public input was received from the Dream Mountain neighborhood, and therefore short-term rentals may be permitted subject to the discretionary permit(s) for short-term rentals and June Lake area plan policies.

**Action 13.M.1.d.** In the Clark Tract, Type I ~~and Type II~~ rentals may be permitted ~~year-round on Nevada Street/Silver Meadow~~, subject to the discretionary permit(s) for short-term rentals and June Lake area plan policies. ~~year-round on Nevada Street/Silver Meadow and summer only~~ In the rest of the Clark Tract, only Type I rentals may be permitted subject to the discretionary permit(s) for short-term rentals, June Lake area plan policies, and the following additional requirements: summer only (April 16 through October 31), the number of approvals shall be limited to with a maximum cap of 8 parcels total (3% of existing parcels) including existing Transient Rental Overlay Districts (TRODs), and. ~~New~~ Type II rentals are prohibited. See Chapter 26 for other operational requirements specific to the Clark Tract.

**Action 13.M.1.e.** In the South 158 neighborhood, new Type II rentals are prohibited. The CAC was evenly split on Type I rentals, and therefore Type I's may be permitted subject to discretionary permit(s) for short-term rentals and June Lake area plan policies.

**Action 13.M.1.f.** Type I and Type II rentals may be permitted in the Leonard Avenue neighborhood subject to discretionary permit(s) for short-term rentals and June Lake area plan policies. ~~Type II rental approvals are specific to the owner (not the property) in the Leonard Avenue neighborhood.~~

**Action 13.M.1.g.** The Rodeo Grounds development could potentially be an appropriate location for short-term rentals, and the opportunity should be explored.

#### **SECTION IV. REVISIONS TO LAND USE DESIGNATIONS**

Revisions to some Land Use Designations are necessary for internal consistency within the existing Chapter 25. Ideally, these changes would have been made when Chapter 25 was adopted in March 2017.

For Single Family Residential (SFR), Estate Residential (ER), Rural Residential (RR), Multi-Family Residential Low (MFR-L), and Rural Mobile Home (RMH) land use designations, add "Short-term rentals (see Chapter 25)" under "Uses Permitted Subject to Use Permit."

Add a footnote to the SFR short-term rental use that specific June Lake Area Plan policies apply to this use.

## **SECTION V. EDITS TO EXISTING GENERAL PLAN CHAPTER 25 & 26 (countywide):**

### **DEVELOPMENT STANDARDS**

#### **CHAPTER 25 – SHORT-TERM RENTALS**

##### Sections:

25.010	Intent.
25.020	Establishment of Type I Short-term Rental: Owner-Occupied.
25.030	Establishment of Type II Short-term Rental: Not Owner-Occupied.
25.040	Notice requirements.
25.050	Uses permitted.
25.060	Uses permitted subject to director review
25.070	Uses permitted subject to use permit
25.080	Additional requirements

##### **25.010 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.

##### **25.020 Establishment of Type I Short-Term Rental: Owner-Occupied**

Type I short-term rentals are owner-occupied or associated with an owner-occupied principal residence. This rental includes an entire dwelling unit or, if only part of the unit, includes at a minimum a sleeping room (with shared full bathroom). Rental is limited to a single party of individuals, and the owner is required to be present during the rental. The short-term rental use may be permitted for any single-family unit having land use designation(s) of SFR, ER, RR, MFR-L or RMH subject to a Use Permit (see Chapter 32) and a Vacation Home Rental Permit (see Chapter 26), if consistent with applicable Area Plan policies, and must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel.<sup>14</sup> Fees for appeal of Type I Use Permit decisions shall be waived. ~~The use Vacation Home Rental Permit for this rental shall run with the owner and not the land, and shall terminate upon a change of ownership.~~ Fees for appeal of Type I Use Permit decisions shall be waived.

##### **25.030 Establishment of Type II Short-Term Rental: Not Owner-Occupied**

Type II short-term rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The short-term rental use may be established on any parcel (or group of parcels) with a single-family unit, meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH. The short-term rental must be consistent with applicable Area Plan policies, must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel, and must have adequate year-round access.

In addition to the requirements of this chapter, initiation and application for a Type II short-term rental (except in June Lake, see below) shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters STR (e.g., SFR-STR) would indicate a Type II short-term rental is permitted.

In June Lake only, Type II short-term rental approvals are subject to a Use Permit (see Chapter 32) and a Vacation Home Rental Permit (see Chapter 26), consistent with applicable Area Plan policies, and shall not require a land use

redesignation. To facilitate clarity, Type II permits in June Lake shall be referenced as "Type II-A." Type II-A rentals must exhibit no reasonable opposition from neighbors within 500 ft. of the subject parcel. The Vacation Home Rental Permit, consistent with Chapter 26, shall run with the owner and not the land, and shall terminate upon a change of ownership.

#### **25.040 Notice requirements.**

A. Notice shall be given to owners of surrounding properties and published in a newspaper of general circulation 30 days in advance of a public hearing.

B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius ~~measured drawn~~ from the nearest limits of the project parcel that is subject of the land use application. If a contiguous parcel (or parcels) are under the same ownership as the project parcel, the 500-foot radius shall be measured from the limits of all contiguous parcels under the same ownership. If a property is located more than 500 feet from the boundary of the parcel, but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed. Further, any property owners or residents, regardless of their location or proximity to the parcel subject to a land use application, may receive notice as long as they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given ~~to those properties~~ at least 120 days in advance of the hearing by mail, electronic mail, or other noticing means provided by Government Code, to all persons whose names and addresses appear on the latest adopted tax roll of the County or have requested noticing.

#### **25.050 Uses permitted.**

The following uses shall be permitted with a short-term rental approval, plus such other uses as the commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

A. All uses permitted in the underlying land use designation.

B. Where the principal use of the subject parcel(s) is single-family residential, the residence or any accessory dwelling unit on the parcel(s) may be rented on a short-term basis subject to the requirements of 25.070.

#### **25.060 Uses permitted subject to director review.**

All uses permitted subject to director review in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to director review approval.

#### **25.070 Uses permitted subject to use permit.**

All uses permitted subject to use permit in the underlying land use designation with which the short-term rental is combined shall be permitted, subject to use permit approval.

#### **25.080 Additional requirements.**

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family or multi-family residence located within an approved short-term rental established by this chapter, for a period of less than thirty (30) days, must first obtain a vacation home rental permit and comply with all applicable requirements of that permit, as set forth in Chapter 26, Transient Rental Standards and Enforcement.

Parcels located within conditional development zones (avalanche) shall not be allowed short-term rentals during the avalanche season, November 1 through April 15.

Any form of advertising for an unpermitted short-term rental unit is prohibited.

Delete footnote 14: ~~The June Lake Area Plan will be revised shortly after the adoption of this chapter to identify appropriate areas for short-term rentals. Until the Area Plan revision is complete, no short-term rental applications shall be processed for June Lake. After Area Plan revision, applications can be accepted and evaluated for consistency with June Lake Area Plan policies per 25.010, 25.020, and 25.030.~~

## DEVELOPMENT STANDARDS

### CHAPTER 26 – TRANSIENT RENTAL STANDARDS & ENFORCEMENT

**NOTE: CHAPTER 26 MAY BE CONVERTED TO A SECTION IN THE MONO COUNTY CODE**

#### Sections:

26.010	Purpose and Findings.
26.020	Vacation Home Rental Permit.
26.030	Application and Issuance of a Vacation Rental Permit.
26.040	Standards and Requirements.
26.050	Rental Agreement and Owner Responsibility.
26.060	Compliance with Transient Occupancy Tax Requirements.
26.070	Enforcement.
26.080	Existing and Otherwise Permitted Rentals.
26.090	Unauthorized Rentals Prohibited.

#### 26.010 Purpose and Findings.

- A. The purpose of this chapter is to implement procedures, restrictions, and regulations, and to provide for the payment of transient occupancy tax and applicable fees for the transient rental of properties within Transient Rental Overlay Districts (TRODs) and short-term rentals designated pursuant to Chapter 25 of the Mono County General Plan and to provide enhanced enforcement tools to address unauthorized transient rentals countywide.
- B. The Board of Supervisors finds that allowing transient rentals within areas of the county designated for residential use will provide a community benefit by expanding the number and types of lodging available to visitors to Mono County, increasing the use of property within the county, and providing revenue to property owners so that the units may be maintained and upgraded.
- C. The Board of Supervisors also finds that the operation of transient rentals within residential communities should be regulated in order to minimize fire hazard, noise, traffic, and parking conflicts and disturbance to the peace and quiet. The Board further finds that current enforcement tools have been ineffective to address the illegal operation of transient rentals countywide, primarily because the penalty amount is easily offset by the revenue such uses generate.

#### 26.020 Vacation Home Rental Permit.

Any person who rents a residential structure that is not a condominium (hereinafter "rental unit" or "property") within an area of the county designated as a transient overlay district or short-term rental on a transient basis shall comply with the provisions of this chapter, the Mono County General Plan, and any applicable area plans or specific plans. Transient rental of a private residence within a transient overlay district or in a short-term rental without a valid vacation home rental permit is a violation of this chapter.

#### **26.025 Transfer of Vacation Home Rental Permit Prohibited.**

A Vacation Home Rental Permit is issued to the owner of the property where the rental shall be conducted and is not transferrable or otherwise assignable to another party, including a new owner. Sale or transfer of the property renders an existing Vacation Home Rental Permit null and void.

**26.030 Application and ~~Procedure Issuance of~~ for a Vacation Home Rental Permit.**

- A. Applicant. 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.~~
- B. Application. An application for a vacation home rental permit shall be on a form that may be obtained from the Department of Finance or the Community Development Department. The following requirements and approvals must be met and substantiated before a vacation home rental permit will be issued:
1. The rental unit must be located ~~on a property with the appropriate land use approvals within an area of the county designated as a transient overlay district;~~
  2. The rental unit must comply with the standards and requirements as set forth in section 26.040, and any other requirement provided by this chapter. An inspection to verify compliance with such requirements shall be the responsibility of the owner ~~or designated property manager.~~ The owner ~~or property manager~~ shall certify in writing, under penalty of perjury, the rental unit's conformance to such standards. Such certification shall be submitted to the Mono County Community Development Department prior to permit issuance;
  3. ~~The applicant must~~ A designate the management company or property manager for the rental unit who will be available on a 24-hour basis to address any problems that may be associated with the property or the transient users of the property may be designated for Type I rentals at the owner's discretion, and shall be required for Type II and Type II-A rentals. The management company or property manager must be duly licensed, including, but not limited to, a California real estate license and certified property manager credentials, and shall be in good standing with the County. Alternatively, the property owner may serve as the property manager for Type I rentals. The owner shall immediately notify the Community Development Department of any changes to management contact information;
  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;
  5. A Mono County business license must be obtained by the owner and must remain active during all times that the property is used as a transient rental;
  6. Any required fees must be paid in full; and
  7. A Mono County Transient Occupancy Tax Certificate must be obtained by the owner from the Department of Finance and will be issued at the time the vacation home rental permit is issued and all conditions of approval have been met.
- C. Approval: The Vacation Home Rental Permit is evaluated and approved at a noticed public hearing by the Board of Supervisors.
1. In the case of a new use permit application under Chapter 25, the Vacation Home Rental Permit is processed concurrently, to the degree possible, with the use permit application.

2. If the property changes ownership, the new owner may apply for a new Vacation Home Rental Permit under the land use approval for the property. The new Vacation Home Rental Permit shall be evaluated and considered at a noticed public hearing by the Board of Supervisors.

D. Limitations on Permits: The number of Vacation Home Rental permits issued shall be limited when specified in Area Plans (e.g., June Lake). The Community Development Department shall develop an equitable process to distribute Vacation Home Rental permits within the established caps or limits.

E. Renewal: An annual self-certification of property ownership, management contact information, and continued compliance with Chapter 26 is due concurrently with business license renewal, on a form provided by the Community Development Department, and with the associated fee. If the renewal form and fee are not received by business license renewal deadlines, the Vacation Home Rental permit shall be expired.

F. The Vacation Home Rental permit number shall be posted in the title of any short-term rental advertisements, whether online or in other promotional or advertising materials.

#### **26.040 Standards and Requirements.**

The following standards and requirements must be met in order to obtain a vacation home rental permit and to maintain that permit in good standing:

- A. Health and Safety Standards. The purpose of these standards is to establish minimum requirements to safeguard the public safety, health, and general welfare from fire and other hazards, and to provide safety to firefighters and emergency responders during emergency operations. These standards include without limitation:
  1. The address of the rental unit must be clearly visible;
  2. Carbon monoxide and smoke detectors must be installed and maintained in good operating condition in each bedroom, sleeping area, or any room or space that could reasonably be used as a sleeping area, and at a point centrally located in the corridor or area giving access to each separate sleeping room;
  3. All stairs, decks, guards, and handrails shall be stable and structurally sound;
  4. The rental unit shall be equipped with a minimum of one 2A:10B:C type fire extinguisher with no more than 75 feet of travel distance to all portions of the structure; there shall be no fewer than one such extinguisher per floor. Fire extinguishers shall be mounted in visible locations with the tops of the fire extinguishers mounted between 3 and 5 feet above the floor and shall be accessible to occupants at all times. California State Fire Marshal annual certification tags must be provided and be current on all extinguishers;
  5. If there is a fireplace or solid-fuel barbecue, the rental unit shall be equipped with a minimum five-gallon metal container with a tight-fitting lid for ash removal. This container shall be clearly labeled and constructed to meet the purpose of containing ash. Instructions on the proper disposal of ash shall be stated in the rental agreement and clearly posted in the rental unit. The ash container shall not be placed on or near any furniture or other combustible material; ashes must be wet down thoroughly with water;



the ash can must be stored outdoors with a minimum of 3 feet clearance from building, porch, trees, and other combustible materials; the lid must remain on the ash container when in use;

6. Wall or baseboard heaters in the rental unit shall be in good working condition, and instructions on the proper use of these units shall be clearly stated in the rental agreement and posted in the rental unit;
7. Furniture and any other material that may be flammable shall be kept a minimum of 54 inches from any fireplace opening and 30 inches from any wall or floor heaters;
8. Flammable or hazardous liquid or materials, firearms, controlled substances, or any unlawful material shall not be stored in the rental unit.
9. The roof and grounds of the transient rental property shall be kept clear of accumulations of pine needles, weeds, and other combustible materials;
10. Any locking mechanism on exterior doors must be operable from inside the unit without the use of a key or any special knowledge. If the dwelling unit is greater than 3,000 square feet in area, two exit doors shall be required, each of which shall conform to this requirement;
11. All fixtures, appliances, furnaces, water heaters, space heaters, plumbing, wiring, electrical, propane or gas connections, doors, windows, lighting, and all parts of the structure and furnishings (interior and exterior) must be in operable working condition and repair;
12. If telephone service is available, there shall be a telephone connected to the local carrier and in working condition for use in the event of an emergency or to contact the owner or property manager. The phone shall be connected to the reverse 911 directory. If there is no telephone service available, then the rental agreement must so state;
13. Bedroom windows shall be operable and free of obstructions to allow for emergency escape and rescue;
14. There shall be at least one screened window per bedroom to allow for proper ventilation;
15. All utilities (electric, gas, water, sewage, etc.) shall be connected, in good operating condition, and connected to approved sources.;
16. Any hot tubs, pools, and spas shall be fenced or equipped with a cover with locking mechanisms, and shall be maintained in a safe and sanitary condition;
17. There shall be no evidence of pest infestations, and all firewood and other stored items shall be kept in a neat and clean condition;
18. Exits shall be kept free from storage items, debris or any impediments at all times;
19. No tree limbs are allowed within 10 feet of any chimney or flue openings;

20. Spark arresters of a minimum opening size of 3/8-inch and a maximum opening size of 1/2-inch shall be required on all fireplace flue openings; and
21. If any applicable law, rule, or regulation enacted after the enactment of this chapter imposes requirements more stringent than those set forth herein, such requirements shall apply.

B. Sign and Notification Requirements.

1. Exterior Sign and Notice. Each rental unit shall be equipped with one temporary exterior identification sign not to exceed 8 ½ x 11 inches in size that shall be posted as long as the unit is being rented on a transient basis. This identification sign shall be placed in a location that is clearly visible from the front entrance of the unit, and may be illuminated in a manner that does not conflict with any County exterior lighting standards or signage standards. This sign shall clearly state the following information in lettering of sufficient size to be easily read:
  - a. The name of the managing agency, agent, property manager or owner of the unit and the telephone number where said person or persons can be reached on a 24-hour basis;
  - b. The maximum number of occupants permitted to stay in the unit; and
  - c. The maximum number of vehicles allowed to be parked on the property. A diagram fixing the designated parking location shall be included.
2. Interior Notice. Each rental unit shall have a clearly visible and legible notice posted within the unit adjacent to the front door that shall contain the same information set forth above, and shall additionally include the following:
  - a. Notification and instructions about the proper disposal of trash and refuse, including any bear-safe disposal requirements;
  - b. Notification and instructions concerning the proper use of any appliances, fireplaces, heaters, spas, or any other fixture or feature within the unit;
  - c. Notification that failure to conform to the parking, trash disposal and occupancy requirements for the rental unit shall be a violation of this chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty;
  - d. Notification that any violation of rules or regulations set forth in the Rental Agreement may be a violation of this Chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty; and
  - e. Physical street address of the unit and emergency contact information consisting of 911, the property manager's phone number, and contact information of the local fire department and the Mono County Sheriff's Department.

f. An evacuation plan and a statement regarding respect for adjacent property owner's rights, neighborhood character, and trespassing concerns.

- C. Occupancy. The maximum number of persons who may occupy the property as transient renters or their overnight guests shall be limited to two persons (2) per bedroom plus two additional persons. In no event may the maximum occupancy exceed 10 persons in any rental unit unless the unit is certified and approved by the Mono County Building Official as meeting all applicable building standards for such occupancy. Additionally, occupancy may be further restricted by the limitation of the septic system serving the dwelling as determined by Mono County Environmental Health.
- D. Parking. Parking requirements shall be based on the parking requirements set forth in the Mono County General Plan, and the number of vehicles shall not exceed the number of parking spaces. Parking requirements for the rental unit shall be noticed in the rental agreement and posted on and in the unit. There shall be no off-site or on-street parking allowed, and parking on property owned by other persons shall be considered a trespass. A violation of this section may subject any person to administrative, civil and criminal penalty, including fines and towing of any vehicle, as authorized by state and local law.
- E. Trash and Solid Waste Removal. A sufficient number of trash receptacles shall be available. Trash and other solid waste shall not be allowed to accumulate in or around the property and shall be removed promptly to a designated landfill, transfer station or other designated site. For purposes of this paragraph, promptly shall mean at least one time per week during any week that the unit is occupied, regardless of the number of days it is occupied. Any trash receptacles located outside a unit shall be in bear-proof containers (in areas with bears) and comply with County standards. Trash removal requirements for each rental unit shall be included in the rental agreement and posted on and in the property. Property management shall be responsible for the cleanup if the tenants do not properly dispose of trash in bear-proof containers.
- F. Snow Removal. Snow removal from driveways, walkways, stairs, decks, and all exits and entrances shall be performed prior to each occupancy period, and during any occupancy period as needed to maintain the functionality of these areas. Snow removal from driveways, pathways, exits and entrances, and removal of snow, ice, and ice dams from roofs, decks, and stairs shall be performed in a timely manner as necessary to protect any person who may be using or visiting the rental unit.
- G. Other Requirements. In addition to the foregoing sections, the following requirements shall be met:
- Exterior lighting fixtures shall comply with Chapter 23 – Dark Sky Regulations, which shall require existing fixtures to be replaced or retrofitted to be compliant.
  - Owner or property manager must be able to respond within a reasonable timeframe, preferably within an hour.
  - Quiet hours from 10 pm to 7 am, and ~~no~~ outdoor amplified sound is prohibited at all times.
  - ~~Outdoor parties are prohibited, including but not limited to special events, outdoor events, lawn parties, weddings, and similar activities.~~
  - If applicable, the owner shall notify lender of change in use to short-term rental and provide verification to County upon request.
  - For Type I permits, in order to rent a detached and separate unit, the property owner must occupy the other unit ~~on the property~~ consistent with the definition of a Type I rental in 25.020.
  - Landline phone service is required, and owner must disclose the limited service by cell phone carriers.
  - A "hideaway" key or other access is required in the event a guest is locked out.

- ~~For emergency and safety purposes, provide a medical kit consisting of basic first aid equipment, and a survival kit including water, food, radio, batteries, and other common equipment. The kits must be maintained in good order and clearly identified.~~
- ~~Post management contact information online. Comment: Staff recommends deleting.~~
- 

## 26.050 Rental Agreement and Owner Responsibility.

A. Rental Agreement. The temporary rental or use of each rental unit shall be made pursuant to a rental agreement.

The rental agreement shall include, as attachments, a copy of this chapter and the vacation home rental permit for the unit. Each rental agreement shall contain all required notices and shall specify the number of persons who may occupy the unit, parking requirements and number of allowed vehicles, trash disposal requirements, and include the telephone number of the person or persons to be notified in the event of any problem that arises with the rental. The agreement shall include the phone number, address, and contact information for the person responsible for renting the unit, and any other information required by the County. The rental agreement shall notify the renters that they may be financially responsible and personally liable for any damage or loss that occurs as a result of their use of the unit, including the use by any guest or invitee. The property manager or owner shall keep a list of the names and contact information of the adult guests staying in the unit.

In the Clark Tract, to ensure prepared visitors, the following must be disclosed in advertisements and the rental agreement: a description of rough road conditions, and the potential need for chains in winter conditions. Contact information for the manager/owner if road assistance is needed shall be included in the rental agreement.

B. Owner Responsibility.

1. The owner, managing agency, and property manager shall be responsible for compliance with all applicable codes regarding fire, building and safety, health and safety, other relevant laws, and the provisions of this chapter.
2. An owner, managing agency, and/or property manager shall be personally available by telephone on a 24-hour basis to respond to calls regarding the conditions and/or operation of the unit. Failure to timely respond in an appropriate manner may result in revocation of the vacation home rental permit and business license.
3. The owner shall require, as a term of a written agreement with a management company or agent, that said agent comply with this chapter. The owner shall identify the management company or agent, including all contact and license information in the application for a vacation home rental permit, and shall keep this information current. Such agreement shall not relieve owner of the obligation to comply with this chapter.
4. The owner shall maintain property ~~liability and fire~~ insurance coverage specific to short-term rentals that covers, but is not limited to, fire and liability, including injury and damage to hosts, guests, and others, in an appropriate amount and shall provide proof of such insurance to County upon reasonable request. Additionally, the owner shall defend, indemnify, and hold the County harmless from any and all claims, judgments, liabilities, or other costs associated with the property or the rental unit, or the rental thereof.

5. The owner, managing agency, property manager and guest shall comply with all lawful direction from any law enforcement officer, fire official, building official, or code compliance officer.
6. The owner shall be responsible for assuring that the occupants and/or guests of the rental property do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any law. If an owner, property manager, or other agent of the owner is informed about any violation of this chapter, the owner, property manager, or owner's agent shall promptly take action and use best efforts to stop or prevent a recurrence of such conduct, including, when appropriate, calling law enforcement.

#### **26.060 Compliance with Transient Occupancy Tax Requirements.**

Each owner shall be responsible for obtaining a transient occupancy ~~tax registration~~ certificate and for complying with Chapter 3.28 of the Mono County Code. An owner may contract with a management company or property manager to collect, disburse, report, and maintain all records related to transient occupancy tax, but the owner remains responsible for any failure to collect, disburse, or accurately report such tax.

#### **26.070 Enforcement. (NOTE: This whole section needs to be revised to be consistent with approval by the Board of Supervisors.)**

- A. A violation of any provision of this chapter, and/or the renting of any property in a land use designation that does not allow for such transient rental, or without proper land use approvals, is subject to the General Penalty provisions and/or the Administrative Citation provisions set forth in Section 1.04.060 and Chapter 1.12 of the Mono County Code, respectively, and any other civil or administrative remedy allowed by law. Notwithstanding Section 1.12.030, the administrative fine for the operation of any transient/~~short-term~~ rental facility ~~within a transient overlay district~~ without a valid vacation home rental permit, or the operation of any transient rental facility in violation of applicable land use requirements in any ~~other~~ land use designation of the county shall be \$1,000 for the first violation and \$2,000 for a second or subsequent violation within three years. In addition to these penalty provisions, the failure to comply with any provision of this chapter may result in the suspension or revocation of the vacation home rental permit in accordance with subsection D below, or the suspension or revocation of the business license and/or transient occupancy tax registration certificate. The failure of a management company or property manager to comply with the provisions of this chapter may additionally result in a finding that such management or company or property manager is not in good standing.
- B. An inspection and/or audit of each unit subject to this chapter, and any contract or agreement entered into in furtherance of, or to implement, this chapter, may be made at any reasonable time, and upon reasonable notice to confirm compliance with this chapter.
- C. Transient rentals may not be conducted if there are any code violations, stop-work orders, or other violation of law or regulation outstanding on the property.
- D. The following procedures shall be followed in conjunction with any proposed revocation or suspension of a vacation home rental permit.
  1. The County shall provide the property owner with a notice of proposed revocation or suspension stating the nature of the violation, whether revocation or suspension is proposed, and the date, time, and place of a hearing before a hearing officer, who shall be a Planning Commissioner appointed for this purpose by the

County Administrative officer, will be held. The notice shall be served on the owner at least 10 business days prior to the date of the hearing by personal service or by certified mail, postage prepaid, return receipt requested to the address for such purpose provided on the vacation home rental permit application. Service by mail shall be deemed effective on the date of mailing.

2. At the hearing, the hearing officer shall consider any written or oral evidence consistent with the following:
    - a. The contents of the County's file shall be accepted into evidence (except as to such portions of the file, if any, that contain confidential or privileged information); and
    - b. The notice of revocation or suspension shall be admitted as prima facie evidence of the facts stated therein.
  3. The hearing officer shall independently consider the facts of the case and shall draw his or her own independent conclusions.
  4. Upon conclusion of the hearing and receipt of information and evidence from all interested parties, the hearing officer shall render his or her decision affirming the revocation or suspension as proposed, modifying the revocation or suspension, or rejecting the revocation or suspension.
  5. If directed by the hearing officer, staff shall prepare a written decision reflecting the hearing officer's determination. Following approval of the written decision by the hearing officer, the secretary of the Planning Commission shall serve the written decision on the property owner by certified mail, postage prepaid, return receipt requested.
  6. The decision of the hearing officer shall be the final administrative action of the County, and the property owner shall be advised of his rights to challenge that decision in Superior Court pursuant to section 1094.5 of the Code of Civil Procedure and of the timelines in which such an action must be brought.
- E. Notwithstanding the foregoing, in the event the code compliance officer determines that suspension or suspension pending revocation of a vacation home rental permit is necessary for the immediate protection of the public health, safety, or welfare, such suspension may be made without prior hearing or determination by the hearing officer, upon the giving of such advance notice to the property owner as the code compliance officer deems reasonable given the nature of the violation and risks presented. The code compliance officer shall inform the property owner in writing of the duration of the suspension, the reasons therefor, the procedure and timelines for filing an appeal, in accordance with the following:
1. The property owner may appeal the suspension by filing an appeal with the clerk of the Planning Commission within 10 calendar days of the date the suspension or revocation takes effect. Such appeal shall also function as a hearing on revocation of the permit, if the suspension is made pending revocation. In the event the property owner does not appeal a suspension pending revocation within the time provided, then the suspension shall automatically become a revocation if notice of such was included in the notice of the suspension;
  2. The hearing shall be in accordance with the procedures set forth in section D above; and

3. The suspension shall remain in effect for the number of days provided by the code compliance officer, or until the appeal/revocation hearing is finally decided by the hearing officer, whichever occurs later, unless extended by the Board.

F. When a vacation home rental permit is revoked pursuant to the procedures set forth in this chapter, a new vacation home rental permit may not be issued to the same property owner for a period of five years.

**26.080 Existing and Otherwise Permitted Rentals.**

Any lawful use of property as a transient rental occurring, or subsequently authorized, in a land use designation that permits such uses (or permits such uses subject to Use Permit or Director Review approval) without the application of a transient overlay district shall be exempt from the provisions of this chapter.

**26.090 ~~Unauthorized Rentals Prohibited~~nsed.**

A. The transient rental of any property, unit, or structure that is not within a designated transient overlay district or within a land use designation that permits such use and for which all necessary approvals have not been granted, is prohibited. Any violation of this section shall be subject to the provisions of section 26.070, including the fines set forth therein.

B. Any form of advertising for an unpermitted short-term rental unit is prohibited.

Planning commission:

This letter is intended to respond and point out some serious flaws and potential legal challenges in relation to changing the June Lake Area Plan for the Clark Tract (Silver Meadow) neighborhood. The County has chosen to side with a handful of vocal homeowners and their supporters against the property rights and common sense of many Clark Tract homeowners. Mono County is one of the largest concentrations of second homeowners in California and the Clark tract is no exception. The Clark Tract is not even close to a predominantly locals neighborhood. The proposed changes to the June Lake area plan would work against our local economy and property values. The tourist base will ultimately weaken by prohibiting STR growth.

June Lake property owners lost more equity than 99% of the zip codes in California according to MLS data. The counties refusal to acknowledge these facts is very disappointing. We need leadership that cares and understands the future of our weak economy. We have been very disappointed in the counties failure to recognize this weakness and importance to June Lake's recovery and economic future.

The amount of legal holes in the proposed changes are enormous. Here are just some major concerns:

- \* The primary basis for the changes is a vote from the June Lake CAC. It's a vote from a pre-determined group which is predominately occupied by STR opposition that have track records dating decades against any form of development or growth. The majority of the CAC are not even Clark Tract homeowners.
- \* There was never an official vote taken on any aspect of STR's. The only survey taken showed a majority opposed banning type-2 rentals (per county meeting data).
- \* The Clark Tract CC & R's show no legal language prohibiting STR's in any of the documents demonstrated to date.
- \* Arbitrarily picking and choosing streets is not a valid or nor likely legally binding way of choosing who gets to do legal rentals or not in a neighborhood.

Here are some major concerns going forward that have been ignored by the Planning Commission:

- June Lake's yearly economy is weak and has been for decades. Businesses cannot make proper annual budgets with the lack of consistent tourism. There was not a single June Lake Business owner that showed up to any meetings in opposition to STR's!
- What plan does the Mono County have to help grow the June Lake economy? None! If anyone remembers correctly, we laid off teachers and emergency personnel when the economy faltered just not long ago.
- A prohibitive stance against STR's portrays June Lake as unwelcoming to tourism and future second home ownership. By ignoring the largest growing segment in the tourist industry the County puts June Lake at an absolute disadvantage going forward. This reduces our tourist share over time. As other STR friendly towns grow, June Lake's economy weakens.
- The recently passed tax bill will negatively affect the second home market with the new limitations on second home mortgage interest and property taxes. These new tax law changes make second home ownership far less financially appealing for many going forward.



- The welcoming of a non-prohibitive, Pro-STR program in June Lake would help offset the tax deduction losses and attract Homeowners to investing in June Lake's economy. There is a new need to offset the deductions lost under the new permanent tax bill. Read it!
- The average Home value in Zip code (93529) June Lake is 14% less than 2004.
- The average property tax bill for the opponents of STR is half that of the proponents of STR in the Clark Tract as demonstrated at the December planning commission meeting and validated with Mono County tax records.
- It only takes one home sale figure to positively affect all homeowners' property values in any given June Lake neighborhood. A new homeowner purchasing a home with the benefit of future potential (STR income) would be willing to pay a significantly higher sales price, ultimately benefiting everyone in the neighborhood with the new higher sales comparable price. This has been reaffirmed by the National Board of Realtors.
- It also been affirmed that a prohibitive or quasi-legal STR program is detrimental to a neighborhoods property values.

There are two areas that need addressed immediately before you proceed:

- The winter restrictions proposed for new applicants are far too broad and restrictive on the dates. The Clark Tract is 7200-7600 elevation and hardly receives as much snow as the past with the globally warmer temperatures. Ultimately the whole idea of winter restrictions are unrealistic and have been blown out of proportion absurdly. It's not grounded on any solid legal precedence and in the short run the dates should be made much less restrictive. Mid December to early April is more reasonable.
- The idea of restricting legal advertising of monthly rentals on VRBO/HomeAway is entirely illegal and unprecedented. Aside from the illegalities that would arise from such a misinformed policy, it would be the most disrespectful and disingenuous move of the Planning commission to recommend prohibiting second homeowners from advertising their properties. After prohibiting homeowner's rights for STR's, Mono County would actually look to add insult to injury by attempting to further violate our property rights and restrict our ability to find quality monthly renters? This type of policy is completely unacceptable. The reality is that no homeowners are currently advertising illegal nightly rentals in June Lake and have not in years. Please do your homework. The only legal precedent for restricting advertising of legal rental activity has been in newer HOA's mostly single building high rises that had specific language from the inception signed and agreed by all homeowners from the beginning. Proceeding with unlawful advertising language would be a sign to us homeowners that the Planning Commission and Board of Supervisors are not working in our best financial and property rights interests.

Finally please understand that these changes will not be accepted as permanent for our future. They are economically unwise policies that are financially detrimental to our properties and local economy. They do not resolve the issues in the neighborhood and likely will add to the friction. In due time we will demand immediate changes to these poorly construed policies that lack transparency and fairness with the second homeowners and insult those that support the local economy and have made the largest investments in June Lake's future.

Mike Rosas- one of the many Clark Tract Homeowners in favor of Pro-STR policies