

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

SPECIAL MEETING AGENDA

November 21, 2024 – 9:00 a.m.

Mono Lake Room
1290 Tavern Rd
Mammoth Lakes, CA 93546

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

TELECONFERENCE INFORMATION

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

2. Joining via Zoom

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

To join the meeting by computer

Visit: <https://monocounty.zoom.us/j/83830911753>

Or visit <https://www.zoom.us/> and click on "Join A Meeting." Use Zoom Meeting ID: 838 3091 1753 To provide public comment (at appropriate times) during the meeting, press the "Raise Hand" hand button on your screen and wait to be acknowledged by the Chair or staff. Please keep all comments to 3 minutes.

To join the meeting by telephone

Dial (669) 900-6833, then enter Webinar ID: 838 3091 1753

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

**Agenda sequence (see note following agenda).*

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

3. MEETING MINUTES

A. Review and adopt minutes of October 17, 2024. (pg. 1)

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jora Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

4. PUBLIC HEARINGS

- A. 9:00 a.m. Continuation of UP 24-003 HERTZBERG.** The applicant has requested a continuation of this public hearing to 9:05 am on December 19, 2024. The Use Permit would allow for installation of an overhead power line across Highway 6 to a parcel in Benton (APN 024-290-001). *Staff: Olya Egorov*
- B. No earlier than 9:05 a.m. Consider approval of Use Permit 24-005 (Mann Short-Term Rental).** Applicant is seeking a use permit to allow for short-term rentals at 122 Nevada Street in June Lake (APN: 016-099-005). The parcel is 0.18 acres and has a land use designation of Single-Family Residential (SFR). The project qualifies for a statutory exemption under CEQA §15301 (Existing Facilities). *Staff: Aaron M. Washco* (pg. 4)

5. WORKSHOPS

- A.** Regional Transportation Plan update. *Staff: Olya Egorov* (pg. 23)

6. REPORTS

- A.** Director (pg. 39)
B. Commissioners

7. INFORMATIONAL/ CORRESPONDENCE

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

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

NOTE: Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

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Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (1290 Tavern Rd, Mammoth Lakes, CA 93546). Agenda packets are also posted online at www.monocounty.ca.gov / departments / community development / commissions & committees / planning commission. For inclusion on the e-mail distribution list, send request to hwillson@mono.ca.gov

Commissioners may participate from a teleconference location. Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

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Draft Minutes

October 17, 2024 – 9:00 a.m.

COMMISSIONERS: Patricia Robertson, Roberta Lagomarsini, Chris Lizza

STAFF: Heidi Willson, planning commission clerk; Brent Calloway; assistant director; Aaron Washco, planning analyst; Erin Bauer, planning analyst; Emily Fox, County Counsel; Erin Bauer, planning analyst

PUBLIC: Collin, Heidi V, Jimmy Ybarra, Kathleen, Krys Mihulka, Sherry Sorensen, Jessica Workman, Laila Pomeroy, Robin Roberts

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

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

- No public comment.

3. MEETING MINUTES

A. Review and adopt minutes of September 19, 2024.

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

Lizza motion; Lagomarsini second.

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

Motion Passes 3-0 with 2 absent.

B. Review and adopt amended minutes from July 18, 2024

Motion: Approve the amended meeting minutes from the meeting on July 18, 2024, as presented.

Lagomarsini motion; Lizza second.

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

Motion Passes 3-0 with 2 absent.

4. PUBLIC HEARINGS

A. 9:00 am Continuation of UP 24-003 The applicant has requested a continuation of this public hearing to the November 21, regular meeting of the Planning Commission. The Use Permit would allow for installation of an overhead power line across Highway 6 to a parcel in Benton (APN 024-290-001). *Staff: Olya Egorov*

- UP 24-003 is continued to November 21, 2024, at 9:00 a.m.

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jora Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

B. 9:05 am Consider approval of Use Permit 24-004 (Morgan). Applicant is seeking a use permit to allow for vacation home rentals at 2705 Highway 158 in June Lake (APN: 015-086-015-000). The parcel is 0.11 acres and has a land use designation of Commercial (C). The project qualifies for a statutory exemption under CEQA §15301 (Existing Facilities). *Staff: Aaron M. Washco*

- Washco gave a presentation and answered questions from the Commission.
- Public Hearing opened at 9:42 a.m.
- Applicant gave a comment and answered questions from the Commission. No public comments received.
- Public Hearing closed at 9:54 a.m.
- Commissioners deliberated the project, which included questions to, answers from, and exchanges with staff and the applicant. The Commission requested that the following conditions be added to the Conditions of Approval:

Additional Conditions of Approval and Modifications:

- An electronic, remote mechanism to open the garage doors from the exterior of the unit shall be installed and operational prior to issuance of the VHR permit.
- A parking management plan for the third parking space in the garage shall be submitted to the Community Development Department and approved by the Director prior to the issuance of the VHR permit. Upon approval of the parking management plan, Condition #9 shall be modified to read “No more than ~~two~~ **three** vehicles in accordance with the Parking Management Plan...”

Motion: Find that the project qualifies as a Categorical Exemption under CEQA Guidelines § 15301 and instruct staff to file a Notice of Exemption; Make the required findings as contained in the project staff report; and Approve Use Permit 24-004 subject to Conditions of Approval with the added and modified conditions as presented.

Lizza motion; Lagomarsini second.

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

Motion Passes 2-1 with 2 absent.

C. 9:20 am Consider whether the acquisition of 158 Kingsley Street in Bridgeport conforms with the Mono County General Plan. The Mono County Behavioral Health department is looking to purchase a commercial parcel with one structure and four office/retail units for use as a Wellness Center. The property is located at 158 Kingsley Street, Bridgeport, CA 93517 (APN: 008-134-014-000), 0.17 acres, and has a land use designation of Commercial (C). The project qualifies for a CEQA exemption under §15301 (Existing Facilities). *Staff: Robin Roberts and Aaron M. Washco*

- Roberts and Wascho gave a presentation and answered questions from the Commission.
- Public Hearing opened at 10:19 a.m.
- Applicant gave a comment and answered questions from the Commission. No public comments received.
- Public Hearing closed at 10:20 a.m.

Motion: Staff finds that the acquisition by the County of 158 Kingsley Street, Bridgeport, CA 93517, APN: 008-134-014-000, for the purpose of a Mono County Behavioral Health Wellness Center is in conformance with the Mono County General Plan and recommends that the Planning Commission adopt Resolution 24-003.

Lagomarsini motion; Lizza second.

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

Motion Passes 3-0 with 2 absent.

5. REPORTS

A. Director

- Sugimura addressed the provided directors report and answered questions from the Commission.

B. Commissioners

- Lagomarsini gave a report.

6. INFORMATIONAL/ CORRESPONDENCE

7. ADJOURN at 10:30 am to the Scheduled Special Meeting on November 21, 2024, at 9:00 a.m.

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Commissioners may participate from a teleconference location. Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

Mono County Community Development

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Planning Division

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November 21, 2024

To: Mono County Planning Commission

From: Aaron M. Washco, Planning Analyst

Re: Conditional Use Permit 24-005 (Mann STR)

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

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

OR

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

BACKGROUND

On May 3, 2022, the Mono County Board of Supervisors imposed a moratorium on new short-term and transient rentals, defined as nightly rentals of 30 or fewer days, in all single-family residential units regardless of land use designation. The moratorium expired on April 29, 2024, which means Mono County is again accepting applications for short-term and transient rentals under existing regulations with certain modifications.

PROJECT DESCRIPTION

The proposed project would allow the short-term rental (fewer than 30 consecutive days) of a two-bedroom single-family residence not occupied by the owner consistent with General Plan Chapter 25 and Mono County Code Chapter 5.65. While the owner will not be present on site for short-term rentals, it will remain her primary residence and she plans to remain in the area, staying with friends, in order to handle any potential issues that may arise. The maximum number of persons who may occupy the rental would be six persons and the number of vehicles allowed shall not exceed the number of on-site parking spaces, which is presently two.

Figure 1: Location of Project, 122 Nevada Street, June Lake



PROJECT SETTING

The project is located at 122 Nevada Street, June Lake (APN 016-099-005, see Figure 1). Mono County General Plan Land Use Element (MCGP LUE) Action 13.M.1.f. states, “In the Clark Tract, Owner-Occupied and Not Owner-Occupied 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.” Additional regulations apply to the upper part of the Clark Tract.

The subject parcel's land use designation is Single-Family Residential (SFR). The intent of the SFR land use designation is "to provide for the development of single-family dwelling units in community areas." Short-term rentals are permitted subject to use permit on parcels with SFR land use designations.

The project site is 0.18 acres and contains a 611-square foot single-family residence with two bedrooms and one full bathroom. A detached storage shed which has been converted into a guesthouse is also present at the project site (see Figure 2). With a driveway conservatively measuring 45' x 10', the parcel has sufficient space to provide two uncovered 10' x 20' parking spaces on site, as required by Chapter 6 of the Mono County General Plan Land Use Element.

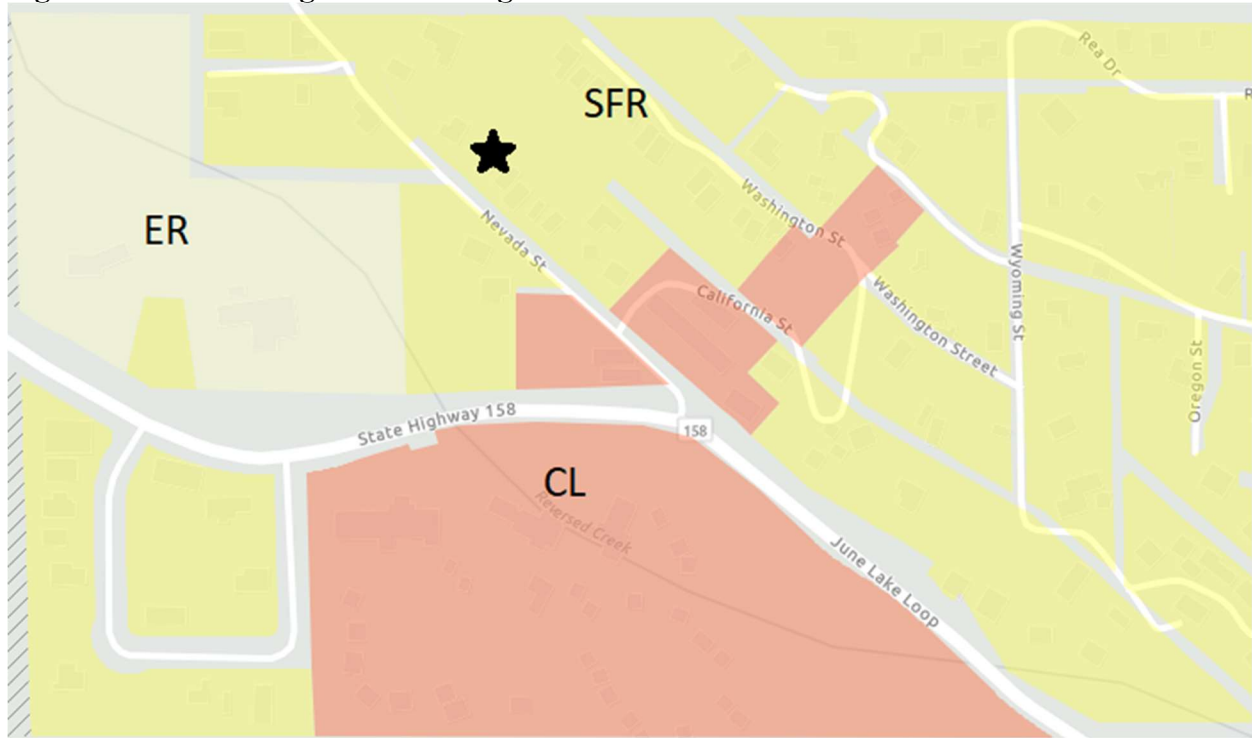
Figure 2: View of residence and guesthouse from Nevada Street



The project site is accessed by Nevada Street, which is a 16-foot wide, unpaved private road that connects to Highway 158 on one end and dead ends in approximately 1.1 miles. Road maintenance and snow removal expenses are funded by voluntary contributions of property owners. There do not appear to be any secondary access roads or turnarounds between the subject parcel and the terminus of Nevada Street.

As shown in Figure 3, most of the parcels surrounding 122 Nevada Street have Single-Family Residential (SFR) or Estate Residential (ER) land use designations. The surrounding SFR parcels that have been developed contain single-family residences. The Estate Residential parcels to the west of the project site are part of the Double Eagle Resort. There are also parcels with Commercial Lodging (CL) land use designations located to the south and east of the subject parcel. Many of these properties with Commercial Lodging land use designations are traditional lodging facilities, including the Double Eagle Resort & Spa and the Whispering Pines Chalet. Others contain single-family residences or remain undeveloped.

Figure 3: Surrounding land use designations



There are also four existing overnight rentals in the vicinity, the locations of which are shown below in Figure 4.

Figure 4: Existing overnight rentals in the vicinity



GENERAL PLAN CONSISTENCY

I. Land Use Designation Standards

The General Plan Land Use Designation for the subject property is Single-Family Residential (SFR). Per the Mono County General Plan, “the ‘SFR’ district is intended to provide for the development of single-family dwelling units in community areas.” Permitted uses subject to a use permit include short-term rentals (fewer than 30 consecutive days). The project is subject to the standards set forth by Chapter 25 of the Mono County General Plan Land Use Element (Short-Term Rentals) and Mono County Code Chapter 5.65 (Short-Term Rentals in Residential Areas). If the use permit is approved, the project will also require a Short-Term Rental Activity Permit, business license, transient occupancy tax certificate, and payment of Housing Mitigation Ordinance fees (\$4.76/sf as of today) prior to operation as a short-term rental.

Development standards for the SFR land use designation include a maximum lot coverage of 40% and minimum setbacks of 20’ in the front and 10’ for the rear and side yards. The residence was constructed in 1977 and is existing non-conforming to current setback standards in relation to the setback from the western property line, which is approximately 6.5’. All other setbacks meet current requirements. Lot coverage (i.e., the footprint of the house and detached guesthouse) totals 1,019 square-feet, or 13.2% of the 7,720-square foot parcel.

While there are no snow storage requirements for single-family residential properties, the applicant contracts with High Country Contractors for snow removal on an annual basis, which is the same contractor who clears snow from Nevada Street. The contractor has a business license which is valid through June 30, 2025. Despite both Nevada Street and the applicant’s driveway being unpaved and unimproved, snow removal is still done regularly. According to the applicant, the snow from the driveway has historically been pushed across the street to a vacant parcel at 93 Nevada Street (see Figure 1), which is under separate ownership. The applicant plans to request a signed letter stating that storing the snow from the applicant’s driveway in the vacant portions of 93 Nevada Street is permitted by the landowner. This agreement will be a condition of the Short-Term Rental Activity Permit and will be verified annually upon renewal. Alternatively, if the applicant is unable to obtain such a letter, the applicant will direct the plow driver to store the snow in her front yard rather than on the neighboring parcel.

II. Parking

A single-family dwelling is required to provide a minimum of two parking spaces when constructed. The Mono County General Plan Land Use Element does not require additional parking for the purpose of short-term rentals; however, all parking must be contained on-site and the number of vehicles permitted shall not exceed the number of available parking spaces. During a site visit on September 5, 2024, it was determined that the driveway measures approximately 45’ x 10’, allowing for the two required 10’ x 20’ parking spaces in a tandem arrangement.

III. Access Road

An analysis of the State Minimum Fire Safe Regulations (SMFSR), which supersede Mono County General Plan Land Use Element Chapter 22 – Fire Safe Regulations, is required for Use Permit applications within State Responsibility Areas. Given the residence was constructed in 1977, the parcel was likely created prior to 1991, and therefore is exempt from the SMFSR (§1270.03(a)). The June Lake Fire District expressed no concerns with the project.

Further, three overnight rentals which are accessed by Nevada Street have been approved in the past. Two of these overnight rentals (93 Nevada Street and 9 Silver Meadow Lane) were approved as part of Transient Rental Overlay Districts (TRODs). The Transient Overlay Districts were recommended by the Planning Commission and approved by the Board of Supervisors under General Plan Amendment 13-002. The third overnight rental, located at 92 Nevada Street, is a Short-Term Rental permitted in 2018 via Use Permit 18-005 and a Short-Term Rental Activity Permit.

However, MCGP LUE Action 1.M.3.a states the following:

Short-term rental applications may be denied where one or more of the following safety or infrastructure conditions exist:

- *Emergency access issues due to a single access point to/from the neighborhood (see Safety Element, Objective 5.D. and subsequent policies, and Land Use Element 04.180).*
- *Access to the parcel, in whole or part, includes an unimproved dirt road (e.g., surface is not paved or hardened with a treatment) and/or roads are not served by emergency vehicles.*
- *The majority of parcels in a neighborhood/subdivision are substandard or small (less than 7,500 square feet), potentially resulting in greater impacts to adjacent neighbors and/or changes to residential character.*
- *Current water or sewer service is inadequate or unable to meet Environmental Health standards.*

The Mono County General Plan Land Use Element Action 1.3.M.a. provides for denial of a project due to safety considerations when a neighborhood lacks a secondary access point and/or is accessed by partially or wholly dirt roads (see Land Use Element Action 1.M.3.a. above), both of which apply to this project.

IV. Dark Sky Compliance

During a site visit on the evening of November 5, 2024, it was determined that the project site presently has lighting fixtures which are not in compliance with Mono County's Dark Sky Regulations (see Figures 5, 6, and 7).

Precedent has been set with prior overnight rental approvals to require properties to meet current Dark Sky standards in order to operate. As a result, a project condition has been included requiring all outdoor light fixtures to be replaced with compliant fixtures that are fully shielded with no light emitted above the horizontal plane and a preferred temperature of 2300K and not to exceed 3000K.

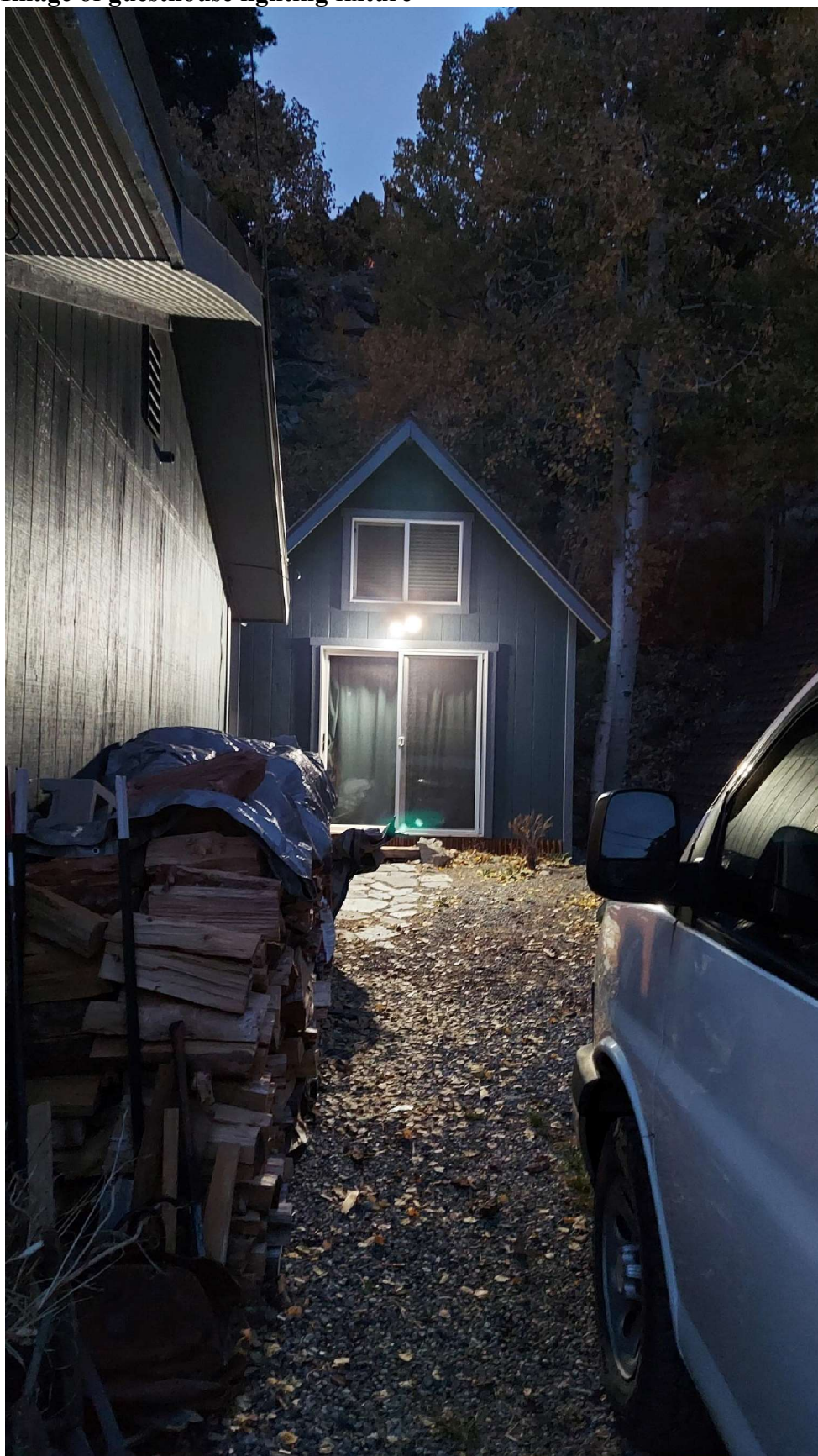
Figure 5: View of residence in evening with external lights on



Figure 6: Image of front porch lighting fixtures



Figure 7: Image of guesthouse lighting fixture



V. Mono County General Plan Land Use Element, Countywide Land Use Policies

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

Policy 1.E.4. Allow for the integration of small-scale commercial uses with associated residential uses, such as employee housing.

Objective 1.I. Maintain and enhance the local economy.

Objective 1.M. Regulations of short-term rentals in residential land use designations (e.g., SFR, ER, RR, or RMH, excluding MFR-M and MFR-H) are needed to protect residential neighborhood character and quality of life, as well as capture potential benefits to the extent possible.

Policy 1.M.3. In addition to reasonable opposition by the neighborhood, short-term rental applications may be denied in neighborhoods with certain safety and/or infrastructure characteristics that are not compatible with visitor use, or where conflicts with other regulations exist.

Action 1.M.3.a. Short-term rental applications may be denied where one or more of the following safety or infrastructure conditions exist:

- Emergency access issues due to a single access point to/from the neighborhood (see Safety Element, Objective 5.D. and subsequent policies, and Land Use Element 04.180).
- Access to the parcel, in whole or part, includes an unimproved dirt road (e.g., surface is not paved or hardened with a treatment) and/or roads are not served by emergency vehicles.
- The majority of parcels in a neighborhood/subdivision are substandard or small (less than 7,500 square feet), potentially resulting in greater impacts to adjacent neighbors and/or changes to residential character.
- Current water or sewer service is inadequate or unable to meet Environmental Health standards.

Policy 1.M.4. To support the tourist economy, short-term rentals are allowed in a limited form, and additional opportunities may be explored.

VI. Mono County General Plan Land Use Element, Countywide Issues/Opportunities/Constraints

16. The short-term rental market (i.e., rentals for fewer 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 is 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.

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 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.

VII. Mono County General Plan Land Use Element, Planning Area Land Use Policies, June Lake

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

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

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 of the General Plan Land Use Element and Mono County Code Chapter 5.65, with the following specifications based on the context of individual neighborhoods (see General Plan map), which vary in character.

Action 13.M.1.f. In the Clark Tract, Owner-Occupied and Not Owner-Occupied 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. In the rest of the Clark Tract, only Owner-Occupied 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 eight parcels total (3% of existing parcels) including existing Transient Rental Overlay Districts (TRODs), and Not Owner-Occupied rentals are prohibited. See MCC Chapter 5.65 for other operational requirements specific to the Clark Tract.

VIII. Mono County General Plan Land Use Element, Issues/Opportunities/Constraints, June Lake

17. 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 300 hours of staff time from December 2016 to December 2017. 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 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.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)

The LDTAC reviewed and approved the application for processing on September 4, 2024. The draft conditions of approval for this project will be reviewed by LDTAC on November 18, 2024.

PUBLIC HEARING NOTICE

A notice was published in the October 24, 2024, edition of Mammoth Times. Notices were also mailed to all property owners within 500 feet of the project site and the June Lake Fire Department on October 18, 2024 (see Attachment 1). Revised notices with a corrected public comment deadline were mailed on October 23, 2024 (see Attachment 2).

CEQA COMPLIANCE

The project is consistent with a Class 1 California Environmental Quality Act (CEQA) exemption. Class 1 (§15301) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Examples include but are not limited to:

- Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances;
- Conversion of a single-family residence to office use.

Single-family homes that are rented on a short-term basis will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full-time residents or long-term renters. In this case, the applicant will continue utilizing the property as her primary residence while renting it short-term at certain times, and during those times she will stay locally with friends. In addition, short-term rentals are subject to compliance with regulations governing the management of these units stipulated in Mono County Code Chapter 5.65, which addresses aesthetics, noise, parking, utilities, and other similar issues. As a result, rental of a single-family residence is not an expansion of use, and is no more intensive or impactful than, for instance, conversion of a single-family residence to office use.

USE PERMIT FINDINGS

In accordance with Mono County General Plan, Chapter 32, Processing – Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*

The site is adequate to accommodate a short-term rental for up to six persons and a maximum of two vehicles which are to be parked in the driveway. The single-family dwelling is existing nonconforming to current side-yard setback standards on the west side of the property. Two parking spaces are provided within the existing gravel driveway. Further, despite residential properties having no snow-storage requirements, there is a contract in place which provides for snow removal services. Prior to operating, the applicant will either (a) obtain express permission for snow storage from the owner of 93 Nevada Street, or (b) instruct the plow driver to store the snow from the applicant's driveway in the applicant's front yard. Finally, short-term rentals are operated in a manner not more intensive than full-time residential occupancy.

This finding can be made.

2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*

- a) The parcel is accessed by Nevada Street, a private, 16-foot-wide dirt road that dead-ends approximately 1.1 miles from Highway 158. The kind of traffic generated by the proposed use is similar to that of the existing residential uses or a long-term rental. The State Minimum Fire Safe Regulations do not apply because the parcel was presumably created prior to 1991 based on the 1977 construction date of the house. In addition, during a conversation with the June Lake Fire Department Chief on the evening of October 31, 2024, the Chief stated that she sees no concerns with the project.

Therefore, this finding can be made.

OR

- b) General Plan Land Use Element Action 1.M.3.a. indicates a project may be denied due to insufficient emergency access resulting from a lack of secondary access and the access road is partially or wholly dirt. and/or is accessed by partially or wholly dirt road lack of secondary access, and if access includes an unimproved dirt road and/or the roads are not served by emergency vehicles. As an existing road, the road standards outlined in the Mono County Fire Safe Regulations do not apply to Nevada Street, but the road is narrow with few turnouts available to pass traffic. No secondary access to or evacuation route from is available in the case of an

emergency. The terminus does not provide for a fire engine to turn around, and snow management in the winter may create additional access challenges.

Additionally, while a short-term rental use is no more impactful than full-time occupancy, whether by a homeowner or long-term renter, and therefore additional traffic is not generated, the surrounding homeowners are responsible for maintenance of the road and are essentially burdened with those costs which benefits this property owner's rental use. This issue is a civil matter between the other homeowners and the applicant to agree to an equitable cost sharing for road maintenance. Further, visitors may not be knowledgeable of the narrow roads in the area, resulting in unsafe conditions.

Therefore, this finding cannot be made.

3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area on which the property is located because:*

- a) The proposed use is not expected to cause significant environmental impacts. No modifications are proposed to the site, which contains a single-family residence and detached guesthouse. The property has a Single-Family Residential designation and the use of it as a short-term rental is permittable with a Use Permit. As a short-term rental, the land use will be consistent with that of a single-family residence.
- b) The applicant shall comply with all June Lake Fire Department requirements and the June Lake Fire Department was noticed for the project.
- c) Plowing services for both Nevada Street and the applicant's driveway have been contracted for with a licensed contractor who possesses a valid Mono County Business License. Plowing will be done in largely the same manner it has been done in past years and utilizing the property as a short-term rental is not expected to create any additional issues with snow removal and storage. Finally, any existing issues with storing snow from the applicant's driveway in the vacant portions of a neighboring parcel will be resolved prior to allowing the applicant to operate as a short-term rental. Either express permission will be obtained from the neighboring property owner or the plow driver will be directed to store snow from the applicant's driveway on the applicant's property.

Therefore, this finding can be made.

OR

- d) The project poses impact to adjacent property owners because of potential road conditions potential emergency access issues which may cause public safety issues.
- e) Due to the lack of housing availability for local residents and employees, a reduction in residential housing stock for long-term rental is detrimental to the public welfare and results in, for example, persons resorting to living in non-compliant facilities such as recreational vehicles and trailers. Visitor

accommodations should be provided intentionally through facilities built for that purpose, such as hotels and motels.

Therefore, this finding cannot be made.

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

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

Therefore, this finding can be made.

OR

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

Therefore, this finding cannot be made.

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

ATTACHMENTS

- 1. Public Hearing Notice
- 2. Corrected Public Hearing Notice

MONO COUNTY

Planning Division

NOTICE OF DECISION & USE PERMIT

USE PERMIT: CUP 24-005

APPLICANT: Laura Mann

ASSESSOR PARCEL NUMBER: 016-099-036-000

PROJECT TITLE: Mann Short-Term Rental

PROJECT LOCATION: 122 Nevada Street, June Lake

CONDITIONS OF APPROVAL

See attached Conditions of Approval

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

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

Notice is hereby given pursuant to Code of Civil Procedure Section 1094.6 that the time within which to bring an action challenging the County's decision is 90 days from the date the decision becomes final. If no appeal is made to the Planning Commission, the Planning Commission decision shall become final on the expiration of the time to bring an appeal (10 days). Notice is also hereby given that failure to exhaust administrative remedies by filing an appeal to the Board of Supervisors may bar any action challenging the Planning Commission's decision.

DATE OF DECISION/USE PERMIT APPROVAL: November 21, 2024

EFFECTIVE DATE USE PERMIT: December 6, 2024

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

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

MONO COUNTY PLANNING COMMISSION

DATED: November 21, 2024

cc: X Applicant
X Public Works
X Building
X Compliance

CONDITIONS OF APPROVAL
Conditional Use Permit 24-005 (Mann STR)

1. Occupancy shall not exceed six renters and two vehicles during short-term rentals.
2. Two parking spaces within the driveway shall be available to short-term rental guests.
3. Vehicle parking shall occur only on the property and as designated in the existing driveway. Off-site and on-street parking are prohibited. Vehicle(s) shall not obstruct the flow of traffic on Nevada Street.
4. The June Lake Fire Department shall be notified prior to beginning operation as a short-term rental and the project is required to comply with any requirements of the June Lake Fire Department.
5. All short-term rental customers must sleep within the primary dwelling; customers are not allowed to reside in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property. Neither the owner nor any guests may sleep in the storage shed that has been converted into a guesthouse during short-term rentals.
6. The project shall comply with provisions of the Mono County General Plan (including Chapter 25, Short-Term Rentals), Mono County Code (including but not limited to 10.16.060(A)), and project description and conditions. The project shall also comply with all provisions of Mono County Code Chapter 5.65, Short-Term Rental Activity in Residential Land Use Designations, and Chapter 25 of the Mono County General Plan Land Use Element. The applicant must also obtain an STR Activity Permit, transient occupancy tax certificate, and business license, as well as pay housing mitigation ordinance fees prior to commencing operation as a short-term rental.
7. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Mono County Building Division, Public Works, and Environmental Health requirements, and any California state health orders.
8. Prior to issuance of a Short-Term Rental Activity Permit per Mono County Code Chapter 5.65, all exterior lighting shall be fully shielded and directed downward to comply with MCGP LUE Chapter 23, Dark Sky Regulations.
9. Prior to issuance of a Short-Term Rental Activity Permit, the applicant shall either (a) obtain express permission for snow storage from the owner of 93 Nevada Street, or (b) instruct the plow driver that is under contract to plow Nevada Street and the applicant's driveway to store the snow from the applicant's driveway in the applicant's front yard.
10. Appeal. Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development director within ten calendar days following the Commission action. The Director will determine if the notice is timely and if so, will

transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.

1. Termination. A use permit shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - a. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the use permit.
 - b. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.
 - c. No extension is granted as provided in Section 32.070.
2. Extension: If there is a failure to exercise the rights of the use permit within two years (or as specified in the conditions) of the date of approval, the applicant may apply for an extension for an additional one year. Only one extension may be granted. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary and schedule it for public hearing. Conditions of approval for the use permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension. Exception to this provision is permitted for those use permits approved concurrently with a tentative parcel or tract map; in those cases the approval period(s) shall be the same as for the tentative map.
3. Revocation: The Planning Commission may revoke the rights granted by a use permit, and the property affected thereby shall be subject to all of the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the use permit or the violation by the owner or tenant of any provision pertaining to the premises for which such use permit was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permitted at least ten days in advance of such hearing. The decision of the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **November 21, 2024** in the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA 93546. The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/83830911753>, or in person at the Bridgeport CAO Chambers, First Floor, Annex 1, 74 N. School Street, Bridgeport, CA 93517. Members of the public shall have the right to observe and offer public comment to consider the following: **No earlier than 9:05 a.m. Use Permit 24-005/Mann Short-Term Rental**. The proposal is to create a short-term rental of a single-family residential unit located at 122 Nevada Street, June Lake (APN 016-099-036-000). The property is designated Single-Family Residential (SFR) and is 0.18 acres. If permitted, the short-term rental will have a maximum occupancy not to exceed six persons. The project qualifies for an exemption under CEQA §15301, Existing Facilities. Project materials are available for public review online at <https://monocounty.ca.gov/planning-commission> and hard copies are available for the cost of reproduction by calling 760-924-1800.

INTERESTED PERSONS are strongly encouraged to attend the meeting in-person; and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 or by email at cddcomments@mono.ca.gov, by **5 p.m. on Wednesday, October 16, 2024**. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else

raised at the public hearing described in this notice, or in written correspondence delivered to the Secretary to the Planning Commission at, or prior to, the public hearing.

Project Contact Information:

Aaron M. Washco
PO Box 347
Mammoth Lakes, CA 93546
(760) 924-1810
awashco@mono.ca.gov



Mono County Planning Commission

PO Box 347
Mammoth Lakes, CA 93546
760- 924-1800 phone, 924-1801 fax
monocounty.ca.gov

PO Box 8
Bridgeport, CA 93517
760- 932-5420 phone, 932-5431 fax

Staff Report

TO: Mono County Planning Commission

DATE: November 21, 2024

FROM: Olya Egorov, Planning Analyst

SUBJECT: 2024 Regional Transportation Plan (RTP) Update

RECOMMENDATIONS

Review and discuss the proposed draft of the 2024 Regional Transportation Plan (RTP). Receive stakeholder and public input, and provide staff direction for further edits if necessary.

BACKGROUND

The Regional Transportation Plan (RTP) is a long-range plan that outlines transportation planning for a minimum of 20 years in a given jurisdiction and provides a clear vision of the regional transportation goals, objectives, and strategies. This important policy document should balance the unique needs and characteristics of a region, as well as State and Federal transportation goals. The RTP is updated every four years by the Mono County LTC and has a proposed adoption date of December 9, 2024.

The California Transportation Commission (CTC) provides RTP Guidelines every three to five years to achieve conformance with State and Federal transportation goals and legislation.

DISCUSSION

The draft 2024 RTP update was released to the LTC, stakeholders, and public via an LTC newsletter email on October 7, 2024, and is available in both track changes and clean formats here: <https://www.monocounty.ca.gov/ltc/page/regional-transportation-plan>.

The proposed updates in the October 7 version are based on data updates, the 2024 RTP Guidelines, and community input from the Antelope Valley Regional Planning Advisory Committee (RPAC), Bridgeport Valley RPAC, Mono Basin RPAC, June Lake Citizens Advisory Committee (CAC), and Long Valley RPAC. Major updates include the following:

- Adjustment to data, including tables and figures.
- Reference to or incorporation of key policy documents, including the ESTA/YARTS Short-Range Transit Plans, the June Lake Active Transportation Plan, and the State Wildlife Action Plan.
- Review and update of community policies; all RPACs reviewed their local sections and the most significant edits were made by Antelope Valley and Bridgeport.
- Conformance with new consultation and coordination requirements (see Appendix I).
- Addition of bicycle and trails policies by the Sustainability Coordinator based on current discussions and policies, such as challenges and opportunities on unpaved (dirt) roadways, Off-Road-Vehicle (OHV) and parking management, and development of standard trails signage.
- Updates to reflect currently programmed projects and future potential projects by Public Works.
- Policies supporting transit facilities consistent with housing grant and/or loan opportunities (e.g., Affordable Housing and Sustainable Communities).

- Incorporation of Zero Emission Vehicles (ZEV) infrastructure goals consistent with the Climate Action Plan for Transportation Infrastructure (CAPTI).
- Integration of the Mono County Visitor Profile Study data and support for updating this study.

Significant implementation of the RTP has occurred and/or circumstances have evolved, resulting in the need to update several major planning documents in the next RTP cycle, including Town of Mammoth Lakes planning documents (such as the Mobility Element); the 2015 Trails Plan (Appendix G); the 2015 Bikeway Plan (Appendix H); and consolidation of unincorporated county projects from Appendix D, Appendix E, and the RTP that will be prioritized in a list for matching with future grant funding opportunities. These planning efforts will be incorporated into the next RTP update.

In addition to the October 7 email release to the LTC, invitations to review and comment were sent to local Native American tribes, Eastern Sierra Transit Authority (ESTA), Yosemite Area Regional Transportation System (YARTS), and California Department of Fish and Wildlife (CDFW). Workshops were held with the LTC, Collaborative Planning Team (CPT), and the Mono Lake Kutzadika Tribe.

Comments were received from the Mono Basin RPAC, Commissioner Kreitz, County Administrative Officer (CAO) Sandra Moberly, staff, and members of the public, and were incorporated into the next iteration of the draft update, released on October 21, 2024, and posted to the RTP website. Reformatting and subsequent input will continue through November and policy adjustments will follow in response.

The draft RTP was submitted for review to Caltrans District 9 on November 8, 2024, to ensure elements of the 2024 RTP Guidelines are met in this update. Comments from Caltrans will either be incorporated or a response will be provided. The 2024 RTP will be considered for adoption at the regular Mono County LTC meeting on December 9, 2024.

Please contact Olya Egorov (ogorov@mono.ca.gov) with any questions. This staff report has been reviewed by the Community Development Director.

Link to RTP Drafts:

<https://www.monocounty.ca.gov/ltc/page/regional-transportation-plan>



2024 Regional Transportation Plan Workshop



MONO COUNTY PLANNING COMMISSION
REGULAR MEETING ON NOVEMBER 21, 2024

Workshop Overview

- I. Background on the RTP update
- II. Review of the 2024 RTP Guidelines and requirements
- III. Overview and discussion of major updates

Public Involvement Process

FALL 2023 TO SUMMER 2024

- RPAC Tour and community outreach
- LTC Workshop and stakeholder outreach
- Planning Commission Workshop

FALL 2024 ONWARD...

- Tribal consultation and community outreach (ongoing)
- Caltrans D09 engagement (ongoing)
- LTC Workshop
- Collaborative Planning Team (CPT) Workshop

Purpose

- Assessment of the existing transportation system
- Present goals, objectives, and strategies
- Recognize critical intersections
- Inform Overall Work Programs (OWPs) and other funding programs

2024 RTP Guidelines

Key Additions:

1. Aligned performance measurements and asset managements
2. The State's CAPTI goals and policies (new Appendix to be added by the State)
3. Planning Practice Examples (Appendix F)

Elements

- Describe the planning and public involvement process and transportation system
- Present goals, objectives, and strategies (Policy Element)
- Specify actions to achieve goals, objectives and strategies (Action Element)
- Summarize the costs of implementation (Financial Element)

Data Adjustments



- Update with current data
- Include data forecasting (requested by Caltrans D09, to be added)
- Include Mono County Visitor Profile Study data

Policy Documents



- Incorporate June Lake Active Transportation Plan (ATP)
- Incorporate State Wildlife Action Plan (SWAP)

Regional Policy Update



- Transit facilities and housing opportunities
- Zero-emission vehicles (ZEVs) and alternative fuels

Community Policy Update



- **Antelope Valley, Bridgeport Valley,** Mono Basin (including Yosemite), June Lake, and Long Valley
- Town of Mammoth Lakes

Bicycle and Trails Policies



- Bicycle Plan update
- Trails Plan update

Priority Projects



- Priority project list for discretionary funding (requested by Caltrans D09, to be added)
- Overall Work Program (OWP) and other funding programs

Next Steps



- Review with CPT on October 31
- Meet with Kutzadika Tribe on November 1
- Review by Caltrans D09
- Final edits and formatting clean up
- Release draft proposed for adoption on December 2
- Consider adoption on December 9 LTC meeting



Thank you for participating!



MONO COUNTY PLANNING COMMISSION
REGULAR MEETING ON NOVEMBER 21, 2024

Mono County Planning Division*: Current Projects

November 14, 2024

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

Completed Planning Applications		
Policy work focus		

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

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

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

Acronyms:

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



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 1, 2024

Wendy Sugimura
Mono County Planning Commission
P.O. Box 347
Mammoth Lakes, CA 93546
Wsugimura@mono.ca.gov

Re: Coordination with the California Department of Fish and Wildlife for Permitting of State Threatened, Endangered, and Candidate Species – Western Burrowing Owl

Dear Ms. Sugimura,

As you are aware, western burrowing owl (*Athene cunicularia*) (BUOW) became a candidate species under California Endangered Species Act (CESA) on October 25, 2024. As a candidate species BUOW has full protection under CESA and any take of the species needs authorization under CESA.

CESA allows CDFW to authorize project proponents to take state-listed threatened, endangered, or candidate species if certain conditions are met. Take must be incidental to an otherwise lawful activity. The issuance of a permit cannot jeopardize the continued existence of the species. The impacts must be minimized and fully mitigated. Full mitigation often involves the permanent conservation, through a conservation easement, of quality habitat benefitting the species, enhancement of the habitat, and permanent management with funding. All measures must be capable of successful implementation. Adequate funding must be provided to implement the measures and monitor compliance with and effectiveness of those measures.

CESA authorization for a project often involves the preparation of an application for an Incidental Take Permit (ITP). CDFW reviews the impact assessment, species survey information, minimization and mitigation measures, financial assurances, and the California Environmental Quality Act document prepared for the project when preparing an ITP.

CDFW encourages early and ongoing consultation to avoid and minimize potential impacts to rare, endangered, threatened, and candidate species and to develop appropriate mitigation to offset project caused losses of listed species.

If you have any questions, or would like to discuss your project in regard to BUOW please contact Bryant Luu, Environmental Scientist at (760) 923-8666 or Bryant.Luu@wildlife.ca.gov.

Wendy Sugimura
Mono County Planning Commission
November 1, 2024
Page 2

Sincerely,

DocuSigned by:

84FBB8273E4C480...

Alisa Ellsworth
Environmental Program Manager

ec: California Department of Fish and Wildlife
Bryant Luu, Environmental Scientist
Bryant.Luu@wildlife.ca.gov

Rose Banks, Senior Environmental Scientist
Rose.Banks@wildlife.ca.gov