



UP 25-007 & UP 25-008

DeCoster



UP 25-007 DeCoster Apartments

Application to construct four apartments, reconfigure an existing parking lot, install two EV charging stations, and develop a new parking area on a developed commercial lot in June Lake.



UP 25-008
189 Hillside Road

Application to operate
a hosted STR in the
Hillside 158
neighborhood of June
Lake.



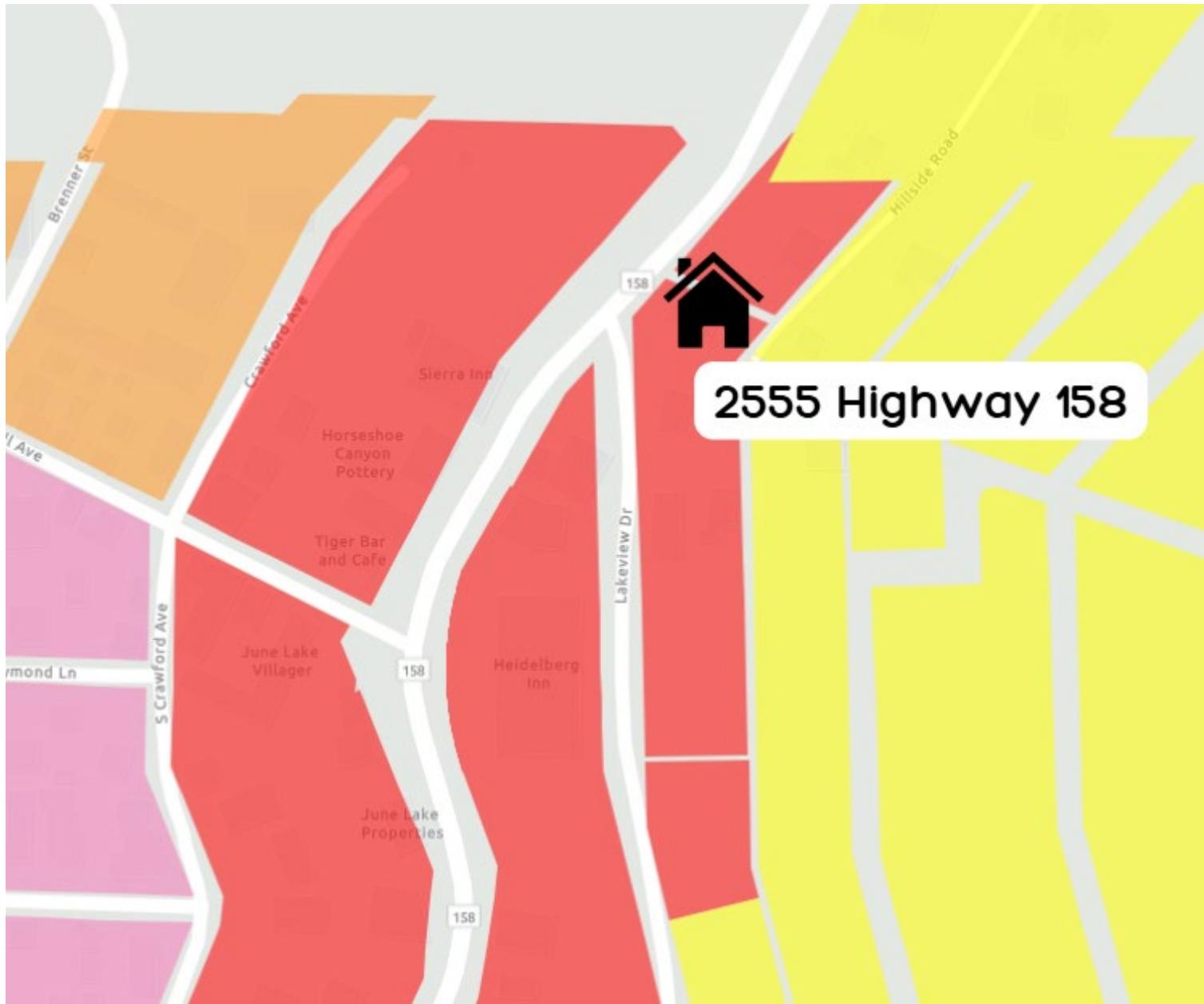
DeCoster Apartments

UP 25-007

2555 SR 158

- June Lake
- APN 015-085-010-000
- 0.33-acre parcel
- Intersection of SR 158 and Lakeview Drive
- Existing development: High Sierra, 1,369-sf of cannabis manufacturing, distribution, and retail
- Existing development: 1,200-sf warehouse.





Land Use Designations

- Commercial LUD
- Intended for retail, business and professional uses
- Higher-density housing is allowed, when compatible
- Located within the commercial corridor
- Surrounding uses are residential

Phased Construction

Phase 1

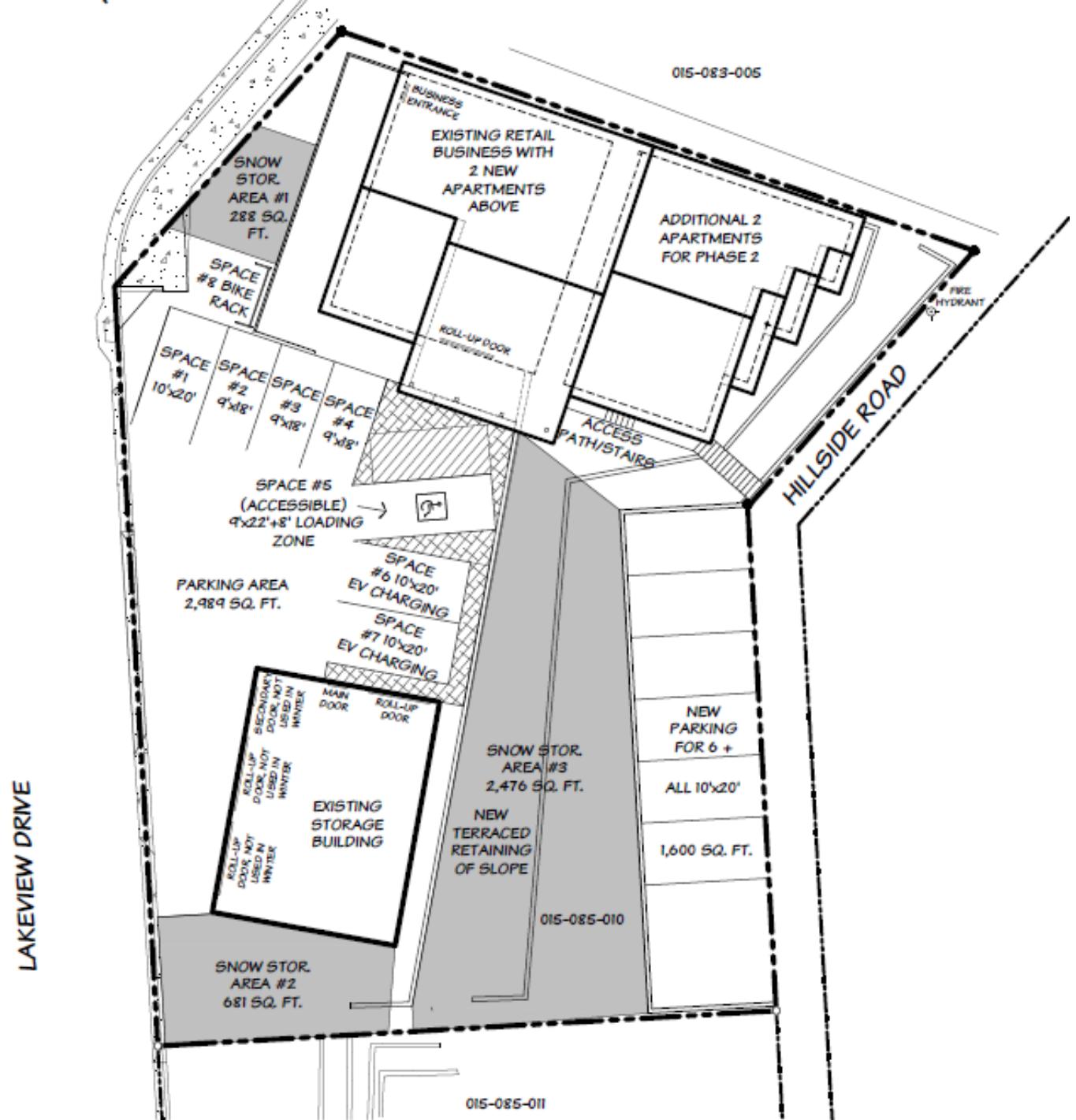
- Construction of two, one-bedroom apartments directly atop the existing retail and manufacturing establishment
- Reconfiguration of the existing parking lot.

Phase 2

- Hillside stabilization
- Construction of a parking lot accessed via Hillside Road
- Installation of two EV charging stations.

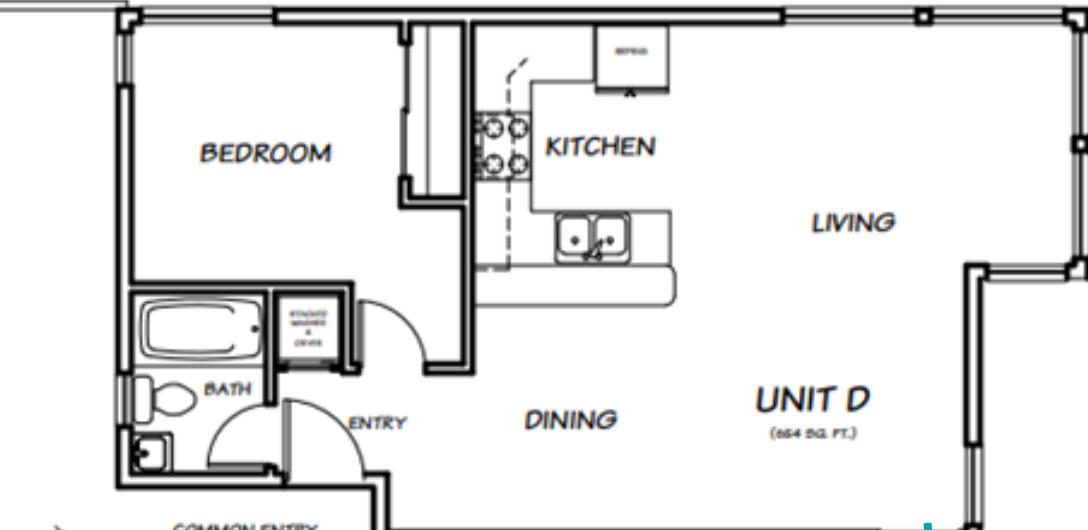
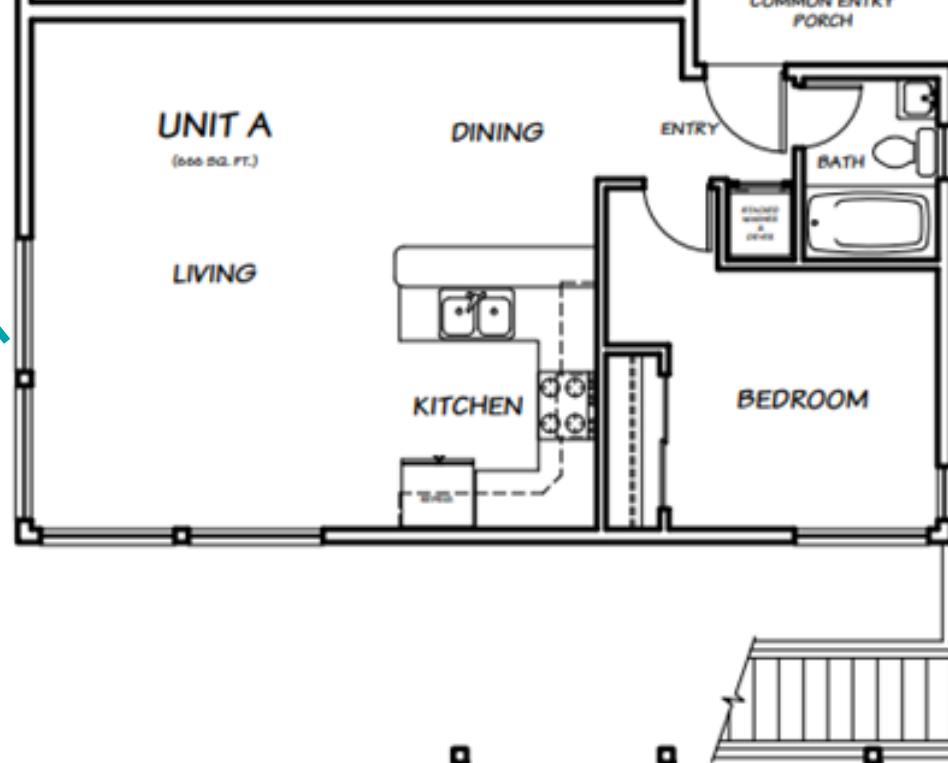
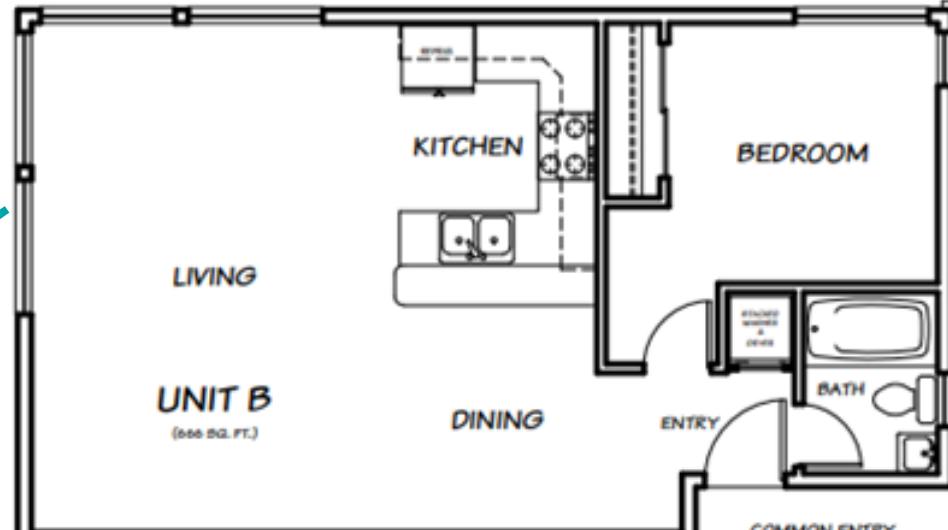
Phase 3

- Two additional apartments.



Phase One
Two 666-sf,
One-bedroom
Apartments

**666-sf
each**

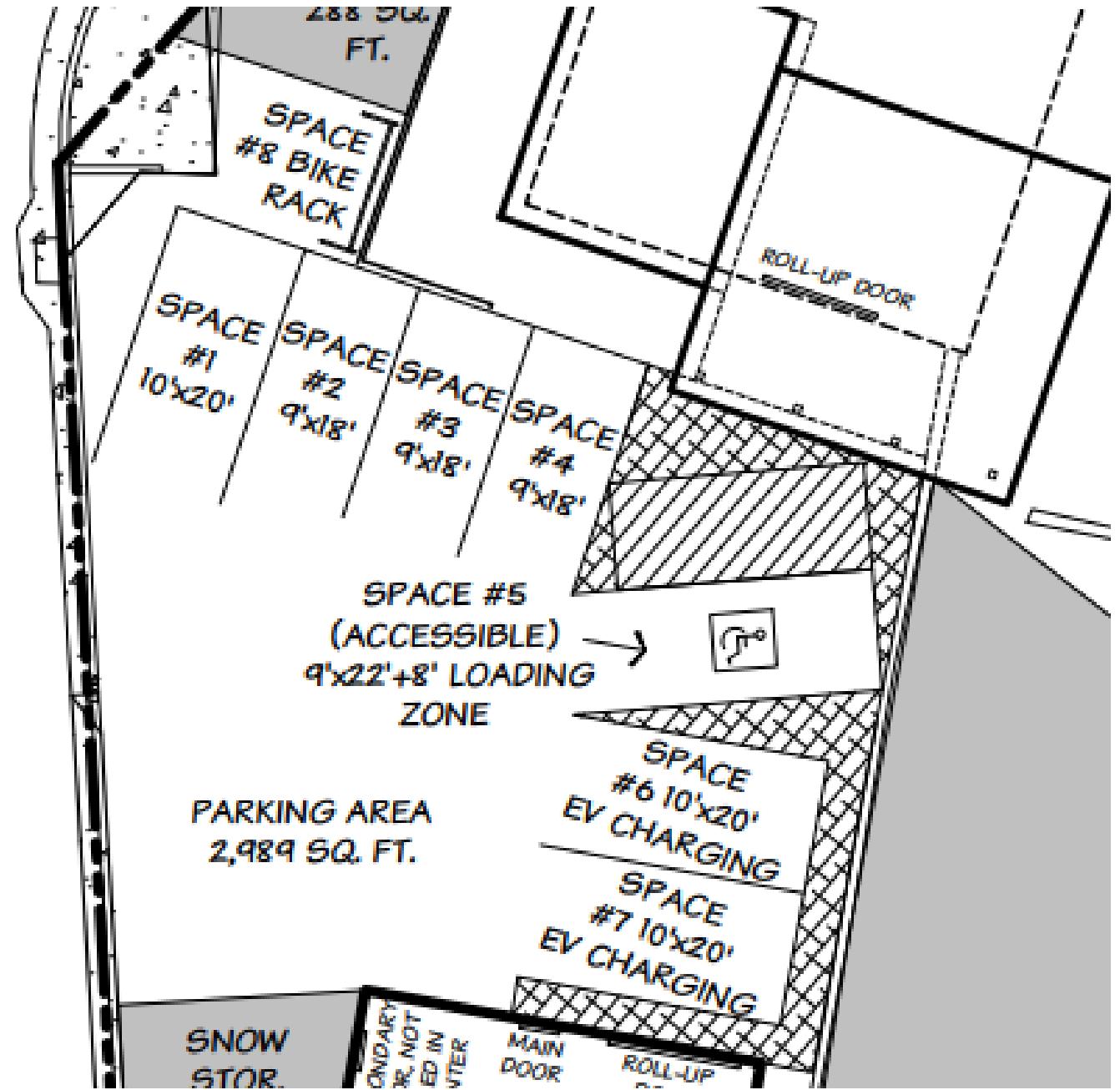


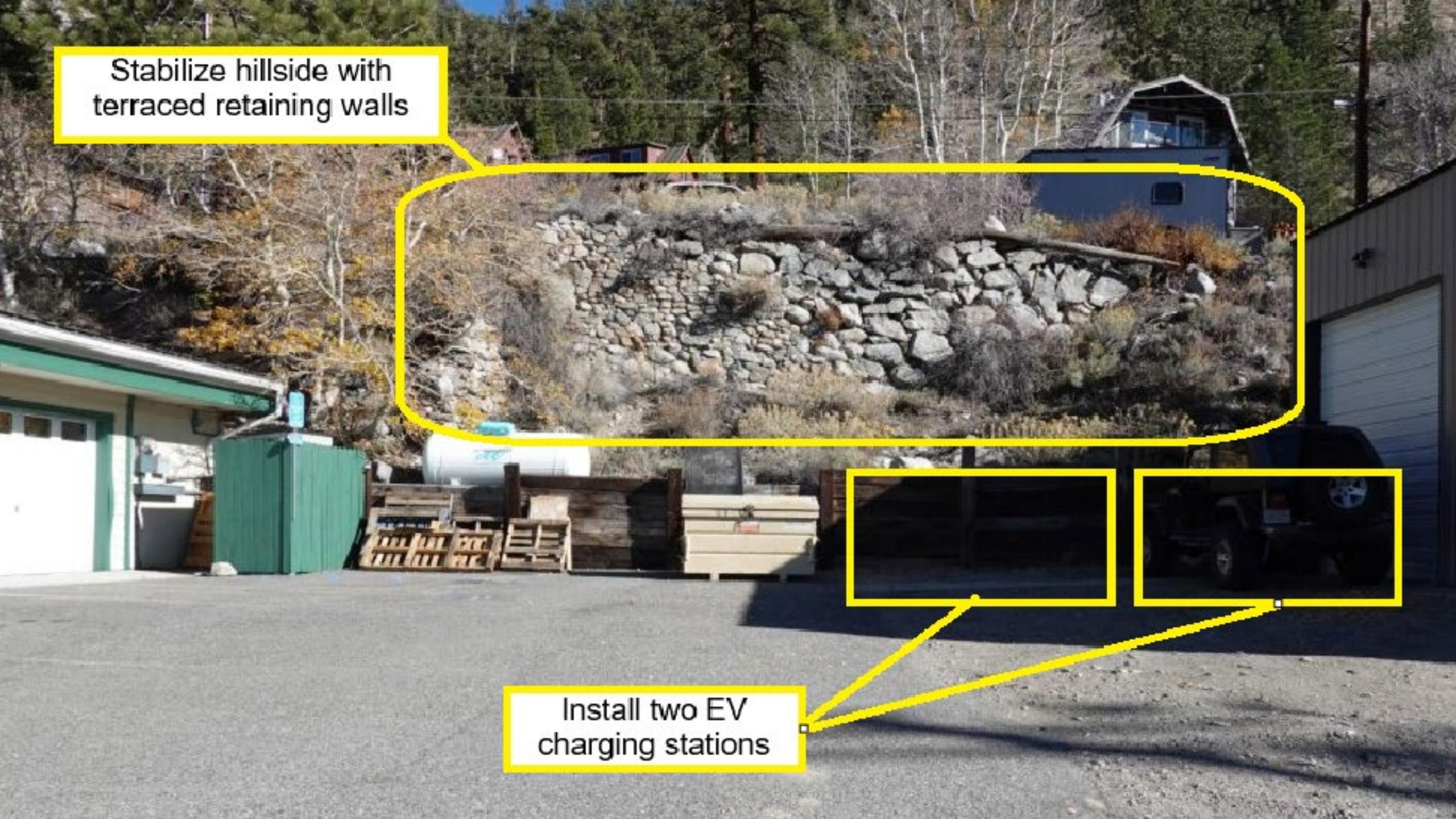
Phase Three
Two additional
PHASE 1 + 2 SECOND FLOOR PLAN
X=7'-0"



**Design
Remains
tentative**

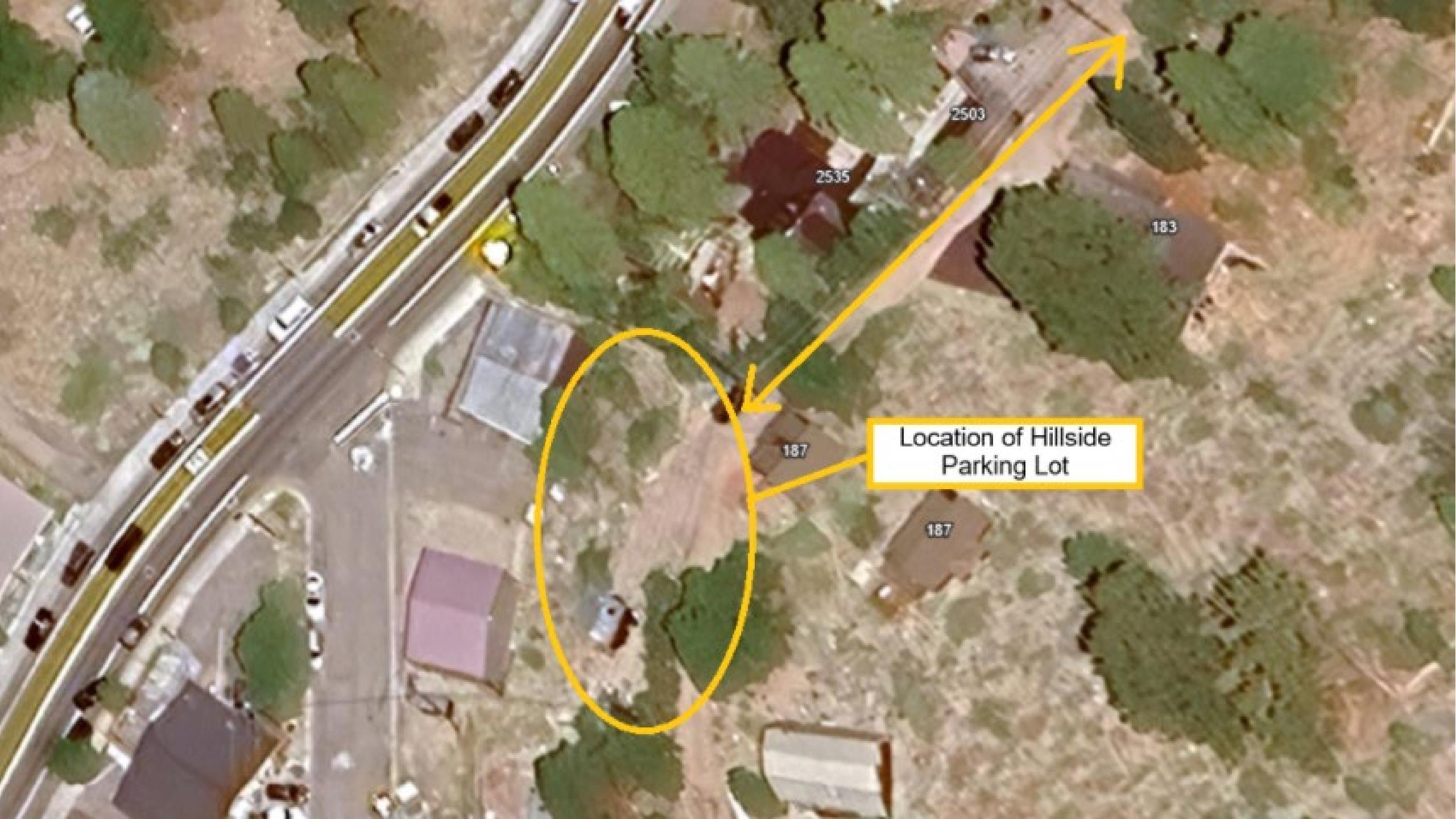
Reconfigured Parking Lot With Two EV Charging Spaces





Stabilize hillside with
terraced retaining walls

Install two EV
charging stations



Location of Hillside
Parking Lot

Phased Construction

Phase 1

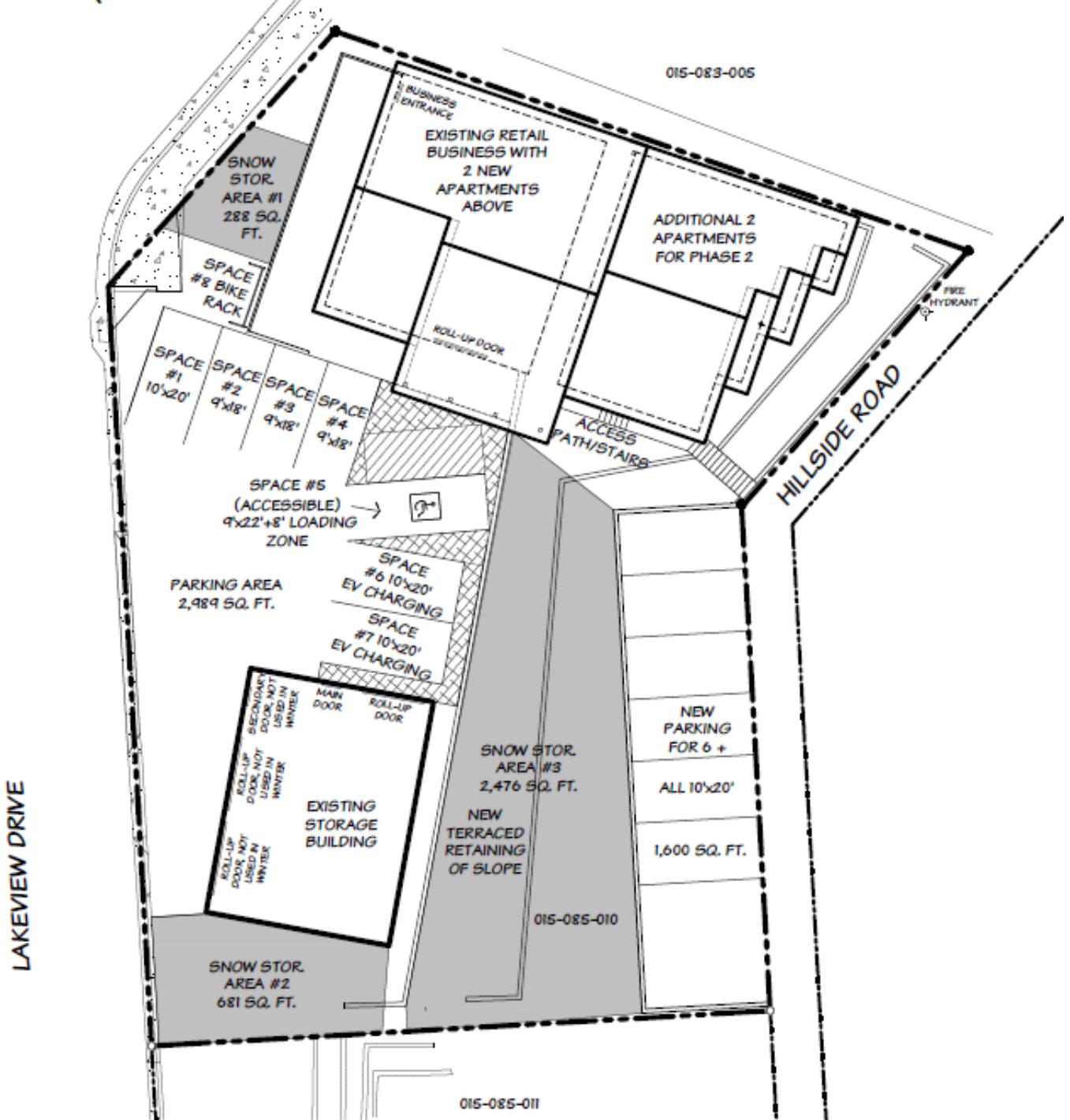
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- Reconfiguration of the existing parking lot.

Phase 2

- Hillside stabilization
- Construction of a parking lot accessed via Hillside Road
- Installation of two EV charging stations.

Phase 3

- Two additional apartments.





Development Standards

Lot Size

- The 0.33-acre (14,375-sf) parcel exceeds the 7,500-sf required minimum.

Lot Dimensions

- Lot depth meets the 100' minimum.
- Lot width exceeds the 60' minimum.

Lot Coverage

- 70% maximum.
- Existing developments cover 5,589-sf, or 55.8%, of the parcel's area in impervious surfaces.
- The addition of a 1,600-sf paved parking lot would raise the total to 7,189-sf, or 72%.
- In order to ensure all four apartments can be built, the Hillside lot must be paved in crushed rock or gravel.



Setbacks

- Minimum setbacks on parcels designated Commercial are 10' front, 5' rear, and 0' side.
- Portions of the existing structures may not meet front setbacks.
- Footprint of existing structure is retained, no expansion into the front setback is proposed.

Landscaping

- Fencing or Screening is required when a commercial development abuts a residential district.
- The steep slope and significant change in elevation between 2555 SR 158 and Hillside Road provides natural screening
- No additional screening is required.

Parking

Existing uses require 4.4 parking spaces.

§06.090.A. requires “60% minimum off-street parking requirements for non-overnight commercial uses” within the CBPD, reducing the total to **three spaces.**

Table 1: Existing Uses

Use	Square Feet	Section 06.090 Parking	Required Parking Spaces
cannabis retail	485-sf	One space for each 200-sf of gross leasable floor area. No fewer than two spaces.	2.5
cannabis manufacturing	653-sf	Two spaces for each three employees on largest shift, not fewer than one space for each 1,000-sf of gross floor area.	0.7
Storage	1,200-sf	One space for each 1,000-sf.	1.2
Total			4.4
Total with 40% CBPD reduction			2.64
Total rounded to the nearest whole number			3

Parking

The completed project will require 13 spaces

Table 2: Required Parking for Completed Project

Use	Required Spaces	After CBPD Reduction	Total
Existing Uses (retail, manufacturing, storage)	4.4	3	3
Phase One apartments	4	No reduction	7
Phase Three apartments	4	No reduction	11
Guest spaces for multi-family	2	No reduction	13

Parking: Requirements, Reductions, Alternatives

Accessible Spaces

§06.040.D requires one accessible space for each 25 required spaces or fraction thereof.

EV Charging

CA 2019 AB1100 §22511.2.(a) requires that EV charging spaces count toward minimum parking space requirements.

Bike Rack

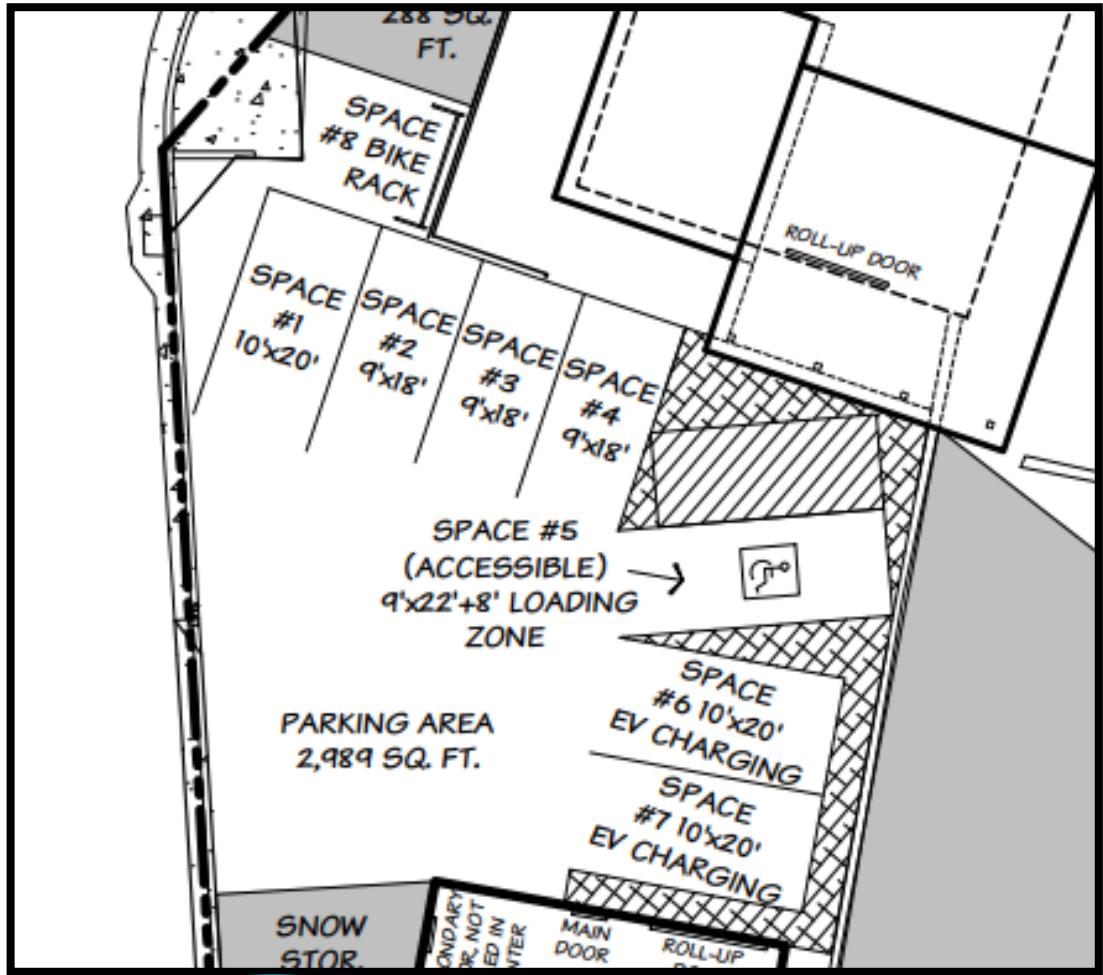
§06.090.C.11 allows that “a maximum of one required off-street parking spaces may be substituted for four bicycle parking spaces.”

Parking: Requirements, Reductions, Alternatives

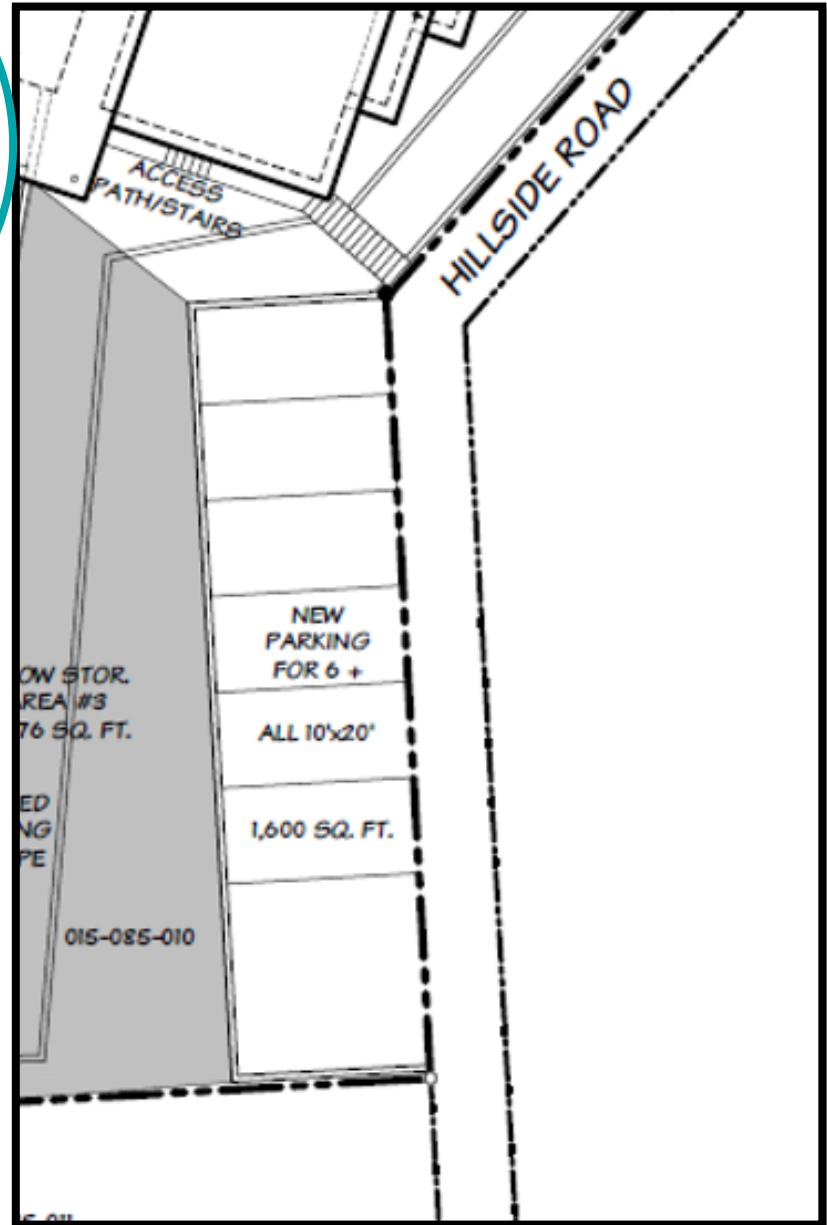
Stall Size

§06.090.C.8 8 allows for alternative parking space dimensions within the CBPD of “not less than 8’ x 16” for up to 40% of the required spaces.

- Three of the spaces on the updated parking plan in Figure 13 are 9’ x 18’.
- During Phase One, three spaces constitute 42% of the required total of seven. This exceeds the maximum allowed 40% reduction by 2%.
- Once the project is completed, however, three spaces would constitute 23% of the required thirteen.

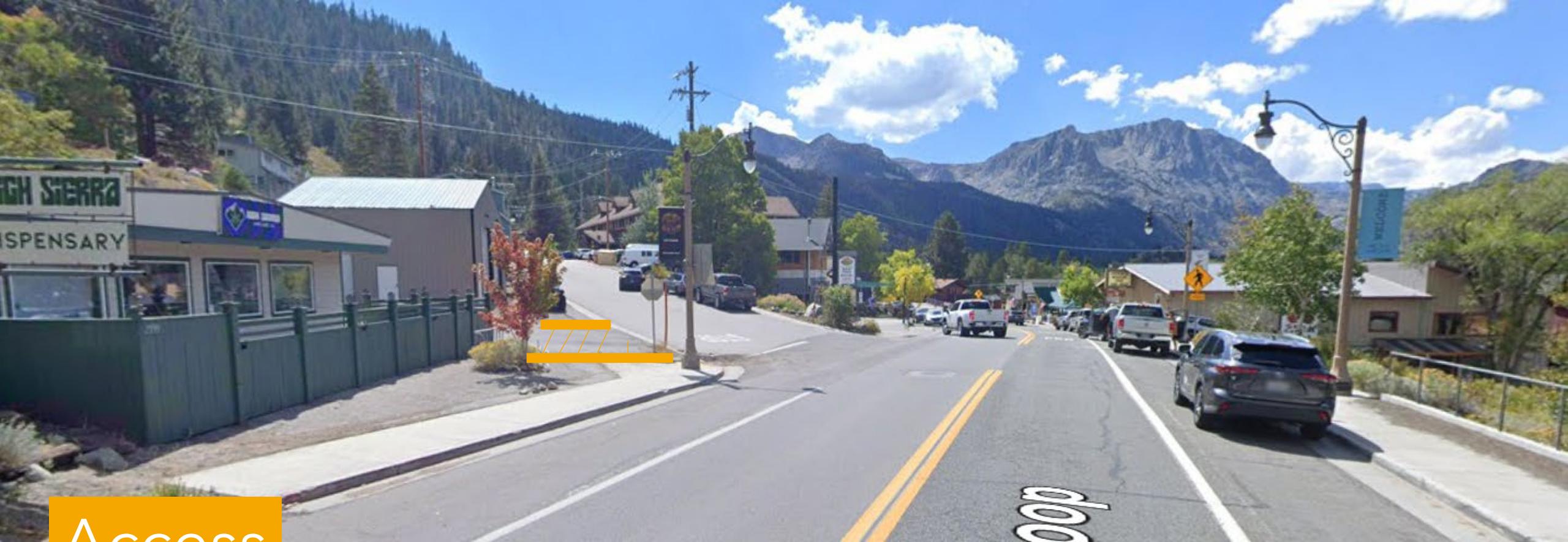


New Hillside Parking Lot



Reconfigured Parking Lot on 2555 SR 158

Parking Plan



Access

- Currently, SR 158 and Lakeview Drive provide access to the project parcel.
- SR 158, as the community's primary thoroughfare, can accommodate an increase in traffic.
- Increasing traffic on Lakeview Drive may negatively impact road safety

A condition of use requiring an intersection study for signalization, and subsequent signalization if warranted, could be considered.

Access

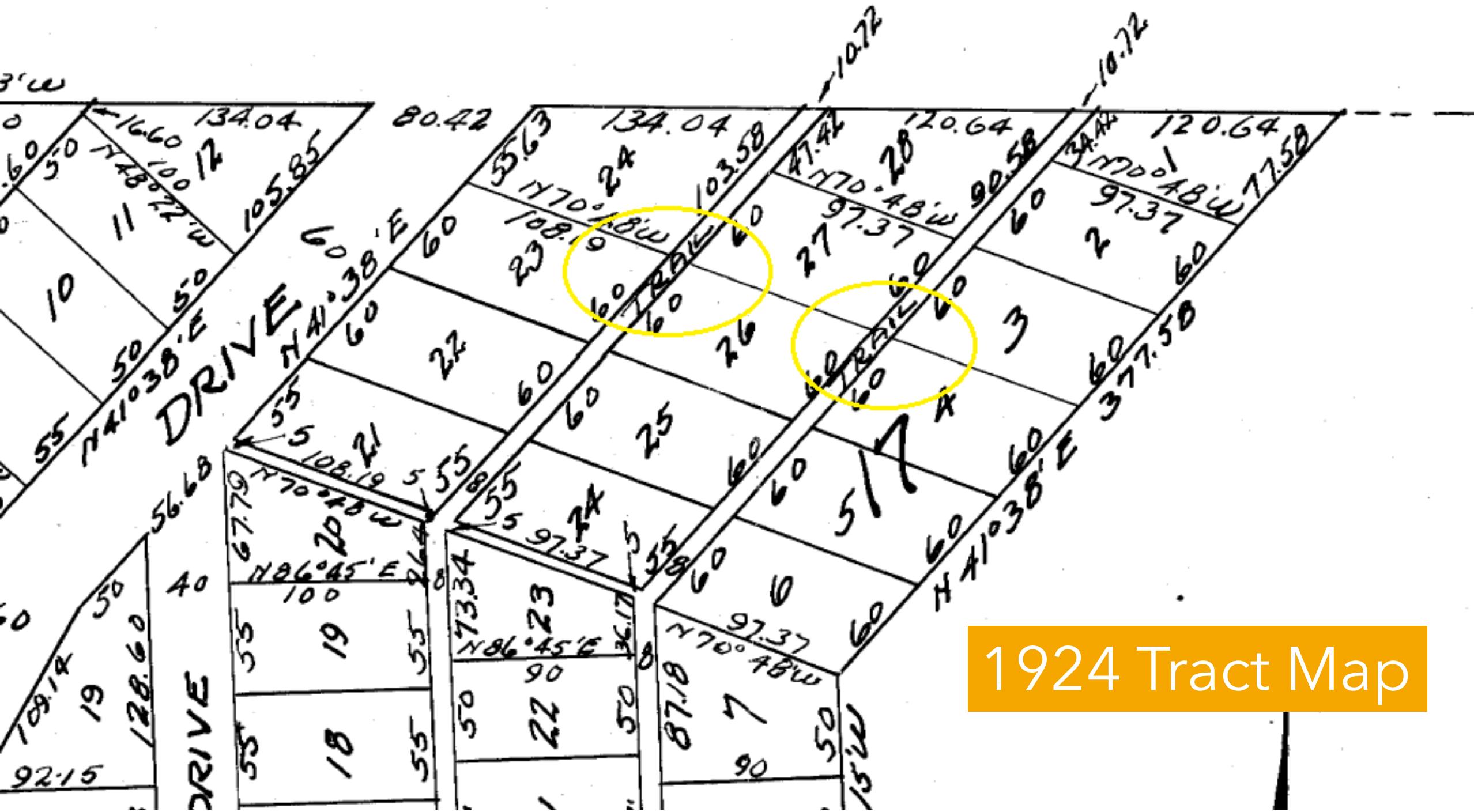
Hillside Road

Narrow, private, unpaved, dead-end road.

CalFire standards do not apply.

County has no authority over road design, improvements, or maintenance.





1924 Tract Map

Access

The only condition that could be required of this project to mitigate the safety issues presented by Hillside Road, would be an offer of dedication for road widening and improvement.

However, improvements could only be made if

- 1) all other properties along the road also eventually provide an offer of dedication, and
- 2) either the private homeowners upgrade the road, or the County accepts the road into its system and upgrades it.

It is unlikely that the above requirements will be met in the foreseeable future.



Access

Public Works requested but did not require an offer of dedication.

Approving development on Hillside Road without requiring an offer of dedication reduces the prospect of future improvements.



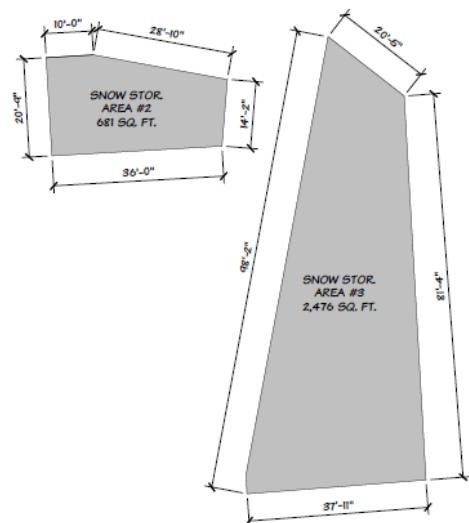
Access

- A condition of use requires any tenants of the proposed apartments to sign a waiver acknowledging that road conditions do not meet County or State standards.
- This acknowledgment would be expressly between the property owner and tenant, and would not involve the County.



Snow Storage

Snow storage is adequate in total area and minimum dimensions



Avalanche Hazard

A site-specific avalanche hazard study completed for the project site in August 2018 by Sue Burak of Snow Survey Associates concluded that the property is in a White Zone.

A White Zone is a very low hazard zone where avalanche activity is “very unlikely.”

The site is not within a potential avalanche hazard.

Countywide Land Use Policies

Encourage new development within existing communities

- **Objective 1.A.** Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural, cultural and recreational resources and that is consistent with the capacities of public facilities and services.
 - **Policy 1.A.1.** Contain growth in and adjacent to existing community areas.
 - **Action 1.A.1.a.** Encourage infill development in existing communities and subdivisions. [...]
 - **Action 1.A.1.b.** New residential development for permanent year-round residents should be concentrated in existing community areas.

Housing is a priority

- **Objective 1.D.** Provide for the housing needs of all resident income groups, and of part-time residents and visitors.
 - **Policy 1.D.2.** Provide for affordable housing.
 - **Action 1.D.2.a.** Encourage the provision of a variety of rental housing in community areas.

General Plan Housing Element

Goal 1: Increase overall housing supply, consistent with the County's rural character.

Policy 1.9. Continue to allow for residential development use in commercial land use designation and approve at least one mixed-use development to more efficiently and economically utilize the county's limited land use base for housing.

Goal 2: Increase the supply of community housing.

Community housing refers to all housing that meets the needs of long-term residents over a range of income levels. The project under consideration proposes modestly sized apartments intended for the local workforce, although no deed restrictions are being offered.

2024 Regional Transportation Plan

Encourage alternative fuels

Policy 4.D. Encourage the use of alternative fuels in County operations and throughout the community.

Objective 4.D.3. Encourage new commercial and visitor-serving projects to include more electric vehicle charging stations than required in parking areas.



“The [June Lake] Loop's growth is inhibited by the surrounding natural environment, the lack of privately owned land, and the desire to maintain its unique, mountain village character. These conditions necessitate controlled expansion, infill and recycling of the existing built environment.”

June Lake Area Plan

Increase density within the existing commercial core.

Objective 13.C. Contain growth in and adjacent to existing developed areas, and retain open-space buffers around each area.

Action 13.C.1.b. Encourage compatible infill development in the Village and Down Canyon areas.

Objective 13.I. Maintain the June Lake Village as the Loop's commercial core by providing a wide range of commercial and residential uses in a pedestrian-oriented atmosphere.



"The construction of single-family residences on vacant lots comprises the majority of development activity. Obtaining financial backing for higher-density residential units such as apartments and condominiums has been problematic and has slowed their construction."

June Lake Area Plan

Develop housing aimed at long-term residents.

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

Policy 14.A.2. Mono County, where feasible, shall work with developers and the June Lake community in constructing and maintaining affordable housing for residents.

Policy 14.A.3. Promote year-round housing types and housing for low- and moderate-income households.

The proposed project qualifies for a Class 3 CEQA exemption under CEQA Guidelines §15303, New Construction or Conversion of Small Structures.

Class 3 consists of construction and location of limited numbers of new, small facilities or structures. Examples of this exemption include a "duplex or similar multi-family residential structure totaling no more than four dwelling units."

Regarding the parking lot on Hillside Road, the additional traffic generated by four apartments would primarily be redirected to Hillside Road and would not exacerbate existing, baseline conditions at SR 158 and Lakeview Drive.

CEQA Compliance

Public Comment

We received ten comments **supporting** UP 25-007.

- Need for housing (new housing, affordable housing, workforce housing)
- Support for EV charging stations

We received five comments **opposing** UP 25-007 (one oral, at LDTAC)

- Hillside is substandard (narrow, one-way, vulnerable to erosion, privately maintained)
- Emergency access.
- Nuisances (on Hillside road and the access easement).

We received one comment that favored new housing but opposed the construction of the Hillside parking lot.

Use Permit Finding #1

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

Conditions of use ensure that all provisions of the Mono County General Plan are met, with two exceptions:

1. Front setback distance of the existing commercial structure
 - Existing nonconforming
 - No expansion of footprint
2. The allowed maximum reduction in parking stall size for the reconfigured parking lot in Phase One.
 - The maximum reduction in parking stall size is exceeded by a minimal amount (2%)
 - Completing the project would bring the parking lot into compliance.

This finding can be made.

Use Permit Finding #2

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

Lakeview Drive

The June Lake Fire Department raised concerns about increases in congestion around Lakeview Drive, caused by increased density proposed in Phase One of the project.

Conditions of use mitigate this impact.

As an additional measure, a signalization study and, if warranted, subsequent signalization **could be considered** as a project condition.

Use Permit Finding #2

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

Hillside Road

Neither CalFire nor County standards apply to Hillside Road.

A commonsense review of the road's condition leads to the conclusion that increases to traffic and density have the potential to exacerbate public safety issues related to fire protection and evacuation.

A condition of use requires a waiver between tenants and property owner(s), acknowledging that road conditions do not meet County or State standards.

This finding can be made.

Use Permit Finding #3

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

A 2018 site-specific study determined the site to be in a “very low hazard” zone for avalanches, and the proposed project adds much-needed housing to the June Lake area.

This finding can be made.

or

Based on public comment, including comment from neighbors, additional traffic on Hillside Road will negatively impact safety and emergency access, which is detrimental to the public welfare, and negatively impact private property and road improvements.

This finding cannot be made.

Use Permit Finding #4

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

Countywide Land Use Policies, the June Lake Area Plan, and the Housing Element all provide strong support for infill development within established communities and for increased housing supply.

The Regional Transportation Plan encourages the development of alternative fuel infrastructure.

This finding can be made.

Conditions of Approval

1. All required parking **spaces** shall be contained on-site, as shown on the parking plan. Spaces along SR 158 do not count toward parking requirements for the project and are subject to Caltrans regulations.
2. No Certificate of Occupancy **for the apartments** shall be issued until minimum parking requirements are met.
3. If the parking spaces with planned electrical vehicle charging stations are being used to meet residential parking requirements, then they must be reserved for tenants only. ~~Both parking spaces with planned electric vehicle charging stations shall be reserved for residents only until the parking lot on Hillside Road has been completed.~~ Reserved spaces will be clearly signed.
4. The parking lot on Hillside Road shall reserve six spaces for residents of 2555 SR 158. Reserved spaces will be clearly signed.

Conditions of Approval

5. The parking lot on Hillside Road shall reserve four spaces for residents of 187 and 189 Hillside Road. Reserved spaces will be clearly signed.
6. The planned parking area on Hillside Road shall be paved with graded crushed rock or gravel, as approved by the Mono County Public Works Department, and total lot coverage shall not exceed 70%.
7. All tenants of 2555 SR 158 must sign an acknowledgement presented by the property owner that road conditions do not meet County or State standards. The acknowledgement is expressly between the property owner and tenant, and does not involve the County.

Conditions of Approval

8. Required parking for APN 015-084-026-000 (187 and 189 Hillside Road) is being provided offsite at APN 015-085-010-000 (2555 SR 158). Pursuant to Mono County General Plan Land Use Element Section 06.060.B., this use permit is not valid until a covenant is recorded in the office of the County Recorder by owners of both properties for the benefit of the County in a form approved by the County Counsel to the effect that the owners shall continue to maintain such parking on APN 015-085-010-000 so long as the use on APN 015-084-026-000 exists. Such covenant shall also recite that the title and right to use the lot upon which the parking space is to be provided will be subservient to the title to the premises upon which the use is to be maintained, and shall warrant that such lots are not and will not be made subject to any other covenant or contract for such use without the prior written consent of the County. The recorded and executed covenant shall be filed with the Mono County Community Development Department and maintained with the Permittee's records for the property.

Conditions of Approval

9. The applicant shall provide at least one pedestrian path linking the Hillside parking lot with the proposed apartment buildings, meeting all required state and County standards.
10. All four units permitted via UP 25-007 must receive a Certificate of Occupancy before the short-term rental of 189 Hillside Road may commence.
11. So long as 189 Hillside Road is used as a transient rental for any duration, all four of the apartments proposed in UP 25-007 must be offered and maintained as long-term rentals at or below market rate rent for a similar size unit. Every six months, the UP-holder must submit an affidavit to the Office of the Mono County Administrative Officer, ~~attention Housing Opportunities Manager~~, regarding the rental status of the unit required to be maintained as a long-term rental. Such affidavit shall attach a current lease with a long-term tenant, or if the unit is not occupied, shall attach evidence of good faith efforts to let the property, including any and all advertisements made in local media or online. A vacancy in the long-term rental unit of three or more months without adequate showing of a good faith effort to let the unit may be grounds for revocation.

Conditions of Approval

12. Snow storage shall occur on-site within the designated areas shown on the site plan. In the event that on-site snow storage is not sufficient, the applicant shall contract with a snow removal provider for off-site storage.
13. All exterior lighting shall comply with the standards for downward directed fully shielded lighting, consistent with General Plan Chapter 23, Dark Sky Regulations.
14. The project shall receive will-serve letters from the June Lake Fire Department and June Lake PUD.
15. All utilities shall be installed underground.

Conditions of Approval

16. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Public Works, Tax Collector, Sheriff's office, Building Division, and Environmental Health.
17. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

Standard conditions for Appeal, Termination, Extension, and Revocation.



DeCoster STR



UP 25-008

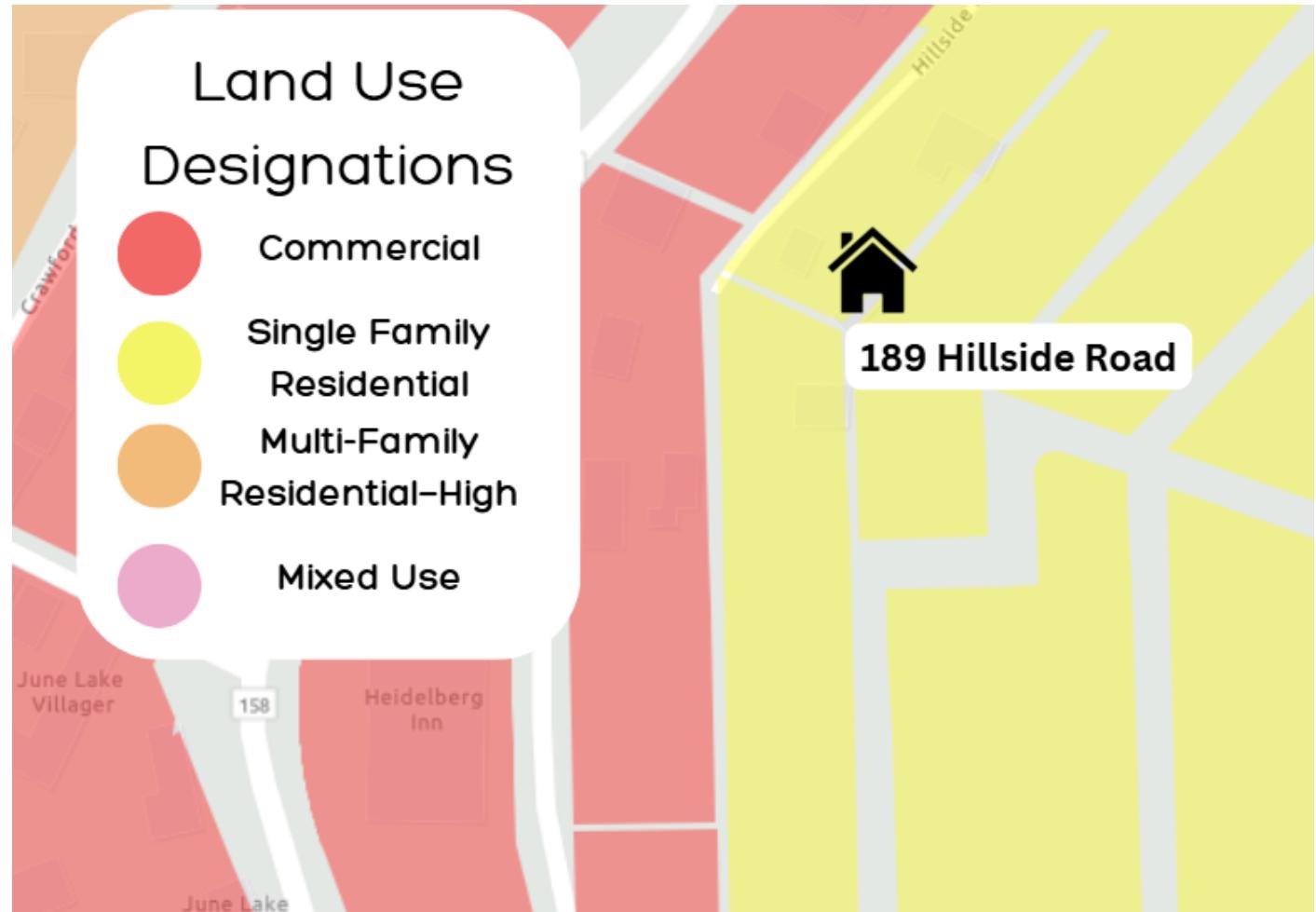
187 & 189 Hillside Road

- June Lake
- APN 015-084-026-000
- 0.23-acre parcel
- Two addressed dwellings:
 - 187 Hillside
 - 189 Hillside



Land Use Designations (LUD)

- LUD is Single Family Residential (SFR)
- Intended for single-family dwelling units in community areas.
- Adjacent parcels to the north and east are undeveloped.
- Adjacent parcel to the south developed with a residence.





Hillside 158 Neighborhood

- Separated from the commercial corridor by access and elevation.
- Community-specific STR rules: hosted rentals only.



187 Hillside Road

- Two bedroom, one bath, 1058-sf home.
- Presently occupied by applicant.

189 Hillside Road

- One bedroom (plus loft), one bath, 1016-sf dwelling.
- Upslope from 187 Hillside, accessed via unpaved footpath.
- In recent years, has been a long term rental.





Development Standards

Lot Size

- The 0.23-acre (10,018-sf) parcel exceeds the 7,500-sf required minimum.

Lot Dimensions

- Lot depth, at roughly 90', does not meet the 100' minimum.
- Lot width exceeds the 60' minimum.

Snow Storage

Single-family residences are not required to provide snow storage.

Lot Coverage

The project parcel's existing lot coverage is approximately 17%, well below the allowed maximum of 40%.



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

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

Table 06.010 sets parking requirements based on use. A detached single-family home serving as a primary residence requires two parking spaces. Therefore, the STR will require two dedicated parking spaces.

Parking



Parking on site is presently unpaved and informal.

Hillside Road dead-ends shortly past the project parcel, and there is no clear distinction between road, parking, shoulder, or pathway.

A condition of approval ensures that the STR cannot operate unless all four of the apartments proposed in UP 25-007 are offered and maintained as a long-term rentals. The apartments cannot be occupied until after a parking lot also proposed in UP 25-007 has been developed on 2555 SR 158, accessed via Hillside Road.

Parking



The planned parking lot would need to provide at least four, clearly signed spaces reserved for residents of 2555 SR 158 and four, clearly signed spaces for residents of the subject parcel, APN 015-084-026-000. A condition of use ensures that short-term rentals could not commence until after the parking lot is completed.

Parking

Access

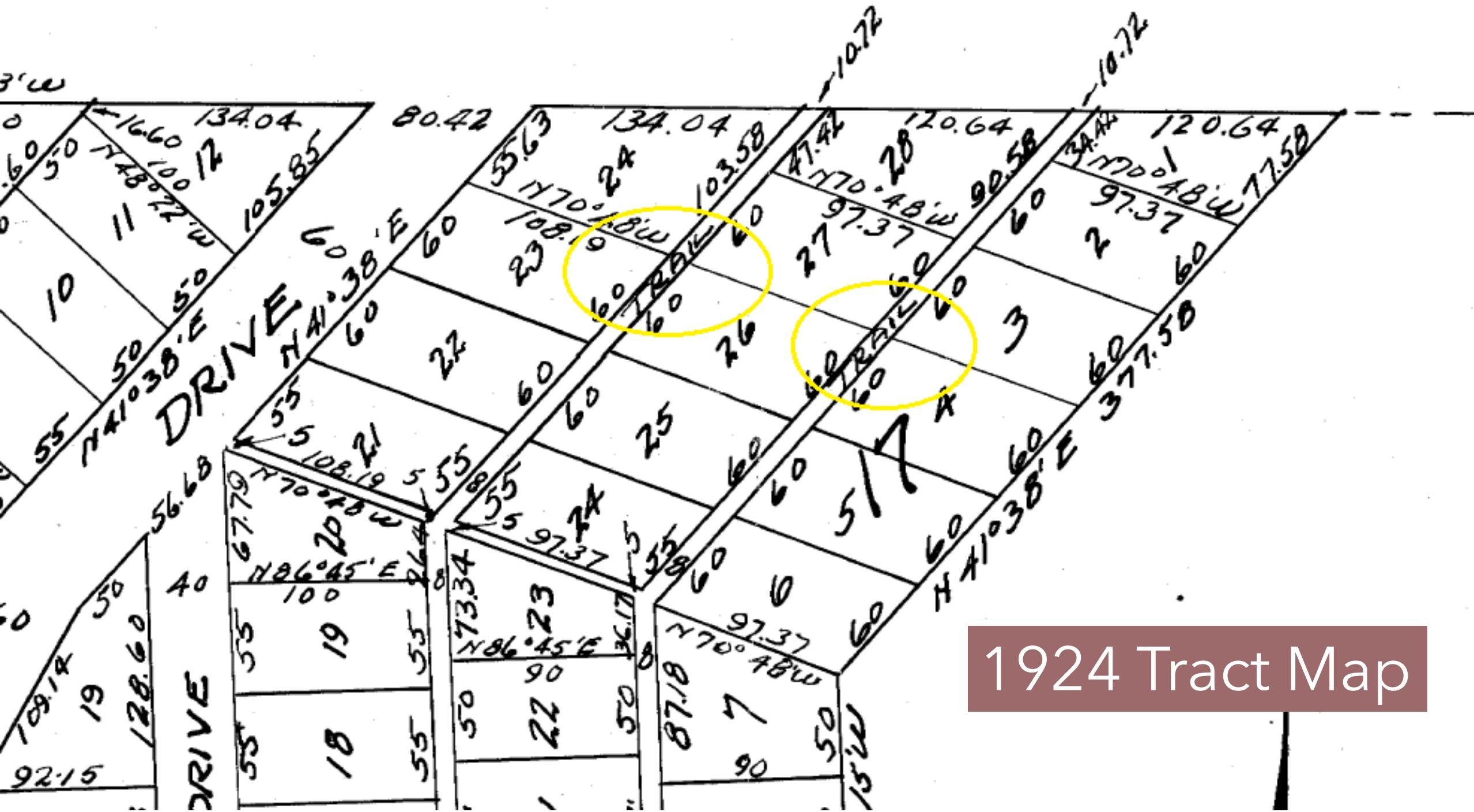
Hillside Road

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1924 Tract Map

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However, improvements could only be made if

- 1) all other properties along the road also eventually provide an offer of dedication, and
- 2) either the private homeowners upgrade the road, or the County accepts the road into its system and upgrades it.

It is unlikely that the above requirements will be met in the foreseeable future.



Access

Public Works requested but did not require an offer of dedication.

Approving development on Hillside Road without requiring an offer of dedication reduces the prospect of future improvements.



Setbacks

- SFR requires: 20' front setbacks, 10' rear setbacks, and 10' side setbacks.
- New construction is required to meet CalFire's 30' setback requirement.
- One residence on the parcel, 187 Hillside, abuts Hillside Road, eliminating the front setback entirely.
- The other residence, 189 Hillside, abuts the rear setback, eliminating it entirely.



Nonconforming Uses

A structure that “lawfully existed at the time the regulations with which it does not conform became effective,” is considered **nonconforming**.

Nonconforming uses are regulated by Chapter 34 of the MCGP LUE.

“The lawful use of land, buildings or structures existing on the effective date of the adoption of this General Plan, when such use does not conform to the land development regulations, may be continued... provided that the general intent of the provisions of the land use designations and land development standards are met, the character of the community is not adversely affected, and that wherever practical, deficiencies are mitigated.”

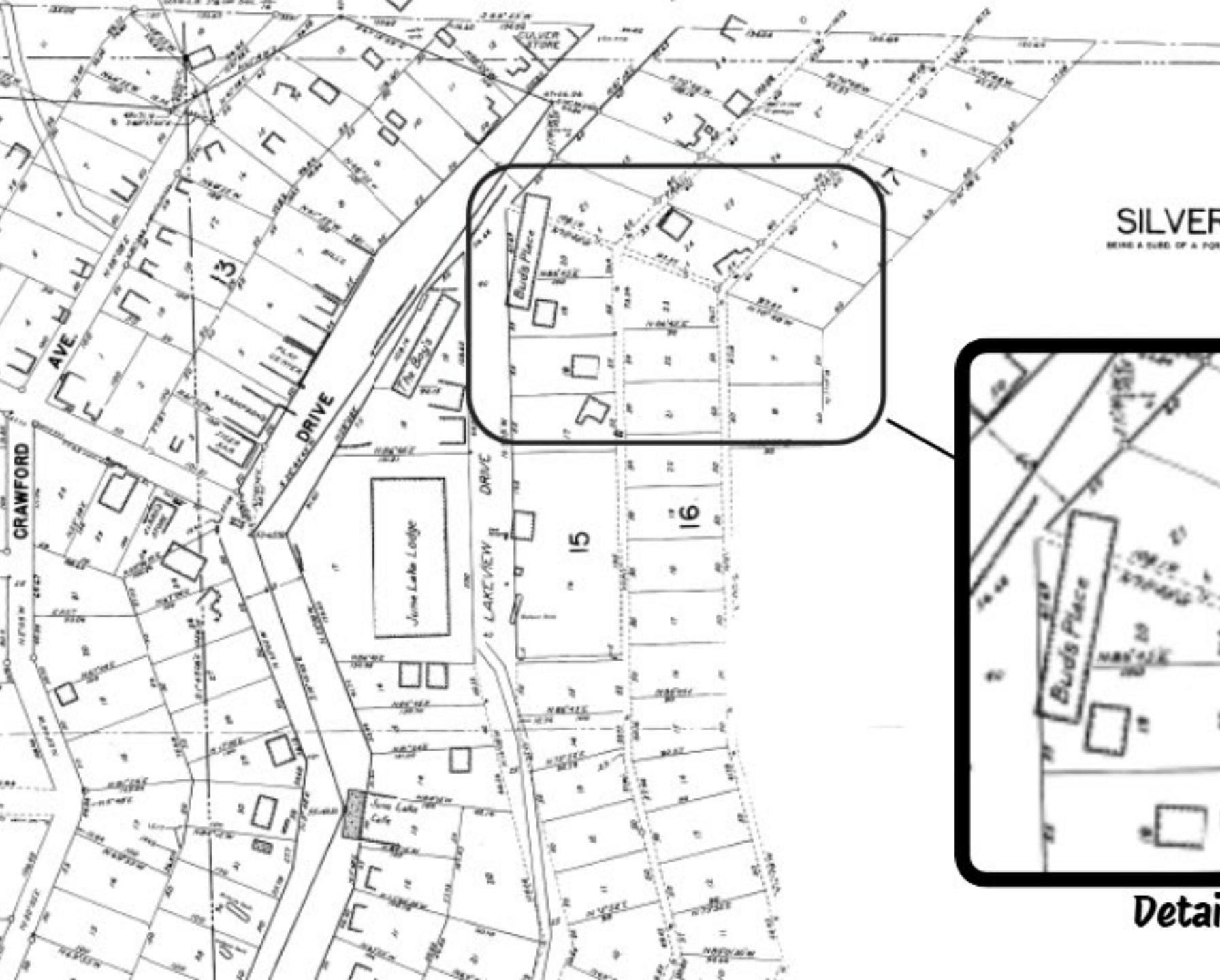


Nonconforming Uses

Three features are nonconforming:

1. Two primary dwellings on a parcel designated SFR.
2. Inadequate setbacks to the front, side, and rear.
3. Inadequate lot depth (depth measures between 85 and 95 feet across the width of the property).





TRACT NO. I
SILVER LAKE PINES INCORPORATED

BEING A SUBD. OF A PORTION OF NE 1/4 OF PL. 1/4 AND A PORTION OF NW 1/4 OF NE 1/4, SECTION 14, T. 2 S., R. 26 E., M. & M.

MONO COUNTY, CALIFORNIA

SCALE 1:50 OCT. 1948



Detail of project parcels

Existing Nonconforming

- Both dwellings appear on a 1948 survey map.
- Assessor's office estimates that 189 Hillside Road (the proposed STR) dates to 1948 while 187 Hillside Road dates to 1950.
- The first Mono County Land Use Element went into effect in 1968.



Nonconforming Criterion A.

Alterations of the nonconforming use shall not be detrimental to the intent of the land use designations, objectives and policies, specified in this General Plan.

LUD

- The project parcel includes two residential structures.
- Under current regulations for the Single-Family Residential LUD, the larger of the two dwellings would be considered primary and the smaller accessory.
- When the smaller structure is residential, it is categorized from the moment it is permitted as an Accessory Dwelling Unit (ADU).
- Section 16.050.H. of the MCGP LUE prohibits short-term rentals in all accessory dwelling units.

Nonconforming Criterion A.

Alterations of the nonconforming use shall not be detrimental to the intent of the land use designations, objectives and policies, specified in this General Plan.

- Both homes predate the adoption of the Land Use Element and its Land Use Designations.
- The two are nearly equal in size—only 42-sf separate the larger (1058-sf) from the smaller (1016-sf).
- The smaller dwelling was constructed earlier (1948 vs. 1950)
- 189 Hillside Road is positioned to take access from a road which was never constructed.
- Because neither home is clearly subordinate to the other, they may instead be categorized as two, existing nonconforming, primary residences.

Nonconforming Criterion A.

Alterations of the nonconforming use shall not be detrimental to the intent of the land use designations, objectives and policies, specified in this General Plan.

Should 189 Hillside Road be designated an ADU by the Planning Commission, the findings to allow Short-Term Rental of the dwelling could not be made.

or

If both residences are designated as existing nonconforming primary uses, then §16.050.H. prohibiting STRs in ADUs does not apply and the findings to allow Short-Term Rental of 189 Hillside Road could be made.

Setbacks & Lot Dimensions

- Setbacks and lot dimensions for both dwellings fall short of current standards.
- Setbacks and lot dimensions were lawful at the time of construction.
- The proposed alteration of use will not change either building's footprint, and therefore will not directly impact the design or condition of the road.

The nonconforming use should not be considered detrimental to the intent of the land use designations, objectives, and policies specified in the General Plan.

This finding can be made.

Nonconforming Criterion A.

Alterations of the nonconforming use shall not be detrimental to the intent of the land use designations, objectives and policies, specified in this General Plan.

LUD

Nonconforming Criterion B.

The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.

A short-term rental use does not change or expand the residential activities occurring on the property.

Potential impacts are mitigated via regulations in the MCGP and Mono County Code.

Therefore, granting a short-term rental permit will not be substantially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.

This finding can be made.

Nonconforming Criterion B.

The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.

Setbacks & Lot Dimensions

Hillside Road's condition may exacerbate public safety issues related to fire protection and evacuation, and the existing front setback prevents the road from being widened or improved.

For this reason, an offer of dedication to ensure that the road could one day be brought up to County standards has been recommended but not required by the Mono County Public Works Department.

Nonconforming Criterion B.

The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.

Setbacks & Lot Dimensions

Regarding Use Permits, Section 32.040 states:

The Commission may designate such conditions in connection with the granting of the use permit as it deems necessary to secure compliance with the purpose of the Land Use Designations and Land Development Regulations, including street dedication, street and drainage improvements, and such guarantees as it deems appropriate in accordance with protection of the public health, safety, and welfare.

Nonconforming Criterion B.

The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.

Setbacks & Lot Dimensions

- Granting a use permit without imposing conditions that would—if not immediately then eventually—allow compliance with Land Development Regulations that benefit public health, safety, and welfare would be detrimental to all three.
- Allowing the rental of a unit to persons unfamiliar with the area and Hillside Road may exacerbate public safety concerns related to evacuation and the provision of emergency services.

Therefore, the finding cannot be made.

Nonconforming Criterion B.

The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.

Setbacks & Lot Dimensions

- Granting a use permit without imposing conditions that would—if not immediately then eventually—allow compliance with Land Development Regulations that benefit public health, safety, and welfare would be detrimental to all three.
- Allowing the rental of a unit to persons unfamiliar with the area and Hillside Road may exacerbate public safety concerns related to evacuation and the provision of emergency services.

Therefore, the finding cannot be made.

Nonconforming Criterion C.

The alteration shall not increase the intensity of the use-category of the land, building or structure.

LUD & Setbacks & Lot Dimensions

A short-term rental use does not change or expand the residential activities occurring on the property, and the potential impacts are mitigated via regulations in the MCGP and Mono County Code.

This finding can be made.

Nonconforming Criterion D.

If the proposed alteration could generate public controversy, the Director shall refer the application to the Planning Commission for its consideration.

LUD & Setbacks & Lot Dimensions

The proposed alteration of use will be considered by the Planning Commission as a part of UP 25-008.

This finding can be made.

Countywide Land Use Policies

Encourage economic growth, and recognize that short-term rentals can support the tourist economy:

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

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

Countywide Land Use Policies

Protect neighborhood character and quality of life:

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.*

Countywide Land Use Policies

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.

Countywide Land Use Policies

Incentivize housing:

The December 9, 2025 update to Countywide short-term rental policies includes Policy 1.D.9.:

Policy 1.D.9. *The Mono County housing program will continue to implement the housing strategy which may include one or more incentive program(s) that link the development of community housing units with the approval of a short-term rental permit or other unrelated incentives to build community housing. Any programs including STR permitting should focus on developing workforce housing. The County may adjust and refine programs as needed to reflect market conditions and community considerations.*

Countywide Land Use Policies

Incentivize housing:

As this project was submitted for processing on August 4, 2025, newly adopted policies do not apply. However, the applicant can voluntarily invoke the policy.

As a condition of use links permission to short-term rent 189 Hillside Road to the long-term rental of four apartment units proposed in UP 25-007 at or below market rates, approval may constitute a strategic incentive to build community housing units.

June Lake Area Plan

Some area plan policies favor STRs

Objective 20.B. *Diversify and stabilize the local economy by attracting and retaining tourist- and community-oriented businesses, particularly those that provide new jobs for local residents.*

June Lake Area Plan

Some area plan policies discourage STRs

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

June Lake Area Plan

Therefore, opt for case-by-case analysis

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.*

June Lake Area Plan

And seek balance.

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

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

June Lake Area Plan

Minimize the possibility of future land ownership/use conflicts.

Multiple conditions of approval for UP 25-008 are only possible because the applicant owns an adjacent parcel, 2555 SR 158. Objective 13.F cautions against such arrangements:

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.*

A condition of use mitigates this conflict by requiring a covenant maintaining required parking.

Review of Previous Decisions

UP 25-010 Gordon



UP 25-001 Sales



UP 24-005 Mann



If approved, the proposed project is consistent with a Class 1 Categorical Exemption under §15301 of the California Environmental Quality Act (CEQA). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

CEQA Compliance

Public Comment

We received six comments **supporting** UP 25-008.

- Incentivize housing
- Benefit tourism

We received eight comments **opposing** UP 25-008 (one oral, at LDTAC)

- Substandard road
- Emergency access
- Nuisances
- History of irresponsible property management.

We received one comment that supported the application only on condition that rentals are prohibited in winter.

Use Permit Finding #1

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

- 189 Hillside Road has been designated a primary residence.
- The parcel is adequate in size and shape to accommodate the proposed hosted short-term rental use.
- Existing non-conforming elements have been reviewed and the findings can be made.
- Sufficient parking will be developed before short-term rentals could begin.
- Because existing nonconforming findings could not be made, 189 Hillside Road has been designated an ADU.
- Section 16.050.H. of the MCGP LUE prohibits short-term rentals in all accessory dwelling units.

This finding can be made.

or

This finding cannot be made.

Use Permit Finding #2

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

- Neither County Road Standards nor State Minimum Fire Safe Regulations apply to Hillside Road.
- Mitigation of the road's condition is not feasible.
- Both CalFire and the June Lake Fire Department were contacted regarding the construction of a parking lot on 2555 Hillside Road, and neither commented.
- A project may be denied due to safety or infrastructure issues.
- Increases to traffic and density on Hillside Road have the potential to exacerbate public safety issues related to fire protection and evacuation.
- Neighbors have commented in opposition because of conditions on Hillside Road.

This finding can be made.

or

This finding cannot be made.

Use Permit Finding #3

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

- By linking the short-term rental of 189 Hillside to continued long-term rentals of four apartments at 2555 SR 158, the project benefits the public welfare.
- The Activity Permit that will be considered by the Board of Supervisors addresses common disturbance issues and evaluates the ability of the property owner to abide by regulations and be a responsible host.
- The project potentially exacerbates evacuation and emergency services provision concerns due to the condition of Hillside Road, which could result in public safety hazards.

This finding can be made.

or

This finding cannot be made.

Use Permit Finding #4

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

- Both residential structures on the project parcel can be considered to be two primary uses, which are existing non-conforming with respect to the map and text of the General Plan.
- Newly-adopted Policy 1.D.9. encourages approval of STRs to incentivize the development of community housing.
- According to MCGP LUE Action 1.M.3.a., a project may be denied due to safety or infrastructure issues
- The existing nonconforming findings for two primary units on the subject parcel could not be made, and therefore 189 Hillside Road has been designated an ADU. Section 16.050.H. of the MCGP LUE prohibits short-term rentals in all accessory dwelling units.

This finding can be made.

or

This finding cannot be made.

Conditions of Approval

1. The short-term rental of 189 Hillside will be hosted, as defined in 02.610 of the MCGP LUE. The owner or designated host must be living on site and present during any and all rentals. ~~in residence at 187 Hillside Road during all short-term rentals of 189 Hillside Road.~~–
2. Occupancy of 189 Hillside Road shall not exceed four renters and two vehicles during short-term rentals, ~~unless determined otherwise by the building official.~~
3. The parking lot on Hillside Road (as proposed in UP 25-007, and located on 2555 SR 158) shall reserve two, clearly signed parking spaces for occupants of 187 Hillside Road and two, clearly signed parking spaces for occupants of 189 Hillside Road. No short-term rentals shall take place in the absence of a developed parking area meeting all County requirements. At no time shall the number of vehicles present exceed the number of parking spaces. Off-site and on-street parking is prohibited.
4. Because Hillside Road is ~~a~~ private and maintenance is the responsibility of the property owners, permit holders must ensure the road is plowed from the intersection to the Hillside parking lot on 2555 SR 158 (as proposed in UP 25-007) prior to each occupancy period, and during each occupancy period as needed to guarantee safe visitor access.

Conditions of Approval

5. Required parking for APN 015-084-026-000 (187 and 189 Hillside Road) is being provided offsite at APN 015-085-010-000 (2555 SR 158). Pursuant to Mono County General Plan Land Use Element Section 06.060.B., this use permit is not valid until a covenant is recorded in the office of the County Recorder by owners of both properties for the benefit of the County in a form approved by the County Counsel to the effect that the owners shall continue to maintain such parking on APN 015-085-010-000 so long as the use on APN 015-084-026-000 exists. Such covenant shall also recite that the title and right to use the lot upon which the parking space is to be provided will be subservient to the title to the premises upon which the use is to be maintained, and shall warrant that such lots are not and will not be made subject to any other covenant or contract for such use without the prior written consent of the County. The recorded and executed covenant shall be filed with the Mono County Community Development Department and maintained with the Permittee's records for the property.

Conditions of Approval

6. All four units permitted via UP 25-007 must receive a Certificate of Occupancy before the short-term rental of 189 Hillside Road may commence.
7. So long as 189 Hillside Road is used as a transient rental for any duration, all four of the apartments proposed in UP 25-007 must be offered and maintained as long-term rentals at or below market rate rent for a similar size unit. Every six months, the UP-holder must submit an affidavit to the Office of the Mono County Administrative Officer, attention Housing Opportunities Manager, regarding the rental status of the unit required to be maintained as a long-term rental. Such affidavit shall attach a current lease with a long-term tenant, or if the unit is not occupied, shall attach evidence of good faith efforts to let the property, including any and all advertisements made in local media or online. A vacancy in the long-term rental unit of 3 or more months without adequate showing of a good faith effort to let the unit may be grounds for revocation.
8. All outdoor lighting fixtures must comply with Chapter 23 of the Land Use Element of the Mono County General Plan before a transient rental permit will be issued.

Conditions of Approval

9. Project must comply with Chapter 25 of the MCGP LUE ("Short-Term Rentals") and MCC 5.65.
10. Prior to conducting business, the property owner(s) shall receive a Short-Term Rental Activity Permit, a Mono County Transient Occupancy Tax Certificate, and a Mono County business license. Payment of any applicable Housing Mitigation Ordinance fees is also required prior to conducting any transient rental business at the project site.
11. Future development shall meet all requirements of Mono County including, but not limited to, the General Plan, Mono County Code, and project conditions and site plan.
12. All transient rental customers must sleep within the dwelling; customers are prohibited from sleeping in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property

Conditions of Approval

13. 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 ~~Long Valley~~ June Lake Fire Department.

14. Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.

Standard conditions for Appeal, Termination, Extension and Revocation.