

## TIOGA WORKFORCE HOUSING DRAFT SUBSEQUENT EIR



### SECTION 4.0 SPECIFIC PLAN

#### 4.1 INTRODUCTION TO TIOGA INN SPECIFIC PLAN AMENDMENT #3

In 1993, the Mono County Board of Supervisors approved a multiple-use visitor commercial project on a roughly 74-acre site located at the junction of US 395 and State Route 120 (the southwest quadrant). The property is located in central Mono County about one mile south of the community of Lee Vining. The 1993 project approvals included certification of a Final EIR, and approval of the Tioga Inn Specific Plan. Upon approval, the Tioga Inn Specific Plan established both the zoning and the General Plan uses and standards for the project site.<sup>1</sup> The approved land use designations included “hotel,” “full-service restaurant,” “residential,” “convenience store/fuel sales,” “open space-preserve,” “open space-facilities,” and “open space-support.”

Many of the approved uses were developed and in operation by 1996, including the residential units, the convenience store/fuel sales, and the designated open space areas. In 1997, the deli opened inside the convenience store. The deli was not included in the 1993 Specific Plan, but was conditionally approved through a retroactive Director Review during 2012. The 2012 approval included a condition stating *“No other commercial or retail space expansion will be permitted on the convenience store gas station parcel without a revision to the Tioga Specific Plan.”* Specific Plan standards for the deli are included as part of the current proposed Amendment in accordance with this requirement.

The 1993 Specific Plan was amended in 1995 (Amendment #1), and again in 1997 (Amendment #2). Proposed Tioga Inn Specific Amendment #3 has a primary goal of facilitating the construction of up to 100 workforce housing units with up to 150 bedrooms to accommodate employees of the previously approved hotel and full-service restaurant. In order to accommodate changes in workforce demographics over time, the workforce housing is designed and would be plumbed to allow flexibility in ratio of 1-bedroom, 2-bedroom and 3+-bedroom units. Additional elements of proposed Amendment #3 include the addition of a third gas pump island, installation of a new wastewater treatment system with subsurface distribution for summer irrigation, expansion of the propane tank storage capability, realignment of the road providing access to the existing hillside residential units, changes in the parcel boundaries and acreages, and replacement of the existing water storage tank with a new tank of the same size in the same general location. Changes associated with Amendments #1 and #2, and with the 2-12 Director Review, are summarized in Table 4.2 (1995 Amendment #1), Table 4-3 (1997 Amendment #2), and Table 4-4 (2012 Director Review 12-007).

#### 4.2 TIOGA INN SPECIFIC PLAN HISTORY AND BACKGROUND

##### 4.2.1 Original 1993 Specific Plan

The Tioga Inn Specific Plan was originally approved by the Mono County Board of Supervisors in July of 1993. Uses and parcel sizes allowed with the 1993 approval are shown in Table 4-1:

TABLE 4-1. Original 1993 Tioga Inn Specific Plan Approved Uses and Parcel Sizes		
PARCEL #	PARCEL ACREAGE	APPROVED USES

<sup>1</sup> Mono County has integrated its Zoning Code into the General Plan Land Use designations. Thus the General Plan *Land Use Element* contains (a) policies and use designations to guide land use decisions, and (b) land development regulations to regulate development activities. The General Plan policies guide land use decisions, and the land development regulations govern the use of buildings, the size and layout and intensity of uses, parking requirements, allowed lot coverage, setbacks and other regulatory development standards.

1	30.3	Hotel
2	36.0	Full-Service Restaurant
3	2.4	Store & Gas Station
4	5.0	Residential Units (10)
<b>TOTAL</b>	<b>73.7</b>	

#### 4.2.2 1995 Specific Plan Amendment #1

The first Specific Plan amendment occurred in April 1995, and included 3 changes as outlined in Table 4-2 below:

<b>TABLE 4-2. Changes Approved in Tioga Inn by 1995 Specific Plan Amendment #1</b>	
<b>#</b>	<b>CHANGE</b>
1	Amend p. 39 Figure 9, moving the proposed location of the water tank approximately 600 feet west to a site next to the proposed housing area on Parcel 4
2	Amend p. 20, Implementation Measure 1d(1) to allow for a two-bedroom apartment, not to exceed 1,500 square feet, as part of the Convenience Store/Fuel Sales
3	Amend the text on p. 12 to allow for the building of a Convenience Store before the Hotel.

#### 4.2.3 1997 Specific Plan Amendment #2

The second Specific Plan amendment occurred two years after the first amendment, in June of 1997, and included 12 changes as outlined in Table 4-3 below:

<b>TABLE 4-3. Changes Approved in Tioga Inn by 1997 Specific Plan Amendment #2</b>	
<b>#</b>	<b>CHANGE</b>
1	Amend p. 7 (Full-Service Restaurant): The restaurant will be built on the flat area on top of the ridge, with a parking lot screened by the terrain to the south and access from the same road as the hotel.
2	Amend p. 10 (Facilities and Services): The water delivery system and sewage disposal system are not to serve any projects other than the four components of the Tioga Inn Specific Plan.
3	Amend p. 27, policy 5a(2): Other than access for authorized personnel to the parcels adjacent to US 395, there shall be no access to the project from US 395.
4	Amend p. 28: 8, Financing the Specific Plan
5	Amend p. 17, Policy 1b: The Hotel land use designation shall permit the following land uses: ■ A public restroom/shower/laundry facility may be permitted.
6	Amend p. 17 - Implementation Measure 1b(2): Site development standards for the Hotel land use designation shall be (Refer to Footnote 13): ■ The public restroom/shower/ laundry facility shall not exceed 20' in height, shall not exceed 1,500 square feet of interior floor space, and shall not exceed an occupancy load of 30 persons. Location of building will be in the vicinity of the swimming pool,
7	Amend p. 19 - Implementation Measure 1c(2): Site development standards for the Full Service Restaurant land use designation shall be: ■ One flag pole shall be allowed on the restaurant parcel. Flagpole shall not exceed 20 feet in height. The maximum area of the flag shall be 40 square feet. Illumination is not permitted.
8	Amend p. 18 – Implementation Measure 1b(2): ■ Signs – See Master Sign Program.
9	Amend p. 19 - Implementation Measure 1c(2): ■ Signs – See Master Sign Program.
10	Amend p. 20 – Implementation Measure 1d(2): ■ Signs – See Master Sign Program.
11	Amend Page 28: 6. Master Sign Program. 6a) <u>Intent</u> . The Master Sign Program is a requirement and mitigation measure of the Tioga Inn Specific Plan. The Specific Plan requires that all signs be coordinated in design and concept with all other facility signs. The Master Sign Plan will coordinate design, theme, and placement of signs within the Tioga Inn Specific Plan area. This Specific Plan is one site with four separate parcels. All signs are required to be on site. 6b) <u>General Provisions</u> . (a) Signs and sign faces will be constructed with natural materials like stone, wood and other

	<p>natural materials to enhance the overall architectural theme of the Tioga Inn. Plastic, metal and other materials may be used but should not be the (predominant<sup>2</sup>) feature of any sign or sign face. The exceptions to this are directional signs which may be plastic or metal. (b) The background or unused portions of the sign facing will be painted in muted earth tone colors or left in a natural state. (c) The sign area is calculated as the area that would enclose all words and letters of a sign face. The portions of the sign enclosed by the decorative border or frame and the foundation are not calculated as sign area. (d) Illumination for all signs shall be indirect or back-lit channel letters.</p> <p><b>6c) Permitted Signs.</b> Monument signs – The Tioga Inn Specific Plan is permitted three monument signs for the three commercial land uses. These signs will be visible to travelers on Highways 120 and 395. The maximum height will not exceed 10 feet. The sign will not exceed 64 square feet per facing. Approximately 21 square feet will be allocated for each commercial use (convenience store/fuel sales, hotel, and full-service restaurant). The three monument signs are permitted within the Tioga Inn Specific Plan on the 30-acre Hotel parcel. One sign may be installed along the Highway 120 corridor approximately 150 feet east of the gas station. Two monument signs may be installed below the restaurant knoll adjacent to Highway 395. These signs are not permitted to be silhouetted against the skyline or located on top of the knoll. Placement may be on either side of the knoll but on the hotel parcel. A fourth monument sign is permitted in the vicinity of the hotel entrance site. This sign is an interior monument sign and will be used to primarily direct visitors to the various facilities within the Tioga Inn Specific Plan site. This sign will generally not be visible to travelers on Hwy 120.</p> <p>Directional signs: Signs for air and water, registration, observation deck, parking, office or deliveries shall be permitted with a maximum area of 3 square feet per sign facing. Directional signs may be combined subject to Director Approval.</p> <p>Other signs: ▪ Convenience store/fuel sales – Signs identifying the property, name ownership, and amenities shall be limited to a maximum of forty-eight total square feet. ▪ Hotel – Signs identifying the property, name, ownership, and amenities shall be limited to a maximum of sixty-four total square feet. ▪ Restaurant – Signs identifying the property, name, ownership, and amenities shall be limited to a maximum of forty-eight square feet. ▪ Required Signs – These signs include those mandated by federal, state, or local agencies (i.e., the display of gas prices).</p> <p><b>6d) Prohibitions.</b> ▪ No signs shall be permitted within the residential land use. ▪ No monument or freestanding signs shall be permitted off the Tioga Inn Specific Plan site.</p>
<b>12</b>	<p>Integrate the letter from Tom May, lighting consultant, into the Specific Plan as number 7, Lighting.</p> <p><b>7. Lighting.</b> Night time lighting for the project site is required to be screened and aimed in a manner to reduce offsite impacts. In order to reduce potential lighting impacts the following changes are required: ▪ Replace the light fixture at the front entrance and on the picnic island near the gas pumps. A KIM Mfg. 2B-ET4 400 watt MH. This change should eliminate any light deflection toward the town and would maximize light distribution on the ground surface. ▪ Place metal glare shields on two sides of the canopy lights facing town. These shields should project 2-6 inches below the prismatic lens. ▪ To light the parking area immediately to the rear of the store add one light pole at the southeast corner near the dumpster area. A KIM 2B-ET3 will spread the light satisfactorily. ▪ To light the road to the restaurant site, place bollard lights with 50 watt lamps on the downslope at 100-foot internals. This will light the road with the light directed away from town.</p>

#### 4.2.4 2012 Director Review 12-007/Tioga Inn Kitchen Expansion

Director Review permit 12-007, approved in July of 2012, retroactively permitted expansion of the Convenience Store kitchen by 316 square feet, noting that the convenience store and gas station had been remodeled on several prior occasions. Findings of the 2012 approval are presented in Table 4-4.

<b>TABLE 4-4. 2012 Director Review 12-007/Tioga Inn Kitchen Expansion</b>	
<b>FINDINGS</b>	<b>EXPLANATORY MATERIALS</b>
1. All applicable provisions of the Mono County General Plan and Tioga Inn Specific Plan are complied with, and the site of the proposed use is adequate in size to accommodate the use and to accommodate all yards,	<p>The subject property is approximately 2.35 acres in size, adequate to accommodate the 316 square feet of kitchen expansion. The property's Specific Plan land use designation allows for: "Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity—subject to individual review and approval by the Planning Director."</p> <p>The proposed 316 square feet kitchen expansion will provide additional services on the convenience store/gas station parcel. Due to the lack of a hotel or full-service restaurant on this property, this limited kitchen expansion is permitted by the Planning Director, subject to this Directors Review, as permitted in the Specific Plan. No other commercial or retail space</p>

<sup>2</sup> The word 'predominant' is missing from the original text, but inserted herein for clarification.

walls and fences, parking, loading, landscaping and other required features;	<p>expansion will be permitted on the convenience store gas station parcel without a revision to the Tioga Inn Specific Plan.</p> <p>The proposed addition meets the Specific Plan height limit of 20', is located within the building envelope established in the Specific Plan (Figure 7), and meets the minimum parking requirements of 10 standard vehicle spaces, two bus or recreational vehicle spaces, and two spaces for vehicles towing trailers.</p>
2. The site for the proposed use relates to streets and highways adequate in width & type to carry the quantity and kind of traffic generated by the proposed use;	The proposed project is located on Vista Point Drive with access to State Route 120. The proposed kitchen addition will not create impacts to surrounding streets or to Highway 120. The project has existing encroachment permits with Caltrans District 9.
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;	The Specific Plan allows for a hotel, full-service restaurant, a residential area, and a convenience store and gas station. The only two uses on the project site at this time are the convenience store/gas station and the residential uses. The hotel and full-service restaurant have never been constructed. The proposed 316 square foot kitchen expansion will provide additional services on the convenience store/gas station parcel. Due to the lack of a full-service restaurant on the project site, this limited expansion will not be detrimental to the public welfare, and/or injurious to property or improvements in the project area.
4. The proposed use is consistent with the map and text of the Mono County General Plan and Tioga Inn Specific Plan;	<p>The Tioga Inn Specific Plan designates this parcel as Convenience Store/Gas Station which provides for a retail store and fuel purchase facility, an apartment, two fuel islands with four multi-grade dispensing stations per island for a total of eight pumping stations, a picnic area sited in conjunction with the scenic turn-out, public restrooms, and parking areas, including spaces for recreational vehicles, vehicles towing trailers, and tour busses.</p> <p><b>Mono County Land Use Element, Ch. 36 Specific Plans:</b> General Plan §36.60 Specific Plan Amendment states that amendments to a specific plan can be handled through the Director Review process if no change in density results and no change in conditions are necessary. [Reference to Attachment 1 Ground Floor Plan that shows existing uses and the proposed kitchen expansion]. With DR 2012-007, the expansion of 316 square feet to the kitchen does not change the density of the project or change conditions.</p> <p>This Specific Plan was adopted in 1993 and as of this date, only the Residential and Convenience Store/Gas Station uses have been developed. In consideration of this and the fact that the Hotel and other Restaurant uses are undeveloped, the increase in footprint of the Convenience Store/Gas Station from 6,300 permitted square feet to 6,835 square feet (includes the 316 sf kitchen expansion) is considered minor and allowed within the Specific Plan area.</p>
5. Improvements as indicated on the development plan are consistent with all adopted standards and policies as set forth in the Land Development Regulations;	<p>The project is consistent with the Mono Basin Area Plan because it conforms to the policies encouraging infill development within or adjacent [to] Lee Vining.</p> <p><b>Mono County Land Use Element, Mono Basin Area Plan:</b>  Objective A: Direct future development to occur in and adjacent to Lee Vining.  Objective D, <u>Policy 3</u>: Focus commercial development within or adjacent to Lee Vining.</p> <p>The project is consistent with the Tioga Inn Specific Plan because it is located on the Convenience Store/Gas Station parcel and the permitted uses allowed on this parcel.</p>
6. The project is exempt from CEQA.	<p>a. It qualifies for a Class 1 Categorical Exemption. Class 1 exemptions would allow for: (e) additions to existing structures provided that the addition will not result in an increase of more than 50% of the floor area of the structures before the addition, or 2,500 sf whichever is less.</p> <p>b. In addition, an EIR was certified as part of the Tioga Inn Specific Plan approval in 1993.</p>
<b>DR 12-007 CONDITIONS OF APPROVAL</b>	
1. The project shall comply with the requirements of the building Division and Environmental Health.	
2. All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations and the Tioga Inn Specific Plan.	
3. The roof and exterior construction shall match the existing building store and roof colors.	
4. No other commercial or retail space expansion will be permitted on the convenience store gas station parcel without a revision to the Tioga Inn Specific Plan.	

<p>5. Termination. A Director Review 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:</p> <p>A. There is a failure to commence the exercise of such rights, as determined by the Director, within one (1) year 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 Director Review.</p> <p>B. There is discontinuance for a continuous period of one (1) year, as determined by the Director, or the exercise of the rights granted.</p> <p>C. No extension is granted as provided in §31.080.</p>
<p>6. Extension. If there is a failure to exercise the rights of the Director Review within one (1) year of the date of approval, the applicant may apply for an extension for an additional one (1) year. Any request for extension shall be filed at least sixty (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. Conditions of approval for the Director Review may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to the provision is permitted for Director Reviews 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.</p>
<p>7. Revocation. The Planning Commission may revoke the rights granted by a Director Review 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 Director Review or the violation by the owner or tenant of any provision pertaining to the premises for which such Director Review was granted. Before revocation of any permit, the Commission shall hold a hearing after giving written notice thereof to the permittee at least ten (10) days in advance of such hearing. The decision of the Commission may be appealed to the Board of Supervisors in accordance with Ch. 47, Appeals, and shall be accompanied by an appropriate filing.</p>

#### 4.2.5 Tioga Inn Specific Plan Proposed Amendment #3

The proposed 3<sup>rd</sup> Specific Plan Amendment would make new changes to the approved specific plan as listed below:

- WORKFORCE HOUSING: Allow up to 150 new workforce housing bedrooms in up to 100 units (including one manager's unit with up to 4 bedrooms);
- GAS ISLAND: Allow construction of a third gas pump island with 4 new fueling stations, one new underground gasoline storage tank, an overhead canopy and lighting;
- WATER STORAGE: Allow demolition of the existing 300,000-gallon water storage tank and replacement with a new 300,000-gallon water storage tank on a pad located in the same approximately location as the existing tank;
- PARKING: Allow additional parking to serve oversize vehicles, park & ride vehicles, ESTA & Yosemite transit;
- INTERNAL ACCESS: Realign the road providing access to the existing hilltop residential area, and reconfigure lanes and turning areas near the main entry to eliminate conflict between the hotel and the gas station/convenience store;
- SANITATION & REUSE: Replace the septic tank with a new package wastewater treatment facility including new subsurface irrigation facilities and retention of the existing leach field for disposal of surplus treated water;
- PARCEL BOUNDARIES: Modify the acreage and boundaries of the four parcels;
- PROPANE: Replace the five existing propane tanks (combined 2,500-gallon capacity) with a new 30,000-gallon propane tank to meet demand for onsite heating and offer commercial propane sales to area residents and businesses.
- EQUIPMENT & PERSONAL STORAGE: Construct a new building for storage of residents' items and maintenance vehicles and equipment.

Table 4-5 provides an overview of approved uses and changes proposed in conjunction with Specific Plan Amendment #3.

Table 4-5. TIOGA INN EXISTING, APPROVED & PROPOSED LAND USES AND ACREAGES					
PARCEL	ACRES APPROVED IN 1993	CURRENT PROPOSED ACREAGE	EXISTING LAND USES	LAND USES APPROVED IN 1993	USES NOW PROPOSED & SUBJECT TO DISCRETIONARY ACTION
1	30.3	26.5	<ul style="list-style-type: none"> <li>▪ Open Space Monument Signs (2)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 120-room 2-story hotel with coffee shop, swimming pool, banquet room and gift shop;</li> </ul>	<ul style="list-style-type: none"> <li>▪ Changed parcel boundary and acreage</li> <li>▪ Modifications to vehicle movement at main access &amp;</li> </ul>

				<ul style="list-style-type: none"> <li>▪ Parking spaces for onsite uses <ul style="list-style-type: none"> <li>▪ Signage Plan</li> <li>▪ Septic System</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ realignment of road serving existing hilltop housing units</li> <li>▪ New Package Wastewater Treatment System</li> </ul>
2	36.0	32.1	<ul style="list-style-type: none"> <li>▪ Overflow parking</li> <li>▪ Historical Marker</li> <li>▪ 6 cabin units (no formal approvals)</li> <li>▪ Electric supply shed</li> <li>▪ Two Water Wells</li> <li>▪ SCE powerlines</li> <li>▪ Buried Utility Xing septic /leach field</li> <li>▪ 5 propane tanks with a combined capacity of 2,500 gallons</li> </ul>	<ul style="list-style-type: none"> <li>▪ Overflow/oversize vehicle parking <ul style="list-style-type: none"> <li>▪ Full-service Promontory restaurant</li> <li>▪ Restaurant parking</li> <li>▪ Maintenance Building</li> <li>▪ Propane Tanks</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Changed parcel boundary and acreage</li> <li>▪ New workforce rental housing with up to 150 bedrooms</li> <li>▪ Day care facilities sufficient to accommodate all onsite youth</li> <li>▪ Net 0.7-acre gain in Open Space including 13.0-acre increase in Open Space-Preserve acreage, 0.9-acre decrease in Open Space - Facilities, and 11.4-acre decrease in Open Space-Support <ul style="list-style-type: none"> <li>▪ 30,000-gal. propane tank</li> <li>▪ Elimination of septic tank; retention of septic leach field</li> <li>▪ New Subsurface Irrigation System using flows from the Package Treatment Plant.</li> </ul> </li> </ul>
3	2.4	2.4	<ul style="list-style-type: none"> <li>▪ 2 Gas Islands (8 fuel pumps, canopies, lighting, 2 underground gasoline storage tanks). <ul style="list-style-type: none"> <li>▪ Tioga Gas Mart</li> <li>▪ Whoa Nellie Deli</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ 2 gas islands with 8 fuel pumps &amp; canopies, lighting, 2 underground gasoline storage tanks. <ul style="list-style-type: none"> <li>▪ Tioga Gas Mart</li> <li>▪ Delicatessen</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ 3rd Gas Pump island with 4 additional fuel pumps, 1 additional underground gasoline storage tank, and overhead canopies &amp; lighting</li> </ul>
4	5.0	6.8	<ul style="list-style-type: none"> <li>▪ 8 hilltop housing units</li> <li>▪ One 300,000-gal Water Storage Tank near hilltop units <ul style="list-style-type: none"> <li>▪ 1 Cell Tower<sup>3</sup></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ 10 Hilltop Housing Units<sup>4</sup></li> <li>▪ One 300,000-gal water storage tank.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Changed parcel boundary and acreage</li> <li>▪ Demolition of existing water tank, replacement with new tank of same size in same area.</li> </ul>
SR 120 Easement	NA	Included in Parcels 1 and 2	<ul style="list-style-type: none"> <li>▪ 1-ingress &amp; 2-egress lanes to SR-120</li> <li>▪ Park &amp; Ride Area</li> <li>▪ Caltrans ROW acquisition area (adjacent to deli)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Access from SR-120</li> <li>▪ Park &amp; Ride Area</li> </ul>	<ul style="list-style-type: none"> <li>▪ One new traffic lane added adjacent to gas station to enhance interior circulation</li> </ul>
<b>TOTAL PROPOSED ACRES 67.83 (reduced from 73.7 acres in 1993)</b>					

#### 4.3 FORMAT OF TIOGA INN SPECIFIC PLAN AMENDMENT #3

EIR §4.3 (starting on following page) presents the Tioga Inn Specific Plan. The Plan is as originally presented in 1993 with the following exceptions:

1. **HOW CHANGES ARE SHOWN:** The previous two amendments were incorporated into the text of the 1993 Specific Plan through insertions and cross-outs that were shown on pages provided next to a scanned copy of the original 1993 Specific Plan text. For clarity in this third proposed amendment, the Specific Plan text has been fully retyped, which will allow modifications to be shown with the 'Track Changes' tool, and will also enable text searches and facilitate other document accessibility tools.
2. **TEXT FORMATTING:** For ease of comparison, the Specific Plan text provided herein (§3.3) retains the formatting used in the original document, with updated section, table, exhibit and page numbers. Proposed amendments are

<sup>3</sup> The cell tower was approved by Mono County in February 2007 (Permit # 07BLD-00079).

<sup>4</sup> Of the 10 hilltop housing units approved in 1993, only 8 were constructed.

shown using “Track Changes”; all other sections remain as approved in 1993 or as modified in earlier approved amendments, and are shown in plain text. The original 1993 Specific Plan document is contained on pages 1 through 28b of *The Tioga Inn Specific Plan and Final Environmental Impact Report*, May 24, 1993.<sup>5</sup> Tables and Figures that no longer apply (such as the 1993 summary of impacts and mitigation measures and the 1993 grading plan) have been deleted.

3. **CITATIONS:** The amended text does not include citations from the 1993 document unless still relevant. California Government Code citations have been deleted, and some terms have been replaced with abbreviations (for example, EIR in lieu of Environmental Impact Report, SR 120 in lieu of State Highway 120). Minor editorial changes (e.g., letter capitalizations) are not called out in Track Changes.
4. **INFORMATION:** Discussion of the Relationship between the Specific Plan and the EIR (§4.3.3) has been updated to reflect the current language of the CEQA Guidelines regarding the relationship between the Specific Plan and the EIR (as stated in CEQA Guidelines §15166 (EIR as Part of a General Plan)).

## 4.4 PROPOSED TIOGA INN SPECIFIC PLAN AMENDMENT #3<sup>6</sup>

### 4.4.1 Introduction<sup>7</sup>

In the early 1990s, an application was submitted to the Mono County Planning Department for a multiple use visitor commercial project located at the junction of Highways 395 and 120 adjoining Lee Vining in central Mono County. Mono County’s General Plan requires that a specific plan be prepared for this project. A Specific Plan requires environmental analysis prior to its consideration by the Planning Commission and Board of Supervisors. It was recognized that the Tioga Inn proposal had the potential to significantly affect the environment. For this reason, an environmental impact report (EIR) was prepared as part of the specific plan. The 1993 document (as amended), in conjunction with the 2018 Tioga Inn Specific Plan and Draft Subsequent EIR, represents the consolidated specific plan and environmental impact report. Although both the specific plan and its EIR are being published together, the two are separate documents. Figure 1 shows the location of Mono County relative to the state of California.

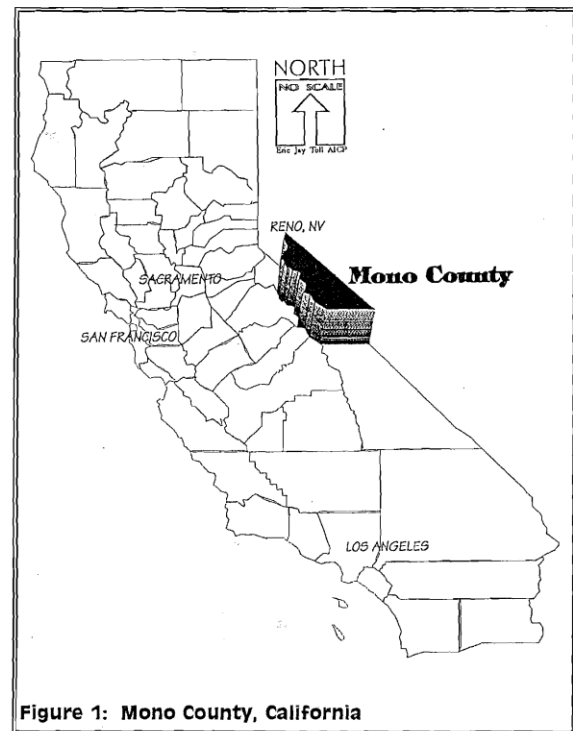


Figure 1: Mono County, California

#### 4.4.1.1 Specific Plans

Once the County has adopted a general plan, it may prepare specific plans to provide a more detailed and systematic implementation of the general plan for all or part of the area covered by the general plan.<sup>8</sup>

##### 4.4.1.1.1 What is a Specific Plan?

Although the General Plan and area or community plans usually address land development patterns and standards, a Specific Plan provides an opportunity for a more precise set of standards and opportunities for development of an

<sup>5</sup> The 1993 EIR and Specific Plan are available online at [https://www.monocounty.ca.gov/sites/default/files/fileattachments/planning\\_division/page/10062/tioga\\_inn\\_sp\\_feir\\_05\\_24\\_93\\_with\\_amendments.pdf](https://www.monocounty.ca.gov/sites/default/files/fileattachments/planning_division/page/10062/tioga_inn_sp_feir_05_24_93_with_amendments.pdf).

<sup>6</sup> As indicated in §3.1, the Specific Plan text has been retyped in its entirety to allow all proposed text amendments to be shown using ‘Track Changes’, and to enable text searches and other document accessibility tools.

<sup>7</sup> The 1993 project approvals included Final EIR certification and approval of the Tioga Inn Specific Plan. Upon approval, the Tioga Inn Specific Plan established zoning and the General Plan uses and standards for the project site.<sup>7</sup> Approved land use designations included “hotel,” “full-service restaurant,” “residential,” “convenience store/fuel sales,” “open space-preserve,” “open space-facilities,” and “open space-support.” Several of the approved uses were developed soon after the 1993 approvals including the residential units, the convenience store/fuel sales, and the open space uses. The hotel and full-service restaurant are scheduled for development in 2023-24.

<sup>8</sup> California Government Code (CGC) §65450 through §65457 states the legal requirements for Specific Plans.

individual parcel or group of parcels. A Specific Plan provides a means by which the County or a group of property owners can develop a long-term comprehensive project over an extended number of years. The Specific Plan does not include “elements” as are found in a General Plan.<sup>9</sup> Its focus is on the policies related to the development of a project area. Explanation 1 (next page) quotes the requirements of California Government Code for Specific Plans.

#### 4.4.1.1.2 Relationship of the Specific Plan to the General Plan.

##### Explanation 1. Contents of a Specific Plan (GC §65461)

(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:

(1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

(3) Standards & criteria by which development will proceed, and standards for conservation, development, and utilization of natural resources, where applicable.

(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

(b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

The specific plan establishes goals, policies, implementation measures, development standards, land use, and zoning for an area. Specific plans can be authorized by the Board of Supervisors or proposed by a private developer. Mono County and the property owner proposed preparation of the 1993 *Tioga Inn Specific Plan* as well as the current 2018 Specific Plan update; the proponent (property owner) is responsible for the costs of preparation, review, and implementation.

The *Tioga Inn Specific Plan*, as amended, provides supplemental and more detailed policies for the project area. The Mono County General Plan addresses a broad range of development policies through its various elements. The General Plan, however, does not provide the level of detail in its policies to establish the programs needed for complex projects carried out over a number of years. The Tioga Inn Specific Plan provides the policies at a greater level of detail than the General Plan. The Specific Plan, however, does not address the individual elements as established in the General Plan. For those policies of the General Plan that are not called out in the Specific Plan, the provisions of the Mono County General Plan apply (in keeping with Government Code §65461(b)).

The General Plan identifies the subject property in the “SP,” *Specific Plan*, land use designation on the Lee Vining Community Area map (Land Use Element, Figure 23). The Specific Plan must be consistent with other goals, policies, and implementing programs of the General Plan. Specific Plans are incorporated by reference into the General Plan.

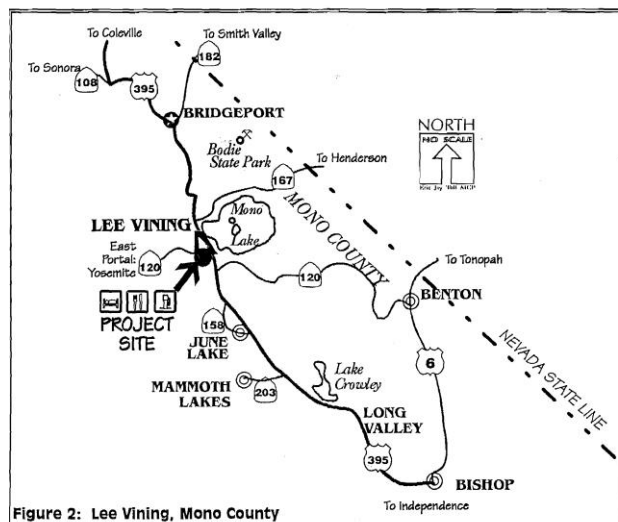


Figure 2: Lee Vining, Mono County

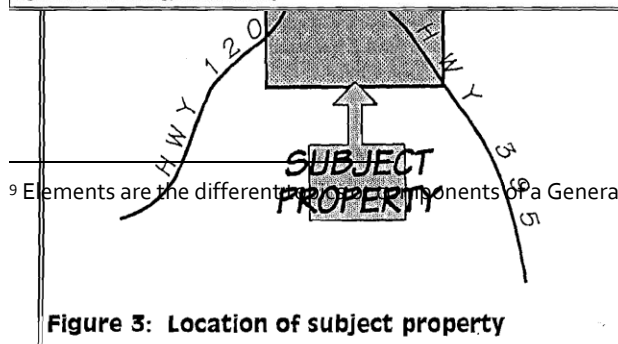


Figure 3: Location of subject property

#### 4.4.1.1.3 Relationship between Specific Plan and EIR

The State *CEQA Guidelines* state in §15166 (EIR as Part of a General Plan):

“(a) The requirements for preparing an EIR on a local general plan, element, or amendment thereof will be satisfied by using the general plan [...] as the EIR and no separate EIR will be required if: (1) The general plan addresses all the points required to be in an EIR by Article 9 of these Guidelines, and (2) The document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required.

(b) Where an EIR rather than a Negative Declaration has been prepared for a general plan, element, or amendment thereto, the EIR shall be forwarded to the State Clearinghouse for review. The requirement shall apply regardless of whether the EIR is prepared as a separate document or as a part of the general plan or element document.”

#### 4.4.2 Project Description

<sup>9</sup> Elements are the different components of a General Plan that address land use, housing, circulation, and others.

a. **Location of the Project.** The Tioga Inn project site is located at the intersection of State Highway 120 (SR 120) and US Highway 395 (US 395) at the southern edge of the Lee Vining area in Mono County. It is located in a portion of the southeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter of Section 14, Township 1 North, Range 26 East (MDBM). Figure 2 shows the location of the project area in Mono County.

b. **Project Objectives.** The objective of the project is to provide central Mono County with an inclusive resort facility that can draw upon north-south traffic traveling through Mono County as well as Yosemite-oriented visitor traffic traveling over Tioga Pass. The facility is to provide a complete range of services for the Mono Basin visitor including accommodations, meals, vehicle fuel, supplies, meeting/banquet rooms, and business center facilities. The resort hotel is designed to serve both the transient traveler and those whose destination includes the Mono Lake Basin or Yosemite National Park. The project is also intended to serve local residents with meeting facilities, a swimming pool that can be used by school swim teams and area swim clubs, and a full-service restaurant.

Implementation of the Specific Plan is intended to add to the area's economy through increased employment opportunities, provision of additional needed motel rooms during peak months, and provision of additional rental housing. Visually, the objective of the project is to blend into the natural setting through careful structure siting, and architecture and landscaping complementing the environment.

Objectives of Proposed Amendment #3 are to substantially increase workforce housing on the project site to provide housing for employees of onsite uses (hotel, full-service restaurant and other) as well as offsite land uses in the larger community; to achieve the development goals of the original 1993 Tioga Inn Specific Plan, adapted to current needs; to lower energy costs and increase the energy- and water-efficiency of existing and future uses on the project site; and to maintain onsite infrastructure in good condition and ensure that sizing is adequate to meet existing & future needs.

c. **Tioga Inn Project Description.** The 1993 Specific Plan area (refer to the site plan) encompassed 73.7 acres in gross land area. With the 1993 approvals, the project proponent subdivided the property into four parcels of various sizes. The division of land required a tentative parcel map, which was also part of the 1993 Specific Plan project. Parcel Map 34-35 had previously divided the property into two lots of 63.4 and 10.3 acres on each side of US 395. Amendment #3 would modify the overall project area and the individual parcel acreages as shown below in revised Table 4-6(A); note that the Table Letter reflects original numbering from the 1993 Specific Plan).

<b>TABLE 4-6 (Table A): 1993 Specific Plan and Proposed Amendment #3 Parcel Sizes</b>		
<b>PARCEL</b>	<b>SIZE APPROVED IN 1993</b>	<b>ACREAGE PROPOSED IN AMENDMENT #3</b>
<b>1-Hotel</b>	30.3	27.4
<b>2-Restaurant</b>	36.0	32.1
<b>3-Store</b>	2.4	2.7
<b>4-Residential</b>	5.0	6.8
<b>Total</b>	<b>73.7</b>	<b>69.0</b>

The parcel acreage changes are due to several factors. The acreage of parcels 1 and 2 was reduced when Caltrans purchased land from the Specific Plan owner for construction of additional lanes on US 395; the acreage of parcel 4 increased when land for a cell tower was added to the residential parcel. Further changes occurred during 2018 with the acquisition from Caltrans of a portion of the SR 120 right-of-way.

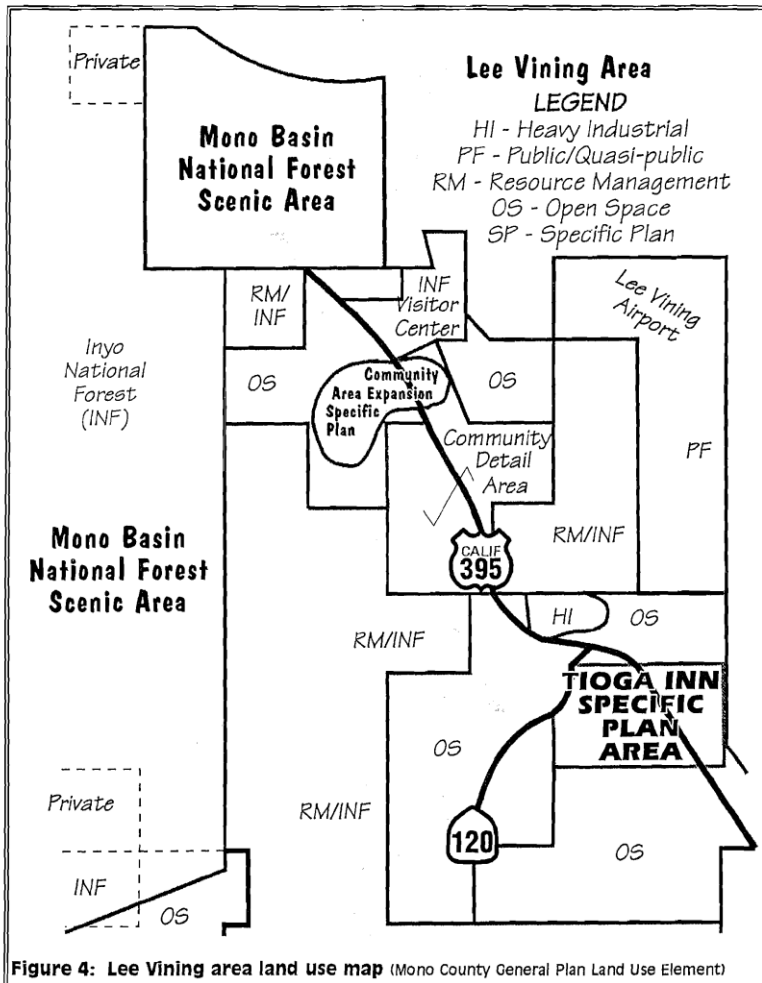


Figure 4: Lee Vining area land use map (Mono County General Plan Land Use Element)

**Tioga Inn – Hotel and Accommodations.** The hotel (refer to revised Figure 6) is to be located adjacent to Highway 120 on a relatively level bench about eight hundred feet south of the intersection with US 395. The hotel will contain 120 rooms, a coffee shop, banquet room, and a small retail gift shop primarily serving hotel guests. A swimming pool for hotel guests, with use by the local school and area swimming clubs, is also included. Parking for the hotel will be south of the structure, screened from view by the hotel building. Access from SR 120 will be on a common drive located immediately south of the parking lot at the bottom of a steep north-facing slope. The two-story hotel structure will be oriented in an east-west direction, presenting an end view to traffic on SR 120 and taking advantage of hotel room views to the north and northeast toward Mono Lake, and west toward Tioga Pass. The hotel roof will be designed to accommodate the most efficient use of solar panels.

**Full-Service Restaurant.** A sit-down restaurant is proposed to be located at the top of a ridgeline about five hundred feet east of the hotel. The difference in elevation between the location of the restaurant and US 395 offers an opportunity to provide views for patrons from the restaurant site while screening the structure from traffic on US 395. The restaurant will be built on the flat area on top of the ridge, with a parking lot screened by the terrain to the south and access from the same road as the

hotel. An observation deck will flank the northwest and northeast faces of the restaurant taking advantage of the panorama of Mono Lake, Tioga Pass and Mono Craters visible from that location. The restaurant will include seating for one hundred persons in the restaurant and lounge and a small gift shop/information center. The restaurant roof will be designed to accommodate the most efficient use of solar panels.

**Hilltop Residential Area.** A 6.84-acre parcel intended for ten residential rental housing units is proposed on the southwest corner of the subject property. This housing consists of two 2-bedroom one-story duplexes plus one 3-bedroom duplex, plus two 2-bedroom single family units, for a total of 8 units (two fewer units than were approved in 1993). Consistent with the 1993 approvals, access is taken via a private road near the top of the main access road leading up to the restaurant. Amendment #3 proposes to realign the access road to a long and more southerly (and sunnier) alignment, which will reduce the road gradient and reduce icing during winter months. The proposed new alignment follows a route that was previously graded and used for access by a previous site owner. The existing road would be retained and used for service vehicles and pedestrian movements. The residential property is not proposed for further subdivision. These units have been added to the County's rental housing stock. With the inclusion of the residential units, it has been possible for project employees to live onsite, meeting the Housing Element requirements.

A separate residential complex of 6 individual units was subsequently constructed south of the flagpole. This area, which was not a part of the 1993 Specific Plan or any later approval, would be demolished to make room for the workforce housing village proposed as part of Amendment #3.

**Convenience Store, Deli and Gas Station.** A smaller parcel immediately southwest of the hotel has been developed as a gas station/mini-mart. The gas station currently has two gas pumping islands and a small 4,800 square foot mini-mart. Parking areas are screened from highway views by buildings, terrain and landscaping.

Amendment #3 proposes the addition of a third gasoline pumping island with a total of 4 additional fuel pumps, one additional underground gasoline storage tank, an overhead canopy and lighting. While self-service gas is available year-round, the mini-mart and deli are currently open only during summer months; is expected that the mini-mart/deli and entertainment will in the future remain closed during winter months. Live outdoor events and music concerns are now and will continue to be held at the Deli during summer weekends.

The deli was added to the mini-mart in 1997, and formalized through a 2012 Director Review process that included a condition of approval stating, "No other commercial or retail space expansion will be permitted on the convenience store gas station parcel without a revision to the Tioga Inn Specific Plan." Proposed Specific Plan Amendment #3 includes standards and implementation measures for the deli. The deli currently has 16 indoor tables that provide seating for up to 88 people, and 80 outdoor picnic tables that provide seating for approximately 300 people (including visitors who do not patronize the deli or mini-mart). During summer, the deli serves approximately 2,000 people on an average day and up to 3,000 people per day during peak season. Additional parking is required to accommodate patrons to the deli. The project proponent anticipates that the construction of the full-service restaurant will reduce demands on the deli and help to accommodate the current parking overflow. The convenience store/deli has a second floor that houses a 1,500 square foot office space.

**Workforce Housing Village.** Proposed Amendment #3 includes a new workforce housing village occupying a portion of the 32.11-acre Parcel 2, on the southwest corner of the subject property. The workforce housing village is proposed to consist of up to 150 bedrooms in up to 100 units, with a mix of one-bedroom, two-bedroom, 3-bedroom and 4-bedroom units plus a manager's unit. The proposed residential area will include a manager's unit, a day care facility and common area, and a play area. These units will add to Mono County's rental housing stock and provide affordable housing for onsite employees. As such, the workforce housing responds to the Mono County Housing Element goal for developments of this type to provide opportunities for employee housing. No fewer than 200 parking spaces will be provided in the workforce housing complex to meet resident and guest parking needs. Access is proposed via a private road off the main access to the full-service promontory restaurant.

**Equipment & Personal Storage Facility and Propane.** Proposed Amendment #3 includes a new building up to 5,000 square feet in area for storage of project equipment and residents' belongings. Two outdoor parking spaces and the 30,000-gallon commercial propane tank will be housed on the same pad as the equipment storage facility.

**Design and Landscaping Concepts.** Architecturally, the hotel, restaurant, workforce housing, and gas station/deli/mini-mart will continue to carry the same theme. Exposed foundation areas will feature stone. The wall areas will be predominantly natural wood interfaced with stone. The roof areas will be earth-tone or green metal.

Manicured and introduced landscaping (as proposed in the updated conceptual landscape plan described in Table F) for all sites will be minimal and native compatible. The introduced plant species will continue to be limited to primarily decorative landscaping in and around the buildings and parking lots. Planters adjacent to the hotel and gas station/mini-mart and immediate surrounding areas are also proposed. Landscaping around the residential housing and proposed workforce housing village will be native, low-maintenance shrubs and small trees. All onsite plants will be irrigated through a subsurface drip system using treated effluent from the package treatment plant. The existing septic tank will be decommissioned and the existing leach field will be used for disposal of treated effluent during the winter months when use of the subsurface irrigation system is suspended due to freezing conditions.

The native sagebrush on the ridges and hillsides will be preserved and areas disturbed for installation of facilities or during construction will be revegetated with low profile indigenous plants selected to optimize deer forage. The exception to this will be the area viewing the pumice processing facility. This viewshed – located to the northeast of the hotel – will be

planted with taller trees to block the view of the US Pumice facilities from the Tioga Inn. All facility roofs will be designed to accommodate use of solar panels.

**Project facilities and services.** Project facilities and services for the Tioga Inn Specific Plan are described below. Most are now or are proposed to be private systems, designed to serve project needs. Several systems may be expanded to serve off-site customers and land uses; these include propane, water (which is provided for use at the Lee Vining Airport), and solar power (to the extent that the future solar panels generate more electricity than can be used on site). Facilities and services are briefly described below.

**Transportation.** The site plan (see Figure 3.3 in EIR §3.0, the Project Description) shows the location of the roads, driveways and parking areas. These are the “major” components of the public and private transportation system. The road system is described further in the Traffic element of the Specific Plan beginning on page 58. “Intensity and extent” means location and width.

**Water Supply and Storage:** Water supply is derived from two wells located east of Highway 395, including one well that was constructed following approval of the Tioga Inn Specific Plan, and a second well that was constructed late in 2017. Each well has been shown to produce a suitable volume of potable water, individually, to serve existing and proposed uses on the project site. Both wells connect to an existing 300,000-gallon steel storage tank near the hilltop housing on the southwestern site boundary. Amendment #3 proposes replacement of the existing water storage tank with a new 300,000-gallon tank located in the same area as the existing tank, which will be demolished. Replacement of water storage tank is proposed to increase reliability of the water storage capability. An updated aquifer study and an Antidegradation Analysis have been completed as part of this 2019 SEIR to determine whether well production would have potential to impact surrounding wells and to assess project impacts on water quality standards of the LRWQCB. Results are presented and analyzed in EIR §5.2. Water system elements will continue to meet all applicable requirements of the Mono County Health Department, the Lee Vining Fire Protection District, and the Lahontan Regional Water Quality Control Board.

**Open Space.** As discussed below under ‘Open Space Lands and Designations’, development restrictions in the form of open space easements are proposed for the portion of the project located east of US 395 and the steep slope adjacent to and facing US 395. Development in these areas will allow underground utility lines, two moderately illuminated monument signs below the restaurant, and appurtenant features such as a well housing, electric equipment shed, or utility related facilities. A water main will be constructed under US 395 through existing pipe sleeves from the well site. Sewage disposal systems’ expansion areas may cross under the highway to the site at some time in the future.

**Sewage.** Sewage disposal is currently handled by standard septic tank/leach field systems for each separate land use area in conformance with Mono County Health Department and Lahontan Regional Water Quality Control Board (RWQCB) standards. A new wastewater treatment system will be provided as part of the proposed Amendment #3. The system will replace the existing septic tank treatment system, and will include a new subsurface irrigation system for use during the summer season. A septic leach field system will be retained for disposal of surplus treated effluent, primarily during the low-flow winter months.

**Solid Waste:** Solid waste on the property is stored in commercial dumpsters located within screened areas adjoining each of the project buildings, and at a separate screened area for refuse cans serving the residential development. Refuse is collected by a commercial disposal service recognized by Mono County for delivery of such service. Amendment #3 calls for continued use of commercial dumpsters in bear-proof structures that would be constructed adjacent to the hotel and restaurant, with separate collection facilities (also bear-proof) for the workforce housing area. Refuse will continue to be collected by a commercial disposal service recognized by Mono County for delivery of such service.

**Drainage:** The stormwater retention system proposed for the project is based on the Town of Mammoth Lakes’ 1984 Storm Drain Design Manual and developed to meet requirements of LRWQCB and Mono County. The system is designed to accommodate uses now proposed (as analyzed in the current Subsequent EIR) as well as the previously-approved but unbuilt hotel and promontory restaurant. Retention volume calculations are based on storm water volume less storm water infiltration. Onsite soils are sandy, and a conservative infiltration rate of 5 minutes per inch was used to calculate retention volumes. The resulting retention volume calculations include 11,246 cubic feet (cf) for the workforce housing and restaurant components, plus 9,947 cf for the hotel. The report notes that if the restaurant is constructed separate from the housing, separate retention basins will be installed for each use. Three-48” storm drain pipes will be installed for

the hotel (with a total basin length of 167'), and 3-48" pipes will be installed for the workforce housing (with a total basin length of 188 feet). Storm drainpipes will be perforated.

Runoff treatment will be accomplished in four bioswales that will be located in landscaped areas of the parking lot. The bioswales will be constructed in accordance with standard LID design, and planted with drought-tolerant plant species. Other means of treatment may include installation of oil removal inserts into the inlets, or a separate oil treatment unit.

**Communications:** All telephone and cable and internet services on the site are wireless. Verizon Wireless installed a cell tower on the project site in 2007 and the site is also connected to the 'open access network' created by Digital 395.

**Energy:** Energy for the project will be provided by Southern California Edison for electricity, augmented by electricity produced in the onsite solar energy panels. All non-solar electrical utilities will continue to be placed underground. Project elements will emphasize the energy-efficient products and practices of Energy Star, a joint program of USEPA and the U.S. Department of Energy. Private contractors will provide propane to the site. As part of Amendment #3, the applicant proposes to replace the 5 existing propane tanks (2,500-gallons combined) with a new 30,000-gallon propane tank; the new tank will have capacity to meet all existing and future propane requirements on the Tioga site, and to provide propane services to the larger Lee Vining community (all offsite deliveries would be trucked to customers; no distribution pipelines to the community are proposed). The propane tanks will be sited in conformance with the Uniform Building Code and the Fire Code. Screening – such as designed fencing or landscaping -- will be used to mitigate visual impacts of the tanks.

**Open space lands and designations.** Areas designated as "open space" are proposed to be retained in a natural condition. Three open space designations are proposed. (1) The *Open Space – Preserve* designation is generally intended for lands that cannot be developed as part of the project. (2) The *Open Space – Facilities* designation is for lands on which no surface construction will take place, other than small structures to provide access to underground utilities. The *Open Space – Facilities* designation provides an open visual area, but does allow some surface disturbance. The third designation is *Open Space – Support Services*. This designation provides the locations [for] certain above ground facilities, such as the water tank, an outdoor yard storage area, and the well house(s).

Proposed Specific Plan Amendment #3 would modify the acreage in each of the open space designations shown in the 1993 Specific Plan; the changes would increase overall open space acreage by 0.7 acres, all within the Open Space-Preserve designation. Changes in the acreage of designated open space areas are shown in Table 3-5.

TABLE 4.7. Proposed Changes in Open Space Acreage			
Open Space Designation	1993 Specific Plan	Specific Plan Amendment #3	CHANGE
OS-Preserve	14.8 acres	27.8 acres	(+) 13.0 acres
OS Facilities	13.2 acres	12.3 acres	(-) 0.9 acres
OS Support	18.5 acres	7.1 acres	(-) 11.4 acres
TOTAL	46.5 acres	47.2 acres	(+) 0.7 Open Space Acres

**Phasing.** As originally planned, the project was to be developed in phases based on the expectation that each component of the Specific Plan would be dependent upon development of the infrastructure to serve the hotel and its related facilities. The Tioga Inn's primary infrastructure – road access, and water supply – was to be constructed in concert with the construction of the convenience store and gas station.<sup>10</sup> Sewage disposal systems was anticipated to be constructed with the appropriate land uses and it was envisioned that each use on the project would have an independent disposal system. It was anticipated that some of the infrastructure components that are related only to one aspect of the project – for example, the road to the residences – would be constructed as a part of that phase. This phasing concept was largely retained following approval of Amendment #1, in which the Specific Plan provided that the project would be developed in the following progression.<sup>11</sup>

TABLE 4-8 (B). Original Project Phasing

<sup>10</sup>The original Specific Plan provided that the project be developed in a four-phase progression that would begin with the hotel, followed by the residences, the convenience store/gas pumps, and the full service restaurant. Specific Plan Amendment #1 changed the phasing to allow for the building of a convenience store before the hotel (see Table 3-2).

<sup>11</sup> No timelines or time limits are established on when the phases occur, as long as the phases occur in this order.

Phase and Facility	What's Included
I. Convenience Store, Deli, and gas pumps	Convenience market, deli, fuel pumps, underground gasoline storage tanks, picnic area, restrooms, accessory facilities, lighting, signage, landscaping, parking, water supply, sewage disposal system
II. Hotel and Accessory Uses	Tioga Inn hotel, conference rooms, swimming pool and facilities, banquet room, coffee shop; water supply, septic system, improvements to Hwy 120 intersection with project; lighting, signage, landscaping; parking
III. Residences	A maximum of ten residential units; water supply, sewage disposal system, access, accessory structures such as garage, personal storage sheds, landscaping
IV. Full Service Restaurant	Restaurant, observation deck, signage, landscaping, accessory facilities, parking, water supply, sewage disposal system.

In practice, the convenience store and gas station and deli were constructed first (as approved), followed by the hilltop residences. Neither the hotel nor the full-service restaurant has been constructed to date. It is anticipated that the entire development will be constructed within 5 years, or by 2024. Initial construction would likely focus on the new gas pump island, infrastructure improvements (sanitation, water storage, propane tank), and construction of the promontory restaurant and hotel. Some of the proposed workforce housing area may be developed in advance of the hotel and the full-service restaurant in order to provide housing for project construction workers. Occupancy would shift to onsite employees upon completion of the hotel and restaurant elements. Infrastructure would be constructed to meet the development sequence of approved uses.

**Sustainability.** The project will comply with California GHG emission standards by adopting applicable elements of the updated Mono County General Plan (including Low Impact Development, Green Development Guides, and the Resource Efficiency Plan) as part of the design and development process. Roofing will be preferentially constructed in a south-facing direction to maximize the use of solar panels. The new package wastewater treatment system will provide higher quality treated effluent than the septic system. Landscape irrigation will be accomplished through a new subsurface irrigation system using treated effluent from the package waste treatment plant. Potable water supplies will be used for irrigation only where required for public health. The provision of onsite workforce housing will minimize home-to-work traffic and fuel consumption; fuel consumption will also be minimized by use of high 'R-Value' insulation in the workforce housing units, use of Energy Star appliances, LED lighting, and the provision of a wide range of onsite employee facilities (laundry, storage, space for group child care services).

#### d. Use of the EIR and Approvals Required.

Other Agencies that may use the EIR. A complete list of all agencies that are expected to make use of the EIR when considering future permits for the project is provided in EIR §3.0 (Project Description), subsection 3.9.2 (Other Agencies that may Use the EIR), Table 3-7 (Use of this Subsequent EIR by Other Agencies). As noted therein, 8 Responsible and Trustee agencies have been identified including the California Regional Water Quality Control Board-Lahontan Region, the State Water Resources Control Board-Division of Drinking Water, the California Department of Transportation, California Department of Fish and Wildlife, California Department of Forestry, Mono County Department of Environmental Health, Lee Vining Fire Protection District, and the Federal Aviation Administration.

Mono County Discretionary Approvals Required. Mono County will consider the following discretionary actions for the Tioga Inn project proposal:

*Certification of the Environmental Impact Report.* The 1993 Specific Plan was consolidated with an environmental impact report, and the proposed Specific Plan Amendment #3 is consolidated with a Subsequent EIR that builds upon the original 1993 documents. Both EIRs provide a range of mitigation measures that will eliminate or reduce potentially significant environmental impacts. These "conditions" or mitigation measures are incorporated into the Specific Plan and into project discretionary actions as formal conditions of approval (including policy and implementation programs). The SEIR must be certified by the Board of Supervisors prior to taking action on the proposed Specific Plan Amendment #3. Certification of the EIR is a separate action from approval of the project.

*Actions associated with the Specific Plan.* (1) The proposed Specific Plan Amendment #3 will be the subject of a public hearing and recommendation from the Planning Commission, and a public hearing and action by the Board of Supervisors. The County may deny approval of the proposed Specific Plan Amendment #3, it may approve the amended Plan as submitted, or it may approve a modified version of the amended Specific Plan. If the County takes action to approve the proposed Plan Amendment #3 or a modified version of the amended Plan, and if the SEIR identifies one or more significant and unavoidable impacts, the Board must then adopt a Statement of Overriding Considerations explaining why the impacts and mitigations have been approved despite the fact that significant and unavoidable impacts remain. (2) The Specific Plan district was adopted for this project site as part of the 1993 approvals, and will remain valid whether the current proposed amendment #3 is approved or denied. (3) Modifications to the tentative parcel map (to adjust the boundaries and acreage of the four parcels) must be approved by the Planning Commission.

*Approval of a Mitigation Monitoring and Reporting Program (MMRP) with assignment of enforcement responsibility in conformance with the Mono County Environmental Handbook.* If the SEIR identifies mitigation measures, the approval of the Specific Plan may incorporate some or all of those measures. If the mitigation measures are a part of the project approval, the County and proponent must enter into a program that provides for monitoring and enforcement of the adopted measures. The program must also assign compliance responsibility.

#### 4.4.3 ENVIRONMENTAL SETTING

##### 4.4.3.1 Mono County and Lee Vining Setting

Mono County is located in eastern California between the Sierra Nevada mountains and the State of Nevada. The County is relatively isolated from most major metropolitan areas in California. Reno, Nevada, approximately 120 miles to the north on US 395, is the closest major city.

The Mono County economy is predominantly recreation-oriented. The County offers skiing, camping, hunting, fishing and other visitor-activities. In 1992, the County had an estimated population of 10,403, an increase of 4.5% over the 1990 Census population of 9,955 full-time residents (Dept. of Finance, 1992). The Census Bureau estimates that the county population had increased to 13,981 by July 2016. More than half the population (7,994 residents) now resides in the County's only incorporated community, Mammoth Lakes. Lee Vining, the unincorporated community where the project is located, had a 2010 population of 222 full-time residents (<http://censusviewer.com/city/CA/Lee%20Vining>), down from the 1990 population of 285 full-time residents.

Lee Vining, the unincorporated community where the project is located, had a 1990 population of 285 full-time residents, an increase of fourteen percent from 1980. The Lee Vining population declined to 222 residents as of the 2010 Census. Lee Vining is a summer staging area for visitors to Yosemite National Park; the east gate to the Park on SR 120 is closed in the winter. The community overlooks Mono Lake. Most visitors to the Lee Vining area are from southern California and are visiting Mono Lake, Bodie State Historic Park, and in the summer Yosemite National Park.

##### 4.4.3.2 Consistency with Plans

Mono BasinThe Mono Basin Community Plan<sup>12</sup> is a community-based plan to guide future land use, development, and quality-of-life decisions for the Mono Basin communities of Lee Vining and Mono City. The Plan identifies 6 key elements, all of equal importance, as summarized herein: (1) Small, compact communities with a clear edge between developed and natural areas; (2) Safe, friendly communities where people interact and feel connected, (3) A sustainable economy with diverse job opportunities that offers year-round employment and competitive wages. (4) Recreation opportunities and access that highlight our exceptional outdoor venues. (5) A healthy natural environment with clean air and water, scenic grandeur, dark night skies,

**Table 4-9 (D): LEE VINING AREA  
CENSUS DATA**

	1980	1990	2010
Population	250	285	222
Households	102	120	85
Average Age	29.3	33.9	30.4
Avg. HH Income	\$20,498	\$33,000	\$45,500
Persons/HH	2.45	2.38	2.62

##### **Population Distribution by Age (percent)**

Under 18	21.4
18-21	6.0
21-29	12.3
30-44	37.5
45-54	10.9
55-64	6.3
65+	6.0

HH means "household"

Sources: 1990 & 2010 Census, 93541 Zip Code,

<sup>12</sup> Mono County website, [http://www.monocounty.ca.gov/sites/default/files/fileattachments/rpac\\_-\\_mono\\_basin/page/981/mb\\_plan\\_rpcfinal\\_06.13.12.pdf](http://www.monocounty.ca.gov/sites/default/files/fileattachments/rpac_-_mono_basin/page/981/mb_plan_rpcfinal_06.13.12.pdf).

pristine wilderness and open space. (6) Historic uses and character that recalls and re-creates the vitality, strength and character of the Mono Basin. The Tioga Inn development to date, and the proposed Amendment #3, are in conformance with these goals.

The subject property is an orderly extension of the Lee Vining community area. Although surrounded by lands in public ownership, it is one of the larger privately-owned parcels that can be developed with the services and facilities needed to provide additional visitor services to the Mono Basin area. Other regional plans include the Inyo National Forest Land and Resource Management Plan – which proposes concentrated recreation activities on parcels adjacent to the project – and the Mono Basin Scenic Area Comprehensive Management Plan, which protects the scenic values of that area.

#### **4.4.3.3 Site Characteristics**

The terrain is gently to steeply sloping over the east-west course of the property. There are several natural benches on the property upon which all development is proposed. The area is generally scrub vegetation with a predominance of sagebrush. Several scattered pine trees are onsite as well.

Access to the subject property can be derived from either SR 120 or US 395. The proponent proposes to limit general vehicle access to SR 120 as previously negotiated with Caltrans, and has acquired the Caltrans easement along SR 120 west of the property entrance.

The subject property has been used for sheep grazing in the past. It is possible that this activity historically altered the species composition of cover vegetation in the area. The agricultural use of the area was terminated prior to approval of the 1993 Specific Plan.

#### **4.4.3.4 Rare and Unique Environmental Resources**

The Tioga Inn and its facilities are located on a small parcel that is a part of the Mono Basin. The general area contains numerous rare and endangered plant and animal species. Some of California's unique geologic formations are accessible to area visitors. There is an abundance of wildlife and fisheries in the general vicinity. The Lee Vining area expresses extraordinary pride in the unique and significant views of the natural scenery. Analyses prepared for the 1993 Specific plan and its EIR determined that none of the unique, rare, or endangered resources are located on or in close proximity to the Tioga Inn parcel. Analyses prepared for Specific Plan Amendment #3 indicate that the proposed changes would have significant and potentially unavoidable adverse impacts on migrating deer; all other impacts can be reduced to less than significant levels through mitigation measures outlined in the EIR.

### **4.4.4 Specific Plan Goals, Policies and Implementation Programs<sup>13</sup>**

#### **4.4.4.1 Land Use**

**Goal 1:** Enhance visitor-oriented services in the Lee Vining Area.

**Policy 1a:** Provide flexibility in the project to accommodate multiple uses on Specific Plan parcels.

*Implementation measure 1a(1):* Permit the land use designations "Hotel," "Full Service Restaurant," "Residential," "Convenience Store/Deli/Fuel Sales," "Open Space-Preserve," "Open Space-Facilities," "Open Space-Support," and "Workforce Housing" to be the land use designations of the Tioga Inn Specific Plan.

*Implementation measure 1a(2):* Limit the siting of the land uses to the parcel designations and locations shown on amended Figure 7 (Exhibit 4-1).

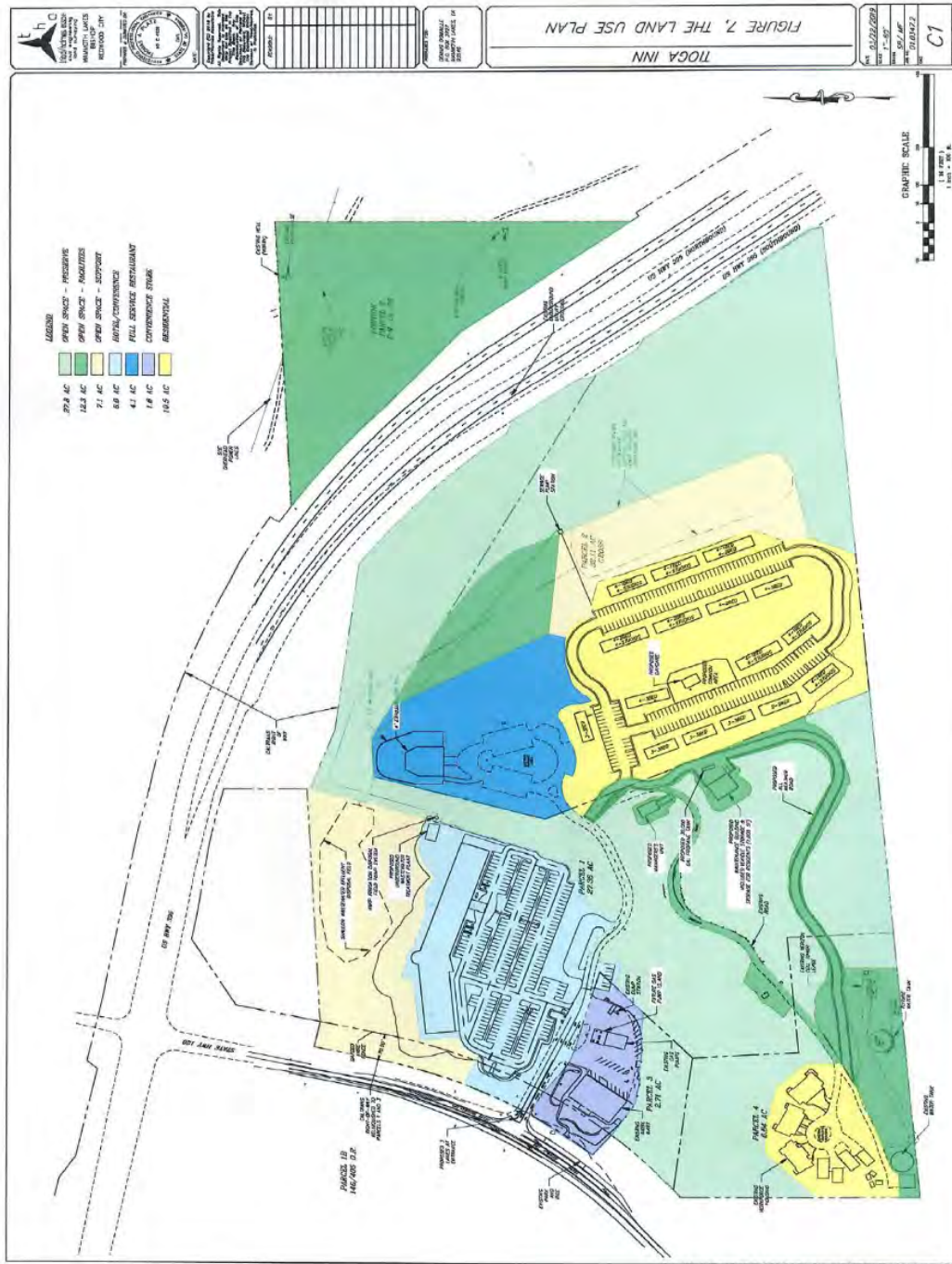
**Policy 1b:** The Hotel land use designation shall permit the following land uses:

<sup>13</sup> Note: the 1993 project approvals included FEIR certification and Tioga Inn Specific Plan approval. The Tioga Inn Specific Plan established zoning and the General Plan uses and standards for the project site.<sup>13</sup> The approved land use designations included "hotel," "full-service restaurant," "residential," "convenience store/fuel sales," "open space-preserve," "open space-facilities," and "open space-support." Several of the approved uses were developed soon after the 1993 approvals, including the residential units, the convenience store/fuel sales, and the open space uses. The hotel and full-service restaurant are anticipated to be developed by 2023.

*Implementation measure 1b(1):* The Hotel land use permits a facility with a maximum of one hundred and twenty rooms for overnight guests. The Hotel facility land use allows the following accessory uses:

- Banquet, meeting room facilities with dividers for a maximum of 250 persons
- A coffee shop with a maximum capacity of 50 persons
- Kitchen and food preparation facilities
- Retail shop containing items typically needed or desired by guests at a hotel facility – including and not limited to toiletries, reading materials, souvenirs, and prepackaged snack items

**EXHIBIT 4-1. SITE CONTEXT MAP.** To view the full image please visit <https://www.monocounty.ca.gov/planning/page/tioga-inn-specific-plan-seir>



- Swimming pool and spa (indoor or outdoor). The pool may be made available for use by local schools and swimming clubs
- Parking facilities, uncovered
- Appurtenant service and delivery bays, storage areas, and trash receptacle area. These include offices, storage areas, and loading dock.
- Resident manager's apartment
- Guest-oriented business center
- Outdoor kennel for pet control
- Laundry room with coin operated machines for guest convenience
- A public restroom/shower/laundry facility may be permitted
- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity – subject to individual review and approval by the Planning Director.

*Implementation measure 1b(2):* Site development standards for the Hotel land use designation shall be:

- Maximum building height: thirty feet (30') from the top of the stem wall to the top of the roof line. Chimneys, gables, solar panels and snow control devices shall not be counted in the height calculation.
- Building envelope: The hotel and parking lot shall be sited in substantial conformance with the location of the facility as shown in Figure 7.
- Waste disposal containers: Shall be fitted with bear-and raven-exclusion devices.
- Parking Requirements:
  - A minimum of one (1) standard-sized vehicle parking space for each guest room, plus two spaces for resident manager's quarters.
  - A minimum of two (2) bus or recreation vehicle-sized parking spaces.
  - A minimum of one (1) parking space for each two projected employees.
  - Parking shall be paved and striped in conformance with the Mono County Code prior to the use or occupancy of the hotel.
- Location of mechanical equipment, telecommunications antennae: All mechanical equipment (heating, ventilation, air conditions and similar exterior mechanical equipment) located outside of the structure shall be sited so that the equipment cannot be seen from SR 120 or US 395. No roof mounted antennae shall be permitted to be higher than the roofline.
- The public restroom/shower/laundry facility shall not exceed 20 feet in height, shall not exceed 1,500 square feet of interior floor space, and shall not exceed an occupancy load of 30 persons.
- All exterior lighting shall conform to Mono County Dark Sky regulations.
- Signs – *See Master Sign Plan.*

**Policy 1c:** The Full-Service Restaurant land use shall permit the following land uses:

*Implementation measure 1c(1):* The Full Service Restaurant designation permits a freestanding full service restaurant with a maximum of one hundred (100) seats in a maximum five thousand (5,000) square foot interior dining area, not including offices, kitchen, food preparation or storage areas. The restaurant facility shall be entitled to include both an interior sit-down eating area and an exterior sit-down eating area on the observation deck, and interior and exterior areas serving as a cocktail lounge. Accessory uses permitted shall include:

- Retail gift shop and information center. The gift shop shall be limited to items typically needed or desired by restaurant guests such as packaged snacks and candies, maps, area information and souvenirs
- Parking, including parking spaces for recreation vehicles, vehicles towing trailers, and tour busses
- Public observation deck
- Appurtenant service and delivery bays, storage areas, and trash receptacle area
- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity – subject to individual review and approval by the Planning Director.

*Implementation measure 1c(2):* Site development standards for the Full Service Restaurant use shall be:

- Maximum building height: twenty feet (20') from the top of the stem wall to the top of the roof line. Chimneys, gables, solar panels and snow control devices shall not be counted in the height calculation
- Building envelope: The restaurant and parking lot shall be sited in substantial conformance with the location of the facility as shown in Figure 7.
- Waste disposal containers: Shall be fitted with bear-and raven-exclusion devices.
- Parking Requirements:
  - A minimum of fifty (50) standard-sized vehicle parking spaces
  - A minimum of two (2) bus or recreation vehicle-sized parking spaces
  - A minimum of five (5) spaces for vehicles towing trailers shall be provided.
  - Parking shall be paved and striped in conformance with the Mono County Code prior to the use or occupancy of the restaurant.
- Location of mechanical equipment, telecommunications antennae: All mechanical equipment (heating, ventilation, air conditions and similar exterior mechanical equipment) located outside of the structure shall be sited so that the equipment cannot be seen from SR 120 or US 395. No roof mounted antennae shall be permitted to be higher than the roofline.
- One flagpole shall be allowed on the restaurant parcel. Flagpole shall not exceed 20 feet in height. The maximum area of the flag shall be 40 square feet. Illumination is not permitted.
- All exterior lighting shall conform to Mono County Dark Sky regulations.
- Signs – *See Master Sign Plan.*

**Policy 1d:** The Convenience Store/Deli/Fuel Sales land use shall permit the following land uses:

*Implementation measure 1d(1):* The Convenience Store/Deli/Fuel Sales designation shall include the following uses:

- A retail store, deli and fuel purchase facility not exceeding 6,835 square feet of gross floor area, including offices, kitchen, food preparation and sales, and storage areas.
- An office, not to exceed 1,500 square feet, as part of the Convenience Store/Deli/Fuel sales.
- A maximum of three fuel islands, each with four multi-grade dispensing stations and overhead canopies with lighting for a total of twelve pumping stations.
- Picnic area sited in conjunction with the scenic turn-out
- Public restrooms
- Parking areas, including spaces for recreation vehicles, vehicles towing trailers, and tour busses
- Appurtenant service (not including vehicle service or repair) and delivery bays, storage areas, publicly accessible air supply, vehicle water supply, trash receptacle area
- Facility for the disposal of sewage from recreational vehicles (an RV “dump” station)
- Underground fuel tanks (one per fuel island).
- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity – subject to individual review and approval by the Planning Director.
- Live indoor and outdoor music events and concerts shall be permitted in the Convenience Store/Deli/Picnic areas.

*Implementation measure 1d(2):* Site development standards for the Convenience Store/Deli/Fuel Sales land use designation shall be:

- Maximum building height: twenty feet (20') from the top of the stem wall to the top of the roof line. Chimneys, gables, solar panels and snow control devices shall not be counted in the height calculation.
- Building envelope: The convenience store, fuel islands, and site parking lot shall be sited in substantial conformance with the location of the facility as shown in Figure 7.
- Waste disposal containers: Shall be fitted with bear-and raven-exclusion devices.
- Parking Requirements:
  - A minimum of ten (10) standard-sized vehicle parking spaces.

- A minimum of two (2) bus or recreation vehicle-sized parking spaces.
- A minimum of two (2) spaces for vehicles towing trailers.
- Parking shall be paved and striped in conformance with the Mono County Code prior to the use or occupancy of the hotel.
- Location of mechanical equipment, telecommunications antennae: All mechanical equipment (heating, ventilation, air conditions and similar exterior mechanical equipment) located outside of the structure shall be sited so that the equipment cannot be seen from SR 120 or US 395. No roof mounted antennae shall be permitted to be higher than the roofline.
- All exterior lighting shall conform to Mono County Dark Sky regulations.
- Signs – *See Master Sign Plan.*

**Policy 1e:** The **Residential** land use designation shall be implemented as permitting the following land uses:

*Implementation measure 1e(1):* The Residential land use permits a maximum of ten residential dwelling units. The units may be constructed in a configuration of either single-family residences, or five (5) structures with two dwelling units (duplex).

- Accessory uses shall be limited to one storage building of not more than two hundred square feet per dwelling unit. Accessory buildings shall be constructed in a compatible architectural style to the main building if the accessory structure is visible from SR 120 or US 395.
- Attached private garage or covered parking shall be permitted
- Home businesses in conformance with the single-family residential zoning district provisions of the Mono County Code shall be permitted
- One or more of the residential units may be made available as employee housing
- No signs shall be permitted
- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity – subject to individual review and approval by the Planning Director.
- All exterior lighting shall conform to Mono County Dark Sky regulations.

*Implementation measure 1e(2):* Site development standards for the Residential land use designation shall conform to the requirements of the Mono County Code for the Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H) zoning district. The residential units shall be constructed within the building envelopes identified on the Site Plan whether the units are attached duplexes or detached single-family homes. Private kennel facilities or fenced areas for pets shall be permitted in the residential area to restrain the pets from reaching deer foraging areas.

*Implementation measure 1e(3):* The area on which residences are sited shall not be further subdivided.

**Policy 1f:** The **Workforce Housing** designation shall permit the following land uses:

*Implementation measure 1f(1):* The Workforce Housing land use permits a maximum of 150 workforce bedrooms and approximately 100 workforce units. Units will be designed with the flexibility to accommodate changes in the mix of studio, 1-bedroom, 2-bedroom and 3+-bedroom units; this may increase or decrease the unit count, but the number of bedrooms shall not exceed 150. The workforce units may be constructed in a configuration of single structures, or structures with two (duplex) or three (triplex) dwelling units, or in apartment structures.

- Accessory buildings shall be constructed in an architectural style that is compatible with the main building, if the accessory structure is visible from SR 120 or US 395.
- Uncovered parking for residents and guests shall be provided at a minimum ratio of 1.75 spaces per workforce unit
- Onsite child-care facilities shall be permitted
- A recreational/social/picnic/BBQ/play area and structure shall be permitted.
- Shared laundry facilities shall be permitted.
- Home businesses in conformance with the multi single family residential zoning district provisions of the Mono County Code shall be permitted

- Workforce housing must be occupied by persons working at onsite or offsite businesses and locations, and may include one or more units for occupancy by a housing manager(s) and their family(ies).
- Workforce housing shall be reserved for exclusive use by employed persons and their families.
- Shared kennel facilities or fenced areas for pets shall be permitted in the workforce residential area, provided that such facilities and fenced areas must be designed to prevent pets from reaching deer foraging areas.
- Residents shall be required to keep pets on leashes at all times when outside of fenced areas; enforcement of this regulation shall include eviction following two advisory noncompliance notices by the housing manager.
- Short-term (i.e., for less than 30 days) and transient rentals are prohibited.
- All exterior lighting shall conform to Mono County Dark Sky regulations.
- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity – subject to individual review and approval by the Planning Director.

*Implementation measure 1f(2):* Site development standards for the Workforce Housing land use designation shall conform to the requirements of the Mono County Code for the Multi-Family Residential-High (MFR-H) zoning district. The “MFR-H” designation is intended to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.

*Implementation measure 1f(3):* The residential units shall be constructed in the locations identified on the Site Plan, regardless of the size or type of the workforce residential unit.

*Implementation measure 1f(4):* Solar panels shall be permitted on any and all workforce housing structures.

*Implementation measure 1f(5):* The land on which the workforce housing units are sited shall not be further subdivided.

**Policy 1g:** The **Open Space-Preserve** designation shall permit the following uses.

*Implementation measure 1g(1):* Improved or undisturbed landscaped areas consisting of native materials shall be a permitted part of the open space-preserve group.

*Implementation measure 1g(2):* With one exception for a water pump control structure (see Implementation Measure 1g(3) below), physical development within Open Space-Preserve areas is limited to underground utilities. New overhead utilities shall be classified as surface structures and are not permitted in this classification, except that existing overhead utility lines may be retained. Snow storage shall be permitted.

*Implementation measure 1g(3):* Permitted uses shall include underground leach tanks, underground sewage/reclaimed water pipelines, underground reclaimed water irrigation lines, one above-surface sewage/reclaimed water pump control structure with up to 100’ feet of area, and other underground utility structures.

*Implementation measure 1g(4):* With the exception of the sewage/reclaimed water pump control structure (maximum 100 square feet), no above ground structures of any type shall be permitted in the Open Space-Preserve designation as shown on Figure 7.

**Policy 1h:** The **Open Space-Facilities** designation shall permit the following uses.

*Implementation measure 1g(1):* The Open Space-Facilities land use is intended to provide a land area for private utility service development. All of the uses permitted within the Mono County General Plan Open Space designation are permitted in the Facilities designation. In addition, above-ground and subsurface appurtenance structures, such as the wastewater treatment system, the well houses, a building (up to 5,000 square feet) for storage of project equipment and residents’ belongings, a pad for the propane tank, and other similar uses are also permitted. The land use shall also permit an on-site nursery for the

purpose of growing and cultivating replacement landscaping, increasing transplant capacity of native species, and growing flowers or other landscape amenity storage.

**Policy 1i:** The **Open Space-Support** designation shall permit the following uses.

*Implementation measure 1h(1):* The Open Space-Support designation is intended for accessory type buildings that are used for storage of supplies and equipment, a kennel for guests' pets, stable or horse corral, parking area expansion when and if needed, and other similar uses. Examples of accessory buildings include the buildings for storing snow removal equipment, amendments and nutrients for introduced landscaping, wastewater treatment, the water storage tank (existing and proposed replacement tank), and irrigation supplies. These identified sites would permit construction of small utility structures and storage sheds, provided that the facilities are not generally visible within the scenic view corridors from SR 120 and US 395. The land use shall also permit an onsite nursery for the purpose of growing and cultivating replacement landscaping, increasing transplant capacity of native species, and growing flowers or other ornamentals; final design of the nursery would be subject to Director Approval.

#### 4.4.4.2 Facilities and Services

**Goal 2:** Ensure adequate facilities for the Specific Plan development

**Policy 2a:** All applicable permits shall be obtained for all gasoline, water production, water storage, propane, wastewater treatment and disposal, and subsurface irrigation facilities.

*Implementation measure 2a(1):* Prior to the issuance of any building permits, the Planning Director shall receive verification from the Mono County Health Department that the proponent has received applicable permits for all infrastructure improvements (water, water storage, gasoline, propane, wastewater treatment and disposal, and subsurface irrigation and any other relevant infrastructure components). This measure shall not apply to the construction of onsite storage buildings for security of supplies and materials.

*Implementation measure 2a(2):* Prior to the issuance of a certificate of occupancy for any development facilities, with the exception of storage facilities, the Planning Director shall receive a letter from the Mono County Health Department indicating that all water and wastewater facilities have been constructed to the satisfaction of the department.

*Implementation measure 2a(3):* The subsurface irrigation and all supply infrastructure will be maintained and operated so that it does not cause sustained surface wetting either due to leaks or to over-burdening of the system by operating it above its designed capacity.

*Implementation measure 2a(4):* Irrigation on any and all Specific Plan parcels shall be limited to subsurface irrigation (via the subsurface irrigation system or the septic disposal system, depending on season) and hand watering, on a year-round basis. Spray irrigation shall not be permitted in any areas of the project site except the lawn and picnic areas adjoining the approved uses (hotel, hilltop housing, deli and restaurant), and the playground and lawn inside the common area of the proposed workforce housing.

**Policy 2b:** Ensure that there is an adequate fire prevention management program

*Implementation measure 2b(1):* Prior to the issuance of any building or grading permits, the Planning Director shall request confirmation from the Lee Vining Fire Protection District, and CalFire indicating that the design and siting of roads and structures conforms to the California Fire Safe regulations and Lee Vining Fire Protection District requirements.

*Implementation measure 2b(2):* Prior to the use or occupancy of any structures, the Planning Director shall receive a letter from the Lee Vining Fire Protection District indicating that the buildings conform to fire safety and prevention requirements.

*Implementation measure 2b(3):* All fire suppression systems and facilities, locations of fire hydrants, sprinklers, valves, emergency water access, and fire doors shall be written into text and diagrams for a facilities fire management plan approved by the Lee Vining Fire Protection District.

*Implementation measure 2b(4):* All fire prevention systems shall be maintained in a usable and safe condition for the life of the project. An inspection shall be required on a periodic basis meeting the reasonable requirements of the Lee Vining Fire Protection District.

#### **4.4.4.3 Design**

**Goal 3: Strive to reduce the project's visual intrusiveness in the area**

**Policy 3a:** Minimize site disturbance.

*Implementation measure 3a(1):* Prior to the issuance of occupancy permits for any of the site facilities, the planning director shall approve a revegetation plan for areas within the open space designations disturbed during construction of underground facilities.

*Implementation measure 3a(2):* The revegetation plan shall conform to the mitigation measures and recommendations outlined in the Subsequent Final EIR Mitigation Program.

**Policy 3b:** Maximize the use of indigenous plant species.

*Implementation measure 3b(1):* The landscaping plan shall identify areas that have been or will be temporarily disturbed during construction. All such areas shall be revegetated using the native shrubs and herbaceous species that are dominant within project-designated Open Space lands. Native species also are to be used to the greatest extent possible throughout areas of formal landscaping within the project area.

*Implementation measure 3b(2):* Prior to issuance of any building or grading permits, the project proponent shall submit a detailed landscape plan to the Mono County Planning Department for review and approval. The species of native vegetation and how they will be procured and introduced (seeding, transplanting) will be included in the landscaping plan and subject to approval. Revegetation methods detailed in the landscape plan shall be in substantial conformance with the conceptual landscape standards and objectives contained in Table F. Mono Basin

**Policy 3c:** Utilize introduced vegetation that at maturity will provide additional screening to aid in the visual blending of the project into the natural landscape.

*Implementation measure 3c(1):* The landscaping plan shall include a map that shows all existing project site trees. Existing trees shall be retained on site and incorporated when landscaping.

*Implementation measure 3c(2):* The landscaping plan shall specify use of locally adapted species and appropriate plant husbandry that will cause the most rapid possible attainment of mature screening height or bulk in the Mono Basin climate.

*Implementation measure 3c(3):* The landscaping plan shall identify visually prominent areas where vegetation can be effectively used for screening and visual blending of the project into the native landscape. Landscape techniques in these areas shall include transplanting and focused husbandry of nursery-grown native shrubs and trees to the greatest extent possible. Plant irrigation and protection from herbivory will be provided to the greatest extent possible to enhance survivorship and growth. This landscaping will be designed to screen or block views of the project from passenger vehicles on Highways 120 and 395, and shall be employed in the restaurant parking area, so that screening becomes effective within three to seven years after construction is completed.

**Policy 3d:** Ensure that introduced landscaping plants are irrigated, fertilized and maintained as necessary to prevent plantings from failing or becoming weedy.

*Implementation measure 3d(1):* The landscaping plan shall describe adaptive contingency measures should planting fail to thrive. Vegetation in formal landscaping areas shall be maintained in a vigorous and healthy condition for the life of the project. Routine project operations shall include at least weekly inspection and repair of irrigation and diligent removal of non-native plant growth. Introduced landscaping that does not survive shall be replaced using the species and husbandry techniques that are described in the approved landscaping plan.

**Policy 3e:** Provide landscaped areas for picnicking, walking and relaxation.

*Implementation measure 3e(1):* Picnic and walking areas shall be landscaped using locally adaptive native vegetation to the maximum possible extent. The design for picnic and walking areas within developed portions of the project shall serve to implement water conservation, enhance visual attractiveness, and provide a visual complement to the area. Final plans shall be submitted for the approval of the planning director prior to use or occupancy of the Workforce Housing component. Table 4.10 (Table F) presents conceptual landscape standards, and Table 4.11 presents a Plant Palette, for the Tioga Specific Plan.

<b>TABLE 4.10 (F). Conceptual Landscaping Standards</b>	
<b>FORMAL LANDSCAPING</b>	<b>NATURAL LANDSCAPING</b>
<p><b>Lawn Areas:</b> Landscaped areas planted with lawns or grasses shall be limited to cultivars requiring reduced or limited irrigation needs. The preference shall be for using grasses that will not invade into the project area's native plant communities. Lawn areas shall be irrigated, kept free of invasive weeds, and maintained in a firesafe manner. Because avoiding lawn grasses that could spread and increase fire danger is a primary landscaping objective, it will be appropriate to consult Mono County Community Development Department when selecting grass species for introduction in landscaped areas. Landscape lawns and other areas that will be stabilized by introduced grasses will be planted within 9 months of the completion of project-related disturbance.</p>	<p><b>Shrublands:</b> Project areas that are temporarily disturbed during construction and that are intended as formal landscaping shall be returned to natural vegetation as rapidly as feasible. Such areas are to be revegetated utilizing native species, either through seeding or by transplanting of nursery-grown shrubs. The revegetation species palette shall include at least five native perennial shrub and grass species so as to emulate the Great Basin Mixed Scrub that remains onsite. Seeding and planting will not commence until the species palette has been approved by Mono County Community Development Department. The objective is to rapidly restore a native shrublands appearance to temporarily disturbed project areas. Therefore, where feasible, more mature nursery-grown transplants and applied irrigation will be utilized in addition to seeding. Revegetation at areas that will be stabilized by native plants will commence within 9 months of the completion of project-related disturbance.</p>
<p><b>Shrubs, Flowers and Screening:</b> The formal gardens and landscape areas around structures are intended to provide color, special attractions, and a degree of limited contrast to the colors of the natural environment. Another objective is to provide seasonal shading for residences and common areas. The intent is to have an attractive facility that would encourage walking and relaxation in the project area. Screening trees and shrubs shall be planted to provide a visual break of the views of the facilities from the Highway. The objective is to reduce the appearance of residence height and bulk as seen from the scenic highways.</p>	<p><b>Other Vegetation:</b> Areas that currently are visibly scarred by wildfire will be seeded with native species, emphasizing bitterbrush. Conifers of the existing onsite tree species shall be introduced in a random pattern in reserve lands between the new and existing housing. The objective is to provide a "blended" appearance of native and created landscapes from the scenic highways.</p>

**TABLE 4.11. Tioga Specific Plan Amendment #3 Plant Palette**

<b>Landscape Stratum</b>	<b>Species – Common Name</b>	<b>Species – Scientific Name</b>
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tree	Jeffrey Pine	<i>Pinus jeffreyi</i>
tree	Single-leaf Pinyon	<i>Pinus monophylla</i>
tree (irrigated during summer)	Quaking Aspen	<i>Populus tremuloides</i>
shrub	Mountain Mahogany	<i>Cercocarpus ledifolius</i>
shrub	Desert Peach	<i>Prunus andersonii</i>
shrub	Yellow Rabbitbrush	<i>Chrysothamnus viscidiflorus</i>
shrub	Wild Buckwheat	<i>Eriogonum fasciculatum</i> , and/or <i>E. umbellatum</i> , <i>E. microthecum</i>
shrub (irrigated during summer)	Willow	<i>Salix exigua</i>
shrub (irrigated during summer)	Wild Rose	<i>Rosa woodsii</i>
herb	Silvery Lupine	<i>Lupinus argenteus</i>
herb	Chicalote	<i>Argemone munita</i>
herb	Douglas' sedge	<i>Carex douglasii</i>
herb	Basin Wildrye	<i>Elymus cinereus</i>
herb	Needlegrass	<i>Stipa hymenoides</i> and/or <i>S. comata</i> , <i>S. occidentalis</i>
herb (irrigated during summer)	Needlegrass	<i>Stipa occidentalis</i>

**Policy 3f:** Ensure a visually attractive development.

*Implementation measure 3f(1):* All structures – including residences – shall be constructed in conformance with the appearance of the structures and architectural elevations that are a part of the Specific Plan.

*Implementation measure 3f(2):* All exterior materials shall be in harmony with the theme of a rustic, alpine appearance.

*Implementation measure 3f(3):* The roof materials shall be of dark muted colors, such as and not limited to “earthtone” or “green.” Visible chimney materials shall be limited to stone or wood in conformance with appropriate fire codes. Tones shall be muted or earthtone in theme.

*Implementation measure 3f(4):* Dark or neutral colors found in the immediate surroundings should be used for vertical surfaces and structures.

**Policy 3g:** All exterior lighting shall comply with Mono County Land Use Element Chapter 23 (Dark Sky Lighting Requirements) and Chapter 8 (Scenic Combining District and State Scenic Highway 395).

*Implementation measure 3g(1):* All onsite exterior lighting (including existing and proposed exterior light sources) shall comply fully with requirements of the Mono County Scenic Combining Element (General Plan *Land Use Element* Chapter 8) and with requirements of the Mono County Dark Sky Regulations (General Plan Chapter 23).

#### 4.4.4.4 Natural Environment

**Goal 4:** Conserve habitat and forage areas on the site.

**Policy 4a:** Provide wildlife habitat through retention of naturally vegetated areas. Maintain open space areas where mule deer can forage and find concealing cover.

*Implementation measure 4a(1):* During project design and implementation, all reasonable efforts shall be undertaken to avoid the habitat with the greatest value to deer. The construction plans and disturbance limits as marked in the field shall clearly identify areas of the project where the soil and vegetation will not be disturbed. Native vegetation in all areas that are not converted into project structures, roads and landscaping shall be retained to provide forage for deer throughout the lifetime of the project.

*Implementation measure 4a(2):* The landscaping plan shall include any developed paths outside the housing development and indicate that they have been designed to avoid deer foraging areas. Informational signs explaining the purpose of the path system, the need to protect deer foraging areas, and the requirement for leashing of pets, shall be placed at pathway entry points.

**Policy 4b:** Livestock grazing shall continue to be precluded from the site.

**Policy 4c:** Avoid potential construction-related interference with local mule-deer migration. Avoid creating barriers or other construction-related impacts that would redirect deer movements onto the highways at any time of year.

*Implementation measure 4c(1):* Construction activities shall be limited to daylight hours. Implementation will be further accomplished by clearly marking the limits of construction zones and by instructing construction personnel to recognize areas in which ground-disturbing activities and vegetation removal can take place. Construction personnel will also be instructed to leash any dogs brought onto the site. Night lighting will not be allowed in Open Space-Reserve designated areas during the critical migration times of April through June and October through November. At all times of year, linear barriers shall not be permanently or temporarily installed anywhere within the Open Space area lying between Tioga Inn project elements and the highways.

**Policy 4d:** Prohibit unauthorized off-road vehicle activity.

*Implementation measure 4d(1):* Road construction shall be limited to the areas identified on the approved land use plan (Figure 7). Public vehicle access shall not be permitted off of paved roads anywhere within areas designated as Open Space. In lieu of fences or other linear barriers, natural material shall be employed to block access. Large stones will be stockpiled during construction for distribution to areas of potential unpermitted vehicle access. Any incidence of unpermitted access will be mitigated by redistributing the stones.

**Policy 4e:** Provide facilities for pets to prevent domestic animals from wandering loose on the property.

*Implementation measure 4e(1):* Place limitations to exclude pets belonging to facility customers and guests from becoming a limiting predatory influence in the surrounding environment. Leases for tenants at the residential areas shall include a requirement that pets be contained in an enclosed area. Outdoor kennels serving guests and residents shall be provided within a central portion of the hotel and housing areas. The designated tenant and guest pet containment areas shall be fenced sufficiently to prevent pets from roaming unattended outside the human habitats of the project.

*Implementation measure 4e(2):* Pets including service animals shall be kept on leashes or otherwise restrained to prevent free roaming when not in a fencing containment area. Tenants shall agree to pet leashing rules as a condition of rental, and shall be evicted for noncompliance following two notifications by the housing manager. Signs that state the requirement for leashing will be maintained at the housing area and at any walking trails that are established within the project area.

**Policy 4f:** Avoid becoming an “attractive nuisance” for local wildlife.

*Implementation measure 4f(1):* To exclude wildlife from access to trash and to food items stored by residents, all waste receptacles will be fitted with exclusion devices sufficient to prevent access by ravens and bears. Signs will be clearly posted informing of the need to secure trash, pets and stored food from wildlife access. Rental agreements will include restriction against storage of trash or unsecured food items outside of the residences (including in vehicles) for any substantive length of time.

#### 4.4.4.5 Traffic and Circulation

**Goal 5:** Maintain safe traffic access.

**Policy 5a:** Conform to the requirements of Caltrans for project access.

*Implementation measure 5a(1):* Prior to issuance of any permits for use or occupancy, the Planning Department shall receive a copy of the approved encroachment permit issued by the California Department of Transportation.

*Implementation measure 5a(2):* Other than access for authorized personnel to parcels adjacent to US 395, or emergency use, there shall be no access to the project from US 395.

**Policy 5b:** Internal traffic circulation shall conform to County and fire safe requirements.

*Implementation measure 5b(1):* Roads shall be constructed in conformance with standards identified in Table 4-12 (Table G), and shall be designed to maintain safe access through all seasons.

<b>TABLE 4-12 (G): Road Standards</b>			
<b>ROAD CLASSIFICATION</b>	<b>EASEMENT</b>	<b>PAVEMENT WIDTH</b>	<b>SPECIAL NOTES</b>
Main Access Road	60 feet	24 feet	3 foot shoulder
Residential Access Road	40 feet	16 feet	10% grade
Utility/Facility Access Roads	Driveway	12 feet <sup>14</sup>	No public use

*Implementation measure 5b(2):* All publicly-accessible roads shall be paved in conformance with the requirements of the Mono County Code for parking areas and parking access.

*Implementation measure 5b(3):* Parking shall be provided in accordance with this Specific Plan Amendment #3. If not specified herein, parking shall be in accordance with the Mono County Code. Additional parking may be allowed in appropriate locations following review and approval of the Planning Director in order to accommodate future demand.

#### 4.4.5 Master Sign Program

**6a) Intent:** The Master Sign Program is a requirement and mitigation measure of the Tioga Inn Specific Plan. The Specific plan requires that all signs be coordinated in design and concept with all other facility signs. The Master Sign Plan will coordinate design, theme and placement of signs within the Tioga Inn Specific Plan area. This Specific Plan is one site with four separate parcels. All signs are required to be on site.

**6b) General Provisions:** These provisions apply to all signs within the Tioga Inn Specific Plan.

- Signs and sign faces will be constructed with natural materials like stone, wood and other natural materials to enhance the overall architectural theme of the Tioga Inn. Plastic, metal, and other materials may be used but should not be the dominant feature of any sign or sign face. The exceptions to this are directional signs which may be plastic or metal.
- Background or unused portions of the sign facing will be painted in muted earth-tone colors or left in a natural state.
- The sign area is calculated as the area that would enclose all words and letters of a sign face. The portions of the sign enclosed by the decorative border or frame and the foundation are not calculated as sign area.
- Illumination for all signs shall be indirect or back-lit channel letters.

**6c) Permitted Signs.**

- Monument Signs – The Tioga Inn Specific Plan is permitted three monument signs for the three commercial land uses. These signs will be visible to travelers on Highways 120 and 395. The maximum height will not exceed 10 feet. The total facing area for all three signs combined will not exceed 64 square feet. Approximately 21 square feet will be allocated for each commercial use (convenience store/deli/fuel sales, hotel, and full-service restaurant).

<sup>14</sup> 12 feet of surface width, no paving.

The three monument signs are permitted within the Tioga Inn Specific Plan on the 30-acre Hotel parcel. One sign may be installed along the Highway 120 corridor approximately 150 feet east of the gas station. Two monument signs may be installed below the restaurant knoll, as close as possible to the US 395 right-of-way. These signs are not permitted to be silhouetted against the skyline or located on top of the knoll. In compliance with Mitigation Measure 5.3(d-3) prohibiting brightly lit signs, all new signage along the US 395 and SR 120 scenic corridors shall be limited to a maximum 100 cd/m<sup>2</sup>.<sup>15</sup>

A fourth monument sign is permitted in the vicinity of the hotel entrance site. This sign is an interior monument sign and will be used to primarily direct visitors to the various facilities within the Tioga Inn Specific Plan site. This sign will generally not be visible to travelers on SR 120.

- Directional Signs – Signs for air and water, registration, observation deck, parking, office or deliveries shall be permitted with a maximum area of three (3) square feet per sign facing. Directional signs may be combined subject to Director Approval.
- Other Signs
  1. Convenience store/fuel sales – Signs identifying the property, name ownership and amenities shall be limited to a maximum of forty-eight (48) total square feet.
  2. Hotel – Signs identifying the property, name, ownership, and amenities shall be limited to a maximum of sixty-four (64) total square feet.
  3. Restaurant – Signs identifying the property, name, ownership and amenities shall be limited to a maximum of forty-eight (48) square feet.
  4. Required Signs – Signs mandated by federal, state or local agencies (i.e., display of gas prices)

**6d) Prohibitions.**

- No temporary signs shall be permitted within the residential or workforce housing land use areas.
- No monument or freestanding signs shall be permitted off the Tioga Inn Specific Plan site.

#### **4.4.6 Financing the Specific Plan**

The Specific Plan represents a private project for which no public monies have been used; the proponent has to date been responsible for obtaining all funds for development. In conjunction with the workforce housing associated with Amendment #3, the applicant may seek funding in support of the workforce housing component and/or amenities to better serve the workforce housing component. The application for funding would follow, and be subject to prior approval of, Amendment #3. The implementation program contains components that tie use and occupancy of the project to completion of the various infrastructure, landscaping, and mitigation programs.

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<sup>15</sup> Luminance (also known as brightness) is the level of light emitted by an LCD display. Luminance is measured in candelas per square meter (cd/m<sup>2</sup>). One candela is equal to one cd/m<sup>2</sup>; <https://www.lrc.rpi.edu/programs/solidstate/pdf/Freyssinier-SPIE6337-52.pdf>.