

MONO COUNTY PLANNING COMMISSION

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

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

AGENDA

THURSDAY, MAY 14, 2015 – 10 a.m.
Supervisors Chambers, County Courthouse, Bridgeport

*Videoconference: Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at www.monocounty.ca.gov / boards & commissions / planning commission. For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

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

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

3. ELECTION OF CHAIR & VICE-CHAIR

4. MEETING MINUTES: Review and adopt minutes of April 9, 2015 – *p. 1*

5. PUBLIC HEARING

10:10 A.M.

A. ADOPT RESOLUTION R15-02 APPROVING GENERAL PLAN AMENDMENT 15-001 (a) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at Twin Lakes to allow for nightly rentals on a single parcel at 317 Hackamore Place, Bridgeport, CA (APN 010-390-002). *Staff: Courtney Weiche, associate planner – p. 5*

10:30 A.M.

B. ADOPT RESOLUTION R15-03 APPROVING GENERAL PLAN AMENDMENT 15-001 (b) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District on six parcels in the June Lake community along both California Street and Mountain View Lane (APNs 016-143-040, -019 & -039 and 016-152-007, -009 & -010). In accordance with the California Environmental Quality Act, an addendum to the existing General Plan EIR is being utilized. *Staff: Courtney Weiche, associate planner – p. 49*

6. WORKSHOPS

A. WITHDRAWAL OF PROPOSED RULE TO LIST BI-STATE DISTINCT POPULATION SEGMENT OF GREATER SAGE-GROUSE AND DESIGNATE CRITICAL HABITAT

B. GENERAL PLAN UPDATE STATUS & SCHEDULE

More on back...

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

7. REPORTS:

A. DIRECTOR

B. COMMISSIONERS

8. INFORMATIONAL: No items

9. ADJOURN to June 11, 2015

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

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

*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing, but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

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

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DRAFT MINUTES

APRIL 9, 2015

COMMISSIONERS: Scott Bush, Chris i. Lizza, Mary Pipersky, Dan Roberts, Rodger B. Thompson.

STAFF: Scott Burns, CDD director; Courtney Weiche, associate planner; Brent Calloway, associate analyst; Joe Blanchard & Vianey White, public works; C.D. Ritter, commission secretary

VIDEOCONFERENCE FROM MAMMOTH LAKES: Gerry Le Francois, principal planner; District 2 Supervisor Fred Stump; Garrett Higerd, assistant public works director; Craig Tapley, designer; Kim McCarthy & John Connolly, County Service Area 1 (CSA1)

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Mary Pipersky called the meeting to order at 10:01 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance.

2. PUBLIC COMMENT: None

3. MEETING MINUTES:

MOTION: Adopt minutes of March 12, 2015, as amended: Page 4, line 3: Minimum for **uncovered covered** is 9' x 18'... (*Bush/Thompson. Ayes: 5-0.*)

4. PUBLIC HEARING:

A. USE PERMIT 15-001/Paour. Reconsider prior approval in light of additional, timely comments received but not previously considered. The Use Permit allows the continued use of an existing unpermitted deck encroaching into the required yard setback. The property is located in the community of June Lake at 161 W. Steelhead with a land use designation of Single-Family Residential (APN 016-112-013). The project qualifies as a CEQA exemption. *Staff: Courtney Weiche, associate planner*

Courtney Weiche asked Scott Burns to explain. Notices to newspaper and property owners were different, missing time to respond. Upon return after last meeting, received email in opposition to project. Apologized for oversight.

Weiche added site plans and photos, refreshed background. Plans submitted in 2005, later expired. Discovered code complaint, so applicant submitted info for Use Permit. Re-noticed property owners. Opponent could not attend, so provided comments to Weiche. Common to park in setbacks on small parcels. Built close to property line in front due to challenging topography in back. Weiche walked site to see viewshed. Staff recommendation remained same.

Lizza: Thanks to designer Craig Tapley for site plan and photos.

Bush: Schematic to show deck > 20'. Just railing? Same level as original deck. Tapley: Deck at end by boat is 18', handrail extends above. Appurtenances mean rails, chimney stacks, etc. Look at deck surface instead of hand rail.

Pipersky: Height of railings? Tapley: Hand rail 1' over 20' mark at boat end of deck.

OPEN PUBLIC COMMENT: Ann Paour, co-owner of property, bought house in 1988 and has enjoyed many years. Challenge was original 5' deck, could extend without losing parking. Didn't know of confusion about parking. Attempting to come into compliance, miscommunication on how. Goal = compliance. She feels part of June Lake community, participates in events.

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
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COMMISSIONER
Daniel Roberts

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Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

Thompson: Why not pursue original permit for garage? Paour: Hard to find contractor to take on that small of a project at the time.

Lizza: Plans for garage? Paour: Docs in 2002 showed carport, not garage. Lizza: Cars park under deck?

Tapley: Parking only for one car with carport. Paour: Concerned with view. Cars could roll into posts in icy conditions, although it hasn't happened. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Pipersky: Conditions? Solve parking problem? Two cars in tandem.

Bush: Enclosed garage would make dangerous corner. Making it any better is limited by space.

Roberts: Site plan shows substandard lot. Weiche: Steelhead Road cuts onto property line.

Pipersky: Snow removal from deck not onto Steelhead Road. Add to conditions.

Lizza: Can't make finding, as deck impacts road. Snow on deck sits there, drip on cars. Shovel to side.

MOTION: Find that project qualifies as a Categorical Exemption under CEQA guideline 15303 and instruct staff to fill a Notice of Exemption, make the required findings, and approve Use Permit !5-001 subject to Conditions of Approval with changes: *(Bush/Roberts. Ayes: 3. Noes: Lizza, Thompson.)*

1. ADD to Finding 2b "...and allows for superior sight distance for traffic safety purposes to the previous recommended remedy."
2. CHANGE Finding 3b: "The proposed project is a conforming use, subject to Use Permit, according to the Mono County General Plan's Land Use Element. The use permit process provides the public the opportunity to comment on the proposal. One comment was received in support of the project and one in opposition. The opposition comment was considered by the Commission and the aesthetic effect of the deck was determined to be less significant than that of the originally proposed garage."
3. ADD Condition #5. "Deck snow removal shall not be deposited on West Steelhead Road."

5. ACTION ITEM

A. CROWLEY LAKE SKATE PARK PARKING DETERMINATION: Consider parking requirements for Crowley Lake Community Center uses, including proposed skate park. *Staff: Courtney Weiche, associate planner*

Courtney Weiche distributed two larger site plans. Focus was on phase 1 parking requirements. In 2013, Mono Supervisors directed update of existing Conditional Use Permit, with intent to address all activities at site instead of piecemeal. Amendment to CUP was proposed. General Plan Ch. 6 does not address skate park facilities. Skate park suggested eight spaces; other spaces joint use. Accessible walkway to all facilities on site; ADA bathroom completely separate; move bus shelter for parking closer to skate park. Buses enter from other side, so redirect transit system. At LDTAC: improve apron for new transit direction; pave loop road so it's associated with phase 1 development (no timing on future library). CSA1 wanted minimal paving, up-front costs. Not pave new parking spaces. But public works recommended grindings for compact surface to facilitate snow removal. The LDTAC recommended paving of loop road in phase 1. Weiche: If access from other side, snow removal equipment needs paving. LDTAC also wanted number of parking spaces for skate park. Weiche: Called other jurisdictions, comfortable with eight spaces. Image showed no vegetation, so could be muddy mess. Vianey White worked closely with CSA1.

Thompson: Any of eight spaces designated ADA? Weiche: One ADA/25 spaces, so two ADA spaces. Can reduce parking when transit stop, central business district, or bike facilities are provided. CSA would provide new bike facilities. Parking ordinance allows lesser requirement. Thompson: Bike use in summertime by kids.

Weiche: Pearson is wide right of way, so OK to park along it.

Lizza: How many for skate park at Mammoth? Connolly: 23 spaces, plus two ADA. Always lots of parking, park pushing 45,000 sf, pretty famous in CA. Parking serves kids playground too.

Pipersky: Issue with paving now? McCarthy: Focus on skate park, do required paving, unsure about grindings. If eight spaces need paving, do it now. Parents park there mostly. White & Weiche did good job.

Thompson: Eight spaces seem adequate.

Lizza: Pave in phase 1, people skating in there. Pipersky: Also support.

Connolly: Yes, for CSA1.

Roberts: Gardnerville does not have paved spaces adjacent to skate park.

Burns: LDTAC recommended paving or grindings (less cost).

Higerd: People skateboard around parking lot, makes most sense to be paved for connectivity. But, paving costs more. Overall public works approach influenced by Lee Vining Community Center, parking lot muddy. Later General Fund along with Lee Vining Streets was needed to solve.

Stump: Master plan includes library, but no target date. Four players are Mono County, Office of Education, Crowley Lake Library Committee, and CSA1. Library committee wants CSA1 to pay for library. Office of Education would not expend any more funds if it accepts new building. Another wrinkle: Mono pays utilities at current library; Office of Education would pay if move. 1,600 sf vs. 2,200 sf. No set date on master plan. Phase 1 constructed well ahead of master plan. No answer on how/if moving parts will mesh.

Thompson: Grindings save little bit of money, but would pave eventually. Really save with grindings? Supported paving now.

Bush: Bite bullet and pave it. So many projects stave it off.

Burns: Eight spaces, paving preferred.

6. WORKSHOPS

A. GENERAL PLAN ONLINE MAPPING: Brent Calloway condensed hundreds of individual maps into online maps. ARC GIS program has improved its user-friendliness. Mono website / GIS / web maps / GP map. Zoom and bookmark features. Shows land use designations in different colors. Link directly to text in GP. Ease of use, understanding relationship among land uses. Items that pop up include development credits, Williamson Act, mining districts, fault hazards, flood delineations, airport zones, Transient Rental Overlay Districts (TRODs), and avalanche areas. Planners need parcels, building footprints, force parcel lines on map. Useful tool for storing information.

Bush: Disclaimer to not rely on property lines. Calloway: Won't move our data unless we know they're right. Bush: Neighbor built stuff on his property, surveyor confirmed. Calloway: Errors in certain communities. Need good survey data. Bush: Whole overlay off by quite a bit – houses half on two sites. Calloway: IT is aware of issue; difficult technical challenges.

Thompson: ARC GIS example is Cal Fire's data. Calloway: Other agencies have their own mapping websites. Trying to keep our General Plan data. But, USFWS wetlands mapping tool is useful link.

Calloway: Circulation Element has separate application. County vs non-County roads. Errors in online data can be fixed instantly by Steve Connett.

Calloway: LAFCO: Spheres of Influence (SOIs), Municipal Service Reviews (MSRs), and boundaries of special districts show up. Mutual water companies too. Keep apps fast and easy. Set of printed maps in office, but hopefully General Plan will not have them.

Lizza: Parcel Viewer does not have private ownership. Calloway: Public safety can't be put online. Vallejo: Other methods to determine who owns property. Calloway: Could show private vs. public land. Vallejo: Internal vs. external system at IT.

Burns: So much of planning involves updating plans required by law. Often just updating maps. Link to source of maps, so e.g., if Cal Fire updates, it'll be there. Online maps are so much easier. CDD has struggled staffing Bridgeport and Mammoth offices. Nature of customer service is changing – people do own research online. Reduce staff time by self-help action. Enormous game changer. First County doing this to this extent. Good shot at online General Plan. Likely won't have people asking for copy of General Plan.

Calloway: Avalanche maps from various studies. Tell someone to take a look.

B. GENERAL PLAN SETBACK REQUIREMENTS: Brent Calloway presented clarifications over the years, redid setback section. Rather than fix what's wrong, rewrote to clarify existing policies. Old tables were replaced by text. Sheds, not just accessory buildings, will not be allowed in setbacks. Side yards can be 5' if snow shedding is mitigated on all lots, not just nonconforming. Snow cannot shed toward property line.

Roberts: Why 6,000' target elevation? Bridgeport, Lee Vining, Mono City. More likely 6,800'. Calloway will look into it.

Calloway: Allow 5' setback if written approval by FPD.

Thompson: Eliminate exposure or access? If exposure, 5' not nearly adequate. Calloway: Building Code has fire separations.

Calloway: All lots > one acre require 30' setbacks per Cal Fire. Add wildlife setbacks in response to sage grouse. Unsure on setbacks. Calloway: If parcel is unique, Use Permit is not better idea than Variance.

Pipersky: Buildings < 120 sf do not require building permit. Why shed not in setback? Unclear definition.
 Calloway: Code staff gets lots of complaints on sheds against property line, > 120 sf. Difficult to regulate.

Bush: If nobody could see greenhouse, no snow shedding, why code violation? Calloway: Most communities don't have fences.

Pipersky: OK to have something when don't need permission.

Burns: Historically, adjusted elevation because some Crowley Lake communities were in, some out.
 Calloway: Building Code is 7,000'. Reword target elevation.

Burns: Shed issue does not have concurrence. Compromise. If 6' or higher fence, setback different if screening is handled. Calloway: Utility lines run along there. Pipersky: Unpermitted structure comes up only if someone complains? Thompson: Likes setback option for exposure, space to be defensible space. Pipersky: If want shed setback, have it be a permitted structure. Lizza: How do requirements for shed vs. permitted structure differ? Calloway: Word "shed" could be greenhouse, tree house. Bush: Greenhouse 5' away destroys rest of use.

Burns: Could bring Nick Criss in May before adoption.

7. REPORTS:

A. DIRECTOR: 1) TRODs: Coming up; 2) Round Fire: Recovery efforts, waiving building fees; 3) General Plan: Complete by end of May, draft EIR soon thereafter; 4) Sage grouse: Tracking last Friday by CDD staff – Courtney Weiche, Brent Calloway, Wendy Sugimura and Nick Criss; 5) Strategic Plan: Outreach to RPACs under way.

B. COMMISSIONERS: No items.

8. **INFORMATIONAL:** No items.

9. **ADJOURN** at 12:20 p.m. to May 14, 2015.

Prepared by C.D. Ritter, commission secretary

Mono County Community Development Department

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May 14, 2015

To: Mono County Planning Commission

From: Courtney Weiche, Associate Planner

Subject: General Plan Amendment 15-001, including:
A. GPA 15-001(a) Transient Rental Overlay District at Twin Lakes (Rancheria)
B. GPA 15-001(b) Transient Overlay District at June Lake

RECOMMENDED ACTION

1. Either:
 - A. Approve Resolution R15-02, accepting Addendum 15-01 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 15-001(a); or
 - B. Based upon public testimony and comments received, determine that the residential neighborhood does not exhibit support for allowing transient units, that the Planning Commission cannot make one or more of the required findings contained in the staff report, and recommend that the Board of Supervisors deny GPA 15-001(a); or
2. Either:
 - A. Approve Resolution R15-03, accepting Addendum 15-01 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 15-001(b) in whole or in part; or
 - B. Based upon public testimony and comments received, determine that the residential neighborhood does not exhibit support for allowing transient units, that the Planning Commission cannot make one or more of the required findings contained in the staff report, and recommend that the Board of Supervisors deny GPA 15-001(a); or

BACKGROUND

The Board of Supervisors approved General Plan Amendment 12-001 in December 2012 that added Chapter 25, Transient Overlay Districts, and Chapter 26, Transient Rental Standards and Enforcement, to the Mono County General Plan Land Use Element. The intent of the amendment was to allow transient rentals within compatible residential neighborhoods to increase tourism opportunities and provide additional economic stability to homeowners.

The creation of Chapters 25 & 26 provides a General Plan tool to allow transient rentals in specific neighborhoods through a General Plan Amendment application for a Transient Rental Overlay District (TROD).

A TROD application requires that the shape of any proposed district be contiguous, compact and orderly. Factors used to determine compact and orderly include street-frontage sharing, adjoining yards, and existing characteristics that define residential neighborhood boundaries such as subdivision boundaries, major roads, natural features, large undeveloped parcels and commercial or civic land uses.

Chapter 26 provides regulations that ensure transient rentals meet minimum safety requirements, provide 24-hour local property management, allow for enhanced enforcement of unpermitted transient operators, and provide means for minimizing potential neighborhood conflicts such as parking and noise. If a Transient Rental Overlay District is approved, individual homeowners in the district are eligible to apply for a Vacation Home Rental Permit. Permits are issued only if applicants can comply with regulations specified in Chapter 26 (see attached), and are necessary before commencing short-term rentals. Both proposed TRODs include properties having prior transient rental violations.

GENERAL PLAN AMENDMENT 15-001(a) Twin Lakes (Rancheria)

The proposed Transient Rental Overlay District (TROD) is located at 317 Hackamore Place (APN 010-390-002) at Rancheria near Twin Lakes. One single-family residence is located on the one-acre Estate Residential parcel. Access is from Buckeye Road, off Hackamore Place, which is an unpaved, compacted dirt road. Surrounding parcels include both developed and undeveloped vacant land. To the west and across the street are existing single-family residences.

Following an invitation to join the proposed TROD, several neighbors called with concerns and questions regarding the creation of a TROD. In addition to a call from Sandy Pritchett opposing the project, to date, eight letters have been received in opposition to the proposal, as noted with points summarized below (also see attached letters):

Anne Hatch

- Residential neighborhood, not a motel or transient district
- Plenty of rental opportunities nearby – will detract from business
- Peaceful and pristine – will disrupt quiet integrity
- Bridgeport and Twin Lakes are special and desirable – profit motivation will destroy character

David Abel & Julie Steinberg

- CC&Rs adopted in 1963 state no use other than single-family residential is permitted
- Transient renter supervision concern; owner does not live in area
- Past history – gunfire from the house, disruptive and loud activity, large number of cars, other actions suited to a party house, campfires under pine trees of particular concern with current drought
- Concern that more transients will be requested, destroying current peace and quiet, and seriously affect economic value of area

Kenneth Gardner

- Significant change to character of Rancheria
- Vandalism, fire and traffic hazard concerns
- CC&Rs prohibit
- Vehicular access not available from Hackamore Place to site; foot traffic only
- Minimal off-site and on-street parking available along Hackamore
- Need to assure maintenance of rear site access and parking

Susan Siphron

- Increase in number of people to quiet residential neighborhood
- Concern with supervision of guests and respecting environment
- Non-commercial appeal, tranquility and safety disruption
- Value of tranquil family-oriented, safe environment where neighbors know, help and watch out for each other

Jeffrey B. Hunewill et al.

- Concern that transient use will infringe on quiet enjoyment of area with loud music, more traffic, and wandering onto people's property; will change nature of neighborhood where small population know each other and respect right to quiet enjoyment of property

- Questions access over foot bridge or unimproved road lacking easements
- Questions administration of well-being of clients and “keeping the peace”
- Concern of transient trend impacting whole neighborhood, reducing property values and increasing danger of accidental fires

Edward & Suzanne Usher

- Strongly opposed
- CC&Rs intended development where families enjoy area without pressures of commercial transient tourism
- Concern of vandalism, theft, encroachment on privacy, and trespassing; increased traffic and fire danger

Peter Mann et al.

- Built vacation house in 1988 and used as family destination ever since
- Concern commercial enterprise will change nature of neighborhood
- Plenty of hotels/campgrounds in vicinity; no need for transient rental in family-oriented residential area

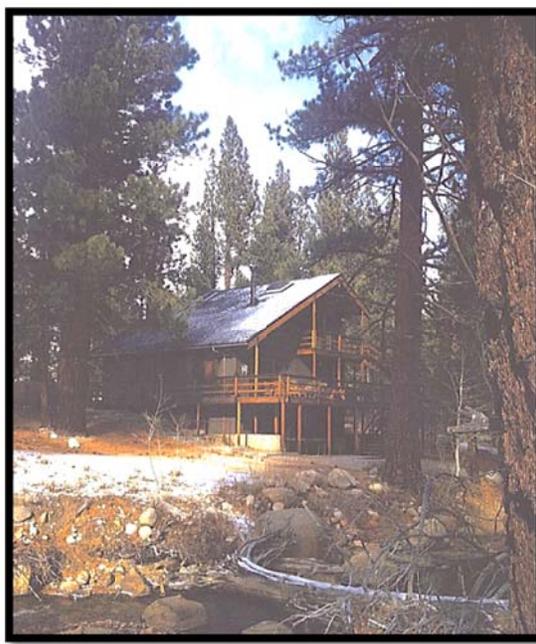
Fredrick & Victoria Wedow

- Adamantly opposed
- Preservation of tranquil and serene community as priority
- Concerns include excessive noise, heavy traffic, parking shortage and diminishing property values
- CC&Rs conflict
- Attached prior Notice of Violation

Any additional comments received prior to the Planning Commission hearing will be provided and included as part of the record at the hearing.

Project Location





LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC met March 2, 2015, to review and provide input on the project proposal. The LDTAC accepted the proposed Transient Rental Overlay District application and recommended moving forward with processing the permit.

GENERAL PLAN AMENDMENT 15-001(b) June Lake

The proposed Transient Rental Overlay District is located along California Street and Mountain View Lane (APN's 016-143-040, -019 & -039, and 016-152-007, -009 & -010). There are five single-family residences and one vacant parcel within the proposed district. Three parcels are along California Street, including the vacant parcel, and three along Mountain View Lane. The residence at 149 Mountain View Lane is a permanent year-round resident who plans to rent the existing permitted second unit above the garage as a transient rental.

Originally, there were two separate TROD applications submitted. As a result of additional applicant outreach, and the required notice to adjoining property owners to join the proposed TROD, two additional parcels requested to be included in the TROD, thus connecting and combining the two districts into one. Letters received following public outreach include five following letters requesting inclusion in the TROD, three letters of general support, and two letters of opposition, with points summarized below (see also attached letters):

Ross & Lynda Biederman

- Strong opposition
- Values quality of life, quietude, lower levels of traffic, and absence of loud guests of neighborhood
- Believes Clark Tract inappropriate for TROD due to road conditions and inadequate parking
- Current issues from transient rentals include trash disposal, loose dogs, party noise and roads obstructed by visiting motorists unprepared for winter driving
- Concerned regarding lack of public notice

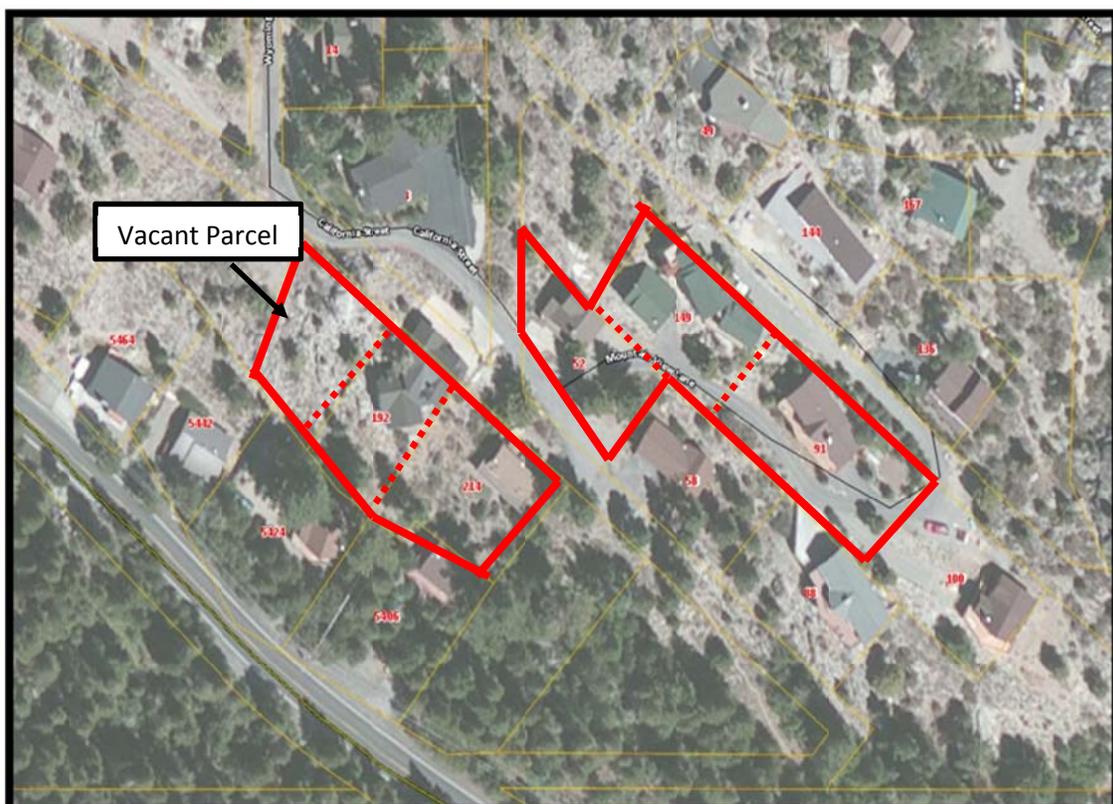
Dennis E. Lindsey

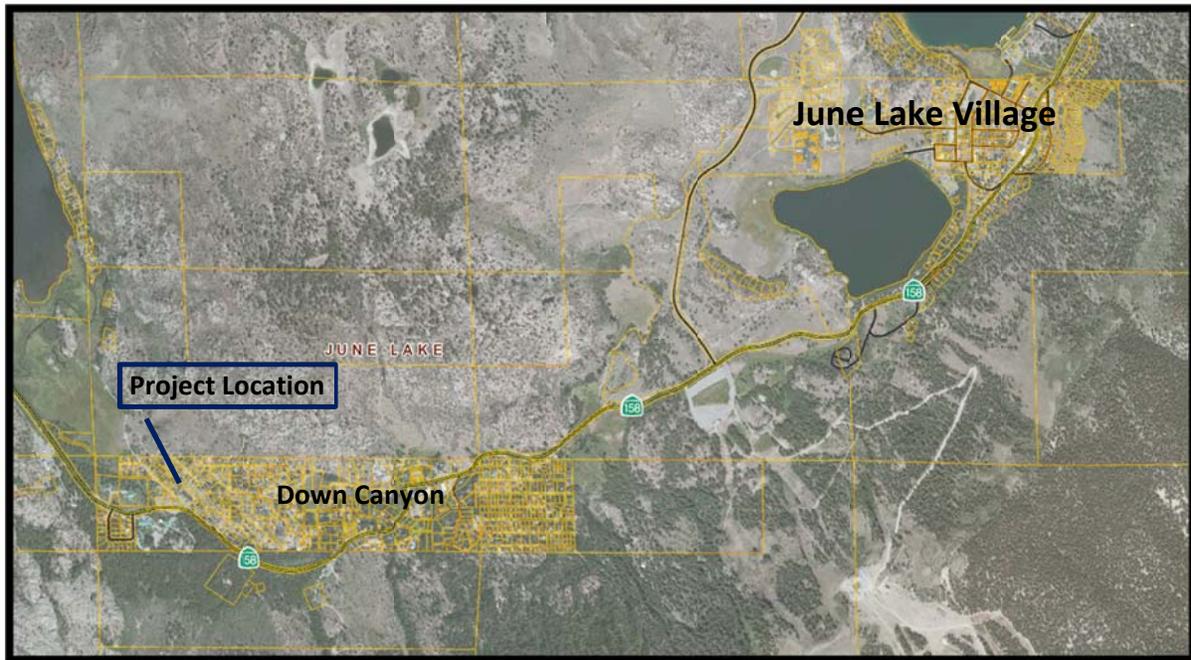
- His home is just below three proposed TROD properties
- Concerns with poor road conditions and inadequate parking
- Past issues with loud music after 10 pm, and has triggered Sheriff report
- Past transient rental violations of properties
- Kids throwing rocks at his house from above
- Concerned property values will be reduced

A phone call was also received from **Patrick Hoefler**, registering strong opposition to the proposal, referencing past transient violations, property devaluation concerns, and a number of other items.

Any additional comments received prior to the Planning Commission hearing will be provided and included as part of the record at the hearing.

Project Location





LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC met March 2, 2015, to review and provide input on the project proposal. The LDTAC accepted the proposed Transient Rental Overlay District application and recommended moving forward with processing the permit.

GENERAL PLAN CONSISTENCY

The proposed general plan amendment complies with existing General Plan, Countywide Policies:

Objective H Maintain and enhance the local economy.

Policy 5: Promote diversification and continued growth of the county's economic base.

Action 5.1: Encourage and promote the preservation and expansion of the county's tourist and recreation based economy.

CEQA COMPLIANCE

An addendum to the county General Plan EIR has been prepared for the proposed project. The impacts of the proposed project will not result in a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR.

ATTACHMENTS

- EIR Addendum 15-01
- GPA 15-001(a):
 - Resolution R15-02
 - Plan of Operations
 - Correspondence with Bridgeport Fire Protection District
- GPA 15-001 (b):
 - Resolution R15-03
 - 192 California Street Plan of Operations
 - 149 Mountain View Lane Plan of Operations
- Chapters 25-26, Transient Rental Overlay Districts and Standards & Enforcement

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Transient Rental Overlay Districts May 14, 2015

GPA 15-001(a) / Hackamore Place

Opposition comment letters

- David Abel & Julie Steinberg
- Kenneth Gardner
- Anne Hatch
- Betsy Hunewill Elliott, Jeffrey B. Hunewill, Megan Hunewill
- Peter R. Mann, Peter R. Mann Jr., Sarah Mann Newman, William Mann
- Susan Siphron
- Edward & Suzanne Usher
- Frederick J. & Victoria A. Wedow

Opposition phone call

- Sandy Pritchett

GPA 15-001(b) / Shear Development

Request-to-join comment letters

- Ian Fettes
- Barbara Miller
- Steve & Robin Molnar
- Tim Shea
- Richard & Lori Taylor

Support comment letters

- Mike & Linda Clemence
- Larry & Lucilla Hughes
- Loretta Shucken

Opposition comment letters

- Ross & Lynda Biederman
- Dennis Lindsay

Opposition phone call

- Patrick Hoefler

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DISTRICT #5
COMMISSIONER
Chris I. Lizza

CD Ritter

From: David Abel <dabel35@gmail.com>
Sent: Wednesday, May 06, 2015 5:46 PM
To: CD Ritter
Cc: Gerry LeFrancois
Subject: trod at 317 Hackamore place

RECEIVED
MAY 06 2015
MONO COUNTY
Community Development

1. Since the notice of the subject was on my desk Only on May 5, there is not reasonable time to really research the matter, hence the right is reserved to add and/or change the responses below.

2. The ccrs mentioned in our title Insurance are to my best knowledge in force. Mr. Hartstrom in a previous proceeding stated to me that the county would enforce them if it knew of them. See Mono Co. Records Vol. 60, p162 to 169 and Vol. 61, p 121. I have copies of these documents. They state no other use than single family residential is permitted. Also no business or profession. This advice is to make it clear that you are aware of their existence. There were at that time (1963) no other ordinances in effect. What the current Mono Co. zoning etc. would say, or if they would trump the ccrs is unknown to me. We respectfully request the Planing Commission to address this matter and provide a statement as to conclusions and reasons therefore.

3. To the best of our knowledge the owner at 317 Hackmore place is not living in the immediate area, which raises questions as to proper supervision of renters, or someone to call in the event of problems needing immediate attention. The only option would then be law enforcement officers. There has been in the past a history, involving a previous owner, of gunfire from within the Rancheria area coming from the house in question, persons building fires under the pine trees, disruptive and loud activity, large numbers of cars being parked, and other actions suited to a party house or persons acting out in various ways.

Of these, fire, especially with the current drought is perhaps foremost. Renters, who perhaps would not be aware of the danger, could produce a disaster of major issues. Where would the liability for such a major be event directed? Perhaps the County for providing the proximate cause? The person who set the fire? The house owner?

4. If one house is permitted to do this, how many others would then proceed to request to do the same? This would destroy the current quality of peace and quiet that is one of the main pleasures of Rancheria, and would in our opinion have a serious effect on the economic value of the entire development. As you know there are places at Tahoe and Mammoth lakes where is a problem. Again, this matter should be carefully considered, and clear statements as to the discussions and conclusions regarding it.

Other issues could be raised, but we will wait to see how these matters are considered before considering further possible actions.

We are owners of 464 Hackamore place in Rancheria. Abel Steinberg Rev. Trust.

Sincerely yours David Abel

Julie Steinberg

RECEIVED 13
MAY 07 2015
MONO COUNTY
Community Development

REVISED

TO: Mono County Planning Division
FROM: Kenneth Gardner, General Partner
Gardner Limited Partnership
Parcel APN 010-400-008-000
61 Spur Court Bridgeport CA 93517

SUBJECT: GENERAL PLAN AMENDMENT 15-001 (a)

Non-approval of the proposal is requested, for the following reasons:

- ~~• Approval will impose a significant change in the character of the subdivision. No similar use exists within the Rancheria Subdivision (cf. Mono County General Plan, Section 25.030)~~
- Approval will be detrimental to public safety (cf. Mono County General Plan, Section 25.030). The hazards of fire and traffic, and vandalism by virtue of the presence of transients who would be unknown to other residents of the Subdivision would be increased.
- Rancheria Subdivision CC&Rs prohibit commercial activity within the subdivision.
- Note: Vehicular access is not available from Hackamore Place to the site: Foot traffic only.
- No or minimal off-site and on-street parking is available along Hackamore. Were it to be occupied by site transients, others of the general public would park on street (cf. Mono County General Plan, Section 26.040 D)
- Access to the rear of site, where on-site parking is proposed, is along a non-dedicated dirt road off Buckeye Road. Applicant's plan to assure adequate maintenance of this road and minimize traffic along it should be considered.

Thank you for your consideration.

/s/ Kenneth Gardner
PO Box 625 Genoa NV 89411
or PO Box 355 Bridgeport CA 93517
kendrake24@charter.net



Note: My notice of meeting was postmarked April 29, 2015 and received May 4, 2015. When I attempted to reach the staff contact person named in the notice, she was not available until May 11, 2015. I find it difficult to write objective comments while ignorant of details

CD Ritter

From: Anne Hatch <hatch.anne@gmail.com>
Sent: Wednesday, May 06, 2015 9:21 AM
To: Tim Fesko; CD Ritter
Subject: TROD at Twin Lakes

RECEIVED
MAY 06 2015
MONO COUNTY
Community Development

To whom it may concern,

I am writing as a member of the PAMACS trust with property on Hackamore Place in Bridgeport, CA. We just received notice that there will be a hearing on May 14 for the property owners at 317 Hackamore Place who are requesting to "establish a transient rental overlay district (TROD) at Twin Lakes." I strongly OPPOSE this proposition for the following reasons:

- 1) This subdivision is a residential neighborhood, not a motel or transient district. We have been spending time in the area since 1974, and have owned property since 1991. I appreciate and value how relatively unchanged this area remains.
- 2) There are plenty of rental opportunities nearby, including Doc and Al's, the campground at Twin Lakes, and motels in Bridgeport. Approving such a TROD would only detract from these businesses.
- 3) This proposal is purely about personal gain rather than the improvement or integrity of the neighborhood and surrounding areas. The reason we purchased property in this neighborhood is to enjoy the peaceful and pristine surroundings. By allowing transient travelers to rent for a night or two, it disrupts the quiet integrity of the neighborhood and invites unwanted traffic and potentially careless use of the area. People often do not respect an area that they do not personally feel invested in. It is disappointing that one neighbor is looking to potentially disrupt an entire neighborhood for personal gain.
- 4) The notice we received from The Mono County Planning Division has a return address in Mammoth Lakes, suggesting that someone with no personal interest in the Bridgeport area is looking for profit rather than considering what is best for those who reside in the area and have a personal interest in maintaining the area surrounding this gem of a place.
- 5) The development and exploitation of beautiful areas like Bridgeport has to stop. Look at areas like Mammoth. Ask neighbors who continue to fight unwanted development at the expense of the greater good how they feel and what they think. The more we allow personal profit to usurp protecting what makes the Bridgeport and Twin Lakes areas so special and desirable in the first place, the more we destroy something we can never regain at any price.
- 6) Such short notice on such a flimsy notification suggests that you do not value the voices of those who have invested in this area for multiple decades not just a few nights.

I ask that you hear my voice now. I do NOT want just a few to profit at the expense of others. Thank you for considering what I have to say. I would appreciate the courtesy of a response at your earliest convenience, especially since I will be unable to personally attend this hearing.

Sincerely,
Anne Siphron Hatch (member of PASMACS trust)

RECEIVED
MAY 07 2015
MONO COUNTY
Community Development

16

May 7, 2015

Jeffrey B. Hunewill
Betsy Hunewill Elliott
Megan Hunewill
Box 145
Bridgeport, CA 93517

Mono County Planning Division
Courtney Weiche
P.O. Box 347
Mammoth Lakes, CA 93564

Courtney,

Please read this letter into the record at the Mono County Planning Commission meeting on May 14, 2015.

We just received a notice from you concerning establishing a Transient Rental Overlay on 317 Hackamore Place, Bridgeport, CA. Our nearby property is on 154 Hackamore Place, just up the road. We are not in favor of the establishment of a Transient Rental Overlay for a number of reasons:

1. This would change the nature of the neighborhood. Now there are a small number of people living here that know each other and respect other people's right to quiet enjoyment of their property. With nightly clients there is a very high probability of infringements upon that quiet enjoyment; loud music, more traffic, people wandering over other people's property hiking, fishing, and picnicking.
2. The access to 317 Hackamore is over a wooden foot bridge without side rails above Robinson Creek or over an unimproved road that crosses Forest Service land, private property, and a narrow wooden bridge over a ditch. I do not think there are easements across those lands.
3. I do not believe that there will be someone "in charge" living at 317 Hackamore Place to enforce any rules that will be established. At other nearby Tourist overnight businesses such as Doc and Al's and Mono Village, there are staff on site administering to the well-being of their clients at all times and also "keeping the peace."
4. If this Transient Rental Overlay is granted to one house in this area then all home owner's could be given the same ability to have paying overnight clients. This would truly impact the character of the whole neighborhood.
5. Property values would be reduced.

6. An increase in the danger of accidental fires could result from the increase in use of this property.

We are not in favor of passage of a General Plan Amendment 15-001(a) to establish a TROD at 317 Hackamore Place.

Sincerely,

Jeffrey B. Hunewill, Betsy Hunewill Elliott, Megan Hunewill

Owner's of 154 Hackamore Place, Bridgeport, CA

CD Ritter

From: MANN, PETER <pm4609@att.com>
Sent: Friday, May 08, 2015 9:37 AM
To: CD Ritter; TFesco@mono.ca.gov; JohnPelichowski@yahoo.com
Subject: Opposition to General Plan Amendment 15-001 (a)

RECEIVED
MAY 08 2015
MONO COUNTY
Community Development

This email is in reply to a notice received regarding an amendment to the General Plan Land Use Designation Map to allow for nightly rentals on the parcel of land known as 317 Hackamore Place in Bridgeport, CA. We are unable to attend the May 14 meeting, but are opposed to the General Plan Amendment.

Our family, which consists of me and my three children, owns a neighboring house at 200 Hackamore Place. We built the house in 1988 and have used it as a family vacation destination ever since. It has been a favorite escape from the city for us and for my grandchildren, and is no place for a commercial enterprise which will change the nature of the neighborhood.

The negative impact of residential properties used for daily rentals has been national news, and cities have been amending laws to shut them down. Why would we want to pass an amendment that will potentially create similar problems? Who will oversee this operation, and control the type of people and kinds of activities that will take place? There are plenty of existing hotels and campgrounds in the vicinity, and we feel there is no need for an additional rental option in this strictly family-oriented residential area.

Again, we are completely against allowing transient rentals in our community, and ask that you deny the General Plan Amendment.

Sincerely,

Peter R. Mann
Peter R. Mann, Jr.
Sarah Mann Newman
William Mann

RECEIVED 19
MAY 07 2015

CD Ritter

MONO COUNTY
Community Development

From: SUSAN SIPHRON <susan.siphron@yahoo.com>
Sent: Thursday, May 07, 2015 3:37 PM
To: John Alan Pelichowski (Rice House Bridgeport); Stephen William Edward Siphron
Cc: Tim Fesko; CD Ritter; Melissa Sohn; Elizabeth Anne Palmer Siphron Hatch; Peter Siphron; Allison Siphron Skurtveit; Catherine Siphron; Susan Allene Rider Siphron Fairy Stauffer
Subject: Response to General Plan Amendment

To the Mono County Planning Commission,
My husband David and I own property at 100 Hackamore Place in Bridgeport CA. We oppose granting a transient rental overlay district at 317 Hackamore Place for several reasons.

1)Nightly stays mean much greater volume in regard to the number of people exposed to this area which is a quiet residential neighborhood.

In a motel or campground or ranch setting there are people present who are supervising such guests and who are responsible for their behavior as well as their respect for the environment.

2)The whole appeal of Bridgeport is that it is not commercial in the ways that so many areas near it are. It is not fair to those homeowners who value tranquility and safety of this neighborhood for someone to rent it out for financial gain on this frequent basis. Real estate advertising is world wide due to modern technology making it impossible to fully screen renters credentials in a situation such as this.

3)Bridgeport here is a tranquil family oriented place where people young and old alike can walk in a safe environment where the neighbors know, help, and watch out for each other.

4)The manner in which this letter was sent out gives us property owners little time to respond. Maybe we as homeowners can do more to help the Bridgeport community. In any way that we can I think we are all willing to help. But please listen carefully and save what is singular and precious about our community! Please say no now to this proposal. It changes everything that is in many ways difficult to reverse once started. Please press the pause button.

Thank you for listening,
Susan Siphron, a visitor and fan of this area since 1975

RECEIVED
MAY 08 2015
MONO COUNTY
Community Development

Edward & Suzanne Usher
1515 Monarch Drive
Santa Ynez, CA 93460

May 8, 2015

Mono County Planning Division
Courtney Weiche
P.O. Box 347
Mammoth Lakes, CA 93546

RE: General Plan Amendment 15-001 (a).
Transient Rental Overlay Amendment
317 Hackamore Place
Bridgeport, CA

Ms. Weiche,

We are the owners of the house at 422 Hackamore Place, Bridgeport, CA. My wife and I purchased the property and constructed our family vacation & retirement house at this location because of the type of neighborhood it provided.

We are **STRONGLY OPPOSED** to changing the zoning of any residence in the Rancheria Tract. Unfortunately due to a previous commitment we are not able to attend the public meeting on May 14, 2015, however we do want to make you aware of our opposition.

The Rancheria Estates tract was designed for single family residences and vacation homes. The CC&R that were written when the development was created. It specifically denied the use of the property for commercial use. The intent of the development was to establish a location that families could enjoy the Eastern Sierras without the pressures of commercial development or transient tourism.

We have additional concerns in regards to privacy and trespassing. The properties in Rancheria Tract are not fenced. The homeowners are respective of the neighboring properties and of the neighborhood. We do have occasional problems with people out of the area ignoring the private property and find them wandering around the houses and yards. This brings additional concerns of vandalism, theft and encroachment of the houses and properties. By allowing Transient Rentals in the neighborhood this will only increase the problem possibly creating more demand on the local sheriff department. Other concerns include increased traffic, and fire danger.

Respectively Submitted,



Edward Usher and Suzanne Usher

RECEIVED
APR 30 2015
MONO COUNTY
Community Development

From: WEDOW <wedow@mindspring.com>
Sent: Thursday, April 30, 2015 2:27 PM
To: Courtney Weiche
Subject: 317 HACKAMORE PLACE: TRANSIENT RENTAL OVERLAY DISTRICT

**Courtney Weiche
Mono County Planning Division
Mammoth Lake, CA 93546
(760) 924-1803**

Dear Courtney,

It was a pleasure speaking to you yesterday. You provided us with some appreciated information regarding Transient Rental Overlays. As we mentioned, we're adamantly opposed to the formation of a transient rental overlay district in our neighborhood. The proposal to allow overnight tenants in Rancheria Subdivision is disturbing. The applicant, Ms. Farias, is a full time resident of Reno, Nevada and appears to be looking for rental income. In our view the preservation of a tranquil and serene community far outweighs the monetary aspect of her proposition. The probable consequences of permitting transient tenants will result in excessive noise, heavy traffic, a shortage of parking and diminishing property values. There is no upside to Ms. Farias' recommendation for the residents at large. The likelihood of eventual collateral damage to neighboring properties is yet another drawback. We believe it's prudent to point out that transient tenants, who have no skin in the game, may prove to be unwelcome neighbors.

It's our contention that the majority of property owners in Unit 1 Rancheria Subdivision, assuming the Planning Division notifies them of this proposed transient rental overlay, will find this idea most unattractive. We're of the opinion that the original planners, developers and visionary planning by the Mono County fathers got it right! Sometimes more is less.

Recommendation: Consider reviewing the original CC&R'S and any additional governing documents published and/or recorded for Unit 1 Rancheria Subdivision circa 1963. These documents may specifically forbid the introduction of rental properties.

We respectfully request this proposal for a transient rental overlay district on APN 010-390-002 be denied.

Courtney, your kind offer to relay/forward our point of view on this subject is accepted. Please forward our written request for denial to the appropriate County authorities for their review and consideration.

Thank you for your attention to this matter.

Regards,

**Frederick J. and Victoria A. Wedow
Trustees of the Wedow Family Trust**

**Owners: 289 Hackamore Place
APN 010-390-003**

wedow@mindspring.com

CD Ritter

From: WEDOW <wedow@mindspring.com>
Sent: Thursday, April 30, 2015 3:13 PM
To: Courtney Weiche
Subject: 317 HACKAMORE PLACE: TRANSIENT RENTAL OVERLAY DISTRICT
Attachments: TRANSIENT RENTAL OVERLAY.JPG; TRANSIENT RENTAL OVERLAY0001.JPG; TRANSIENT RENTAL OVERLAY0002.JPG

RECEIVED
APR 30 2015
MONO COUNTY
Community Development

Courtney Weiche
Mono County Planning Division
Mammoth Lake, CA 93546
(760) 924-1803

Dear Courtney,

Additionally, we've decided to advise you of Ms. Farias' previous venture into the rental business at 317 Hackamore Place. Please find attached a Notice of Violation to Ms. Farias, dated July 10, 2012 issued by Nick Criss, Mono County Compliance Officer. This notice was issued following formal complaints regarding her earlier transient rental operation. Now it appears she's attempting a modified approach to becoming a landlord.

Your office and/or the approving authorities may find this information useful. Feel free to share this data with the proper decision makers.

Thanks again for your assistance.

Questions may be referred to the undersigned.

Regards,

Frederick J. and Victoria A. Wedow
Trustees of the Wedow Family Trust
Owners: 289 Hackamore Place
APN: 010-390-003

wedow@mindspring.com

**Mono County
Community Development Department**

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1826, fax 924-1801

Compliance Division

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5424, fax 932-5431
ncriss@mono.ca.gov

July 10, 2012

Farias FAM TR
PO Box 27
Wellington, NV 89444

Notice of Violation

Complaint No. 2012/016 – Notice of Violation regarding violations of the Mono County General Plan, Mono County Code, 317 Hackamore Place, Rancheria Subdivision, CA – Mono County Assessor's Parcel No. 010-390-002.

To: Farias Family

It has recently come to the attention of the Mono County Compliance Division that you are currently illegally renting an existing single-family dwelling as a Transient Occupancy Rental.

Transient Rental Occupancy is defined in the Mono County General Plan Land Use Element Section 02.1210 as follows:

“Transient Rental” means any structure, or portion of structure, which is occupied, or intended or designed for occupancy by transients for the purposes of sleeping, lodging or similar reasons. A “Transient” is any person who exercises occupancy, whether by agreement, concession, permit, right of access, license, contract, payment of rent or otherwise, for a period of **thirty (30) consecutive calendar days or less**.

Violation No. 1 – Mono County General Plan 04.020 B “Uses Permitted”

Buildings, structures and land shall be used, designed, erected, structurally altered or enlarged only for the purposes listed in the land use designation in which such building, structure or land is located, and then only after applying for and securing all permits and licenses required by law.

Your property is currently designated Single-Family Residential (SFR) within the Mono County General Plan Land Use Element. Using your home as a Transient Occupancy Rental (30 consecutive calendar days or less) is not a permitted use within the SFR designation. Operating a transient occupancy rental business is a violation of the Mono County General Plan Section 04.020.

Violation No. 2 - Mono County Code Section 5.16.010 – “License Required”

Every person engaged in carrying on, pursuing or transacting within the county any occupation, business or calling must, before opening or commencing such business, procure a business license and pay a license fee therefor. The license fee must be reissued annually, at which times a license renewal fee shall be paid. Separate licenses must be procured and separate license fees and license renewal fees paid for each branch establishment or separate business located in the county.

Mono County records do not show you have been issued a valid license to operate this business. Operating a transient occupancy rental without a valid Mono County Business License is a violation of Mono County Code Section 5.16.010.

Violation No. 3 – Mono County Code Section 3.28.040 – “Operators Duty to Collect Tax”

Each operator shall collect the tax imposed by this chapter to the same extent and at the same time as the rent is collected from every transient. The amount of tax shall be separately stated from the amount of the rent charged and each transient shall receive a receipt for payment from the operator. No operator of a transient occupancy facility shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, if added, any part will be refunded except in the manner hereinafter provided.

Mono County records do not show you have been issued a valid Transient Occupancy Tax Certificate to operate this business. Operating a transient rental without a valid Transient Occupancy Tax Certificate is a violation of Mono County Code Section 3.28.040.

Violation No. 4 – Mono County Code Section 7.20.020 Nuisance Prohibition.

No person shall commit, create or contribute to the creation of a public nuisance in the county, nor shall anyone allow a condition constituting a public nuisance to exist on property in the county that is within their ownership or control. Mono County Code Section 7.20.010 D.1 defines a “Public Nuisance” as any violation of any provision of the Mono County Code, the Mono County General Plan, any county area or specific plan, airport land use plan, any variation or subpart of the foregoing, or any other land-use planning document duly approved by the board of supervisors or the planning commission

Violations 1 through 3 are determined to be a “Public Nuisance” and are a violation of the Mono County Code Section 7.20.020.

You are hereby ordered to abate the above-mentioned code violations and comply with the following directive:

Directive No. 1

You are hereby ordered to **immediately** cease renting out your home as a Transient Occupancy Rental, as this type of use is illegal in SFR designations.

Please be advised, as per Mono County Code Section 1.13.050, 1.12.020, and 1.12.030, failure to comply with a County Regulation will result in the issuance of an Administrative Citation (fines & penalties).

An Administrative Fine amounts to **\$100.00** per day for each violation of a County Regulation, applicable for each of the first five days of noncompliance. After the initial five-day period, the fine will then be **\$500.00** per day for each violation each day thereafter.

If you have any additional questions regarding the approved uses of your property, please feel free to call me at (760) 924-1826.

Thank you for your attention to this matter, and I look forward to your voluntary compliance.

Sincerely,



Nick Criss, Compliance Officer
Mono County Compliance Division

CC: File 2012/016
Scott Burns, Community Development Director
Tim Hansen, District 4 Supervisor
Marilyn McCurry, Treasurer/Tax Collector
Jim Arkens, CAO

Via: Certified ~~Mail/Return Receipt Requested To:~~
Farias FAM TR
PO Box 27
Wellington, NV 89444

To: County of Mono, Community Development Department

From: Ian Fettes

I write to express support for the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as 149 Mountain View Lane, which is associated with APN 016-152-009-000.

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application, and whether I would be interested in becoming a co-applicant. They identified the location of the Shear Development parcels and a number of adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

I am presently committed to having my property included in the overlay district; I support the Application and believe the proposed overlay district would benefit our community. Please include this letter in the official files for the Application. If you have questions about this correspondence, please contact me.

Sincerely,

PROPERTY OWNER

A handwritten signature in black ink, appearing to be 'Ian Fettes', written over the typed name 'PROPERTY OWNER'.

To: County of Mono, Community Development Department
From: Lori and Richard Taylor.

I write in regard to the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as 91 Mountain View Lane, which is associated with APN 016-152-010-000.

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application. They identified the location of Shear Development parcels and other adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

I have no opposition to the Application and would like to be included in the overlay. Please include this letter in the official files for the Application. If you have questions about this correspondence, please feel free to contact me.

Sincerely,

Richard Taylor



Lori Taylor



To: County of Mono, Community Development Department

From: Tim Shea

I write to express support for the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a the property commonly referred to as 192 California Street & parcel, Silver Pines Tract #5 Lots 3 & 4, which is associated with APN 016-143-019-000 & APN 016-143-040-000

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application, and whether I would be interested in becoming a co-applicant. They identified the location of the Shear Development parcels and a number of adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

I am presently committed to having my property included in the overlay district; I support the Application and believe the proposed overlay district would benefit our community. Please include this letter in the official files for the Application. If you have questions about this correspondence, please contact me.

Sincerely,



PROPERTY OWNER

9/1/14

To: County of Mono, Community Development Department
From: (Property Owner)

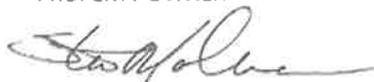
STEVE & ROBIN MOLNAR
192 CALIFORNIA STREET
JUWE LAKE, CA 93529

I write in regard to the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as 192 California Street and 0 California Street (property immediately next door to 192 California Street - APN# 016-143 040 000), which is associated with APN # 016-143-~~199~~-000(192 California Street).
019

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application. They identified the location of Shear Development parcels and other adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

I have no opposition to the Application. Please include this letter in the official files for the Application. If you have questions about this correspondence, please feel free to contact me.

Sincerely,
PROPERTY OWNER


Robin Molnar

To: County of Mono, Community Development Department

From: Barbara Miller

I write to express support for the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as parcel 1 PM 43-20, abutting Shea/Molnar, which is associated with APN 016-143-039-000.

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application, and whether I would be interested in becoming a co-applicant. They identified the location of the Shear Development parcels and a number of adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

I am presently committed to having my property included in the overlay district; I support the Application and believe the proposed overlay district would benefit our community. Please include this letter in the official files for the Application. If you have questions about this correspondence, please contact me.

Sincerely,

PROPERTY OWNER

RECEIVED
MAY 05 2015
MONO COUNTY
Community Development

To: County of Mono, Community Development Department

From: Susan Frank

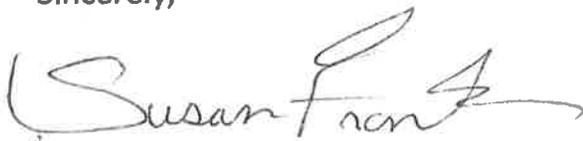
I write to express support for the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as 5442 Hwy 185, which is associated with APN: 016-143-048-000.

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application, and whether I would be interested in becoming a co-applicant. They identified the location of the Shear Development parcels and a number of adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

Not only do I support the Overlay District Application, I would like to would to have my abutting property included in the Overlay District if possible. Should this request in any way delay the Shear Development application, I will submit an application at a later date.

I believe the proposed overlay district would benefit our community. Please include this letter in the official files for the Application. If you have questions about this correspondence, please contact me.

Sincerely,



PROPERTY OWNER

To: County of Mono, Community Development Department

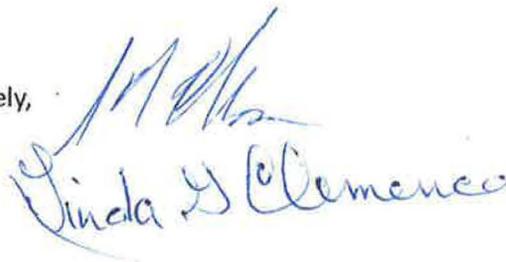
From: Mike & Linda Clemence

I write to express support for the General Plan Amendment Application by Shear Development Company, LLC for the creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as 51 Wyoming St. June Lake, CA 93529 , which is associated with APN # 016-111-017-000.

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application. They identified the location of the Shear Development parcels and a other adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

While I am not presently committed to having my property included in the overlay district, I support the Application and believe the proposed overlay district would benefit our community. Please include this letter in the official files for the Application. If you have questions about this correspondence, please contact me.

Sincerely,



Linda Y. Clemence

To: County of Mono, Community Development Department

From: LARRY & LUCILLE HUGHES
P.O. Box 443
5464 Hwy 158
June Lake, Ca 93529

I write in regard to the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as 5464 Hwy 158 June Lake, CA, which is associated with APN #016-143-048-000 .

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed Application. They identified the location of Shear Development parcels and other adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

I have no opposition to the Application. Please include this letter in the official files for the Application. If you have questions about this correspondence, please feel free to contact me.

Sincerely,

Larry & Lucille Hughes

To: County of Mono, Community Development Department

From: Loretta Shucken

I write to express support for the General Plan Amendment Application by Shear Development Company, LLC for creation of a transient rental overlay district (the "Application"). I own a neighboring property commonly referred to as 91 Mountain View Lane, which is associated with APN: 016-152-010-000.

Representatives of the applicant contacted me to inquire as to whether I have any concerns regarding the proposed. They identified the location of the Shear Development parcels and a number of adjacent properties whose owners have expressed interest in joining in the Application. They also provided me with printed information from the Mono County website discussing the transient rental overlay district.

I am presently committed to having my property included in the overlay district, I support the Application and believe the proposed overlay district would benefit our community. Please include this letter in the official files for the Application. If you have questions about this correspondence, please contact me.

Sincerely,



Loretta Shucken
Property Owner

35
RECEIVED
MAY 05 2015
MONO COUNTY
Community Development

May 6, 2015

C.D. Ritter
Secretary to the Planning Commission
P.O. 347
Mammoth Lakes, CA 93546

Re: General Plan Amendment 15-001 (b)
Transient Rental Overlay District
June Lake APNs 016-143-040, 019, 039,
and 016-152-007, -009, -010

Dear Members of the Planning Commission:

We are 20 year full time residents of the Clark Tract and wish to voice strong disagreement with the proposed Transient Rental Overlay District involving the above referenced properties in the June Lake Clark Tract. To allow transient rental in this area betrays residents and allows a few home owners-who knowingly purchased homes in a non-rental area-to alter living conditions for everyone else living in the neighborhood.

We built our home in this location specifically because it is, by existing law, not a transient rental district. The quality of life, quietude, lower levels of automobile traffic, absence of loud guests-renters and neighbors invested in our community is a fundamental benefit and right defined by a zoned non-rental community.

When the Transient Rental Overlay was proposed it was agreed by both past and present County Supervisors that the Clark Tract was inappropriate for the Overlay District. It was determined that the roads are private, not well maintained, and dangerous for rentals. Of note, all Clark Tract roads are private roads for which Mono County provides neither maintenance nor snow removal.

A quick drive through the area will reveal the obvious inadequacy of the steep, narrow, and often unpaved roads to safely allow passage of increased traffic. Further, inadequate parking space for multiple vehicles that renters often bring to our neighborhood increases danger to drivers attempting to navigate narrow, slippery and steep roads. Other issues such as trash disposal, loose dogs running about the neighborhood, party noise and roads obstructed by visiting motorists unprepared for winter driving conditions are already regular occurrences when second homes become transient rental units.

In addition, we never received written notice of this proposed overlay application as required by law and only heard about it through the grapevine. Our home is directly affected by the probable increase in traffic and it would significantly impact the safety of our residential neighborhood and streets.

We implore the Planning Commission to please protect and respect the non-transient rental zoning of the June Lake Clark tract. Please do not open the gates to such duplicity and disregard for existing zoning ordinances and residents who chose to live in a zoned non-rental neighborhood.

Respectfully,

Dr. Ross and Lynda Biederman
140 Wyoming Street
June Lake, CA 93529

May 6, 2015

Mono County Planning Division
Courtney Weiche
PO Box 347
Mammoth Lakes, CA 93546

RECEIVED
MAY 08 2015
MONO COUNTY
Community Development

RE: Transient Rental Overlay Districts

Gentlemen:

I received this letter on May 4, 2015. This is this first and only notification I have gotten. My home is just below and in the middle of the three properties above me. For me to have only a 10-day notice is unbelievable. I will be out of town on the date of the hearing having made plans months in advance. It almost looks like the county is trying to sneak this through before anyone realizes it. If the county checked the roads and parking in the area they propose to amend they would see the roads are pretty bad and there is no off street parking for multiple renters, as these party houses are rented to large groups. This should be strictly a residential area with no transient rentals.

On multiple occasions I have had to ask two or three times to get the occupants to turn OFF their loud music after 10 pm. The last time they did not comply and had to call the sheriff's office to make a report. Check the sheriff's records. I have had to stop the renter's kids from throwing rocks at my house from above more than once. These property owners have been renting their properties for years. NO income for the county and NO penalties for mischief or wrongdoing. Who should the county be supporting, the homeowners that have been here for years or someone that wants to make a quick buck at the expense of their neighbors? Do you think it is fair for a very few to take advantage of the community homeowners that have been here for years? How much do you think my property value will be reduced? Are you going to give me a refund, I think NOT?

Yours truly,

Dennis E. Lindsay
5424 Boulder Drive (Hwy 158)
June Lake, CA 93529

Mono County General Plan Land Use Amendment 15-001(a) & (b)
GENERAL PLAN EIR ADDENDUM #15-01
State Clearinghouse #98122016
 ☞ May 14, 2015 ☞

INTRODUCTION AND DISCUSSION OF PROPOSED MODIFICATIONS

1. Transient Overlay Districts

Mono County has received applications to amend the General Plan Land Use Designation Maps to establish a Transient Rental Overlay District (TROD) to allow for nightly rentals. GPA 15-001 (a) would establish a TROD on one parcel (APN 010-390-002) along Hackamore Place at Twin Lakes, and GPA 15-001 (b) would establish a TROD on six parcels (APN 016-143-040, -019, & -039 and 016-152-007, -009, & -010) along California Street and Mountain View Lane at June Lake.

A subsequent Vacation Home Rental Permit will be required in accordance with Chapter 26 of the Mono County General Plan before commencing rentals of any dwellings. Vacation Home Rental Permits will address and regulate traffic and parking, guide tenant occupancy, establish minimum health and safety requirements, and require 24-hour property management, among other things.

ENVIRONMENTAL REVIEW & CEQA PROVISIONS FOR PREPARATION OF AN ADDENDUM TO A FINAL EIR

In 2001, Mono County certified an Environmental Impact Report (EIR) in conjunction with the adoption/amendment of its General Plan (SCH # 98122016) (the “General Plan EIR”). The General Plan EIR analyzed the impacts of designating areas of the county as SFR, ER, RR, or RMH, and assumed full buildout and use of those properties for all allowed uses. It also addressed and analyzed the impacts associated with the development of accessory dwelling units. As discussed below, an addendum to the General Plan EIR is the appropriate level of environmental review for the proposed amendments, because none of the conditions set forth in CEQA Guidelines section 15162 exist.

The California Environmental Quality Act (CEQA §15164[a]) states:

“(a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

In turn, §15162 states that preparation of a subsequent EIR is required where one or more of the following occurs:

“(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due

to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:

(A) the project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”

DISCUSSION OF IMPACTS

Establishing Transit Rental Overlay Districts that would allow nightly rentals proposed in the aforementioned residential areas (the “Project”) does not require major revisions to the General Plan EIR because it does not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects; there are not substantial changes with respect to the circumstances under which the project is undertaken; and there is not new information of substantial importance, which was not known and could not have been known with the exercise of due diligence at the time the previous EIR was certified as complete which shows any of the following listed above under headings (3) (A) through (3) (D), for the following reasons:

1. The proposed Transient Rental Overlay Districts will not have a significant effect on the environment or increase the severity of previously identified significant effects. The creation of a Transient Rental Overlay District enables short-term rentals but does not expand the types of structures allowed or the manner in which the vacant parcels can be developed in the future. Future development will be limited to the residential densities established in the underlying land use designation. Additionally, General Plan Land Use Element Chapter 26 further governs how transient rentals are to be conducted, which places much-more-stringent regulations on rentals than that of a home occupied by a full-time resident.
2. Additionally, even following designation and permitting for transient rental use, there is no change to the underlying property use. Single-family homes that are now used seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full-time residents or long-term renters. The General Plan EIR analyzed land use designations at buildout assuming full-time occupancy. Since there is virtually no difference in the use of a home being occupied by a full-time resident and its use by household that rents the home on a short-term basis, the environmental impacts to the neighborhood and surrounding areas are no different. Transient rentals, due to the intermittent and temporary nature of their use, will not create any additional impacts on traffic or air and water quality. Furthermore, since the occupancy and parking will be much more narrowly regulated by a required property manager, the impacts on noise and street congestion will also be reduced. Accordingly, the impacts of the proposed project would not be increased beyond those analyzed in the General Plan EIR.

3. The establishment of Transient Rental Overlay Districts creates the possibility of a reduction in environmental impacts that exist at present, since transient uses would be subject to more-stringent restrictions than are applicable to full-time owner-occupied residences or residences subject to long-term lease. Specifically, these include restrictions on occupancy, parking and the requirement for oversight through local property management. Currently, there are no restrictions on how many occupants can use a single-family home, but the occupancy in homes used as transient rentals will be restricted by the number of bedrooms and/or any septic system limitations. Parking requirements will be site specific and not only will have to meet the General Plan residential parking standards, but will be limited to on-site parking only. These measures in conjunction with local property management being available 24 hours to regulate noncompliant activities of tenants will minimize visual and noise impacts far beyond residences having full-time occupancy.
4. The change to the regulations affecting the size and permitting requirements of accessory dwelling units will not cause an environmental impact. The change reduces the potential intensity of allowed development and environmental impacts on parcels less than one acre in size.

CONCLUSION

CEQA Sections 15164(c) through 15164(e) states, “*An Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*”

The information presented above indicates that the proposed General Plan Amendment does not represent a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR. Therefore, a subsequent EIR is not required because none of the conditions set forth in CEQA Guidelines section 15162 exist for this project.



RESOLUTION R15-02

A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 15-001(a), PLACING A TRANSIENT RENTAL OVERLAY DISTRICT ON ONE PARCEL AT TWIN LAKES (ASSESSOR'S PARCEL NUMBER 010-390-002)

WHEREAS, In accordance with General Plan Requirements, the property owner has submitted a Transient Rental Overlay District application for a transient rental, which includes a General Plan Map Amendment (GPA); and

WHEREAS, the proposed General Plan Amendment 15-001(a), in conjunction with a Vacation Home Rental Permit, will allow the owners of Assessor's Parcel Number (APN) 010-390-002 to rent out their Single-Family Residential (SFR) home on a transient or nightly basis; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) an addendum to the Mono County General Plan EIR pursuant to CEQA section 15164 has been prepared; and

WHEREAS, the Planning Commission did on May 14, 2015, hold a noticed and advertised public hearing to hear all testimony relevant to the General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED THAT, in consideration of evidence and testimony presented at the public hearing and in accordance with Chapter 48 of the Land Use Element of the General Plan, the Planning Commission finds as follows with respect to the proposed GPA:

1. *The proposed change in the land use designation is consistent with the text and maps of this General Plan.*

The project promotes the following General Plan's countywide policies: Objective D states the County should provide for commercial development to serve both visitors and residents; Policy 4 allows for the integration of small-scale commercial uses with associated residential uses; Objective H maintains and enhances the local economy; and Action 5.1 encourages and promotes the preservation and expansion of the county's tourist and recreation-based economy. The project provides for additional visitor lodging and encourages tourist-based economy and is consistent with the text and maps of the General Plan.

2. *The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.*

The project is located within the Bridgeport Planning Area. The Bridgeport Area Plan encourages providing a wide range of commercial and residential uses. The project provides for additional visitor lodging for the tourist-based economy by providing a variety of lodging options within the Bridgeport and Twin Lakes area.

3. *The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation.*

The project is not changing the underlying land use designation of Single-Family Residential (SFR), but is adding a Transient Rental Overlay District that will allow the addition of nightly rentals only in single-family dwellings. Chapter 25 in the Mono County General Plan allows

1 Transient Rental Overlay Districts to be applied to the SFR, RR, ER, MFR-L, and RMH land
2 use designations. Chapter 26 in the Mono County General Plan requires that any homes being
3 rented within the overlay district obtain a Vacation Home Rental Permit that will regulate
4 parking, guide tenant occupancy, establish minimum health and safety requirements, and require
5 24-hour property management, among other things.

4 4. *The proposed change in land use designation is reasonable and beneficial at this time.*

5 The proposed change to add a Transient Rental Overlay District is reasonable because the
6 economy is visitor-oriented and this proposal helps to expand the variety of lodging options
7 within Bridgeport and the Twin Lakes area.

8 5. *The proposed change in land use designation will not have a substantial adverse effect on
9 surrounding properties.*

10 The application of a Transient Rental Overlay District on Assessor’s Parcel Number 010-390-
11 002 will not create undue hardship on adjacent properties. Single-family homes that are used
12 seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as
13 single-family homes and in a manner that is not substantially different from how they would be
14 used if they were occupied by full-time residents or long-term renters. The General Plan EIR
15 analyzed land use designations at buildout assuming full-time occupancy. Transient rentals will
16 have similar visual characteristics as a home having seasonal or full-time occupancy.

17 Furthermore, homes used as rentals within the district are subject to more-stringent restrictions
18 than applicable to full time owner-occupied residences or residences subject to long-term lease.
19 Specifically, these include restrictions on occupancy based on the number of bedrooms, parking
20 and the requirement for oversight through local property management. These measures in
21 conjunction with local property management being available 24 hours to regulate non-compliant
22 activities of tenants will minimize visual and noise impacts far beyond residences having full-
23 time occupancy. Moreover, Chapter 26 in the General Plan provides enhanced enforcement
24 mechanisms to prevent non-permitted or unauthorized transient rentals within residential zones.

19 **NOW, THEREFORE, BE IT FURTHER RESOLVED THAT,** having considered the
20 environmental addendum and taken into consideration all evidence and testimony before it, the Mono County
21 Planning Commission, in conformance with the Mono County General Plan, Chapter 48, Section 48.020,
22 hereby finds that the proposed changes are consistent with the General Plan and recommends that the Board
23 of Supervisors approve General Plan Amendment 15-001(a) adding a Transient Rental Overlay District to
24 Assessor’s Parcel Number 010-390-002.

23 **PASSED AND ADOPTED** this 14th day of May 2015, by the following vote of the Planning Commission,
24 County of Mono:

- 24 AYES :
- 25 NOES :
- 26 ABSENT :
- 27 ABSTAIN :

28 _____
29 Mary Pipersky, Chair
30 Mono County Planning Commission

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ATTEST:

APPROVED AS TO FORM:

C.D. Ritter, Commission Secretary

Stacey Simon, Assistant County Counsel

317 Hackamore Place: Rental Plan

Submitted by: Leslie Farias, Owner

Purpose of Application:

- Summer rental: 3-day minimums, weekly, and monthly.
- Dates: May 1 through October 31
- Groups of no more than six adults or groups totaling eight (six adults plus four children).
- A refundable cleaning deposit will be required, and a non-refundable, VRBO damage insurance policy with \$5,000 coverage will be required—purchased through VRBO.

Rental Process:

- The cabin will be listed with Vacation Rental By Owner (VRBO), an online marketing and rental subscription.
- Families or groups who know and love the Eastern Sierra will be the target market. The person making the reservation will be contacted by telephone by the owner as a means of interviewing to insure the group is a good match for the cabin and not a group looking for a “party spot.”
- A physical address and two telephone numbers of the renter will be required, enabling an Internet check on employment and place of residence before a reservation can be made.
- The rental fee and sizeable deposit is set to be affordable for responsible groups only.
- Once the vetting is completed, a rental agreement will be sent to VRBO which will initiate the invoice and fee collection, including a 50% deposit with a refundable fee schedule 30 to 15 days before arrival. The remaining 50% will be invoiced by VRBO due 14 days before arrival.
- Once VRBO verifies full payment, the owner will send instructions, maps and access codes to the property.
- VRBO will collect all funds, subtract their fee, and then deposit the remainder with the owner.
- VRBO provides an additional service to which the owner will subscribe where they pay all taxes due directly to Mono County.

Operations:

- The property manager and owner will be available 24 hours a day. Required Mono County notices with phone numbers will be posted in the required locations on property.
- The property manager will meet all renters the day of their arrival and will “check out” the renters upon departure.
- The owner and/or property manager reserve the right to enter the property at any time for inspection.
- House instructions are included in this document for review.

(continued)

317 Hackamore Place, Bridgeport, CA: Instructions for Rental

NO SMOKING IN OR OUTSIDE on this entire property.

Access Code to Lockbox on the railing of the back porch: 000

Emergency:	911
CABIN PHONE NUMBER:	(760) 932-7325
Sheriff's Office:	(760) 932-7549
Property Manager:	(760) 932-3044
Leslie Farias:	(775) 846-5733
Conrad Wright:	(775) 771-7386
Brandon Wright:	(775) 843-6583

Typically everything will be on and ready for you. But just in case, the following instructions should answer any questions. When you leave, you do not have to turn anything off—just lock up. See Departure, 5-10, page 4.

ARRIVAL Punch List

- 1. Parking:** No RV's larger than a van or camper are allowed to park on the property. Drive around the Buckeye Road entrance to park by the house. Only two autos are allowed on the street parking and two vehicles and/or boats are allowed on the house side. No large RV's.
- 2. Water:** Open the electrical box on the pole outside the back door of the cabin. Flip the "Pump" switch to ON.

3. **Electrical:** **DO NOT CHANGE THE ELECTRIC SWITCH in the electrical box.** The electricity must always be **ON** with the thermostat inside the house no lower than 55 degrees so the pipes do not freeze!
4. **Hot Water:** *Wait 45 to 60 minutes from the time the water was turned on before flipping the hot water heater switch to ON in the hallway on the main floor.* This allows time for the heater to fill with water; otherwise, the heater will be ruined.
5. **Thermostat:** Located in the main floor hallway. Do not set it lower than 55-60 degrees.
6. **Wood Stove:** Wood is under the deck. This stove will really put out heat. You may want to open the slider in the loft to improve circulation. Starter is in the copper boiler in the living room.

DO NOT CLEAN THE Wood Stove ASHES OUT. If you must, put ashes in the ash bucket but **do not empty the bucket. Place the bucket on the cement slab by the BBQ and put water in it. Do not empty the ash bucket, the property manager will attend to it.**

7. **Bar-B-Q:** Briquettes are in the basement storage area, and starter is in the copper boiler by the fireplace (or in the basement). Again, let the briquettes cool overnight and then put them in the ash bucket, if you must. **Do not empty the ash bucket. The property manager will attend to it.**
8. **Fire Extinguishers:** You will find one in each bedroom, the kitchen and outside by the BBQ. Please familiarize yourself with their operation.
9. **Internet:** The hardwire is by the desk in the loft. We also have a wireless router, and the disc to load on your computer is on the desk. Please remember to take it out of your computer.

Username: fariaswheel@wildblue.net.

Password: theindianrock

10. **Television:** You have West Coast news, movies, and sports. If there is a problem, the number to Direct T.V. is (800) 531-5000, account number #0616966967 but if you want to change the service package, call Leslie. She has the password to change the service package.
11. **DVD:** Use the separate control under the T.V. The television must be on Channel 3. We have a collection of oldies. Please use them freely but leave them for posterity.
12. **Stereo equipment** is in the loft. Use freely. Just make sure to collect your CD's before you leave.
13. **Food:** Help yourself to everything here. When you use the last of something, please make a note and leave it so we can replace it.
14. **Deep Freezer:** Located in the basement. You will need to plug it in if you need it.
15. **Extra refrigerator:** Located in the basement. You will need to plug it in if you need it for extra storage.
16. **Washer and Dryer:** Located in the basement. Detergent and bleach are on the dryer.
17. **Basement:** When in the basement, close the door so little animals do not get caught in there.
18. **Sliding Doors:** To unlock, you must pull the pin at the bottom out. The slider on the riverside is a bit difficult to lock; just make sure the pin is **IN** to lock.
19. **Garbage: Garbage day is Thursday.** Place your garbage bags in the garbage receptacle across the creek by the house sign. It will be picked up early Thursday morning.
20. **Wildlife:** Do not feed the wildlife; do not leave any food outside or in your car.

DEPARTURE Checklist to receive \$300 cleaning deposit:

- **DO NOT** change the electrical switch outside. Power should always be on inside.
- Wash all dishes and utensils in the dishwasher and return to appropriate cupboard or drawer.
- Strip all beds and deposit all dirty linens and used towels in the basement by the washer and dryer.
- **Thermostat:** Turn the thermostat to 60.
- **Wood stove:** Close the doors and make sure they are latched.
- Turn off lights and appliances.
- **WATER:** Flip the “hot water” switches in the electrical box in the main floor hallway (near the bottom of the row of switches to **OFF**).
- **FOOD:** CLEAN OUT THE REFRIDGERATOR of your perishables.
- **BASEMENT:** Be sure the basement door is **locked**.
- **Doors and Blinds:** Put all blinds down and close them—slats down.
- **Three** sliders must be locked with pins at the bottom in.
- **DVD/CD PLAYER:** Make sure these are turned **OFF** and you have removed your discs.
- **BACK DOOR:** CLOSE BLIND and EXIT then LOCK THE BACK SLIDER.
- **9. Put the key back in the lockbox.**

From: Bridgeport Fire <bptfire@gmail.com>
Sent: Wednesday, April 29, 2015 8:28 AM
To: Courtney Weiche
Subject: Re: Requested input on Transient Rental Proposal in Twin Lakes

Looks good.....

Chief Booher - Bridgeport FD

On Thu, Apr 23, 2015 at 1:44 PM, Courtney Weiche <cweiche@mono.ca.gov> wrote:

Good Afternoon,

I have a proposal for an Transient Rental Overlay District on a single parcel, in Twin Lakes, and would like the input of the Fire District. I have attached the application, as well as the two relevant chapters from the General Plan for reference. This item is scheduled to be reviewed at the May 14th Planning Commission meeting.

Please feel free to contact me with any additional questions or comments you may have.

Thank you for your time,

Courtney Weiche

[760.924.1803](tel:760.924.1803)

Associate Planner



RESOLUTION R15-03

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 15-001(b),
PLACING A TRANSIENT RENTAL OVERLAY DISTRICT ON SIX PARCELS
AT JUNE LAKE (ASSESSOR'S PARCEL NUMBERS 016-143-040, -019, & -039
AND 016-152-007, -009, & -010)**

WHEREAS, In accordance with General Plan Requirements, the property owner has submitted a Transient Rental Overlay District application for a transient rental, which includes a General Plan Map Amendment (GPA); and

WHEREAS, the proposed General Plan Amendment 15-001(b), in conjunction with a Vacation Home Rental Permit, will allow the owners of Assessor's Parcel Numbers (APN) 016-143-040, -019, -039, and 016-152-007, -009, and -010 to rent out Single-Family Residential (SFR) homes on a transient or nightly basis; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) an addendum to the Mono County General Plan EIR pursuant to CEQA section 15164 has been prepared; and

WHEREAS, the Planning Commission did on May 14, 2015, hold a noticed and advertised public hearing to hear all testimony relevant to the General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED THAT, in consideration of evidence and testimony presented at the public hearing and in accordance with Chapter 48 of the Land Use Element of the General Plan, the Planning Commission finds as follows with respect to the proposed GPA:

1. *The proposed change in the land use designation is consistent with the text and maps of this General Plan.*

The project promotes the following General Plan's countywide policies: Objective D states the County should provide for commercial development to serve both visitors and residents; Policy 4 allows for the integration of small-scale commercial uses with associated residential uses; Objective H maintains and enhances the local economy; and Action 5.1 encourages and promotes the preservation and expansion of the county's tourist and recreation-based economy. The project provides for additional visitor lodging and encourages tourist-based economy and is consistent with the text and maps of the General Plan.

2. *The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.*

The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial and residential uses. The project provides for additional visitor lodging for the tourist-based economy by providing a variety of lodging options within the June Lake Loop.

3. *The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation.*

1 The project is not changing the underlying land use designation of Single-Family Residential
 2 (SFR), but is adding a Transient Rental Overlay District that will allow the addition of nightly
 3 rentals only in single-family dwellings. Chapter 25 in the Mono County General Plan allows
 4 Transient Rental Overlay Districts to be applied to the SFR, RR, ER, MFR-L, and RMH land
 5 use designations. Chapter 26 in the Mono County General Plan requires that any homes being
 6 rented within the overlay district obtain a Vacation Home Rental Permit that will regulate
 7 parking, guide tenant occupancy, establish minimum health and safety requirements, and require
 8 24-hour property management, among other things.

6 4. *The proposed change in land use designation is reasonable and beneficial at this time.*
 7 The proposed change to add a Transient Rental Overlay District is reasonable because the
 8 economy is visitor-oriented and this proposal helps to expand the variety of lodging options
 9 within June Lake.

9 5. *The proposed change in land use designation will not have a substantial adverse effect on*
 10 *surrounding properties.*

10 The application of a Transient Rental Overlay District on Assessor’s Parcel Numbers 016-143-
 11 040, -019, & -039 and 016-152-007, -009, & -010 will not create undue hardship on adjacent
 12 properties. Single-family homes that are used seasonally or periodically by the owner, or are
 13 rented on a long-term basis, will still be used as single-family homes and in a manner that is not
 14 substantially different from how they would be used if they were occupied by full-time residents
 15 or long-term renters. The General Plan EIR analyzed land use designations at buildout assuming
 16 full-time occupancy. Transient rentals will have similar visual characteristics as a home having
 17 seasonal or full-time occupancy.

16 Furthermore, homes used as rentals within the district are subject to more-stringent restrictions
 17 than applicable to full time owner-occupied residences or residences subject to long-term lease.
 18 Specifically, these include restrictions on occupancy based on the number of bedrooms, parking
 19 and the requirement for oversight through local property management. These measures in
 20 conjunction with local property management being available 24 hours to regulate non-compliant
 21 activities of tenants will minimize visual and noise impacts far beyond residences having full-
 22 time occupancy. Moreover, Chapter 26 in the General Plan provides enhanced enforcement
 23 mechanisms to prevent non-permitted or unauthorized transient rentals within residential zones.

21 **NOW, THEREFORE, BE IT FURTHER RESOLVED THAT,** having considered the
 22 environmental addendum and taken into consideration all evidence and testimony before it, the Mono County
 23 Planning Commission, in conformance with the Mono County General Plan, Chapter 48, Section 48.020,
 24 hereby finds that the proposed changes are consistent with the General Plan and recommends that the Board
 25 of Supervisors approve General Plan Amendment 15-001(b) adding a Transient Rental Overlay District to
 26 Assessor’s Parcel Numbers 016-143-040, -019, & -039 and 016-152-007, -009, & -010.

25 **PASSED AND ADOPTED** this 14th day of May 2015, by the following vote of the Planning Commission,
 26 County of Mono:

- 27 AYES :
- 28 NOES :
- 29 ABSENT :
- 30 ABSTAIN :

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Mary Pipersky, Chair
Mono County Planning Commission

ATTEST:

APPROVED AS TO FORM:

C.D. Ritter, Commission Secretary

Stacey Simon, Assistant County Counsel

192 California St. June Lake, CA

Operations Plan

- 1) Our intention is to rent the house to affluent families seeking to visit June Lake for one to two weeks. We feel the best avenue for reaching our target demographic is through the use of the websites, VRBO and HOMEAWAY. Marketing through these sites involves a two step process which will allow us to pre-screen potential guests and ensure that the house fits our guest needs *and* that our guests fit our parameters, ie; number of people in the party, reason for stay, etc. The process of booking guests involves initial contact via the internet and then further contact by telephone. Our intent is to satisfy an unfulfilled niche in the June Lake family vacation market rather than compete with already existing lodging businesses. We also do not want the property to be viewed as a “party house”. That type of guest can be very hard on the house and a nuisance to our neighbors. Pre-screening will allow us to realize our intent. Further, pricing and the requirement of a substantial security deposit and 50% down payment to secure a reservation will also help us to that end.
- 2) When an agreement is reached, we will forward a contract to our guests that contains the dates of the stay, the price agreed upon, the number of people in the party, number of vehicles allowed and other conditions of the stay. At that time we also forward a guest information sheet that contains essential information our guest should have before traveling to June Lake for their vacation.(Please see the document “Guest Information” attached to the end of this Operations Plan). In short the information sheet encapsulates all the info our guests will need for their stay including explicit directions to the house, parking info and important safety considerations.
- 3) Upon receipt of a completed Rental Agreement, refundable Security Deposit and a 50% down payment the reservation is complete.
- 4) On the day of a guest's arrival our Property Manager will meet the guests at the house when they arrive. The Property Manager will show the guests the appropriate parking areas and provide other information about the immediate neighborhood the guests should know. A walk-through of the house with guests and Property Manager will then follow. In the course of the walk-through the guests will be shown the locations of trash containers, fire extinguishers, fireplace procedures and the amenities that the house has to offer.
- 5) During a stay our Property Manager is available 24 hours a day to address any issues our guests may have. During the winter months, in the event of snowy weather, our Property Manager will be available to assist guests with winter driving issues should the need arise.

- 6) At the end of the stay, the Property Manager will meet the guests for a walk through of the property and in most cases issue a refund of the security deposit.

**Please see “Guest Information”
on next page.**

GUEST INFORMATION

192 CALIFORNIA ST.
JUNE LAKE, CA 93529

Thank you for choosing our home as your vacation destination!
We take great pride in this house and hope that you enjoy the relaxing atmosphere, amenities, spectacular views and beautiful Eastern Sierra as much as we do.

Below, please find important information and Customs of the House that will ensure that your stay with us is as smooth and enjoyable as possible:

- **GETTING TO 192 California St.:**

From **US 395**, Northbound or Southbound

From Northbound turn Left onto **HIGHWAY 158** at the June Lake Junction Shell Station.

From Southbound turn Right onto **HIGHWAY 158** at the June Lake Junction Shell Station.

Proceed along **HWY 158** for approximately **5.5** miles. You will descend down a long hill, at the bottom of the hill bear **RIGHT** in front of the Whispering Pines Motel, this is **Nevada St**

Make a **RIGHT IMMEDIATELY PAST** the Motel and ascend the hill. The road will make a hairpin turn to the left 100 yards up. At the top of the hill go **RIGHT** and follow the short street to a **T** intersection. Go **RIGHT** on California St. and 192 California will be the second house on the right.

- **KEYS:**

The house-key may be found under the mat located at the front door.

- **PARKING:**

The garage will accommodate 1 compact car. There is space for up to 4 cars in the driveway. **PLEASE DO NOT PARK ANY VEHICLES ON THE STREET!** Our streets are very narrow and it is critical that we keep the street clear so that access for emergency vehicles is unimpeded.

- **FOOTWARE:**

Kindly kick of your shoes when entering the house. That's the way we do it here.

- **SMOKING:**

Please, Absolutely NO Smoking in the house or on the property.

- **GARAGE:**

The equipment in the garage is **not for the use of our guests.**

- **TV:**

There are 4 televisions in the house. The TV in the main room has service provided by DirectTV. The TVs in the bedrooms upstairs are for watching DVDs. There is also a big screen TV on the lower floor with DirectTV. Music is available on the TV in the main room on one of over 80 music channels on DirectTV. Music Channels on Direct TV are located from Channel 800 upwards.

- **INTERNET:**

If you require internet access you may connect to the network. When prompted for a password, please enter;

- **TELEPHONE:**

Guests are welcome to use our landline to make local calls and receive incoming calls. Because of the rugged terrain in the June Lake Loop cellular service can be spotty, however service for AT&T and Verizon is very good at the house. The phone number is; 760-648-1120. **IN THE EVENT OF AN EMERGENCY** please use the landline to dial **911**.

- **JACUZZI:**

The Jacuzzi on a balcony located of the lower level. Access the balcony through the door to the Right of the big screen TV. If you find the water level to be low, the tub can be topped off using the hose to be found in the laundry room on the lower level. There is a hose bib underneath the sink of the kitchen on the lower level. The spa is serviced every Friday morning. **Please latch the Jacuzzi cover closed after each use.**

- **OUTDOOR GRILL:**

We welcome you to enjoy the use of the grill. There are two valves on the gas line to the grill, both are located behind the grill. The ridge on both valves should be pointed in the same direction, on an axis perpendicular to the floor↑. P

- **FIREPLACES:**

There are 2 fireplaces in the house, a gas fueled fireplace located in the master bedroom and a wood burner in the main living area. A switch to the right of the gas fireplace in the master bedroom turns it on and off.

Before lighting the fireplace on the main floor please make sure that the flue is **Open!**

There are fire starters to be found to the right of the fireplace in a cubby in the hearth.

After lighting leave the glass doors of the fireplace slightly ajar for a few minutes until the fire is well-lit. Once the fire is going close the glass doors tightly to ensure a good, clean burn. Firewood can be found in a cubby to the left of the fireplace and on the balcony opposite the fireplace. Lighters can be found with the fire starter.

Should you need to clean ashes from the fireplace: **Place the ashes in the metal can labeled "ASHES" located on the hearth. DO NOT place ashes in any other container!**

- **FIRE EXTINGUISHERS:**

There are 4 fire extinguishers located throughout the house. When you arrive, the property manager will show you the specific locations of the fire extinguishers.

- **NEIGHBORS:**

Out of respect for our neighbors and to enhance your stargazing experience please switch the exterior lights out by 10 pm.

- **PETS:**

We know you love your pet but we **ABSOLUTELY DO NOT** permit our guests to bring pets. Please respect our prohibition of pets on the property.

- **WILDLIFE:**

Do not be surprised if you see deer, bears or raccoons during your stay. They are part of the local wildlife scene that also includes foxes, coyotes, pine martins, bobcats and mountain lions. The animals of the area tend to shy away from inhabited areas and people but can be attracted by food or garbage left outside. Please help us ensure that the wildlife stays wild by keeping all food secured inside the house and trash deposited in the garage. Please do not leave food or anything that smells like food in your car overnight. Bears have been known to break into cars with food left inside. Lastly, please **DO NOT** feed any animals! The last guy that did is now known as "Lefty".

- **TRASH:**

Please deposit your trash in the cans located inside the garage. Trash pickup is on Wednesday.

- **SNOW REMOVAL:**

Any time there is a snowfall of greater than 4 inches our plow service will come by and remove snow. Snow is removed from the roads first and the plow will return and clear the driveway. When the plow comes back to clear the driveway please move your cars out. The plow takes about 5 minutes to clear the driveway, then you may return your vehicles.

- **DRIVING IN WINTER:**

During the winter months, motorists may encounter traction chain controls in the mountain areas within California. When chain controls are established, signs will be posted along the road indicating the type of requirement. There are three requirements in California.

Requirement One (R1): Chains, traction devices or snow tires are required on the drive axle of all vehicles except four wheel/ all wheel drive vehicles.

Requirement Two (R2): Chains or traction devices are required on all vehicles except four wheel/ all wheel drive vehicles with snow-tread tires on all four wheels.

(NOTE: Four wheel/all wheel drive vehicles must carry traction devices in chain control areas.)

Requirement Three (R3): Chains are required on all vehicles, no exceptions.

Anytime you visit the Sierra during the winter you should carry tire chains in your vehicle. After a heavy snowfall during the winter, the road that accesses the neighborhood where the house is located can be slippery. At times, chains are a must in order to get where you are going. Should you have concerns about the road conditions during the course of your visit, please call Bryan Mahony for assistance.

AT THE CONCLUSION OF YOUR STAY:

Please wash all dishes and utensils in the dishwasher and return to the appropriate cupboard or drawer.

Strip all beds and deposit all dirty linens and used towels and deposit in the laundry room.

Deposit all trash in the cans in the garage and make sure lids are secured.

Turn off all appliances, lights, TVs, etc.

Make sure the fireplace flue is **closed and the fireplace doors are tightly shut**

Lock all doors and windows and leave the key under the front door mat.

**IF YOU HAVE ANY QUESTIONS REGARDING THE HOUSE
PLEASE CALL, TEXT OR EMAIL:**

Property Representative: Bryan Mahony
760-937-7142 bryanmahony@gmail.com

Thank you for staying with us!

149 Mountain View Lane, June Lake, California

Plan of Operations

Our philosophy regarding the renting of the Cabin is to provide a get-away opportunity for those people wishing to enjoy the peace and tranquility of the Eastern Sierra's. The Cabin has only one loft bedroom, and is thus best suited to single individuals or couples who are wishing to be self contained and in an environment that is a little more off the beaten track.

The two websites, VRBO and HOMEAWAY, would seem to be the most effective at reaching our target market. They offer us the best opportunity to pre-screen our potential Guests to ensure that what we have to offer meets their needs and provides a memorable experience for them. This pre-screening process will also allow us to ensure that our Guests appreciate, and are respectful of, the accommodations that we offer - and that their presence will have the minimum impact on the surrounding community.

The Contract that we and our Guests sign will formalize the rental agreement in terms of limitations on number of guests, number of vehicles, etc.. We would also provide our Guest Information sheet, which will prepare our Guests in advance with information pertaining to their visit.

The reservation would be completed upon receipt of a signed copy of the Contract, a payment of 50% of total rental costs, and a \$500 Security Deposit, refundable subject to inspection and inventory count.

As our home shares the same lot as the Cabin, and we are full-time residents in June Lake, we will act as the full-time Property Managers and will be very sensitive and responsive to any assistance that our Guests might need or any issues that might arise.

To avoid any miss-direction and potential annoyance to our neighbors, and frustration to our Guests, we will meet our Guests at the Double Eagle Resort and bring them up to the Cabin, at which time we will make sure that they are fully acquainted with all aspects of the Cabin.

On completion or their stay, we would meet with our Guests to obtain any input that they may have regarding their stay, taking note of any suggestions that they may have regarding improvements and additions.

GUEST INFORMATION

149 MOUNTAIN VIEW LANE, JUNE LAKE, CA 93529

Thank you for choosing our home as your vacation destination! We take great pride in our home and hope you enjoy the relaxing atmosphere, the spectacular views, and amenities as much as we do.

Below, you'll find important information and Customs of the House that will ensure that your stay is as smooth as possible.

GETTING TO THE CABIN:

The roads in June Lake can be confusing, which is not what you need after a long drive. To make life a little easier for you, we will meet you in the front car park of the Double Eagle Resort & Spa and bring you up to the Cabin. The Double Eagle is located on the June Lake Loop (Route 158) and is easy to spot whether you're driving North or South (it's located in the middle of the four lakes, closer to Silver Lake).

KEYS:

The house key will be presented to you on your arrival.

PARKING:

There is space for two cars in the driveway.

FOOTWARE:

Kindly kick off your shoes in the Mudroom when entering the house. Thanks, in advance.

SMOKING:

Please, absolutely no smoking in the Cabin.

TV:

There is one TV - with Direct TV service, DVD player and DVR. We have a small library of DVD's.

MUSIC:

There is a Bluetooth capable CD Player for your use. The Cabin has a small selection of CD's, but you may prefer to access your own music using Bluetooth.

INTERNET:

There is a wireless Internet connection via modem. The Password is: BCDEF

TELEPHONE:

Guests are welcome to use the Landline for **local calls** and to receive incoming calls.

The phone number is: 760-648-7217. **In the event of an emergency**, please use the Landline to call 911.

OUTDOOR BARBEQUE:

The Barbeque on the deck uses briquettes, which are supplied. We'd be happy to fire up the grill for you, if you would like.

WOOD-BURNING STOVE:

The Cabin has hydronic under-floor heating. However, it also has a wood-burning stove, with logs and starter materials supplied. There is a supply of "fat wood" sticks behind the stove, which, along with the kindling under the stove, will help to get things started. Please remove the antique kettle from the stove top if you light a fire, otherwise the heat will damage it. Also, the stove puts out a **lot** of heat, so use it more for ambience than comfort.

PETS:

Allowed **only** by prior agreement - and then only if they are fully housetrained, which includes staying off the furniture and out of the bedroom area.

WILDLIFE:

We're located very much in the Urban Interface. That means bears, raccoons, deer, and every type of smaller critter. **DO NOT** leave food or trash in your car!! Don't even leave an empty cooler in your car - bears know what a cooler is and will want to confirm that it's empty! So, keep all food, containers and trash indoors, please.

AT THE CONCLUSION OF YOUR STAY:

Please put used dishes, etc. in Dishwasher and used linen, towels, etc. in the Hamper. Put trash bags in the mudroom or garage. Leave the house key on the table by the door.

If you have any further questions or problems, please call Ian at (949) 294-6588

Thanks for staying with us.

DEVELOPMENT STANDARDS

CHAPTER 25 – TRANSIENT RENTAL OVERLAY DISTRICT

Sections:

25.010	Intent.
25.020	Establishment of district.
25.030	Uses permitted.
25.040	Uses permitted subject to director review.
25.050	Uses permitted subject to use permit.
25.060	District requirements
25.070	Additional requirements.

25.010 Intent.

The Transient Rental Overlay District is intended to provide additional tourism-based economic opportunities and homeowner economic stability by allowing a transient rental district to be overlaid on properties within residential neighborhoods exhibiting support for allowing transient rentals. The land use designation followed by the letters TR (e.g., SFR-TR) would indicate a Transient Rental Overlay District.

25.020 Establishment of district.

The transient rental district may be overlaid on any residential neighborhood, parcel, or group of parcels meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH. In addition to the requirements of this chapter, initiation and application of a Transient Rental Overlay District shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments I. General Plan Map/ Land Use Designation Amendments).

25.030 Uses permitted.

The following uses shall be permitted in the Transient Rental Overlay District, plus such other uses as the commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

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

25.040 Uses permitted subject to director review.

All uses permitted subject to director review in the underlying land use designation with which the Transient Rental Overlay District is combined shall be permitted, subject to director review approval.

25.050 Uses permitted subject to use permit.

All uses permitted subject to use permit in the underlying land use designation with which the Transient Rental Overlay District is combined shall be permitted, subject to securing a use permit.

25.060 District requirements.**A. Overlay district area and overlay district formation noticing process:**

A Transient Rental Overlay District may be applied to one or more existing legal parcels, provided that at least one parcel within the district is developed with a single-family or multi-family residence.

Applicants are strongly encouraged to propose districts made up from three or more parcels and to communicate with all adjacent property owners before submitting an application.

Applications for transient overlay districts consisting of one or two parcels will require an overlay district formation noticing process prior to public hearing. Notice shall be provided to all property owners adjacent to the proposed transient overlay district and include a 20-day period for noticed property owners to request inclusion in the district.

B. Overlay District shape:

New Transient Rental Overlay Districts consisting of more than one parcel and district additions shall be contiguous, compact and orderly in shape as determined by the Planning Commission. Factors used to determine compact and orderly district shape include but are not limited to:

1. Street-frontage sharing
2. Adjoining yards
3. Existing neighborhood separation characteristics such as
 - a. Subdivision boundaries
 - b. Major roads
 - c. Natural features
 - d. Large undeveloped parcels
 - e. Commercial or civic land use

25.070 Additional requirements.

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

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

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DEVELOPMENT STANDARDS

CHAPTER 26 – TRANSIENT RENTAL STANDARDS & ENFORCEMENT

Sections:

26.010	Purpose and Findings.
26.020	Vacation Home Rental Permit.
26.030	Application and Issuance of a Vacation Rental Permit.
26.040	Standards and Requirements.
26.050	Rental Agreement and Owner Responsibility.
26.060	Compliance with Transient Occupancy Tax Requirements.
26.070	Enforcement.
26.080	Existing and Otherwise Permitted Rentals.
26.090	Unauthorized Rentals Prohibited.

26.010 Purpose and Findings.

- A. The purpose of this chapter is to implement procedures, restrictions, and regulations, and to provide for the payment of transient occupancy tax and applicable fees for the transient rental of properties within Transient Rental Overlay Districts designated pursuant to Chapter 25 of the Mono County General Plan and to provide enhanced enforcement tools to address unauthorized transient rentals countywide.
- B. The Board of Supervisors finds that allowing transient rentals within areas of the county designated for residential use will provide a community benefit by expanding the number and types of lodging available to visitors to Mono County, increasing the use of property within the county, and providing revenue to property owners so that the units may be maintained and upgraded.
- C. The Board of Supervisors also finds that the operation of transient rentals within residential communities should be regulated in order to minimize fire hazard, noise, traffic, and parking conflicts and disturbance to the peace and quiet. The Board further finds that current enforcement tools have been ineffective to address the illegal operation of transient rentals countywide, primarily because the penalty amount is easily offset by the revenue such uses generate.

26.020 Vacation Home Rental Permit.

Any person who rents a residential structure that is not a condominium (hereinafter “rental unit” or “property”) within an area of the county designated as a transient overlay district on a transient basis shall comply with the provisions of this chapter, the Mono County General Plan, and any applicable area plans or specific plans. Transient rental of a private residence within a transient overlay district without a valid vacation home rental permit is a violation of this chapter.

26.030 Application and Issuance of a Vacation Home Rental Permit.

- A. Applicant. An applicant for a vacation home rental permit shall be either the owner of title to the subject property or his or her expressly authorized representative. The authorization shall be in writing and notarized.
- B. Application. An application for a vacation home rental permit shall be on a form that may be obtained from the Department of Finance or the Community

Development Department. The following requirements and approvals must be met and substantiated before a vacation home rental permit will be issued:

1. The rental unit must be located within an area of the county designated as a transient overlay district.
2. The rental unit must comply with the standards and requirements as set forth in section 26.040, and any other requirement provided by this chapter. An inspection to verify compliance with such requirements shall be the responsibility of the owner or designated property manager. The owner or property manager shall certify in writing, under penalty of perjury, the rental unit's conformance with such standards. Such certification shall be submitted to the Mono County Community Development Department prior to permit issuance.
3. The applicant must designate the management company or property manager for the rental unit who will be available on a 24-hour basis to address any problems that may be associated with the property or the transient users of the property. The management company or property manager must be duly licensed, and shall be in good standing with the County. Alternatively, the property owner may serve as the property manager.
4. The property must be certified by the Community Development Department as complying with parking requirements and any applicable land use regulations set forth in the Mono County General Plan.
5. A Mono County business license must be obtained and must remain active during all times that the property is used as a transient rental.
6. Any required fees must be paid in full.
7. A Mono County Transient Occupancy Certificate must be obtained from the Department of Finance and will be issued at the time the vacation home rental permit is issued and all conditions of approval have been met.

26.040 Standards and Requirements.

The following standards and requirements must be met in order to obtain a vacation home rental permit and to maintain that permit in good standing:

- A. Health and Safety Standards. The purpose of these standards is to establish minimum requirements to safeguard the public safety, health, and general welfare from fire and other hazards, and to provide safety to firefighters and emergency responders during emergency operations. These standards include without limitation:
 1. The address of the rental unit must be clearly visible.
 2. Carbon monoxide and smoke detectors must be installed and maintained in good operating condition in each bedroom, sleeping area, or any room or space that could reasonably be used as a sleeping area, and at a point centrally located in the corridor or area giving access to each separate sleeping room.
 3. All stairs, decks, guards, and handrails shall be stable and structurally sound.

4. The rental unit shall be equipped with a minimum of one (1) 2A:10B:C type fire extinguisher with no more than seventy five (75) feet of travel distance to all portions of the structure; there shall be no fewer than one such extinguisher per floor. Fire extinguishers shall be mounted in visible locations with the tops of the fire extinguishers mounted between three (3) and five (5) feet above the floor and shall be accessible to occupants at all times. California State Fire Marshal annual certification tags must be provided and be current on all extinguishers.
5. If there is a fireplace or solid-fuel barbecue, the rental unit shall be equipped with a minimum five-gallon metal container with a tight-fitting lid for ash removal. This container shall be clearly labeled and constructed to meet the purpose of containing ash. Instructions on the proper disposal of ash shall be stated in the rental agreement and clearly posted in the rental unit. The ash container shall not be placed on or near any furniture or other combustible material; ashes must be wet down thoroughly with water; the ash can must be stored outdoors with a minimum of three (3) feet clearance from building, porch, trees, and other combustible materials; the lid must remain on the ash container when in use.
6. Wall or baseboard heaters in the rental unit shall be in good working condition, and instructions on the proper use of these units shall be clearly stated in the rental agreement and posted in the rental unit.
7. Furniture and any other material that may be flammable shall be kept a minimum of 54 inches from any fireplace opening and 30 inches from any wall or floor heaters.
8. Flammable or hazardous liquid or materials, firearms, controlled substances, or any unlawful material shall not be stored in the rental unit.
9. The roof and grounds of the transient rental property shall be kept clear of accumulations of pine needles, weeds, and other combustible materials.
10. Any locking mechanism on exterior doors must be operable from inside the unit without the use of a key or any special knowledge. If the dwelling unit is greater than three thousand (3,000) square feet in area, two exit doors shall be required, each of which shall conform to this requirement.
11. All fixtures, appliances, furnaces, water heaters, space heaters, plumbing, wiring, electrical, propane or gas connections, doors, windows, lighting, and all parts of the structure and furnishings (interior and exterior) must be in operable working condition and repair.
12. If telephone service is available, there shall be a telephone connected to the local carrier and in working condition for use in the event of an emergency or to contact the owner or property manager. The phone shall be connected to the reverse 911 directory. If there is no telephone service available, then the rental agreement must so state.
13. Bedroom windows shall be operable and free of obstructions to allow for emergency escape and rescue.
14. There shall be at least one screened window per bedroom to allow for proper ventilation.
15. All utilities (electric, gas, water, sewage, etc.) shall be connected, in good operating condition, and connected to approved sources.

16. Any hot tubs, pools, and spas shall be fenced or equipped with a cover with locking mechanisms, and shall be maintained in a safe and sanitary condition.
17. There shall be no evidence of pest infestations, and all firewood and other stored items shall be kept in a neat and clean condition.
18. Exits shall be kept free from storage items, debris or any impediments at all times.
19. No tree limbs are allowed within ten (10) feet of any chimney or flue openings.
20. Spark arresters of a minimum opening size of three-eighths (3/8) inch and a maximum opening size of one-half (1/2) inch shall be required on all fireplace flue openings.
 21. If any applicable law, rule, or regulation enacted after the enactment of this chapter imposes requirements more stringent than those set forth herein, such requirements shall apply.

B. Sign and Notification Requirements.

1. Exterior Sign and Notice. Each rental unit shall be equipped with one temporary exterior identification sign not to exceed 8 ½ by 11 inches in size that shall be posted as long as the unit is being rented on a transient basis. This identification sign shall be placed in a location that is clearly visible from the front entrance of the unit, and may be illuminated in a manner that does not conflict with any County exterior lighting standards or signage standards. This sign shall clearly state the following information in lettering of sufficient size to be easily read:
 - a. The name of the managing agency, agent, property manager or owner of the unit and the telephone number where said person or persons can be reached on a 24-hour basis.
 - b. The maximum number of occupants permitted to stay in the unit.
 - c. The maximum number of vehicles allowed to be parked on the property. A diagram fixing the designated parking location shall be included.
2. Interior Notice. Each rental unit shall have a clearly visible and legible notice posted within the unit adjacent to the front door that shall contain the same information set forth above, and shall additionally include the following:
 - a. Notification and instructions about the proper disposal of trash and refuse, including any bear-safe disposal requirements.
 - b. Notification and instructions concerning the proper use of any appliances, fireplaces, heaters, spas, or any other fixture or feature within the unit.
 - c. Notification that failure to conform to the parking, trash disposal and occupancy requirements for the rental unit shall be a violation of this Chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty.

- d. Notification that any violation of rules or regulations set forth in the Rental Agreement may be a violation of this Chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty.
 - e. Physical street address of the unit and emergency contact information consisting of 911, the property manager's phone number, and contact information of the local fire department and the Mono County Sheriff's Department.
- C. Occupancy. The maximum number of persons who may occupy the property as transient renters or their overnight guests shall be limited to two persons (2) per bedroom plus two (2) additional persons. In no event may the maximum occupancy exceed ten (10) persons in any rental unit unless the unit is certified and approved by the Mono County Building Official as meeting all applicable building standards for such occupancy. Additionally, occupancy may be further restricted by the limitation of the septic system serving the dwelling as determined by Mono County Environmental Health.
- D. Parking. Parking requirements shall be based on the parking requirements set forth in the Mono County General Plan. Parking requirements for the rental unit shall be noticed in the rental agreement and posted on and in the unit. There shall be no parking allowed off-site or on-street, and parking on property owned by other persons shall be considered a trespass. A violation of this section may subject any person to administrative, civil and criminal penalty, including fines and towing of any vehicle, as authorized by state and local law.
- E. Trash and Solid Waste Removal. A sufficient number of trash receptacles shall be available. Trash and other solid waste shall not be allowed to accumulate in or around the property and shall be removed promptly to a designated landfill, transfer station or other designated site. For purposes of this paragraph, promptly shall mean at least one time per week during any week that the unit is occupied, regardless of the number of days it is occupied. Any trash receptacles located outside a unit shall be in bear-proof containers and comply with County standards. Trash removal requirements for each rental unit shall be included in the rental agreement and posted on and in the property. Property management shall be responsible for the cleanup if the tenants do not properly dispose of trash in bear-proof containers.
- F. Snow Removal. Snow removal from driveways, walkways, stairs, decks, and all exits and entrances shall be performed prior to each occupancy period, and during any occupancy period as needed to maintain the functionality of these areas. Snow removal from driveways, pathways, exits and entrances, and removal of snow, ice, and ice dams from roofs, decks, and stairs shall be performed in a timely manner as necessary to protect any person who may be using or visiting the rental unit.

26.050 Rental Agreement and Owner Responsibility.

- A. Rental Agreement. The temporary rental or use of each rental unit shall be made pursuant to a rental agreement. The rental agreement shall include, as attachments, a copy of this Chapter and the vacation home rental permit for the unit. Each rental agreement shall contain all required notices and shall specify the number of persons who may occupy the unit, parking requirements and number of allowed vehicles, trash disposal requirements, and include the telephone number of the person or persons to be notified in the event of any problem that arises with the rental. The agreement shall include the phone number, address, and contact information for the person responsible for renting

the unit, and any other information required by the county. The rental agreement shall notify the renters that they may be financially responsible and personally liable for any damage or loss that occurs as a result of their use of the unit, including the use by any guest or invitee. The property manager or owner shall keep a list of the names and contact information of the adult guests staying in the unit.

B. Owner Responsibility.

1. The owner, managing agency, and property manager shall be responsible for compliance with all applicable codes regarding fire, building and safety, health and safety, other relevant laws, and the provisions of this chapter.
2. An owner, managing agency, and/or property manager shall be personally available by telephone on a 24-hour basis to respond to calls regarding the conditions and/or operation of the unit. Failure to timely respond in an appropriate manner may result in revocation of the vacation home rental permit and business license.
3. The owner shall require, as a term of a written agreement with a management company or agent, that said agent comply with this chapter. The owner shall identify the management company or agent, including all contact and license information in the application for a vacation home rental permit, and shall keep this information current. Such agreement shall not relieve owner of its obligation to comply with this chapter.
4. The owner shall maintain property liability and fire insurance coverage in an appropriate amount and shall provide proof of such insurance to county upon reasonable request. Additionally, the owner shall defend, indemnify, and hold the county harmless from any and all claims, judgments, liabilities, or other costs associated with the property or the rental unit, or the rental thereof.
5. The owner, managing agency, property manager and guest shall comply with all lawful direction from any law enforcement officer, fire official, building official, or code compliance officer.
6. The owner shall be responsible for assuring that the occupants and/or guests of the rental property do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any law. If an owner, property manager, or other agent of the owner is informed about any violation of this chapter, the owner, property manager, or owner's agent shall promptly take action and use best efforts to stop or prevent a recurrence of such conduct, including, when appropriate, calling law enforcement.

26.060 Compliance with Transient Occupancy Tax Requirements.

Each owner shall be responsible for obtaining a transient occupancy registration certificate and for complying with Chapter 3.28 of the Mono County Code. An owner may contract with a management company or property manager to collect, disburse, report, and maintain all records related to transient occupancy tax, but the owner remains responsible for any failure to collect, disburse, or accurately report such tax.

26.070 Enforcement.

- A. A violation of any provision of this chapter, and/or the renting of any property in a land use designation that does not allow for such transient rental, or without proper land use approvals, is subject to the General Penalty provisions and/or the Administrative Citation provisions set forth in Section 1.04.060 and Chapter

1.12 of the Mono County Code, respectively, and any other civil or administrative remedy allowed by law. Notwithstanding Section 1.12.030, the administrative fine for the operation of any transient rental facility within a transient overlay district without a valid vacation home rental permit, or the operation of any transient rental facility in violation of applicable land use requirements in any other land use designation of the county shall be one thousand dollars (\$1,000) for the first violation and two thousand dollars (\$2,000) for a second or subsequent violation within three years. In addition to these penalty provisions, the failure to comply with any provision of this chapter may result in the suspension or revocation of the vacation home rental permit in accordance with subsection D below, or the suspension or revocation of the business license and/or transient occupancy registration certificate. The failure of a management company or property manager to comply with the provisions of this chapter may additionally result a finding that such management or company or property manager is not in good standing.

- B. An inspection and/or audit of each unit subject to this chapter, and any contract or agreement entered into in furtherance of, or to implement, this chapter, may be made at any reasonable time, and upon reasonable notice to confirm compliance with this chapter.
- C. Transient rentals may not be conducted if there are any code violations, stop-work orders, or other violation of law or regulation outstanding on the property.
- D. The following procedures shall be followed in conjunction with any proposed revocation or suspension of a vacation home rental permit.
 - 1. The County shall provide the property owner with a notice of proposed revocation or suspension stating the nature of the violation, whether revocation or suspension is proposed, and the date, time, and place of a hearing before a hearing officer, who shall be a Planning Commissioner appointed for this purpose by the County Administrative officer, will be held. The notice shall be served on the owner at least 10 business days prior to the date of the hearing by personal service or by certified mail, postage prepaid, return receipt requested to the address for such purpose provided on the vacation home rental permit application. Service by mail shall be deemed effective on the date of mailing.
 - 2. At the hearing, the hearing officer shall consider any written or oral evidence consistent with the following:
 - a. The contents of the County's file shall be accepted into evidence (except as to such portions of the file, if any, that contain confidential or privileged information); and
 - b. The notice of revocation or suspension shall be admitted as prima facie evidence of the facts stated therein.
 - 3. The hearing officer shall independently consider the facts of the case and shall draw his or her own independent conclusions.
 - 4. Upon conclusion of the hearing and receipt of information and evidence from all interested parties, the hearing officer shall render his or her decision affirming the revocation or suspension as proposed, modifying the revocation or suspension, or rejecting the revocation or suspension.

5. If directed by the hearing officer, staff shall prepare a written decision reflecting the hearing officer's determination. Following approval of the written decision by the hearing officer, the clerk of the Planning Commission shall serve the written decision on the property owner by certified mail, postage prepaid, return receipt requested.
 6. The decision of the hearing officer shall be the final administrative action of the county, and the property owner shall be advised of his rights to challenge that decision in Superior Court pursuant to section 1094.5 of the Code of Civil Procedure and of the timelines in which such an action must be brought.
- E. Notwithstanding the foregoing, in the event the code compliance officer determines that suspension or suspension pending revocation of a vacation home rental permit is necessary for the immediate protection of the public health, safety, or welfare, such suspension may be made without prior hearing or determination by the hearing officer, upon the giving of such advance notice to the property owner as the code compliance officer deems reasonable given the nature of the violation and risks presented. The code compliance officer shall inform the property owner in writing of the duration of the suspension, the reasons therefor, the procedure and timelines for filing an appeal, in accordance with the following:
1. The property owner may appeal the suspension by filing an appeal with the clerk of the Planning Commission within 10 calendar days of the date the suspension or revocation takes effect. Such appeal shall also function as a hearing on revocation of the permit, if the suspension is made pending revocation. In the event the property owner does not appeal a suspension pending revocation within the time provided, then the suspension shall automatically become a revocation if notice of such was included in the notice of the suspension.
 2. The hearing shall be in accordance with the procedures set forth in section D above.
 3. The suspension shall remain in effect for the number of days provided by the code compliance officer, or until the appeal/revocation hearing is finally decided by the hearing officer, whichever occurs later, unless extended by the Board.
- F. When a vacation home rental permit is revoked pursuant to the procedures set forth in this chapter, a new vacation home rental permit may not be issued to the same property owner for a period of five years.

26.080 Existing and Otherwise Permitted Rentals.

Any lawful use of property as a transient rental occurring, or subsequently authorized, in a land use designation which permits such uses (or permits such uses subject to Use Permit or Director Review approval) without the application of a transient overlay district shall be exempt from the provisions of this chapter.

26.090 Unauthorized Rentals Prohibited.

The transient rental of any property, unit, or structure which is not within a designated transient overlay district or within a land use designation that permits such use and for which all necessary approvals have been granted, is prohibited. Any violation of this section shall be subject to the provisions of section 26.070, including the fines set forth therein.