

# Mono County Community Development Department

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## Planning Division

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August 19, 2020

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst

Re: Use Permit 21-005/BJM's LLC

### Recommendation

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15301 and instruct staff to file a Notice of Exemption;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 21-005 subject to Conditions of Approval.

### Background

Use Permit 21-005 would allow the use of 162 Alderman Street (APN 026-200-023), June Lake, as a seasonal parking lot (summer use only, April-October) for the purpose of storing travel trailers, boats, and recreational vehicles as a part of the owner's existing business, "BJM's Storage." The property is currently vacant except for an existing electric meter and electric hook-up panel for a recreational vehicle. Past use has included two residential mobile homes that were removed over 15 years ago.

The property is 10,018 square-foot (sf) (0.23 acres) and has the land use designation Commercial Lodging – High. It is located at the intersection of Alderman Street and South Crawford Avenue, within the June Lake Village core.

BJM's Storage is located on APN 015-104-047, East Granite Avenue, June Lake, and was permitted by Director Review 15-007 (Attachment 1). The property is designated Mixed Use and is approximately 165' from the subject project. The business continues to grow, and



Figure 1. Project site and existing BJM's Storage property highlighted.

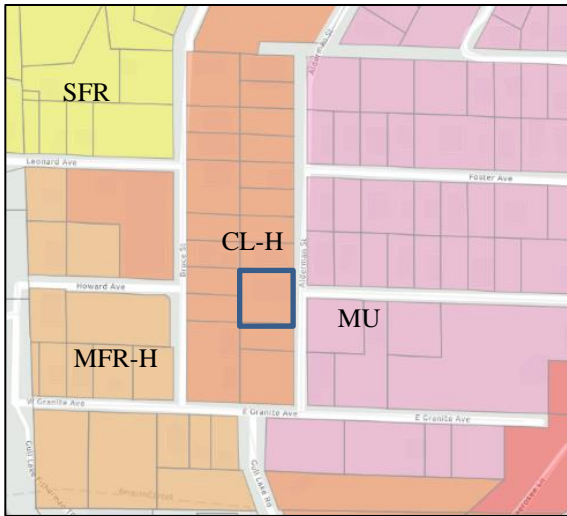


Figure 2. Surrounding Land Use Designations.

therefore the applicant would like to use their property, 162 Alderman Street, for additional storage spaces to rent. The business allows customers to store their trailers, boats, and/or recreational vehicles while traveling to and from the area. Customers may not sleep within the trailers or recreational vehicles being stored on the property.

### Discussion

162 Alderman Street (APN 026-200-023), June Lake, is undeveloped except for an existing electric meter and electric hook-up panel for a recreational vehicle and designated Commercial Lodging – High. The land use designation is intended to provide short-term commercial lodging units in close proximity to commercial/recreational centers. Parking lots and parking structures other than required off-street parking is a permitted use subject to a Use Permit. The property is

directly across from Mixed Use designated properties. The properties to the north, east, and southeast are designated Commercial Lodging - High and developed with private residential units. The property directly south and the properties directly west are undeveloped.

The applicant intends to create a total of seven (7) parking spaces; four spaces will be 36' x 12', two spaces will be 32' x 12', and one space will be 28' x 12'. Total parking coverage will be 2,832 sf, or 28.26% of the property. An asphalt apron of 2 1/2' x 36' on the property provides ingress/egress to the parking spaces and protects Alderman Street. Customers are prohibited from dwelling within recreational vehicles, boats, or trailers while parked on the property.

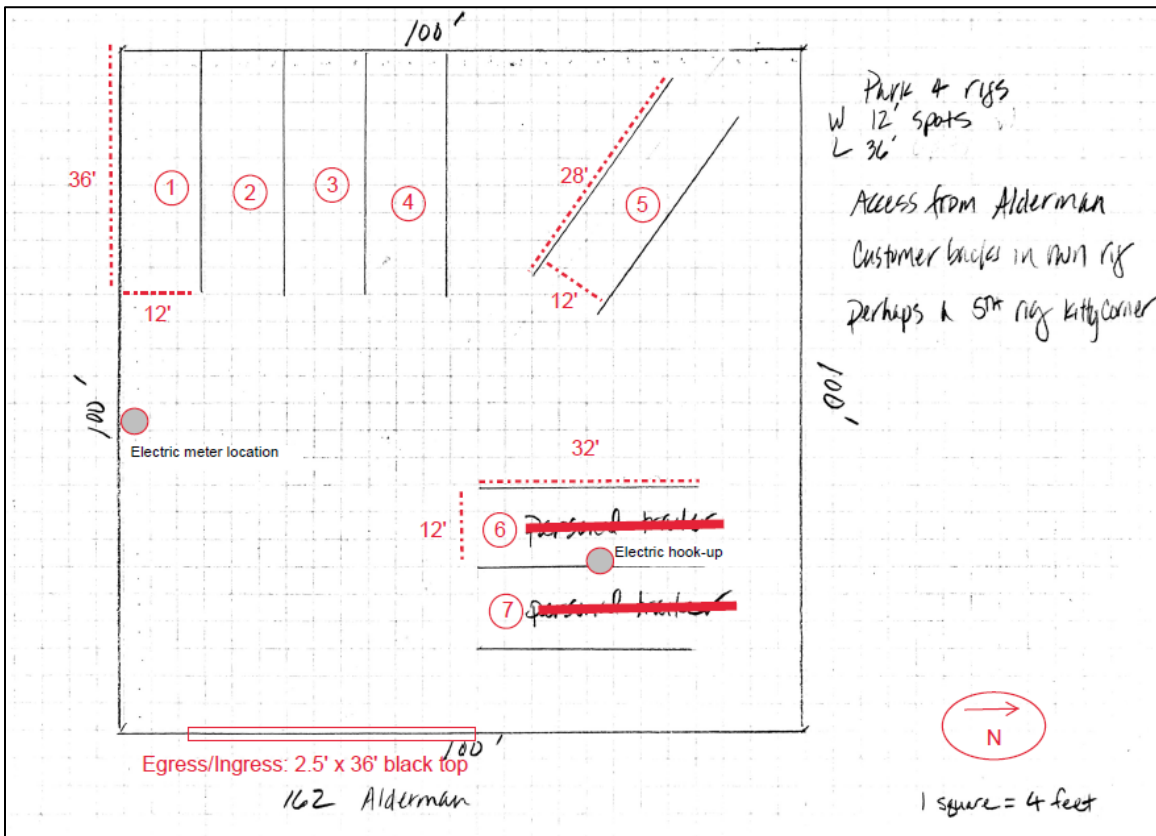


Figure 3. Site Plan

### General Plan Chapter 6, Parking.

This chapter provides standards for developing parking and applies at the time of establishment of any use. Section 06.020.A requires parking lots to be developed with paving, drainage and painting according to the specifications of the County Planning Division and Public Works departments. Lighting, wheel stops, and other parking features not specified by this chapter or other uniform regulations shall be determined by the Planning Commission.

The Public Works Department has determined that with rarely moved, stored recreational vehicles, erosion is not a significant concern. A vegetated surface or decomposed granite surface is sufficient for this project and acceptable. The project is required to provide a paved apron onto Alderman Street to prevent damage to the County road.

The method of providing parking is shown on plans and confirmed by Public Works engineer that the property is adequate for recreation vehicles and trailers to maneuver (Attachment 2). No tandem parking spaces are included in this project and the parking stall sizes exceed the minimum dimensions for communities above 7,000' elevation. The project will operate during the summer season only (April – October) and therefore snow storage is not required.

### General Plan Chapter 22, Fire Safe Regulations.

This chapter applies to any application for a Use Permit. Notice of the project was provided August 9, 2021, to the Battalion Chief of Cal Fire and the June Lake Fire Department Chief for review and to make fire protection recommendations. At the time this report is being drafted, no recommendations have been provided, however this project will be conditioned to abide by recommendations made by both Cal Fire and the June Lake Fire Department.

The project does not meet the definitions contained in this chapter of “dead-end road”, “driveway”, “one-way road”, “roads, streets, private lanes”, “roadways”, or “roadway structures”. Therefore, development standards of these are not applicable to the project. The project is required to maintain defensible space contained in Government Code section 51182.

### **Land Development Technical Advisory Committee**

LDTAC met on July 7, 2021, to accept the application for processing. A final review of the Conditions of Approval was completed at the August 16, 2021, meeting.

### **Noticing & Public Comments**

The project was noticed in a newspaper of record on August 7, 2021, (Attachment 3) and a notice was mailed to property owners within 300 feet on August 5, 2021. One comment was received as of the drafting of this staff report and is attached (Attachment 4).

The comment letter asked the following questions:

1. *Will the seven proposed parking spaces include power and/or sewer hookups, or are these only passive storage spaces?*

Staff response: Utility hook-ups are prohibited for this project.

2. *Will the entire lot be graded and/or will it require that it be covered with gravel?*

Staff response: At this time, based on the information presented to Public Works staff, a grading permit will not be required. The site's surface may be well-established vegetation and/or decomposed granite.

3. *Will the seven individual pads be hard surfaced (Concrete or Blacktop) or gravel?*  
Staff response: Decomposed granite or vegetated surface is acceptable for the individual pads.
4. *Will trash containers and periodic pickup be required, or is provision made in the permit for such service, if deemed necessary at some point?*  
Staff response: At this time no trash containers are required for the site. Given the site is for storage only and overnight use is prohibited, no trash should be generated on site by the storage use.
5. *Will any fencing be included or required in the permit to separate this proposed area from the adjacent property owners. If so, what type of fencing is proposed or required?*  
Staff response: Fencing is not required for the project. The Planning Commission may make the determination that features not specified by the General Plan are necessary. Delineation of parking spaces and property boundaries is a requirement within the Conditions of Approval.
6. *How many driveway entrances will be required? Will they need to be paved or any hard surface required?*  
Staff response: One entrance way of asphalt is required.
7. *What provision is made for water runoff and drainage?*  
Staff response: The Public Works Department will determine if any provisions are necessary for drainage.
8. *Will the permit require weed abatement?*  
Staff response: Weed abatement is not required.
9. *Does the permit application provide for any landscaping? If not, will any landscaping be required?*  
Staff response: Landscaping is not required for the project. The Planning Commission may make the determination that features not specified by the General Plan are necessary.
10. *If used during the winter time has consideration been given to snow storage and removal?*  
Staff response: The use is for summer months only, April – October, and therefore snow storage and removal are not required.

## **CEQA Compliance**

The project qualifies for a categorical exemption under California Environmental Quality Act (CEQA) Guideline 15304, Minor Alterations of Land; “Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agriculture purposes. Examples include, but are not limited to: (e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.

The proposed project falls within a Class 4 exemption because the site will be used in its existing state. No new grading or construction will take place and the use will take place temporarily during summer months (April – October).

## **Use Permit Findings**

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

Section 32.010, Required Findings:

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

Within the Land Use Element of the Mono County General Plan the Commercial Lodging- High land use designation lists parking lots as a use subject to a Use Permit.

The site of this property is adequate to accommodate 7 parking spaces. The parking spaces meeting General Plan Definition 2.900, "Parking space; a usable space on the building site at least 10' x 20' if over 7,000' elevation and at least 9' x 18' if covered or under 7,000' elevation. Such space shall be located off the street with adequate access to such space".

Per General Plan Section 06.020.A., "parking lots are to be developed with paving, drainage and painting according to the specifications of the county Planning Division and Public Works Department." The Public Works Department has determined that a surface of vegetation or decomposed granite with a paved access apron is adequate for this use.

Operations are limited to summer only (April-October) and therefore no snow storage is required.

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

The surrounding streets are adequate in width and type to carry the kind of traffic generated by a parking storage lot of seven spaces. The area streets provide access to the Gull Lake Marina and the existing BMJ Storage property, of similar uses, and other properties designated CL-H and MU. The proposed use is seasonal from April to October and will not impact snow removal on the streets.

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

This seasonal recreational vehicle and boat storage project is not expected to impact adjoining property owners, if conducted in accordance with Mono County General Plan standards, Mono County Code, and conditions of this Use Permit. Furthermore, the adjoining property owners were noticed of this pending application and comments received have been addressed as conditions of this Use Permit.

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

The General Plan Land Use Designation for this property is Commercial Lodging – High (CL-H). Permitted uses subject to a Use Permit include parking lots and parking structures other than required off-street parking when abutting a commercial district, retail trade, services, and business services. The proposed use is consistent with General Plan Chapter 6, Parking and Chapter 22, Fire Safe Regulations.

The sections below from the Mono County General Plan support commercial services, such as the recreational storage use, in the community of June Lake:

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

*Objective D*

*Provide for commercial development to serve both residents and visitors.*

*Policy 3: Provide for adequate access and parking in commercial areas, including facilities for pedestrians, non-motorized vehicles, automobiles, public transit vehicles, and service vehicles.*

*Action 3.1: Implement policies in the Circulation Element pertaining to the provision of facilities for parking, non-motorized transportation, and transit.*

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

**MONO COUNTY LAND USE ELEMENT, June Lake 2010: June Lake Area Plan**

June Lake Area Plan, Community Development Element

*Objective G: Meet the land needs of the commercial/industrial uses*

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

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

Attachments:

1. Director Review 15-007/BJM Rewards.
2. Method of parking.
3. Public notices.
4. Public comment letter.

# MONO COUNTY

## Planning Division

### NOTICE OF DECISION & USE PERMIT

**USE PERMIT:** 21-005

**APPLICANT:** BMJ's LLC

**ASSESSOR PARCEL NUMBER:**

**PROJECT TITLE:** Use Permit 21-005

**PROJECT LOCATION:** 162 Alderman Street, CA 93514

#### CONDITIONS OF APPROVAL

See attached Conditions of Approval

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

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

**DATE OF DECISION/USE PERMIT APPROVAL:** August 19, 2020

**EFFECTIVE DATE USE PERMIT:** August 29, 2020

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

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

#### MONO COUNTY PLANNING COMMISSION

**DATED:** August 19, 2021

cc: X Applicant  
X Public Works  
X Building  
X Compliance

## CONDITIONS OF APPROVAL

1. The operation shall provide wheel stops, or other devices to prevent trailers and/or recreational vehicles from moving.
2. Residential or overnight uses are prohibited a part of this project. The project is for storage-purposes only.
3. The operation shall provide identifiable delineation between parking spaces and of the property's boundaries.
4. The project is required to maintain defensible space consistent with Government Code section 51182 and General Plan Section 22.150.
5. The project shall comply with any requirements made by the June Lake Fire Department and Cal Fire.
6. Any lighting added to the project shall comply with the standards for downward directed and fully shielded lighting, consistent with General Plan Chapter 23, Dark Sky Regulations.
7. Future development or expansion shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
8. Project shall comply with applicable requirements by other Mono County departments and divisions including, but not limited to, Public Works, Tax Collector, Sheriff's office, Building Division, and Environmental Health.
9. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.
10. Revocation: The Commission may revoke the rights granted by a use permit and the property affected thereby shall be subject to all of the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the use permit or the violation by the owner or tenant of any provision pertaining to the premises for which such use permit was granted. Before the Commission shall consider revocation of any permit, the Commission shall hold a public hearing thereon after giving written notice thereof to the permittee at least 10 days in advance of such hearing. The decision of the Commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.
11. Termination: Per section 32.060 of the Land Use Element, a use permit shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
  - There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof or as specified in the conditions. If applicable, time shall be tolled during litigation. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the use permit;
  - There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted; and



- No extension is granted as provided in Section 32.070.
12. Extension: If there is a failure to exercise the rights of the use permit within two years (or as specified in the conditions) of the date of approval, the applicant may apply for an extension for an additional one year. Only one extension may be granted. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary and schedule it for public hearing. Conditions of approval for the use permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension.