

MONO COUNTY PLANNING COMMISSION

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

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

SPECIAL MEETING AGENDA

May 19, 2022 – 9:05 a.m.

This meeting will be held via teleconferencing with members of the Commission attending from separate remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

Members of the public may participate via the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below. If you are unable to join the Zoom Webinar of the Commission meeting, you may still view the live stream of the meeting by visiting

1. Joining via Zoom

There is no physical location of the meeting open to the public. You may participate in the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer

Visit: <https://monocounty.zoom.us/j/87208417283>

Or visit <https://www.zoom.us/> and click on "Join A Meeting." **Use Zoom Meeting ID: 872 0841 7283**

To provide public comment (at appropriate times) during the meeting, press the "Raise Hand" hand button on your screen and wait to be acknowledged by the Chair or staff.

To join the meeting by telephone

Dial (669) 900-6833, then enter **Webinar ID: 872 0841 7283**

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

2. Viewing the Live Stream

You may also view the live stream of the meeting without the ability to comment **by visiting:**

http://monocounty.granicus.com/MediaPlayer.php?publish_id=ac67b1b9-2571-483c-a224-4783fe410109

**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.

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jora Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

3. MEETING MINUTES

- A. Review and adopt minutes of the AB361 meeting held on April 21, 2022. (pg. 1)
- B. Review and adopt minutes of April 21, 2022. (pg. 2)

4. ADOPT RESOLUTION AB 361 TO CONTINUE DIGITAL MEETINGS (pg. 4)

5. PUBLIC HEARING

- A. **9:05 a.m. USE PERMIT 22-003/Nichols.** Proposal to create a transient rental at the existing residence located at 14 Hays Street in Bridgeport (APN 008-141-007). The maximum occupancy for the rental is four persons and one vehicle. Property is designated Commercial (C). *Staff: April Sall (pg. 7)*

6. WORKSHOP

- A. **9:30 a.m. Mono County Resource Efficiency Plan (REP) / Greenhouse Gas Emissions Reduction Plan Update.** A presentation and review of a draft of the updated REP. *Staff: Bentley Regehr (pg. 26)*

7. REPORTS

- A. Director (pg. 28)
- B. Commissioners

8. INFORMATIONAL

- A. June Lake Active Transportation Plan community workshop schedule

9. ADJOURN to June 16, 2022

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

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

*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.

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 / departments / community development / commissions & committees / planning commission](http://www.monocounty.ca.gov/departments/community-development/commissions-&-committees/planning-commission). For inclusion on the e-mail distribution list, send request to hwillson@mono.ca.gov.

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

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Draft Minutes

April 21, 2022 – 9:00 a.m.

COMMISSIONER: Jora Fogg, Chris Lizza, Roberta Lagomarsini, Scott Bush

STAFF: Wendy Sugimura, director; Heidi Willson, planning commission clerk; Nick Criss, code enforcement; Bentley Regehr, planning analyst; Michael Draper, planning analyst

PUBLIC: None

1. CALL TO ORDER

Commissioner Lagomarsini called the meeting to order at 9:00 am.

2. PUBLIC COMMENT: Opportunity to address the Planning Commission on items not on the agenda. Please refer to the Teleconference information section to determine how to make public comment for this meeting.

- No public comment

3. CONSIDER ADOPTION OF RESOLUTION AB 361 TO CONTINUE DIGITAL MEETINGS

Motion: Approve resolution AB 361 to continue digital meetings.

Lizza motion; Bush second

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

Motion passed 4-0.

4. ADJOURN at 9:05 to April 21, 2022 at 9:05 am.

DISTRICT #1
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COMMISSIONER
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Chris I. Lizza

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Draft Minutes

April 21, 2022 – 9:05 a.m.

COMMISSIONER: Jora Fogg, Chris Lizza, Roberta Lagomarsini, Scott Bush

STAFF: Wendy Sugimura, director; Heidi Willson, planning commission clerk; Nick Criss, code enforcement; Bentley Regehr, planning analyst; Michael Draper, planning analyst

PUBLIC: No Public

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Meeting called to order at 9:06 am and the Commissioners led the pledge of allegiance.

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

- No public comment

3. MEETING MINUTES

A. Review and adopt minutes of March 17, 2022

Motion: Approve the minutes of March 17, 2022

Bush motion; Fogg second

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

Motion passed 4-0.

4. PUBLIC HEARING

A. Black Point Mine Reclamation Plan Modification (9:00am) Proposed modification to the Black Point Mine Reclamation Plan. The proposed modification reduces the previously approved permit boundary area from 370 acres to 60 acres and disturbance area from 330 acres to 38 acres. The remaining 292 acres that are no longer part of the disturbance area will remain in a state of undisturbed natural habitat. The modification also proposed additional visual mitigation measures. The site is located at APN 019-150-013 and is designated Resource Management (RM). *Staff: Bentley Regehr.*

- Regehr gave a presentation and answered questions from the commission.
- Fogg asked who will take over the remaining part of the acres that Black Point Mine is releasing?
- Sugimura replied the Inyo National Forest.
- Lizza asked what triggered the change of the Reclamation Plan.
- Criss replied that the Forest Service changed the plan of operation which triggered the county to change the Reclamation plan.

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COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

Public comment opened at 9:26 am.

No public comment

Public comment closed at 9:27 am.

Commission discussion:

- Lizza is there a mechanism in place to protect the Bond?
- Criss replied that there is a mechanism in place.

Motion: Find that the project qualifies as a Categorical Exemption under CEQA guidelines 15183 and instructs staff to file a Notice of Exemption, make the required findings as contained in the staff report and approve modifications to Reclamation Plan #82-30 and changes to Financial Assurance Mechanism subject to Conditions of Approval.

Bush motion; Lizza second

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

Motion passed 4-0.

5. WORKSHOP

No items

6. REPORTS

A. Director

- Sugimura provided a director report in the packet.

B. Commissioners

- Bush shared with the Commission that the USFS special use permit for Doc & Al's Camp and Cabin was not renewed for the 2022 season.
- Fogg reported that she will be unable to attend the May Planning Commission Meeting.

7. INFORMATIONAL

A. Planning Commissioner Training

- Sugimura offered any if any Commissioner would like to participate to please let us know.

8. ADJOURN at 9:47 am to May 19, 2022

Mono County Community Development Department

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May 19, 2022

TO: Mono County Planning Commission

FROM: Wendy Sugimura, Director

SUBJECT: Assembly Bill 361 Virtual Meetings

RECOMMENDATION

Adopt Resolution R22-05 to continue meeting under modified teleconferencing rules.

BACKGROUND

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. That Proclamation remains in effect. Subsequently, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which modified the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), in order to allow legislative bodies to meet from remote locations without opening those locations to the public or complying with certain agenda requirements. Those modifications remained in effect through September 30, 2021.

DISCUSSION

In anticipation of the expiration of the applicable provisions of Executive Order N-29-20, the California legislature adopted, and Governor Newsom signed, AB 361. AB 361 amended the Brown Act to allow local legislative bodies to continue to meet under the modified teleconferencing rules until January 1, 2024, if the meeting occurs during a proclaimed state of emergency and the legislative body finds that it has reconsidered the circumstances of the state of emergency and either:

- measures to promote social distancing have been imposed or recommended by local health officials; or
- the state of emergency continues to directly impact the ability of the members to meet safely in person.

The Local Health Officer and the Director of Mono County Public Health have recommended that measures be implemented to promote social distancing, including the holding of virtual meetings. A copy of the memo memorializing that recommendation is attached to the draft proposed resolution (Attachment 1).

In order to continue meeting virtually under those modified rules after June 19, the Commission will again need to reconsider the circumstances of the state of emergency and again make one of the additional findings required by AB 361.

Attachment

1. AB 361 Resolution with Public Health recommendation



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6 **A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION**
7 **AUTHORIZING REMOTE TELECONFERENCE MEETINGS**
8 **FOR THE PERIOD OF MAY 19, 2022, THROUGH JUNE 19, 2022, PURSUANT TO AB**
9 **361**

10 **WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of State of
11 Emergency in response to the COVID-19 pandemic, which Proclamation remains in effect; and

12 **WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20,
13 modifying the teleconferencing rules set forth in the California Open Meeting law, Government
14 Code section 54950 et seq. (the "Brown Act"), subject to compliance with certain requirements;
15 and

16 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21,
17 providing that the modifications would remain in place through September 30, 2021; and

18 **WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361, providing that
19 a legislative body subject to the Brown Act may continue to meet under modified
20 teleconferencing rules if the meeting occurs during a proclaimed state of emergency and state or
21 local officials have imposed or recommended measures to promote social distancing; and

22 **WHEREAS**, the Local Health Officer and the Director of Mono County Public Health
23 have recommended that measures be implemented to promote social distancing, including the
24 holding of virtual meetings of legislative bodies within the County of Mono, a copy of that
25 recommendation is attached as an exhibit and incorporated herein; and

26 **WHEREAS**, in the interest of public health and safety, and in response to the local
27 recommendation for measures to promote social distancing, the Mono County Planning
28 Commission (the "Legislative Body") deems it necessary to invoke the provisions of AB 361
29 related to teleconferencing.

30 **NOW, THEREFORE, THE LEGISLATIVE BODY FINDS AND RESOLVES** that:

31 **SECTION ONE:** The recitals set forth above are true and correct and are adopted as
32 findings of the Legislative Body.

SECTION TWO: The Legislative Body has reconsidered the circumstances of the State
of Emergency.

SECTION THREE: State or local officials have recommended measures to promote
social distancing, including the holding of virtual meetings for legislative bodies within the
County of Mono that are subject to the Brown Act.

1 **SECTION FOUR:** Staff is directed to return to the Legislative Body no later than thirty
2 (30) days after the adoption of this resolution, or at the next meeting of the Legislative Body, if
3 later, for the Legislative Body to consider whether to again make the findings required to meet
4 under the modified teleconference procedures of AB 361.

4 **PASSED, APPROVED and ADOPTED** this 19th day of May 2022, by the following
5 vote, to wit:

6 **AYES:**

7 **NOES:**

8 **ABSENT:**

9 **ABSTAIN:**

Patricia Robertson, Chair

12 **ATTEST:**

APPROVED AS TO FORM:

Heidi Willson
Secretary of the Planning Commission

Mono County Community Development

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May 19, 2022

To: Mono County Planning Commission

From: April Sall, Planning Analyst

Re: Conditional Use Permit 22-003

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Hold the public hearing, receive public testimony, deliberate the project, and make any desired changes.
2. Find that the project qualifies as a Categorical Exemption under CEQA guidelines 15301 and instruct staff to file a Notice of Exemption.
3. Find that the project meets the required findings and approve Use Permit 22-003 subject to Conditions of Approval.

BACKGROUND

The proposal is for use of a single-family residence as a transient rental on 14 Hays Street in Bridgeport (APN 008-141-007). Transient rentals are defined as rentals of less than 30 consecutive days. The parcel is designated Commercial, which allows for transient rentals, subject to Director Review permit, per the 2021 Amendment to the Mono County General Plan (MCGP). However, due to the Mono County Board of Supervisors' (BOS) direction and moratorium on short-term rentals (STR) and transient rentals (TR), all recent applications received proposing STR/TR prior to the moratorium were upgraded to use permits.

There is an existing two-story structure on the property with access off Hays St. It is approximately 2,500 square feet (sf) and includes a 1,250 sf 1BD/1BA residential unit on the main floor. The property has a land use designation of Commercial (C) and is approximately 0.09 acres or 3,920 sf. The land uses adjacent to the property are Commercial (C) to the east, west, north and south.

The property is considered an "existing nonconforming" use for Mono County General Plan (MCGP) requirements for setbacks, parking, access, and lot size. See more discussion below and in the use permit findings. Transient rental activity is not an expansion of use and therefore can be permitted under the use permit.

General Plan Chapter 34, Nonconforming Uses, allows nonconforming use of land to take place when "the use is not enlarged, increased, or extended to occupy a greater area of land than that occupied by such use at the time of application of the land use designations and development standards to the subject property unless it complies with 34.020 criteria A-D. This application does not seek alteration or expansion of the structure.

PROJECT DESCRIPTION

The proposed project would allow the transient rental (fewer than 30 consecutive days) of a 1,250 square foot (sf) residential unit not occupied by the owner consistent with General Plan Chapter 26. The maximum number of persons who may occupy the rental would be four persons and the project has proposed a total of one parking space. Only a single party of individuals may occupy the rental at a time.

PROJECT SETTING

The project is located on a Commercial (C) parcel at 14 Hays Street in Bridgeport (APN 008-141-007). The parcel also fronts Main Street Highway 395.

Figure 1: PROJECT LOCATION at 14 Hays Street and Highway 395



The parcel is surrounded by C parcels to the west, south, east, and north (Figure 2).

Figure 2: Surrounding Land Use Designations. All parcels pictured are C.



Figure 3: Site Plan



Site Photo # 1- (taken 05/04/22) View of the structure from Main Street/ Highway 395



Site Photo # 2- (taken on 05/04/22) View of structure from Hays Street



GENERAL PLAN CONSISTENCY

The project is consistent with Chapter 26, Transient Rentals, which established a process to permit transient rentals for single-family units that do not exhibit reasonable opposition by neighbors who may be directly affected, and when consistent with applicable Area Plan policies.

The project is consistent with both Countywide Land Use Policies that seek to maintain and enhance the local economy and allow for transient rentals on C parcels subject to Chapter 26.

The project is consistent with Bridgeport Valley Area Plan Policies which allow for owner-occupied rentals and seek to provide opportunity for commercial development in order to provide necessary services to local communities.

This project adheres to the following Countywide Land Use policies and goal:

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

Policy 1.D.3. Designate a sufficient amount of land for a variety of lodging facilities.

Objective 1.E. Provide for commercial development to serve both residents and visitors

Action 1.E.2.a. Orient new commercial development in a manner that promotes pedestrian use. Avoid strip commercial development.

Goal 2. Develop a more diverse and sustainable year-round economy by strengthening select economic sectors and by pursuing business retention, expansion, and attraction in Mono County.

This project adheres to the following Bridgeport Valley Area Plan policy as it provides additional visitor accommodations and commercial operations within the community of Bridgeport:

Bridgeport Valley Area Land Use Policies Objective 7.D. Preserve Bridgeport’s historic significance and economic base.

I. Land Use Designation Standards

The General Plan Land Use Designation for this property is Commercial (C). Per the Mono County General Plan, the C designation is intended to provide for a wide range of uses and services for the resident and visitor including retail, business and professional uses and services in community areas, including commercial lodging and higher density housing, when found compatible with retail and service functions. The short term or transient rental of the residential units meets the intent of the C designation and is consistent with other residential uses existing in the C designation within the community. Permitted uses subject to a Director Review include transient rentals (fewer than 30 consecutive days) in compliance with Chapter 26, a valid Vacation Home Rental Permit, and any applicable area plan policies. As noted earlier, this permit has been upgraded to a use permit as directed by the Board and consistent with MCGP Land Use Element Section 31.010.

Current development standards for the C designation include a minimum lot size of 10,000 square feet, maximum lot coverage of 60% for residential and 70% for all other uses, and setbacks of 10’ front yard, 5’ rear, and 0’ side yards.

The property is considered “existing nonconforming” use for current MCGP requirements for lot size, setbacks, access, and parking since the lot and buildings pre-date the land use regulations. (See below “Existing Nonconforming also).

The lot does not meet the minimum size of 10,000 sf; the lot size is approximately 3,920 sf and is existing nonconforming. The existing building meets the rear and side yard setbacks, but the front yard setback is only 0’. However, the front yard setback is consistent with the other front yard setbacks on the block and satisfies MCGP 4.120.G.11, which provides for commercial properties that were previously developed to less than the required 10-foot setback, the requirement may be reduced if various conditions can be demonstrated in the communities of June Lake, Lee Vining and Bridgeport.

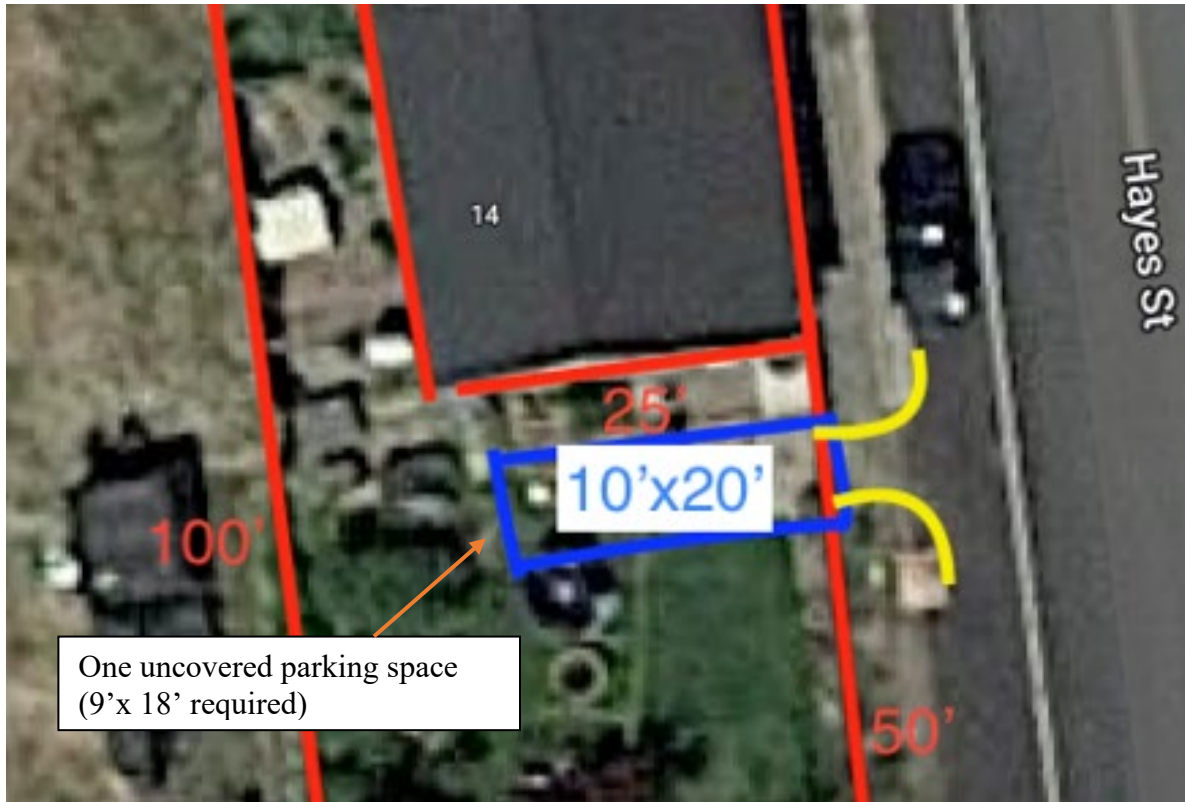
The total footprint of the building, concrete pads, walkways, driveway and parking area is 1,650 sf, totaling 42% lot coverage. The existing development conforms with the maximum lot coverage of 60%.

II. Parking

MCGP Chapter 6, Parking, includes different requirements for parking depending on the uses on the property. Uncovered parking shall be a minimum size of 10’ x 20’ (and can be reduced to 9’ x 18’ below 7,000 ft elevation, such as Bridgeport), and of asphalt or similar impervious or approved semi-pervious surface.

A single-family dwelling is required to provide a minimum of two parking spaces when constructed. The property only provides one space and therefore does not meet the requirement, as shown on the site plan (Figure 4 below). The Land Use Element does not require additional parking for the purpose of a transient rental, but the number of cars at any one time shall not exceed the number of parking spaces provided. The space shall be a minimum of 9' x 18'.

Figure 4: Parking Plan (one 9 x 18' space can be provided south of the residence)



III. Driveway

The driveway does not meet MCGP Chapter 22 requirements which includes a 10-foot width. The current gate measures 4' 10" (see Figure 5 below) and permit conditions will require it to be replaced with a 10-ft opening or gate.

Figure 5: Driveway



Figure 6: Parking area in front of the residence



IV. Existing Nonconforming

The parcel is existing non-conforming for lot size, front yard setbacks, access, and parking. MCGP Chapter 34, Nonconforming Uses, allows nonconforming use of the land to take place when “the use is not enlarged, increased or extended to occupy a greater area of land than occupied by such time of application of the land use designations and development standards to the subject property unless it complies with 34.020 criteria A-D.” This application does not seek an alteration or expansion and thus does not increase the existing non-conforming. Specific determinations regarding compliance with nonconforming use requirements are included in the Findings section below.

V. Snow Storage

The project will require a 78-sf snow storage area on the parcel. There is currently adequate space to meet the snow storage requirements.

VI. Lighting

The exterior lighting is not compliant with MCGP Chapter 23, Dark Skies, and will need to be modified or replaced prior to rental activity. The project will be conditioned to include this requirement.

The proposed use of the existing residence as a transient rental requires a planning permit and a Vacation Home Rental permit. The property is adequate in size and shape to accommodate the use as a transient rental property. An additional analysis will take place during review of the Vacation Home Rental permit, per requirements of General Plan Chapter 26.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)

The LDTAC reviewed and approved the application for processing on April 4, 2022. The draft conditions of approval for this project were reviewed by LDTAC on May 16, 2022, and no comments were received on the conditions at the time this staff report was written.

PUBLIC HEARING NOTICE

A notice was published in the May 7, 2022, edition of The Sheet. Notices were also mailed to all property owners within 300' of the project site on May 5, 2022.

COMMENTS RECEIVED

No comments were received at the time this staff report was written.

CEQA COMPLIANCE

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

Examples include but are not limited to:

- interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances,
- accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences, and
- conversion of a single-family residence to office use.

Residential units that are rented on a transient basis will still be used as multi-family residential units and in a manner that is not substantially different from how they would be used if they were occupied by full-time residents or long-term renters. In addition, transient rentals are subject to compliance with regulations governing the management of these units stipulated in Chapter 26, which addresses aesthetics, noise, parking, utilities, and other similar issues. As a result, rental of residential units is not an expansion of use, and is no more intensive or impactful than, for example, conversion of a residence to office use.

FINDINGS

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:*
 - a) Commercial Lodging is listed as a permitted use subject to a planning permit within the C designation.
 - b) The number of vehicles will be limited to the one parking space available onsite.
 - c) Lot size, setbacks, and parking are existing nonconforming uses (see more findings below in Existing Nonconforming section).
 - d) The site is adequate to accommodate a transient rental for up to four persons and one vehicle.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
 - a) The property access for the unit is off Hays St, which provides adequate access to the parcel. The proposed use relates to the streets and kind of traffic generated at this location. Approving the application to use the structures as a transient rental unit with the assigned maximum occupancy per unit above is not anticipated to generate additional impacts. Off-site or on-street parking by guests is prohibited.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area on which the property is located because:*
 - a) The proposed use will have no impacts detrimental to the public welfare, property, or improvements in the area. Use of this property as transient rentals is similar to existing uses present surrounding the property. This project will adhere to Chapter 26 of the General Plan to ensure public welfare and safety are maintained.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
 - a) The Commercial land use designation allows the use of a property as a transient rental consistent with Chapter 26 and area plan policies.
 - b) See General Plan consistency analysis section above.

Existing Nonconforming Findings:

In accordance with Mono County General Plan, Chapter 34, Nonconforming Uses, the Planning Commission may authorize a nonconforming use alteration after making certain findings regarding, criteria A-D as follows:

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

The Commercial land use designation allows for residential units outright and commercial lodging subject to a planning permit, and therefore the use of an existing structure for transient rentals is consistent.

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

The proposed use of the land and structure are no more impactful than the surrounding uses and uses expected on a commercial parcel. No alterations to the structure are proposed.

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

The intensity is not increased because the use is substantially the same whether the unit is used by the owner, rented on a month-to-month, or a transient rental basis. The intensity of the use-category of the land, building, or structure is consistent with allowable uses of the Commercial designation.

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

The proposed alteration (change of use to transient rental) has not generated public controversy in Bridgeport. No comments were received at the two LDTAC meetings where the project was discussed. However, since the BOS was contemplating a short-term rental and transient rental moratorium at the time this application was received, it was elevated to a use permit, per Board direction.

ATTACHMENTS

Attachment 1: Noticing

MONO COUNTY

Planning Division

NOTICE OF DECISION - USE PERMIT

USE PERMIT: CUP 22-003

APPLICANT: James and Chris Nichols

ASSESSOR PARCEL NUMBER: 008-141-007

PROJECT TITLE: Nichols Transient Rental

PROJECT LOCATION: 14 Hays Street, Bridgeport

On May 19, 2022, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Chapter 32.010, Land Development Regulations, of the Mono County General Plan Land Use Element, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit 22-003/ Nichols, subject to the following conditions, at the conclusion of the appeal period.

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:

May 19, 2022

EFFECTIVE DATE USE PERMIT

May 29, 2022

MONO COUNTY PLANNING COMMISSION

DATED: May 19, 2022

- cc: X Applicant
- X Public Works
- X Building
- X Compliance

CONDITIONS OF APPROVAL

UP 22-003 is issued with the following conditions:

1. The project shall comply with provisions of Chapter 26 – Transient Rental Standards and Enforcement prior to conducting transient short-term rental.
2. The 1BD/1BA unit will be limited to a total maximum occupancy of four people and one parking space. All required parking shall be maintained on-site. Consistent with Chapter 26, there shall be no off-site or on-street parking allowed and parking on property owned by other persons shall be considered a trespass.
3. All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations.
4. The gate or opening to the parking space shall be widened to a minimum of 10-ft prior to issuance of the Vacation Home Rental Permit.
5. All short-term rental customers must sleep within the dwelling; customers are not allowed to reside in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property.
6. Property shall be maintained in a neat and orderly manner.
7. Project shall comply with all Mono County requirements including, but not limited to Building Division, Public Works, and Environmental Health requirements.
8. Future development shall meet Mono County requirements including, but not limited to, the Mono County Code, Mono County General Plan, and Mono County Community Development Department.
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.

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

May 4, 2022

To: The Sheet

From: Heidi Willson

Re: Legal Notice for **May 7th** edition

Invoice: Heidi Willson, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing at a Special Meeting on **May 19, 2022**. As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by live cast at: <https://zoom.us/join> and by telephone at: 669-900-6833 (Meeting ID# is 872 0841 7283) where members of the public shall have the right to observe and offer public comment, to consider the following: **9:05 a.m. CONDITIONAL USE PERMIT 22-003/Nichols**. The proposal is to permit a not-owner occupied short-term rental of an existing one-bedroom residence at 14 Hays Street, Bridgeport, APN 008-141-007. A maximum occupancy of four persons and one vehicle may be allowed and all parking will be contained onsite. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials are available for public review by contacting April Sall at (760) 932-5423 or asall@mono.ca.gov. Hard copies are available for the cost of reproduction. INTERESTED PERSONS are strongly encouraged to attend the live cast meeting by phone or online, and to submit comments by **8:00 am on Thursday, May 19** to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 to ensure timely receipt, by email at cddcomments@mono.ca.gov, or via the live cast meeting (technology permitting). If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing. For additional questions, please contact April Sall, Mono County Planning Division, as listed above.

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Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

Planning Division

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

NOTICE OF PUBLIC HEARING

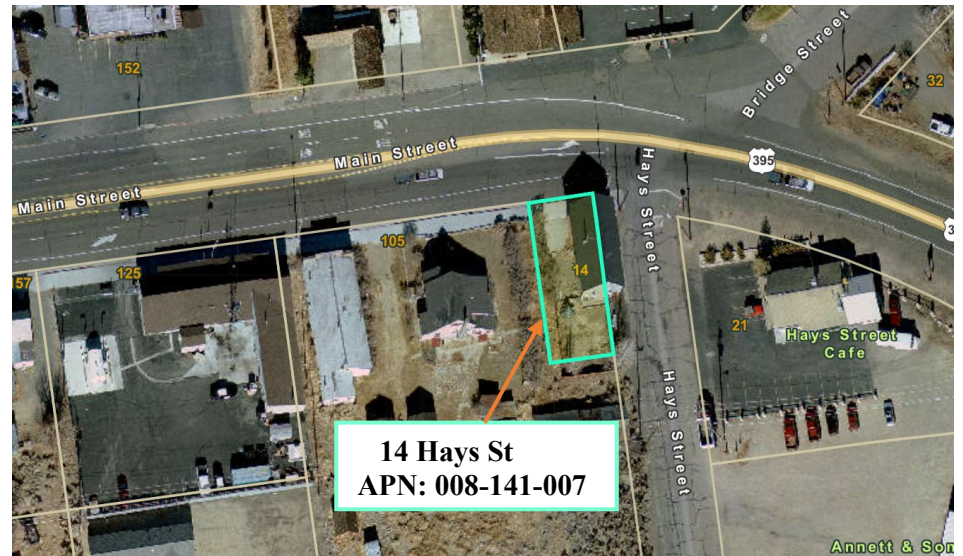
NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **May 19, 2022**. As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by livecast at: <https://zoom.us/join> and by telephone at: 669-900-6833 (Meeting ID# is 872 0841 7283) where members of the public shall have the right to observe and offer public comment, to consider the following: **9:05 a.m. CONDITIONAL USE PERMIT 22-003/Nichols**. The proposal is for a transient rental at 14 Hays Street in Bridgeport (APN 008-141-007) in an existing one-bedroom/one-bathroom residence. Maximum occupancy is four people and one vehicle. The parcel is designated Commercial (C).

In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. Project materials are available for public review online at <https://monocounty.ca.gov/planning-commission> and hard copies are available for the cost of reproduction by calling (760) 924-1800.

INTERESTED PERSONS are strongly encouraged to attend the livecast meeting by phone or online, and to submit comments by **8 am on Wednesday, May 18** to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 to ensure timely receipt, by email at cddcomments@mono.ca.gov, or via the livecast meeting (technology permitting). If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

For additional questions, please contact the Mono County Planning Division:

April Sall, Planning Analyst
PO Box 347
Mammoth Lakes, CA 93546
(760) 932-5423, asall@mono.ca.gov



Mono County Community Development Dept.
PO Box 347
Mammoth Lakes, CA 93546

<<Addressee Name>>
<address>
Bridgeport, CA 93517

Mono County Community Development

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May 19, 2022

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst

Re: Workshop on the Mono County Resource Efficiency Plan Update

RECOMMENDATION

Provide any desired feedback to staff.

BACKGROUND

The 2014 Resource Efficiency Plan (REP) was prepared as part of a targeted update to the General Plan under the Sustainable Communities Planning Grant. The REP outlined strategies to reduce energy consumption, support local sustainability initiatives, and establish compliance with California climate change legislation. Recently, the State of California passed legislation that targets a 2050 statewide goal of reducing greenhouse gas (GHG) emissions by 80 percent of 1990 levels. The County used SB-2 grant funds to hire Ecoshift in the fall of 2021 to update the REP. The REP updates reflect the results of the 2020 emissions forecasting and current modeling that reflects recent projects developed by the County and changes in State policy.

The REP includes the following:

- (1) An assessment of local activities that consume resources and generate GHG emissions.
- (2) Mono County's strategy to improve resource efficiency and reduce GHG emissions.
- (3) The steps necessary to successfully implement the updated REP.

The REP update includes baseline GHG inventories for both County government operations and for the community at-large for the calendar year 2019. The 2014 REP proposed approximately 120 actions appropriate for the rural nature of the county. They included implementing net-zero energy policies for County facilities, replacing and consolidating vehicles in the County fleet, and strategic opportunities to improve resource efficiency by residents, businesses, and visitors. This REP update sets new reduction targets consistent with the 2017 California Air Resources Board (CARB) Scoping Plan based on updated inventories and forecasts for the County and recent statewide policies and mandates. The REP policies were adopted as part of the County's General Plan in 2015 and have not been modified as part of this update.

The update also allows for compliance with §15183.5 which allows for California Environmental Quality Act (CEQA) streamlining. Lead agencies may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level, such as an REP. Project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review. This allows for an expedited review of GHG impacts for most development projects.

The draft REP update is being presented at the Planning Commission in May and the Regional Planning Advisory Committees (RPACs) in June for feedback prior to expected adoption of the final document at the June 16 Planning Commission meeting.

In conjunction with the REP update, Ecoshift also prepared a tool for analyzing Vehicle Miles Traveled (VMT) impacts from development projects. The tool will allow staff to easily analyze whether a project on a specific parcel qualifies for a VMT exemption under the California Environmental Quality Act (CEQA) based on established thresholds. The threshold criteria and tool will be presented at the June 16 Planning Commission meeting for feedback and a recommendation, with expected adoption by the Board of Supervisors on June 21.

ATTACHMENTS:

1. Draft REP (to be transmitted separately)

Director Report: May 19, 2022

Completed Since Last Commission Meeting		
Permit Type/Project Name	Community	Description
DR	Bridgeport	Transient Rental on Commercial LUD

Active Permit Applications (excluding building permits)		
Permit Type	Community	Description
GPA/SP/Cnnbs UP	Tri-Valley	cannabis cultivation, convert RR to AG
GPA	Bridgeport	STR compliance case, convert MFR-M to MU
GPA/UP	Mono Basin	waste transfer station
CEQA	Mono Basin	Mono County waste management transition
GPA/SP	Mono Basin	STRs & campground
UP/STR	June Lake	Transient Rental - conversion of 2 units in a 4-plex
SP Amendment	Paradise	RV/campground, commercial ag
UP/Cannabis	Antelope Valley	cultivation, distribution, non-storefront retail
Map Modification	June Lake	Consistency with approved variance
Parcel Map Mod/LM	Tri-Valley	Eliminate road and drainage improvements, County vacate road, rescind Subdivision Improvement Agreement, lot merger
UP/VHR	Bridgeport	Transient Rental on Commercial LUD
DR/VHR	Topaz	Transient Rental on Mixed Use LUD
DR	Sunny Slopes	Stream setback reduction
LLA	Bridgeport	adjust lot line
LLA	Bridgeport	adjust lot line
LLA	Lee Vining	adjust lot line
LLA	Bridgeport	adjust lot line
LLA	Virginia Lakes	adjust lot line

Active Policy/Planning Projects		
Name	Community	Description
GHG/VMT CEQA Streamlining	Countywide	Update to County's GHG emissions inventory and CEQA streamlining for VMT analysis
Accessory Dwelling Units (ADUs)	Countywide + Mammoth Lakes	Prescriptive designs for study, 1 & 2 bedroom ADUs
Prescriptive designs for detached garages	Countywide	Update prescriptive designs for garages
North County Water Transfer	North County	Policies applicable to programs to sell/lease water for the benefit of Walker Lake
Housing Policy	Countywide	Housing Element tracking and policy development per Board's direction
Special District Study	Countywide	Contract approved, work to begin shortly

Active Policy/Planning Projects		
US 395 Wildlife Crossings	Long Valley	Project committee to construct wildlife crossings on US 395; Caltrans lead
June Lake Active Transportation Plan	June Lake	Planning charrette - June 22-26
West Walker River Parkway	Antelope Valley	Grant application submitted, working on conceptual trail alignment and final park plan
Revision to Chapter 11	Countywide;	Review and revise utility undergrounding policies and
Cannabis Odor Standards	Countywide	Low priority, readings to be taken with Nasal Ranger this
Annual General Plan Update	Countywide	Continuously track minor changes for an annual update
Update General Plan Map Layers	Countywide	Update online

Acronyms:

AG	Agriculture
CEQA	California Environmental Quality Act
DR	Director Review
GHG	Greenhouse Gas
GPA	General Plan Amendment
LLA	Lot Line Adjustment
LUD	Land Use Designation
MFR-M	Multi-Family Residential - Medium
MU	Mixed Use
RR	Rural Residential
SP	Specific Plan
STR	Short-Term Rental
UP	Use Permit
VHR	Vacation Home Rental
VMT	Vehicle Miles Traveled