

# Mono County Community Development Department

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## Planning Division

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### CONDITIONS OF APPROVAL

Use Permit 23-001 /Sherer

- 1) The Expanded Home Occupation is limited in scope as to the statement provided by the applicant, contained in Attachment 2 of this report.
- 2) Delivery of equipment to the site, and pick-up of equipment from the site, in relation to the Expanded Home Occupation shall only occur during day-light hours.
- 3) The Expanded Home Occupation shall comply with Mono County Code Chapter 10.16, Noise Regulation. Daytime noise level may not exceed 55 dBA between 7:00 am – 9:59 pm, and nighttime noise level may not exceed 50 dBA between 10:00 pm – 6:59 am.
- 4) The Expanded Home Occupation use shall take place entirely within the garage, with the exception of transporting equipment in and out of the garage.
- 5) The Expanded Home Occupation shall be carried on by members of the family occupying the dwelling, with no other persons employed;
- 6) The general public shall not be invited onto the site to take part in the Expanded Home Occupation.
- 7) The County's right-of-way on Swall Meadows Road shall be kept clear and free from any components of the Expanded Home Occupation.
- 8) The property owner shall maintain defensible space around all structures on the property.
- 9) Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 10) Project is required to comply with any requirements of the Wheeler Crest Fire Protection District.
- 11) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 12) 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.
- 13) Appeal. Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development director within 10 calendar days following the Commission action. The Director will determine if the notice is timely and if so, will transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.7)

- 14) Termination. 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:
  - A. 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. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the Director Review.
  - B. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.
  - C. No extension is granted as provided in Section 31.080.
- 15) 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. Exception to this provision is permitted for those use permits approved concurrently with a tentative parcel or tract map; in those cases the approval period(s) shall be the same as for the tentative map.
- 16) Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all of the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the Director Review or the violation by the owner or tenant of any provision pertaining to the premises for which such Director Review was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permitted 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.