

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

September 21, 2023 – 9:00 a.m.

Mono Lake Room-Mono County Civic Center
1290 Tavern Rd
Mammoth Lakes, CA

Bridgeport CAO conferences room
First floor Annex 1 74 N. School Street
Bridgeport CA, 93517

Members of the public may participate in person and via the Zoom Webinar, including listening to the meeting and providing comment, by following the instructions below.

TELECONFERENCE INFORMATION

1. Joining via Zoom

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/88523032176>

Or visit <https://www.zoom.us/> and click on “Join A Meeting.” Use Zoom Meeting ID: 885 2303 2176 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. Please keep all comments to 3 minutes.

To join the meeting by telephone

Dial (669) 900-6833, then enter Webinar ID: 885 2303 2176

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. Please keep all comments to 3 minutes.

**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 August 17, 2023. (pg. 1)

4. PUBLIC HEARING

- A. 9:05 am – UP 23-005 Cervantes. Consider approval of a Use Permit for an accessory structure greater than 20’ in height at 29 Chase Ave, Chalfant APN 026-282-003-000. (pg. 3)
- B. 9:10 am – Appeal of application incompleteness determination for the Rock Creek Ranch Tentative Tract Map application. (pg. 16)

5. WORKSHOP

- A. Snow Storage Standards (pg. 33)
- B. Meeting locations

6. REPORTS

- A. Director (pg. 35)
- B. Commissioners

7. INFORMATIONAL – none

8. ADJOURN to October 19, 2023

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 (1290 Tavern Rd, Mammoth Lakes, CA 93546). 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%20development/commissions%20&%20committees/planning%20commission). 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

August 17, 2023 – 9:00 a.m.

COMMISSIONERS: Chris Lizza, Roberta Lagomarsini, Jora Fogg, Patricia Robertson

STAFF: Heidi Willson, planning commission clerk; Brent Calloway; principal planner, Rob Makoske, planning analyst; Laura Stark, planning analyst; Emily Fox, Counsel

PUBLIC: Max, Carlie,

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE-** Meeting called to order at 9:08 am and the Commission lead 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 May 18, 2023.

- Commissioner Lagomarsini requested a correction to the minutes by adding a discussion point for future Planning Commission meeting locations during Winter.

Motion: Approve the minutes from meeting on May 18, 2023 with the corrections noted above.

Fogg motion; Lizza second.

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

Motion passed 4-0 with one absent.

4. PUBLIC HEARING

A. **UPM 23-003 Logue [9:05 am]** Proposal for a modification to the off-site snow storage location for Use Permit 23-002 which approved a parking plan and off-site snow storage. The property is located at 2616 Highway 158 (APN: 015-075-005-000) and proposes to modify condition #5 in order to utilize an agreement with a legitimate and licensed snow removal business with authorized snow storage locations instead of implementing a Covenant for off-site snow storage on APN: 015-075-017-000. *(Staff: Laura Stark)*

- Commissioner Lizza recused himself from the Public Hearing as there would be a possible conflict of interest.
- Stark gave a presentation and answered questions from the Commission.
- Public Hearing opened at 9:26 am.

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

- No public comment. Public Hearing Closed at 10:27 am.

Commissioner Deliberation:

- Commissioner Robertson has a philosophical concern regarding the snow storage in the June Lake area and the future development standards. Would like to continue the conversation and discuss if a contract for snow removal is enough.
- Chair Lagomarsini stated that when staff are preparing their assessment of future development takes snow placement and removal into consideration. With a huge snow year that just took place staff would automatically add to their assessment of future development the new possibilities of proper snow removal and storage.
- Calloway responded that any future development would adhere to the development regulations in place and if an offsite snow removal contract is allowed then that would still be an option.
- Commissioner Fogg stated that with the exception of large winters the snow storage and removal is sufficient. If a closer look at the central business parking district and land use element for the June Lake area may be appropriate.
- Calloway responded that the Commission could direct staff to study the snow situation in the June Lake area.
- Commissioner Fogg stated that with future projects snow storage may be an issue.
- Chair Lagomarsini requested that staff look into the snow situation in the June Lake area and provide a report within the next 2-3 months.
- Commissioner Robertson requested the report include research something about how businesses get licensed. How much snow storage is needed per developed site and how much is actually available.
- Chair Lagomarsini noted the review could start with June Lake and possibly add other communities based on the research from the study.

Motion: Find that the project qualifies as a Categorical Exemption under CEQA §15301 and instruct staff to file a Notice of Exemption; making the required findings as contained in the staff report; and approve Use Permit Modification 23-003 subject to the conditions of approval.

Fogg motion; Robertson second.

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

Motion passed 3-0 with 1 Abstention and 1 Absent.

5. WORKSHOP

A. Introduction to Walker Basin Conservancy and potential water transactions

- Henneman gave a presentation and answered questions from the Commission.

6. REPORTS

A. Director

- Calloway presented the Directors report and answered questions.

B. Commissioners

- Commissioner Robertson gave a report.

7. INFORMATIONAL

No Items

8. **ADJOURN at 10:18 am** to September 21, 2023, at 9am.

Mono County Community Development Department

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Planning Division

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September 21, 2023

To: Mono County Planning Commission

From: Brent Calloway, Principal Planner

Re: Use Permit 23-005 Cervantes

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303(e) and instruct staff to file a Notice of Exemption;

AND

2. Make the required findings as contained in the project staff report; and approve Use Permit 23-005

PROJECT SETTING

The project is located at 29 Chase Ave, Chalfant (APN 026-282-003). The property is approximately 0.46 acres and designated Rural Mobile Home (RMH). Neighboring parcels to the north, east, and west are designated RMH and developed with single-family residences. The property to the south is designated Agriculture (AG) and is partially used for agriculture and partially vacant land. The parcel is fronted by Hunter Ave on the south and Chase Ave on the East. The property is currently developed with a 1,800 sf manufactured home and used as a primary residence.

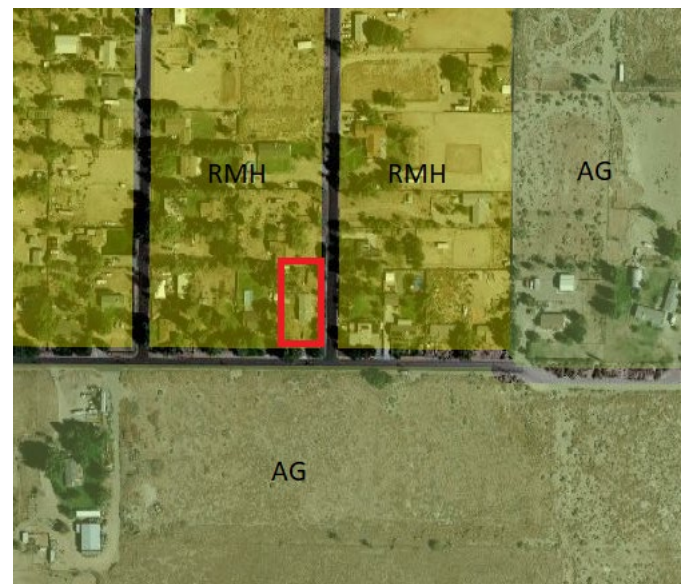


Figure 1. Project Location and Surrounding LUDs

PROJECT DESCRIPTION

The property owner/applicant is requesting a Use Permit to exceed the maximum height of 20' for accessory buildings per the Mono County General Plan, Land Use Element, Table 04.010. The proposed accessory building is a 1,200 square foot, 30' x 40' prefabricated metal building kit with a proposed height of 29' 2" from the finished floor to the roof peak. A building elevation cutsheet

is included as attachment 2. The proposed building is intended to be used as a garage/shop to store residential vehicles and equipment as well as limited commercial contracting equipment consistent with the provisions of MCGP, LUE 04.290 Home Occupation.

A building permit was issued in error for the structure on 10/18/22. Upon discovery of the error, the permit was canceled, and the applicant was immediately notified that a planning permit would be required for the building as it exceeded the height limit for accessory structures. Several solutions were discussed including an attempt to reduce the height of the building. Ultimately, the applicant chose to move forward with obtaining a Use Permit to allow for the additional height. The proposed building location was moved from the originally permitted location north of the primary residence to the proposed location south of the residence due to the recently adopted CalFire 30' minimum fire safe standard setback requirements (Attachment 1). An exception request was requested from CalFire for a reduced side setback and was not granted.



Figure 2. Site plan concept

GENERAL PLAN CONSISTENCY

The property is 0.46 acres and contains a manufactured home used as a single-family dwelling. An existing driveway is located on the south side of the property from Hunter Ave. The primary use of the property is the residential dwelling, consistent with RMH permitted uses. The property owner incidentally uses the property for support of a contracting business, including storage of equipment and materials in temporary structures, in compliance with MCGP LUE 04.290 Home Occupation. The accessory structure/garage, and existing residence meet the development standards of RMH for setbacks and lot coverage. The RMH designation allows for 40% lot coverage. The existing residence, proposed garage/shop, and existing impervious surfaces total approximately 3,400 sf, or 17% of the lot. An existing storage building approximately 900 sf has been demolished and removed from the site.

MCGP Table 04.120 lists the minimum yards for RMH parcels less than one acre as 20' in the front, 10' on the side, and 10' in the rear; as previously stated, recently adopted CalFire 30' setbacks from all property lines are required for the project. The proposed garage is setback 43' from the west property line, 31' from the south property line and 27' from the east property line. The 27' setback complies with the CalFire requirements as when property line is adjacent to a paved road, and therefore the setback measurement is taken from the centerline of the paved road. The garage is proposed to be setback from the residence by 10' in accordance with the California Building Code.

MCGP LUE Section 04.110, Building Height, sets forth the following:

A. All buildings and structures hereinafter designed or erected, or existing buildings that may be reconstructed, altered, moved or enlarged, shall have a height no greater than 35 feet from grade measured from any point of the building. All heights shall be calculated from the natural grade or finished grade, whichever is more restrictive. See Figure 11.

B. Accessory buildings in any residential designation shall be limited to a maximum height of 20 feet except as may be permitted by the Director.

1. Accessory uses over 20 feet in height shall be architecturally compatible with and be subordinate to the primary residence. Additional design requirements, such as color, building material, landscaping, building articulating and location, may be required to minimize off-site visual impacts and respect neighborhood characteristics. Accessory Dwelling Units shall be subject to the same standards as the primary unit.

The metal garage siding is proposed to be painted beige and utilize brown metal roofing to coordinate with the existing primary residence (see site photos, Attachment 3). Three blue spruce trees are proposed as landscaping to minimize visual impacts of the structure (see site plan, Attachment 1). Prefabricated metal garage buildings are common within the community of Chalfant.

PUBLIC NOTICING

The project was noticed in the 9/9/23 and 9/16/23 editions of The Sheet and hearing notice mailers were sent via USPS to properties within 300' of the project location.

COMMENTS RECEIVED

No public comments have been received as of the time of the agenda packet publishing.

CEQA COMPLIANCE

This project is categorically exempt from under CEQA Guideline 15303(e) because it is new construction of a small structure (e.g. garage).

15303 Class 3. New Construction or Conversion of Small Structures

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

USE PERMIT FINDINGS

MCGP LUE - Section 32.010, Required Findings:

Use permits may be granted by the Planning Commission only when all the following findings can be made in the affirmative:

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:*

The MCGP allows for accessory structures to exceed 20' in height. All residential structures are limited to a maximum height of 35'. The proposed structure complies with height standards. All other applicable development standards of the RMH designation, including parking, yards and the 2023 CalFire minimum fire safe standard setbacks are complied with. The accessory structure is incidental to the main use of the property as a residential property. Landscaping is proposed to partially screen the structure.

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:*

Hunter Avenue is adequate to accommodate the proposed expanded height of the garage. The parcel is flat and no additional traffic or expanded use of the street is expected due to the proposed garage/shop.

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:*

The garage/shop will not be detrimental to the public welfare or injurious to property or improvements in the area. Large metal shop buildings are common within the community of Chalfant.

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

The height of an accessory structure in a residential designation may exceed 20' when permitted by a Use Permit. The proposed height of the accessory structure, 29'2" will be less than the 35' maximum height allowed for residential development. The proposed garage shop is intended to house residential vehicles and equipment as well as commercial equipment consistent with home occupation standards. All commercial equipment will be stored within the proposed structure and the commercial use shall produce no evidence of its existence in the external appearance of the dwelling or premises. The property contains a primary use consistent with the designation.

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

Attachments:

1. Notice of Decision
2. Conditions of Approval
3. Site Plan
4. Elevation Cutsheet
5. Site Photos
6. Public Hearing Notice

MONO COUNTY Planning Commission

NOTICE OF DECISION & USE PERMIT

USE PERMIT: UP 23-005 **APPLICANT:** Matias Cervantes

ASSESSOR PARCEL NUMBER: 026-282-003

PROJECT TITLE: Use Permit 23-005 Cervantes

PROJECT LOCATION: 29 Chase Avenue

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 UPHOLD AND SHALL BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

Notice is hereby given pursuant to Code of Civil Procedure Section 1094.6 that the time within which to bring an action challenging the County's decision is 90 days from the date the decision becomes final. If no appeal is made to the Planning Commission the Planning Commission decision shall become final on the expiration of the time to bring an appeal. Notice is also hereby given that failure to exhaust administrative remedies by filing an appeal to the Board of Supervisors may bar any action challenging the Planning Commission's decision.

DATE OF DECISION/USE PERMIT APPROVAL: September 21, 2023

EFFECTIVE DATE USE PERMIT: September 21, 2023

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.

Dated: September 21, 2023

MONO COUNTY PLANNING COMMISSION

- CC:**
- Applicant
 - Public Works
 - Building
 - Compliance

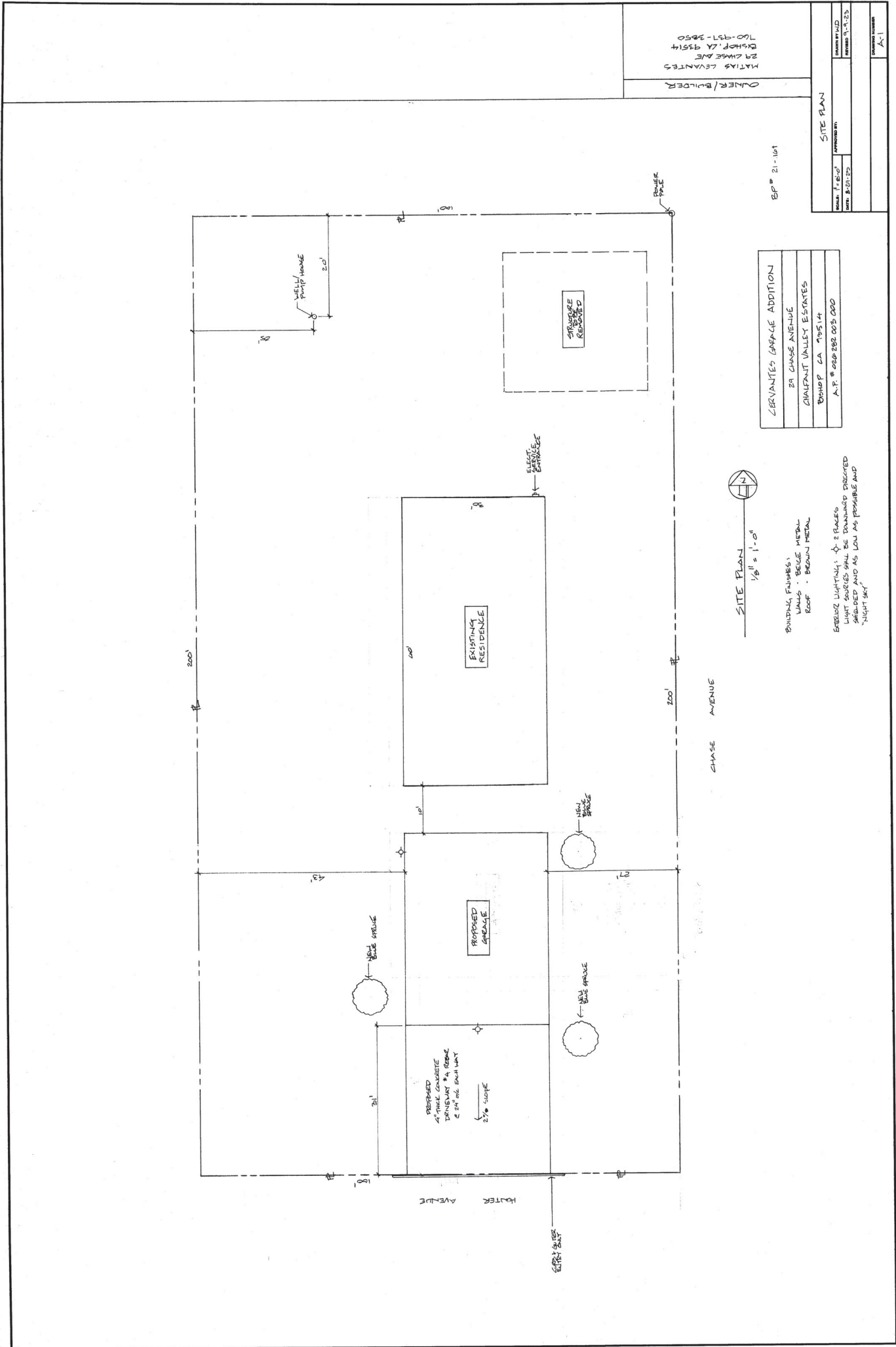
CONDITIONS OF APPROVAL

Use Permit 23-005 Cervantes

- 1) The property owner shall maintain defensible space around all structures on the property.
- 2) The building shall be accessed by a driveway from Hunter Ave.
- 3) Landscaping shall be provided according to the approved Use Permit site plan.
- 4) The building exterior shall be beige colored metal and the roofing shall be brown colored metal.
- 5) The building shall meet CalFire minimum fire safe standard 30' setbacks from property line or centerline of paved street.
- 6) Any commercial use of the property shall comply with the Home Occupation standards of the General Plan, 04.290.
- 7) Future development shall meet the requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 8) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 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) 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)
- 11) 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.
- 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. 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.

- 13) 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.



OWNER/BUILDER
 NATAS LEVANTES
 29 CHASE AVE
 DORSET, CA 94514
 707-931-3650

SITE PLAN	
SCALE: 1/8" = 1'-0"	APPROVED BY:
DATE: 8-21-23	
PROJECT NO: 23-000000000	
PROJECT NAME: ZERVANTES GARAGE ADDITION	
OWNER: NATAS LEVANTES	
ADDRESS: 29 CHASE AVE	
CITY: DORSET, CA 94514	
APR # 060 800 000 000	
PROJECT NUMBER	AX1

ZERVANTES GARAGE ADDITION
 29 CHASE AVENUE
 DORSET, CA 94514
 A.P. # 060 800 000 000

SITE PLAN
 1/8" = 1'-0"

FOUNDING FINISHES:
 WALLS - BEIGE METAL
 ROOF - BROWN METAL

EXTERIOR LIGHTING: 2 PLACES
 LIGHT SOURCES SHALL BE DOWNWARD DIRECTED
 SHIELDED AND AS LOW AS POSSIBLE AND
 "NIGHT SKY"

CHASE AVENUE

HULSTER AVENUE

GAS SERVICE

PROPOSED
 4" THICK CONCRETE
 DRIVEWAY 20' x 100'
 @ 2% SLOPE

PROPOSED
 GARAGE

EXISTING
 RESIDENCE

NEW
 DRIVE

BALL SPACE

BALL SPACE

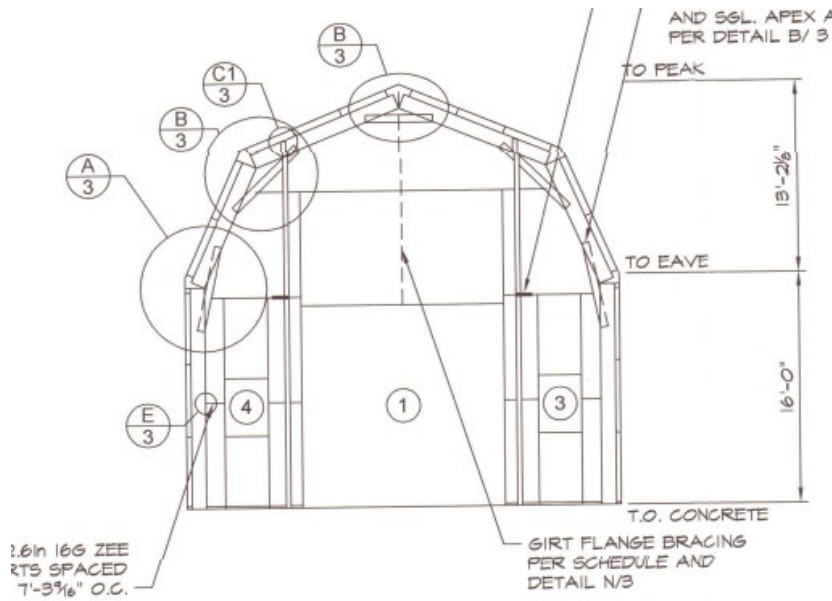
PAVING
 ENTRANCE

SHRUBS
 REMOVED

WELL HOUSE
 20' x 10'

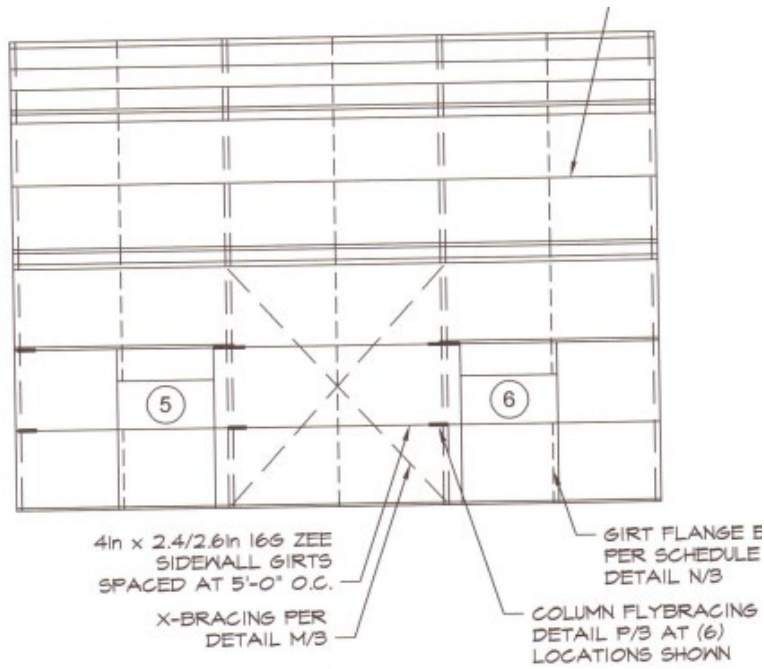
EP # 21-101

UP 23-005 Cervantes – Elevations



5 ENDWALL 'A' INTERIOR ELEVATION

1 SCALE



2 SIDEWALL 'A' EXTERIOR ELEVATION

4

UP 23-005 Cervantes – Site Photos



Site from SE corner looking NW.



Site from centerline of Chase Ave, at midpoint of E property line, looking SW.



Site from centerline of Hunter Ave looking N.

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September 7, 2023

To: The Sheet
From: Brent Calloway, Principal Planner
Re: Legal Notice for **September 16** 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 on **September 21, 2023**. The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/88523032176> or in-person at the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546, where members of the public shall have the right to observe and offer public comment and to consider the following: **9:05 am – Use Permit 23-005/Cervantes**. The project is located at 29 Chase Avenue, Chalfant Valley, (APN 026-282-003) and proposes an accessory structure/garage greater than 20' in height. The property is designated Rural Mobile Home (RMH) and is 0.46 acres. The project qualifies as a Categorical Exemption under CEQA guideline sections 15303 (d). 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 meeting in-person; and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 or by email at cddcomments@mono.ca.gov, by **8 am on Thursday, September 21, 2023**. 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 the Secretary to the Planning Commission at, or prior to, the public hearing.

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September 21, 2023

To: Mono County Planning Commission

From: Cecilia Jaroslowsky, Contract Planner

Re: Appeal of Application Incompleteness Determination for the Rock Creek Ranch Tentative Tract Map (TTM) Application

RECOMMENDATION

Consider the appeal and either affirm, affirm in part, or reverse staff's determination that the Rock Creek Ranch Vesting Tentative Tract Map (TTM) Application, is deemed incomplete and the application requires the submittal of the documents requested in the staff report.

FISCAL IMPACT

None.

APPEAL PROCESS

Mono County General Plan Land Use Element Chapter 47, Appeals, allows for an appeal of any determination by the Planning Division provided that written notice is submitted within 10 calendar days following the determination. The Planning Commission may affirm, affirm in part, or reverse staff's determination that is the subject of appeal, provided that an appeal is not to be granted when the relief sought should be granted through a variance or amendment. Chapter 47 specifies that appeals are de novo, meaning the Commission is not limited to a review of the record and may hear the matter over again (as if for the first time).

The Planning Division determination was emailed to the appellant on August 31, 2023 (Attachment 1). The appeal form and payment were received on September 5, 2023 (Attachment 2). Per Government Code §65943(c), a final written determination on the appeal must be made within 60 days after the appeal was filed.

PROJECT LOCATION/DESCRIPTION

The 54.64-acre project site is located at 9125 Lower Rock Creek Road, Assessor's Parcel Number (APN) 026-330-002-000 and located in the community of Paradise in southern Mono County (see Figure 1). The project site is zoned Estate Residential (ER) and Specific Plan (SP). The project includes the subdivision of one parcel into 10 lots and must comply with the previously approved Rock Creek Ranch Specific Plan (RCRSP), adopted in 2014, Resolution 14-65. RCRSP files are available at this link: <https://www.monocounty.ca.gov/planning/page/rock-creek-ranch-specific-plan-draft-eir-and-final-eir-2008>.

BACKGROUND

The purpose of the Rock Creek Ranch Specific Plan is to establish a formal link between implementing policies of the Mono County General Plan and the Rock Creek Ranch development proposal. The amended Specific Plan establishes all zoning regulations; governs all subdivision, public works project and development activity on the site; sets forth the distribution, location and extent of land uses and essential facilities and utilities to serve the site; defines the standards and criteria by which development will proceed; and identifies specific measures and enforcement responsibilities for implementing all applicable regulations, programs, public works projects and financing activities.

PLANNING DIVISION DETERMINATION OF APPLICATION INCOMPLETE

All Community Development Department applications contain a checklist of items that must be received in order for the application to be deemed complete.

(Attachment 4 includes the complete checklist.) The RCRSP applicant has submitted two TTM applications which have been deemed incomplete for various reasons.

The applicant submitted a Vesting Tentative Tract Map (TTM) application on March 31, 2023, to subdivide a parcel located within the RCRSP. Staff determined, on April 21, 2023, the application was incomplete and did not comply with the RCRSP, requiring a Specific Plan Amendment application. See Attachment 3.

The applicant resubmitted the application, dated August 7, 2023, which acknowledges (on page 5) the preliminary soils report, a vegetation preservation/protection plan, and proposed drainage facilities reports were not included and were forthcoming. See Attachment 4. All applicable items on the application checklist are required for a complete application. Therefore, the following requirements must be submitted with the TTM application for it to be deemed complete:

- a. A preliminary soils report prepared by a civil engineer/engineering geologist, licensed to practice in the state of California, for the proposed subdivision addressing the unified soil classification of the soils, the depth of the water table, the degree of soil moisture from surface to a minimum depth of eight feet, the compaction of the soil at a minimum depth of two feet, and the expansive characteristics of the soil for the proposed project site. If this preliminary report indicates the presence of critically expansive soil or other soils or

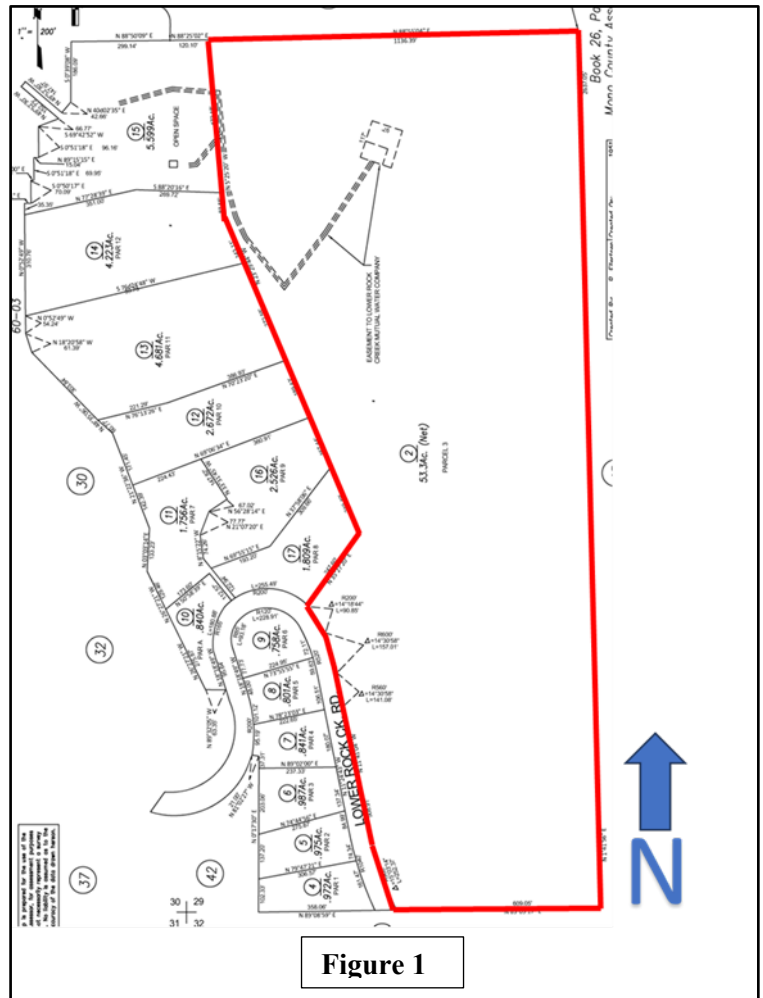


Figure 1

geological problems that could lead to structural defects or any other hazards, a soils report for each parcel, together with the proposed mitigation measures to alleviate identified problems, shall be required.

- b. A vegetation preservation and protection plan showing which trees are to be removed, and the location and type of vegetation to be planted; and
- c. Information concerning the ability of the existing and proposed drainage facilities to handle the natural flows and the additional runoff that will be generated by the subdivision at ultimate development.

The applicant was notified in a status letter dated August 31, 2023, that the above requirements would need to be submitted before the application could be deemed complete. Also on August 31, the applicant responded that they could not complete any additional soils or drainage plans until the lot configuration was complete. On September 1, the applicant submitted an existing preliminary soils report that was associated with the 2014 approval process and re-stated that no additional work can be completed until the lot configuration is complete. The proposed lot configuration requires a modification to the Specific Plan.

If a complete TTM application cannot be designed until the lot configuration is complete, then the applicant should seek approval of the lot configuration first, then complete the TTM design to submit a complete application. Alternatively, the applicant can assume the lot configuration will be approved and design the TTM application as if the approval had already been granted. The risk is that the lot configuration may not be approved as described and will necessitate modifications to the TTM application.

MODIFICATION TO THE SPECIFIC PLAN

Pursuant to the Specific Plan, minor modifications to the subdivision plan may be made when the Mono County Planning Director finds the modification is consistent with the general nature and intent of the RCRSP and shall not require a specific plan amendment. Minor modifications may include minor alterations to the street layout or public facility improvements, minor changes to utility placement or layout, minor changes to trail placement, as well as minor modifications to the subdivision plan (such as lot line adjustments and divisions) and other similar changes.

The applicant previously notified staff of the intention to submit a Director Review permit application for a minor modification to the RCRSP. Pursuant to the status letter dated August 31, 2023 (Attachment 3), staff provided feedback that the proposed modification to the RCRSP may require a specific plan amendment.

The applicant filed a Director Review permit application for a minor modification to the RCRSP, dated August 7, 2023, which will be processed separately from the TTM application and this appeal. Staff has provided feedback that the applicant should apply for a specific plan amendment, but the applicant has opted to proceed with the Director Review permit. Therefore, staff will process the Director Review permit and render a decision, which the applicant may appeal pursuant to Chapter 47 of the General Plan Land Use Element.

PUBLIC NOTICING AND COMMENTS RECEIVED

Pursuant to Government Code §65091(a)(5)(B), notice of the project was posted at three locations in

Mono County, one of which was a public place in the area directly affected by the project (the Lower Rock Creek trailhead), and mailed to property owners within 300 feet on September 8, 2023. Agencies that may provide essential facilities or services to the project, or whose essential facilities or services may be affected, were also notified. No comments were received at the time this staff report was drafted.

CEQA COMPLIANCE

This appeal is not a project under CEQA. If the application is not accepted as complete, then a new application would need to be submitted and accepted for CEQA to apply. If staff's determination is overturned and the application is deemed complete, then CEQA would apply to the TTM application and compliance would be handled during processing.

APPEAL DECISION

The appeal body may render its decision at the conclusion of the hearing or at any time within 30 days.

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

Attachments

- Attachment 1 - August 31, 2023 Incomplete Letter
- Attachment 2 - September 5, 2023 Applicant Appeal Letter
- Attachment 3 – April 21, 2023 Incomplete Letter
- Attachment 4 - August 7, 2023 Application Resubmittal: Entire checklist
- Attachment 5 – Public Hearing Notice

Mono County Community Development

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August 31, 2023

Paula Richards, Chief Officer
Sierra del Oro Trading Company LLC
1532 S. Bentley Ave
Los Angeles, CA 90025

Via Email: paularichards@sierradeloro.biz

RE: Status of Application(s)
Rock Creek Ranch 10-Lot Subdivision – 54.64 Acres
APN: 026-330-002-000
Zone: Estate Residential (ER) and Specific Plan (SP)

Dear Ms. Richards:

The Mono County Planning Division has received the re-submitted application for the Vesting Tentative Map (VTM) application and Director Review (DR) application for a Minor Modification, dated August 7, 2023, for the proposed project located at the above-mentioned location. These are two distinct and separate applications.

The submitted **VTM application is incomplete**, as acknowledged by your notations, the application is pending the submittal of a preliminary soils report, a Vegetation/Preservation and Protection Plan and a Proposed Drainage Facilities plan. It is our understanding that in previous discussions, components of a proposed site drainage system that included altering the existing site drainage, including the development of artificial water courses, was discouraged from being included in the application as to fit within the confines of a minor modification. As such components are included in the submitted application materials, all the relevant soils reports, and drainage plans must also be included in the application as the entire project must be evaluated as a whole project.

While the submitted **DR application is complete**, please keep in mind that per the Rock Creek Ranch Specific Plan Section IX.B Minor Modifications to a Specific Plan that are subject to approval by the Community Development Director are limited to changes in architectural colors or details, minor modifications to the street layout or public facility improvements, minor changes to utility placement or layout, minor changes to trail placement, minor modifications to the subdivision plan (such as lot line adjustments and divisions), and other similar changes. It appears some components of the proposed project, for example the street layout, landscaping and site drainage, and adjustment of more than four lot lines likely exceeds the scope of a Minor Modification.

The options for proceeding with the submitted DR application are as follows:

1. If requested by you, staff will process the Director Review Application as a Minor Modification, which may be denied by the Director; or,
2. You can provide a completed Specific Plan Amendment Application (attached) using application materials already submitted as a Director Review Application, which will be processed as a major amendment to the RCR Specific Plan.

Please note, an amendment to the RCR Specific Plan would require additional review under the California Environmental Quality Act (CEQA), therefore, an Initial Study, under Section 15063 of CEQA is required to be completed to determine whether the project might result in significant environmental effects. Based upon the result of the complete Initial Study, a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report may be required.

Staff is working diligently to progressing the project to the LDTAC for their review, therefore, please let me know how you would like to proceed regarding application options mentioned above. Once the application has been deemed complete, the project will be routed to relevant agencies for their review and comments.

Please feel free to contact me at cjaroslawsky@migcom.com, should you have any questions and/or concerns regarding this letter.

Thank you,
Cecilia Jaroslawsky
Contract Planner for Mono County

Notice of Decision by County Staff

Upon a final decision made by a Mono County hearing body, notice is hereby given pursuant to Code of Civil Procedure Section 1094.6 that the time within which to bring an action challenging the County's decision is 90 days from the date the decision becomes final. If no appeal is made to the Planning Commission, the staff decision shall become final on the expiration of the time to bring an appeal. Notice is also hereby given that failure to exhaust administrative remedies by filing an appeal to the Planning Commission may bar any action challenging the staff's decision.

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Planning Division

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APPEAL APPLICATION

*** In order to be valid,
appeal must be filed **within**
10 days of action date.

APPLICATION # _____	FEE \$ _____
DATE RECEIVED _____	RECEIVED BY _____
RECEIPT # _____	CHECK # _____ (NO CASH)

APPELLANT Sierra del Oro Trading Company LLC/Paula Richards legal agent

ADDRESS 1532 S. Bentley Ave. CITY/STATE/ZIP Los Angeles, CA 90025

TELEPHONE (310) 869-8159 E-MAIL Paularichards@sierradeloro.biz

APPLICATION # BEING APPEALED _____

DATE OF ACTION August 31, 2023 **DATE OF APPEAL** September 6, 2023

NATURE OF APPEAL: Describe what is being appealed. If it is a condition of approval, attach a copy of the project conditions and indicate which conditions are being appealed.

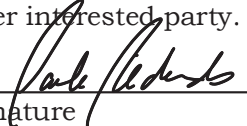
1. Preliminary Soils Report was deemed incomplete. The Environmental Documents provided to the County were complete per the 2014 Approved Amended Rock Creek Ranch Specific Plan (RCR SP) and include a soil report. See pages 19-23 in the VTTM application.
2. A preliminary Vegetation Preservation and Protection Plan was requested. The RCR SP includes a preliminary guideline for Soil Conservation, Landscaping Plan and other factors that would be included in the Plan. See pages 158, 168, 31, 32, 34, 42, 43, 46, 50 and 51 in the VTTM application.
3. A Proposed Drainage Facility Plan was requested. The RCR SP states (page 43 of the VTTM application) #12 of the Revised Conditions of Approval: "A drainage plan for the project shall be submitted prior to the approval of the Tract Map. The drainage plan shall include drainage easements, retention basins, as necessary, designed in conformance with the requirements of the Lahontan Water Quality Control Board."

All of the plans requested by the County can only be completed once the VTTM is approved. The engineers are unable to design any plans until then.

APPLICATION SHALL INCLUDE:

- A. Completed application form.
- B. Deposit for project processing: See Development Fee Schedule. Project Applicants are responsible costs incurred above deposit amount.

I CERTIFY UNDER PENALTY OF PERJURY THAT I am: legal owner(s) of the subject property, corporate officer(s) empowered to sign for the corporation or authorized legal agent, or other interested party.



Signature

Signature

9/6/2023

Date

From the Mono County Letter 8.31.2023: "The submitted VTM application is incomplete, as acknowledged by your notations, the application is pending the submittal of a preliminary soils report, a Vegetation/Preservation and Protection Plan and a Proposed Drainage Facilities plan. It is our understanding that in previous discussions, components of a proposed site drainage system that included altering the existing site drainage, including the development of artificial water courses, was discouraged from being included in the application as to fit within the confines of a minor modification. As such components are included in the submitted application materials, all the relevant soils reports, and drainage plans must also be included in the application as the entire project must be evaluated as a whole project.



Paula Richards

To: Cecilia Cc: Brent, Wendy >

Friday

Hello Cecilia/Brent-

With the preliminary Geo Tech reports included with the last email, is the Vesting TTM application now complete and can be submitted to LDTAC?

Altering the course of a drainage course has not been proposed in this application- it was a request from the community due to the damages sustained in the last storm. We are working with the state to review what can be done. The Vesting TTM only shows a proposed easement for drainage/ dry creek system which will be researched after the lot division is approved. We have no drainage plan at all.



Cecilia Jaroslowsky

To: Paula Cc: Wendy, Brent >

Friday

Hi Paula:

My responses to your items are below in **red**. Also, per Brent's email, today at 11:03 p.m. and to reiterate:

Regarding the Tract Map application, the application **cannot** be deemed complete until all the items on the checklist have been submitted. **You have submitted a geo report addressing the original TTM and not the proposed TTM, and is only one of three items required to be submitted for the submitted TTM application. Staff's application status letter dated 8.31.23 states a preliminary soils report, a Vegetation/Preservation and Protection Plan and a Proposed Drainage Facilities is required.**



Paula Richards

To: Cecilia Cc: Wendy, Brent >

Friday

Cecilia-

1. Preliminary Soils Report: the information emailed earlier today was used in the 2014 amended specific plan for the 10-lot subdivision. Please read application pages 21-23.
2. A preliminary Vegetation Preservation and Protection Plan is included in the RCR SP. See pages 31, 32, 34, 42 43, 46, 50, and 51 of the application for the description of for planning soil conservation, landscaping, open space and other components of a plan. A preliminary plan is built into the RCR SP. A detailed final plan can be designed after the approval of the Vesting TTM.

Pages 15 and 168 of the application describes the process that will taken after approval of the Vesting TTM. We are more than happen to begin a plan after the approval of the Vesting TTM.

The plan will incorporate the drainage of the lots, as well as the trails for slope stability.

3. The Proposed Drainage Facility can only be designed after approval of the Vesting TTM. The Geo Tech information sent earlier today makes it clear that the drainage facility design is dependent on placement of the buildings and the overall subdivision design.

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April 21, 2023

Paula Richards, Chief Officer
Sierra del Oro Trading Company LLC
1532 S. Bentley Ave
Los Angeles, CA 90025

Via Email: paularichards@sierradeloro.biz

**RE: Notice of Incomplete Application
Rock Creek Ranch 10-Lot Subdivision – 54.64 Acres
APN: 026-330-002-000
Zone: Estate Residential (ER) and Specific Plan (SP)**

Dear Ms. Richards:

The Mono County Planning Division has received the application for the proposed project located at the above-mentioned location; Staff has completed its review of the March 31, 2023 application and determined that your application is **incomplete**.

The proposed submitted project includes the subdivision of one parcel into 10 lots, under the previously approved Rock Creek Specific Plan (RCSP), adopted in 2014, Resolution 14-65. The Rock Creek Ranch project is located on a 54.64-acre parcel in the community of Paradise in southern Mono County. The purpose of the Rock Creek Ranch Specific Plan is to establish a formal link between implementing policies of the Mono County General Plan and the Rock Creek Ranch development proposal. The amended Specific Plan, establishes all zoning regulations, governs all subdivision, public works project and development activity on the site, sets forth the distribution, location and extent of land uses and essential facilities and utilities to serve the site, defines the standards and criteria by which development will proceed, and identifies specific measures and enforcement responsibilities for implementing all applicable regulations, programs, public works projects and financing activities.

The submitted project application cited the following as project “Minor Modifications” (page 58 of the application packet). Staff has determined where the submitted application does not comply with the approved RCSP.

Item	Submittal	Staff Comment/Specific Plan Compliance
1	Lot line adjustments and division.	Non-compliance. Lot adjustments do not meet GP standards.
2	Re-alignment of the Road, Driveways and Trails.	Non-compliance, road realignment does not meet county code.
3	Placement of Utility Infrastructure; extent of utility infrastructure; micro-grid substation; easements.	Non-compliance. No detail shown on submittal.

4	Design of homes from Mountain Ranch/Craftsman style to Modern Mountain with Gabion cladding, green roofs and more eco-green build. This will also mitigate less visual impact once built out.	Minor modification
5	Rock crushing moved to 4 from Lots 1-4.	Minor modification.
6	Community Service District to manage 30' ROW single access interior road; driveways; trails; water; fire; garbage; composting and others. Operations management; repairs and maintenance; and capital improvements and construction.	Non-Compliance (would require LAFCO action, and CEQA)
7	Cell Tower construction during Phase 1	Non Compliance, not part of SP requires Use Permit & CEQA
8	Rock Creek Ranch Mutual Water Company- CSD.	Minor modification.
9	Rock Creek Ranch Rural Electric Company: green energy micro-grid substation tied into Southern California Edison-CSD.	Non-Compliance. Large solar array not consistent with SP.
10	Intentional Community; 501(c)3 and 501(c)2; CC&R's, by-laws and governing body- Board of Directors that works in conjunction with Board of Directors from Sierra del Oro Trading Company LLC. And the Winuba Community Service District to be the governing body.	Complies.
11	Land trusts- easements	Non-Compliance, easements must be in accordance with SP, minor location change may be considered but functional change of easement is not minor.
12	Fire station to manage and protect the parcel, instead of the Paradise Fire Protection District.	Non-compliance. Not analyzed in SP.
13	SFR determined as 1 Duplex and 2 Accessory Dwelling Units. SB9 AND SB 10	Non-compliance. SB9 not applicable in fire zones.
14	Existing, Proposed and Pending easements for the benefit of the subdivision.	Non Compliance. Purpose of an easement is to allow necessary access to interests that are not necessarily part of the subdivision.
15	Governing Agencies.	Needs Clarification.
16	Removal of the inter-tie for LRCMWC.	Minor modification.
17	Fences and Gates, and MAIL ROOM at Lower Well Area.	Potential Minor modification, needs clarification.
18	Cell Tower/Water tank combination.	Non-compliance. Cell Tower not part of SP requires Use Permit and CEQA
19	Drainage system to incorporate dry creeks, creeks, ponds, dry wells, berms/swales and such to appear blended into the landscape.	Non Compliance, SP is intended to limit disturbance and retain existing natural drainage.

20	Conservation Action Plan (CAP)	Non Compliance, some items listed in CAP inconsistent with SP. The adopted SP is intended to limit site disturbance to existing natural vegetation to protect deer migration habitat.

Pursuant to the RCSP, minor modifications to the subdivision plan may be made when the Mono County Planning Director finds the modification is consistent with the general nature and intent of the RCSP and shall not require an amendment to the RCSP. Minor modifications may include minor alterations to the street layout or public facility improvements, minor changes to utility placement or layout, minor changes to trail placement, as well as minor modifications to the subdivision plan (such as lot line adjustments and divisions) and other similar changes.

Pursuant to Mono County General Plan Section 31.030 Findings, in order to issue a Director Review permit, the Director must find that all of the following are true:

- A. All applicable provisions of Land Use Designations and Land Development Regulations 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;
- B. The site for the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use;
- C. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located;
- D. The proposed use is consistent with the map and text of this General Plan and any applicable area plan;
- E. That the improvements as indicated on the development plan are consistent with all adopted standards and policies as set forth in the Land Development Regulations, this General Plan and any applicable area plan; and
- F. That the project is exempt from CEQA.

Based upon staffs' analysis, several of the project modifications would not meet the criteria for a Directors' Review permit. Therefore, the proposed project, as submitted, requires the amendment of the previously approved RCSP. Please submit the following showing compliance with the RCSP and/or a brief explanation why compliance with the RCSP cannot be made:

- 1. Please show proposed lot configurations to be consistent with General Plan standards; the submitted lots do not comply with lot depth or width standards.
- 2. Please update the submittal to show placement of utility Infrastructure, extent of utility infrastructure, micro-grid substation and easements to be consistent with RCSP.
- 3. Please confirm the project would remain under the management and protection of the Paradise Fire Protection District.
- 4. Please update submittal to show one single-family structure per lot, to include accessory dwelling units as permitted by Mono County regulations and applicable state laws.

5. Please submit additional detail regarding the cell tower/water tank combination.
6. Upon resubmittal of a compliant project, please submit an application for a Director Review Permit for project elements considered minor modifications.

Please note, based upon staff's review of the resubmitted information, additional information may be required to continue review of the proposed project. Once the application has been deemed complete, the project will be routed to relevant agencies for their review and comments.

Notice of Decision by County Staff

Notice is hereby given pursuant to Code of Civil Procedure Section 1094.6 that the time within which to bring an action challenging the County's decision is 90 days from the date the decision becomes final. If no appeal is made to the Planning Commission, the staff decision shall become final on the expiration of the time to bring an appeal. Notice is also hereby given that failure to exhaust administrative remedies by filing an appeal to the Planning Commission may bar any action challenging the staff's decision.

The information listed above is provided to assist you in preparing a complete application submittal for review by the Land Development Technical Advisory Committee (LDTAC). Staff is working diligently to progressing the project to the LDTAC for their review and upon receipt of the revised application materials, staff will conduct further review and relay any additional comments as necessary.

Please feel free to contact me at cjaroslawsky@migcom.com, should you have any questions and/or concerns regarding this letter.

Thank you,
Cecilia Jaroslawsky
Contract Planner for Mono County

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VESTING TENTATIVE TRACT MAP CHECKLIST

APPLICATION PACKET SHALL INCLUDE:

- A. Completed application form.
 - B. Completed Project Information form.
 - C. Copy of preliminary title report. APPENDIX 6
 - D. Environmental Processing & Review agreement. APPENDIX 2
 - E. Assessor's map with property of the proposed subdivision delineated.
 - F. Proposed means that will be used to assure the proper administration and maintenance of common areas and open space, including a statement of intent regarding proposed deed restrictions. APPENDIX 5
 - G. Preliminary soils report prepared by a civil engineer/engineering geologist, licensed to practice in the state of California, for the proposed subdivision addressing the unified soil classification of the soils, the depth of the water table, the degree of soil moisture from surface to a minimum depth of eight feet, the compaction of the soil at a minimum depth of two feet, and the expansive characteristics of the soil for the proposed project site. If this preliminary report indicates the presence of critically expansive soil or other soils or geological problems that could lead to structural defects or any other hazards, a soils report for each parcel, together with the proposed mitigation measures to alleviate identified problems, shall be required. PENDING
- Requirements of a preliminary soils report may be waived by the county engineer, if the project civil engineer/engineering geologist certifies that no soils problems exist on the site, and that such certification is based on sufficient soils reports prepared for the subdivision under consideration to demonstrate soil stability and the lack of soils problems on the proposed project site. The project proponent shall have the burden of demonstrating the required information. The decision to waive such requirements, based upon the certification of the project proponent's civil engineer/engineering geologist of the absence of any soils related problems, shall be solely within the discretion of the county engineer. The fee for review of soils reports or consideration of soils report waiver shall be set by resolution of the Board of Supervisors. PENDING
- H. Survey prepared by a qualified person identifying tree coverage within the proposed subdivision in terms of type, weakness, maturity, potential hazard, infestations, vigor, density and spacing.
 - I. Vegetation preservation and protection plan showing which trees are to be removed, and the location and type of vegetation to be planted. PENDING-APPENDIX 13
 - J. Information concerning the ability of the existing and proposed drainage facilities to handle the natural flows and the additional runoff that will be generated by the subdivision at ultimate development. Methods to convey surface waters to the natural drainage courses or drainage system.
 - K. ~~Plot plans and elevations of proposed buildings in planned unit developments.~~ PENDING-APPENDIX 13

NOTE: Other information deemed necessary by the Land Development Technical Advisory Committee, including maps of adjoining land that may have been previously divided, may be requested and required. More on back...

REQUIREMENTS

The following information is essential to the processing of your application. The Tentative Tract Map shall be clearly and legibly drawn on sheets 18" x 26" in size, using an engineer's scale in all cases. A marginal line shall be drawn around each sheet leaving a blank margin of one inch. Twelve copies of the Tentative Tract Map and one reproducible copy of the map no larger than 11" x 17" shall be required at the time of project submittal. The Tentative Tract Map shall show the following:

APPENDIX 2

- Title box containing the tract number that may be obtained from the Planning Division and the name of the subdivision, if desired.
- Names and addresses of the property's legal owner, subdivider and civil engineer or licensed land surveyor who prepared the map.
- Vicinity map showing roads, adjoining subdivisions, towns, creeks, and other data sufficient to locate the proposed subdivision and show its relation to community development.
- Names of adjacent property owners or subdivisions.
- Existing and proposed use of the property.

<input type="checkbox"/> Existing and proposed use of all existing structures.	N/A
--	-----

- Description of the proposed subdivision, including the number of lots, their average and minimum size, and nature of development.
- Calculations needed for development as to density, open space, land coverage and parking, etc.
- North arrow and scale. An engineer's scale of not less than 1" = 50' shall be used for subdivisions with an average lot size of less than one acre, and an engineer's scale of not less than 1" = 100' shall be used for subdivisions with an average lot size of one acre or more.
- If the map contains more than one sheet, the sheets shall be numbered to show the relative position of each sheet.
- Contour intervals and contours showing accurately the existing terrain within the subdivision and adjacent area as required. The contour interval shall conform to the mapping standards for the scale used. Every fifth contour shall be of heavier weight and labeled. Care shall be exercised in labeling contours so that the elevation of any contour is readily discernible. Contours may be omitted when the lines fall closer than 10 contours per inch, provided that all contours at the bottom and top of slope changes are shown. In no event shall heavy contours be omitted.

NOTE: At least 90% of all contours shall be within one-half contour of true elevation. Where the ground is completely obscured by dense brush or timber, 90% of all contours shall be within one contour interval. Contours in obscured areas shall be indicated by dashed lines. Mapping not having this accuracy shall be rejected.

- Spot elevations expressed to the nearest one-tenth of a foot. On comparatively level terrain where contours are more than one hundred feet apart at map scale, spot elevations may be substituted for contours. Additional spot elevations shall be shown at intervals along the center of dikes, roads and ditches at summits, depressions, saddles or at other existing permanent installations.

- Outline of existing slides, slips, sump areas and areas subject to inundation or avalanche.
- Plans for drainage areas subject to inundation.
- Line of high and low water and flood plain on all lots abutting any lake, river, stream, reservoir or other body of water.

Will be done in separate application- pending further review, surveys and geotech tests.

- Approximate edges of pavement of existing roads and driveways within or adjacent to public rights of way and easements, or within private common rights of way.

N/A

- Approximate existing property lines and approximate boundaries of existing easements within the subdivision, with the names of owners of record.
- Proposed lot and street layout with scaled dimensions of the lots, and the minimum, maximum and average lot area.
- Approximate width, location and purpose of all existing and proposed easements. Easements shall be shown for utilities such as electric, telephone, cable television, sewer and water lines, and for drainage and access, when applicable.
- Street names, widths of streets and easements, approximate grade, approximate point of grade change, and radius of curves along centerlines of each street.
- Typical road sections may refer to county road standards.
- Approximate finish contour lines along roadways.

- Location, approximate grade, direction of flow and type of facility of existing drainage channels and storm drains.
- Plans for drainage areas subject to inundation.

Will be done in separate application- pending further review, surveys and geotech tests. See Appendix 13 for more information

- Approximate top of fills and top of cuts.
- Domestic water source including the name of supplier, quality and an estimate of available quantity. If individual wells are proposed, show the location of each well. Show also each existing well within 200 feet of the proposed map.

- Method of sewage disposal and name of sewage agency, if any. If individual septic disposal systems are proposed, show the location of leach field and replacement area. Show also each existing septic disposal system within 200 feet of the proposed map.

N/A

- Proposed or intended method of fire protection and, if applicable, approval of the fire district within which the subdivision is located.
- Approximate construction phasing so that each phase is completed within one construction season, if applicable.

- When part of a large single ownership area, a sketch showing proposed future development outside of the proposed subdivision.
- Areas designated for public and/or common purpose.
- Parking areas and access solutions for individual lots, if required.

Will be done in separate application- pending further review, surveys and geotech tests.

- Condominium parking plans in accordance with General Plan land use requirements and road department standards, when applicable.

Will also be done in separate application- pending further review, surveys and geotech tests. See Appendix 14 for water rights, and Appendix 13 for LID-Build

- Other improvements proposed.

The items checked above have been included in the application package or are shown on the Tentative Tract Map.


Signature

Aug 7, 2023
Date

Environmental Review (CEQA): See Development Fee Schedule for Negative Declaration and Environmental Impact Report (deposit for initial study only).

CEQA/EIR ROCK CREEK RANCH APPROVED 2014 AMENDED SPECIFIC PLAN CEQA PROVISIONS FOR PREPARING AN ADDENDUM TO A FINAL EIR

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)J 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. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - c. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - d. 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
 - e. 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."

MODIFIED MITIGATION MEASURE: UTIL 5.8-3a (WATER SYSTEM INERTIE): The water system shall have an onsite inertie point, located in the vicinity of the LRCMWC storage tank, if and as determined in consultation with the Paradise Fire Protection District.

Based on the considerations and analyses presented above, and based on the provisions contained in CEQA §15164[a]) as presented in its entirety in this Addendum, it is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that an Addendum to the certified 2008 Final EIR for Rock Creek Ranch is the appropriate CEQA document for the proposed second amendment to the Rock Creek Ranch Specific Plan.

CEQA §15164(c-e) states that "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 else where in the record. The explanation must be supported by substantial evidence."

All of the mitigation measures adopted by the Mono County Board of Supervisors as part of the May 2009 Final EIR certification remain in full force and effect, with the exception of (a) Mitigation Measure UTIL 5/8-3a (Water System Intertie) which has been modified as shown above, and (b) the four adopted mitigation measures (listed below in Table 3) that are rendered inapplicable to the Rock Creek Ranch project with approval of the second amendment.

The Vesting Tentative Tract Map and Minor Modification follow the general intent of the Rock Creek Ranch Specific Plan.

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
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NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **September 21, 2023**. The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/88523032176> or in-person at the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546, where members of the public shall have the right to observe and offer public comment and to consider the following: **9:10 am – Appeal of Community Development Department Staff Decision of Incomplete Application**. The appellant has appealed a staff decision by the Community Development Department that an application for a Tentative Tract Map at parcel 026-330-002-000 in the Rock Creek Ranch Specific Plan in the community of Paradise Estates has been deemed incomplete and is unable to be accepted for processing without the submission of additional documentation. 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 meeting in-person; and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546 or by email at cddcomments@mono.ca.gov, by **8 am on Thursday, September 21, 2023**. 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 the Secretary to the Planning Commission at, or prior to, the public hearing.

Mono County Community Development Department

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September 21, 2023

To: Mono County Planning Commission

From: Wendy Sugimura, Director

Re: WORKSHOP: Snow Storage Standards

RECOMMENDATION

Receive report and provide any desired direction to staff.

FISCAL IMPACT

None.

SNOW STORAGE STANDARDS

In discussions of recent permits, the Planning Commission has raised concerns about the adequacy of snow storage, particularly in June Lake. This workshop is to review existing snow storage standards and determine if any modifications are needed.

Snow storage requirements for single-family and duplex developments are incorporated into lot coverage requirements. Most residential land use designations (LUDs), such as Single-Family Residential (SFR), Rural Residential (RR), Estate Residential (ER) and Multi-Family Residential Low (MFR-L), allow a maximum of 40% lot coverage, leaving up to 60% of the lot available for snow storage depending on the configuration of structures.

For commercial, industrial, and multifamily (3+ units) developments, regardless of land use designation, General Plan Land Use Element §04.300 provides a formula for calculating snow storage:

04.300 Snow storage requirements.

Snow-storage areas shall be provided for all new commercial, industrial and multifamily (three or more units) developments, including condominiums. Snow-storage area(s) shall be equal to a required percentage of the area from which the snow is to be removed (i.e., parking and access/roads areas). Snow storage shall be provided on site, but may be allowed off site through the use permit process. Snow loads shall be established by the Design Criteria utilized by the Mono County Building Division.

<u>Flat Roof Snow Load</u>	<u>Snow Storage %</u>
55 psf or less =	25%
55-60 psf =	40%
60-95 psf =	55%
95+ psf =	65%

Usable snow-storage areas shall be identified on the site plan and shall be accessible to snow-removal equipment and substantially clear of obstructions. All designated snow-storage areas shall be at least 10 feet wide or deep in the smallest dimension or based upon demonstration of alternative methods (i.e., equipment and size). Heavily landscaped areas shall be protected from snow removal.

DISCUSSION

As stated in §04.300, snow storage shall be provided on site, but may be allowed off site through the use permit process. In the use permit process, the Commission may request information it deems relevant to the project from the applicant and

withhold a decision until such information is provided. However, the Commission and Planning Division do not have the authority to regulate a snow removal company's operation unless that business is before the Commission for a use permit.

If the Commission would like to know where snow is being stored off site, staff can request this information from applicants in the future. If the applicant does not provide the information, staff may bring the project for consideration and the Commission may withhold a decision until satisfactory information is received.

Snow storage requirements are evaluated based on the proposed project or the land use designation, whichever is applicable based on the standards above. A community-wide study of individual parcels to determine snow storage needs in advance of a project proposal is infeasible. However, the Commission, in reviewing the snow storage standards, may choose to modify the standards if deemed insufficient.

For questions, please contact Brent Calloway (bcalloway@mono.ca.gov, 760-924-1805) or Wendy Sugimura (wsugimura@mono.ca.gov, 760-924-1814).

Mono County Planning Division*: Current Projects

September 21, 2023

*Does not include transportation, LAFCO, building, code compliance, etc. projects

Completed		
DR	Crowley Lake	trailer during construction of home
Housing	Lee Vining, June Lk	Attended community housing meetings
Walker Lake Restoration	North County	Facilitated Walker Basin Conservancy's presentation to remaining RPACs and CPT
LADWP sage grouse habitat conservation	Long Valley	Attended Local Area Working Group and Executive Oversight Committee meetings
Wheeler Crest Design Review Committee	Swall Meadows	Continue to hold regular meetings to approve projects and set up administration
Short-Term Rental Moratorium on multi-family residential units	Countywide	As directed by the Board, potential STR moratorium on MFR units will be on the Board agenda on 10/10
Study of Short-Term Rental Impacts on workforce housing initiated	Countywide	To provide information in support of a final decision regarding current moratorium
Walker Main Street	Walker	Caltrans/CHP workshop with Antelope Valley RPAC
Tribal Consultation initiated	Lee Vining	For the Swiggum/Hip Camp General Plan Amendment and Specific Plan, consultation with the Kutzadika Tribe

Active Planning Permit Applications		
Permit Type	Community	Description
GPA/SP	Mono Basin	STRs & campground, awaiting applicant approval of CEQA costs
GPA/SP	Sonora Junction	Permit existing nonconforming campground, change LUD from RM to SP
UP	June Lake	New RV Park (Bear Paw)
UP	Walker	RV Storage facility
UP	June Lake	Year-round food truck at Ohana's lot
DR	June Lake	Convert existing building to club house with minor retail
LLA	Coleville	adjust lot line
LLA	Bridgeport	LLA
LM	Swall Meadows	merger
LM	June Lake	merger

Active Policy/Planning Projects		
Name	Community	Description
Biomass Facility	Mammoth Area	Assist with land use planning issues as necessary; project site proposed at Ormat geothermal plant
Review State Minimum Fire Safe Standards and update General Plan regulations	Countywide	Will be a separate GPA; workshop later in year
Housing Policy	Countywide	Housing Element tracking and policy development per Board's direction
Special District Study	Countywide	underway
Multi-Jurisdictional Hazard Mitigation Plan Update	Countywide	in collaboration with the Town of Mammoth Lakes
US 395 Wildlife Crossings	Long Valley	Project committee to construct wildlife crossings on US 395; Caltrans lead

Active Policy/Planning Projects		
Wheeler Crest Design Review	Swall Meadows	Convert to Brown Act body
Towns to Trails Planning	Countywide	Participate in effort by ESCOG/MLTPA
RVs as residences	Countywide	Determine if or under what circumstances an RV may be permitted as a residential use
Revision to Chapter 11	Countywide; Antelope Valley	on hold pending staffing resources
Cannabis Odor Standards	Countywide	Low priority, readings to be taken with Nasal Ranger this spring and fall
Update General Plan Map Layers	Countywide	Update online
Sage grouse conservation	countywide	update of Bi-State Action Plan, monitor and comment on USFWS listing in progress, collaborate with DWP on habitat conservation
CEC Renewable Energy Policy	Countywide	CEC policy identifying areas in Mono County for wind and solar energy development

Acronyms:

AG	Agriculture
BOS	Board of Supervisors
CEQA	California Environmental Quality Act
DR	Director Review
ESCOG	Eastern Sierra Council of Governments
GHG	Greenhouse Gas
GPA	General Plan Amendment
LLA	Lot Line Adjustment
LTC	Local Transportation Commission
LUD	Land Use Designation
MFR-M	Multi-Family Residential - Medium
MLTPA	Mammoth Lakes Trails and Public Access
MU	Mixed Use
PC	Planning Commission
RR	Rural Residential
SP	Specific Plan
STR	Short-Term Rental
UP	Use Permit
VHR	Vacation Home Rental
VMT	Vehicle Miles Traveled