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I. INTRODUCTION

Scope and Role of the Land Use Element

The purpose of the Land Use Element is to correlate all land use issues into a set of coherent development policies for the private lands in the unincorporated area of the county. The goals, policies, and actions of the element relate directly to other elements and issues addressed in the General Plan. Although all general plan elements carry equal weight, the land use element is generally considered the most representative of the general plan, and in practice, is the most visible and often used element. Mono County's first Land Use Element was adopted in 1968 and last updated in 1993. This element supercedes and replaces the 1993 document.

The County's **Master Environmental Assessment (MEA)** summarizes existing land uses in the county, and outlines the plans, policies, and regulations currently affecting land use in the county. The Issues section of this element identifies and analyzes opportunities and constraints which influence the future development potential of the county's unincorporated areas. The Issues section first addresses countywide issues and then focuses on issues that are applicable to individual community areas in the County. The Policy section establishes directives to guide growth, development and use of land in the unincorporated area through the year 2020; it also addresses countywide policies as well as policies for specific community areas.

Legal Framework

Government Code § 65302(a) requires that the land use element designate the proposed general distribution, general location, and extent of land use in the county for housing, business, industry, and open space, including agriculture, natural resources, recreation and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of the land. In addition, the land use element is required to include standards of population density and building intensity recommended for the territory covered by the plan, and to identify areas subject to flooding and areas zoned for timberland production (TPZ lands).

Each required issue is addressed in this element, to the extent that it is relevant in this context. Otherwise it is discussed in other elements as follows:

- Distribution of housing, business, and industry. (See the Housing and Land Use Sections of the **MEA**.)
- Distribution of open space, including agricultural lands. (See the Land Use Section of the **MEA**.)
- Distribution of mineral resources and provisions for their continued availability. (See the Mineral Resources Section of the **MEA**, and the Conservation/Open Space Element, "Mineral Resource Policies.")
- Distribution of recreational facilities and opportunities. (See the Outdoor Recreation Section of the **MEA**, and the Conservation/Open Space Element, "Outdoor Recreation Policies.")

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- Location of education facilities. (See the Community Services and Facilities Section of the **MEA**.)
- Location of public buildings and grounds. (See the Community Services and Facilities Section of the **MEA**.)
- Location of future solid and liquid waste facilities. (See the Community Services and Facilities Section of the **MEA**, and the Mono County Integrated Solid Waste Management Plan.)
- Identification of areas subject to flooding. (See the Flood Hazards Section of the **MEA**, and the Safety Element, "Flood Hazard Policies.")
- Identification of existing Timberland Production Zone (TPZ) lands. (Currently, there is no TPZ land designated in Mono County.)

Area Plans

In addition to the countywide Land Use Element, land use in community areas is governed by Area Plans. Area Plans further refine county general plan policies to address the needs of a particular community or area. An Area Plan must be internally consistent with the County General Plan, but need not address all of the general plan issues required by Government Code Section 65302, as long as the County General Plan satisfies those requirements.

Area Plans have been adopted for Benton, Hammil, Chalfant, Wheeler Crest, Long Valley, the Mammoth Lakes vicinity, and June Lake. Area Plans have been adopted for the following communities as part of the 1993 General Plan: Oasis, the Benton Hot Springs Valley, the Upper Owens Area, Mono Basin, Bodie Hills, Bridgeport, Swauger Creek/Devil's Gate, and Antelope Valley. Those policies are included in this land use element, along with updated policies for the areas with adopted Area Plans. General environmental information for the Area Plans is contained in the County's **MEA**.

Specific Plans

Specific Plans are intended to function as implementation mechanisms for the General Plan and as a standard-setting mechanism for detailed land use designation, subdivisions, and use permits. A specific plan must be consistent with the General Plan and, once adopted, becomes a part of the General Plan. Mono County currently has a number of adopted Specific Plans: the Conway Ranch development in Mono Basin, Lakeridge Ranch in Crowley Lake/Hilton Creek, Arcularius Ranch in the Upper Owens Area, and the Tioga Lodge in Lee Vining. The land use policies for some of these documents are summarized in this element.

Airport Land Use Plans

Land use in the area adjacent to public airports is governed by Airport Land Use Plans (ALUPs). An Airport Land Use Plan was adopted in 1986 by the Airport Land Use Commission for the Mammoth Lakes Airport (renamed Mammoth/Yosemite Airport). As part of the current General Plan update, Airport Land Use Plans have been

developed for the Lee Vining and Bridgeport (Bryant Field) airports. Land use policies for each of the airports are included in this element.

II. ISSUES/OPPORTUNITIES/CONSTRAINTS

This section identifies and analyzes issues, opportunities and constraints which affect the future development potential of the county's unincorporated areas. This section also summarizes the issues, opportunities, and constraints pertaining to land use in each of the Area Plan areas, and for the Bridgeport and Lee Vining Airport Land Use Plans (ALUPs). Many of the environmental constraints governing development are addressed in the Conservation/Open Space Element; this section of the Land Use Element summarizes those concerns in light of their relevance to the development of land use policies. Issues pertaining to the Conway Ranch Specific Plan and the Mammoth Lakes Airport Land Use Plan are discussed in detail in those documents.

COUNTYWIDE ISSUES/OPPORTUNITIES/CONSTRAINTS

1) Certain areas of the County are experiencing increasing development pressures; Antelope Valley from the Gardnerville/Carson City area, Chalfant from the Bishop area, and the Long Valley communities from the Mammoth area. Although the countywide growth rate over the next 20 years will probably be close to that projected by the State Department of Finance (1.3 percent annual average during the 1980s and 1990s), and the unincorporated area will probably continue to house approximately 50 percent of the total county population, the population distribution in the unincorporated areas may shift over that timeframe from the population distribution recorded in 1980.

2) Many county residents do not work in the community in which they live. Residents in the Antelope Valley commute to work in Bridgeport and in Gardnerville, Minden, and Carson City in Nevada; residents of the Tri-Valley area commute to work in Bishop; and residents of Long Valley, June Lake, and Benton commute to work in Mammoth Lakes. Bridgeport is the only unincorporated community with a large portion of its residents working in the community. The separation between jobs and housing may continue in the future due to the nature of the County's economy and the limited potential for future economic expansion in many areas of the County.

3) The present trend towards separation of jobs and housing could be affected in the future by the development of additional ski areas or other large scale development, such as mining. For example, the development of additional alpine ski areas beyond the planned buildout of Mammoth Mountain, June Mountain, and the development of Sherwin Bowl would require associated urban development to support the ski area development. The maximum population at one time resulting from buildout of all existing and proposed ski areas or similar large-scale development projects could be accommodated, theoretically, by developing Long Valley, Swall Meadows, the Tri-Valley area, and the Mono Basin area to their current projected buildout capacities. However, accommodating a large ski area population in those areas is probably not feasible; it would increase traffic and associated impacts substantially, and the economic viability of new ski areas would depend on developing support facilities closer to the ski areas. Similar impacts to local infrastructure and to the environment would result from other large scale development. Such impacts would be analyzed in detail during the environmental review process for a proposed project.

The expansion of existing communities or the development of new communities is currently limited by land ownership; acquiring the land necessary for development

would require working with the Forest Service or BLM to designate lands for a land trade or purchase and could be a costly and time-consuming process. Acquiring land from DWP is limited by the City of Los Angeles' charter which prohibits the selling of water rights on their land. In effect, this means that any land released by DWP for community development must be served by an existing community water system.

4) Land use within the unincorporated area of Mono County is highly constrained by land ownership. Approximately 94 percent of the land in the county is publicly owned; 88 percent is federally owned; and the remainder is owned by the State, the Los Angeles Department of Water and Power, or Native American tribal groups. The majority of private land within the County is concentrated in community areas, with the remainder dispersed throughout the County in small parcels. Within existing community boundaries, some communities have limited land available for additional development; expansion of some communities beyond existing boundaries is limited by the public ownership of surrounding lands. Development of new communities throughout the County is limited by the lack of large concentrations of private lands outside of existing communities; those parcels of private land that are large enough for development are in many cases agricultural lands and are not available for development.

5) Mono LAFCO policies discourage the designation of land for urban expansion before there is a demonstrated need for such expansion; these policies also promote the expansion of existing communities instead of the development of new communities.

6) Land use planning in the county is fragmented due to the pattern of land ownership. The federal land management agencies have planning authority on federal lands; the Town has planning authority for the incorporated area; and state agencies have planning authority on state lands. The County has only limited environmental authority on the federally owned lands managed by the Forest Service and the BLM; i.e., for minerals development, the County is the lead agency for compliance with the requirements of SMARA (Surface Mining and Reclamation Act). The County has planning authority on DWP lands and any development on those lands must comply with CEQA and the County's environmental review process. Development on DWP lands is a key issue since much of the land that DWP owns is environmentally sensitive; e.g., wetlands and critical wildlife habitat.

7) Land use patterns in the County are influenced by land ownership and topography. Residential and commercial uses are generally concentrated in small communities located in the valleys; the valley floors are generally used for grazing and croplands; mining, grazing, and timber harvesting generally occur in the mountains; and recreational uses are dispersed throughout the county. Existing land use patterns countywide could be affected by Forest Service and BLM policies on land exchanges, by future proposals for land banking or land conservation, by potential new town developments, and by LAFCO and General Plan policies concerning agricultural preservation and community expansion.

Existing land use patterns could be changed by "new town" developments located outside of existing communities. A few parcels of private land throughout the County are large enough to be developed in this manner, although infrastructure and service

costs could be prohibitively high in some areas. In addition, many of the large parcels of privately owned land in the County are used for agriculture.

Additional issues that could affect land use patterns within and adjacent to community areas include the potential for redevelopment, the potential for mixed use development, existing land division patterns, and the existing land use designation.

8) The availability and cost of infrastructure (water, sewer, fire protection, and roads) influences development patterns throughout the County. Most of the land available for residential development requires septic systems and individual wells. Some areas of the County have small community water systems but still require individual septic systems; other areas have community sewer systems but require individual wells. Only three unincorporated communities, Bridgeport, Lee Vining, and June Lake, have both community water and sewer systems serving individual parcels. These parcels are typically ready for immediate development without additional infrastructure costs. Infrastructure costs for sewer and water systems in some areas of the County, such as the Long Valley communities, are currently rising as wells are running dry and deeper replacement wells are being drilled at considerable expense. Birchim Community Services District in Sunny Slopes has recently determined that its water supply is insufficient to provide adequate water to its service area and has passed a resolution opposing any new secondary units in the area or lot splits which would increase the potential number of dwelling units in the District.

Water quality requirements are affecting both community water and sewer systems and individual homeowners. Recent changes in the Lahontan Regional Water Quality Control Board's water quality regulations have set a maximum of 2 dwelling units per acre in areas which have community water systems but which require individual septic systems. As a result, the minimum lot size in such situations is slightly over 20,000 square feet. The minimum lot size when both individual septic and water systems are required is 40,000 square feet. In some areas in the County where individual lots are 7,500 square feet, these requirements make it necessary to have more than one lot to build a house.

The lack of improved roads throughout the County also affects the potential for development. The main thoroughfares in the County are U.S. 395 and State Routes 6, 120, 158, 167, 108, and 89. Each of the community areas has a road system; some of these roads are improved, some are not. Some roads in community areas are included in the county road system; some are not. Those that are not are often unimproved. Outside of community areas, numerous single-lane and two-lane dirt and gravel roads exist as a result of mining and logging activity. Many of these roads are used by off-road vehicles.

9) There is a countywide need for additional land designated for industrial uses, particularly for those industrial uses which are land intensive, visually obtrusive/offensive, and potentially noisy or dirty; e.g., wood lots, lumber yards and other materials storage areas, batch plants, areas for heavy equipment storage, etc. Most of these uses will be localized and concentrated in a specific area; the County lacks feasible sites for extensive heavy industrial development due to environmental constraints and distance from population centers and supplies.

There is also a need to designate a site for a household hazardous waste transfer facility in the Mammoth vicinity. Such a facility would require about 1/4 -acre of land, and

should be close enough to Town for easy use by residents, have convenient access for transfer trucks, and be a safe area for storage of hazardous materials.

10) The County's Regional Planning Advisory Committees and community planning groups have generally expressed a desire to maintain the rural recreational attributes of the County, to preserve the small town character of existing communities, and to protect the County's natural resources. The overall attitude is that growth should be contained in and adjacent to existing communities, that agricultural lands should be protected for their open space value, that the protection of scenic resources is a critical concern, and that the use and development of resources should be regulated in a manner that allows for development but that protects the resource.

11) The presence of significant environmental concerns will have a critical effect on future development and land use in the County. Environmental concerns focus on natural resources, cultural resources and natural hazards. A key issue affecting development in the County is the conservation of a variety of natural resources, including wetlands, special status species (both plants and animals) and special habitats, wildlife habitat (in some places critical), fisheries and aquatic habitats, visual quality, surface and groundwater resources, cultural resources, and mineral resources. The presence of significant natural hazards also affects development. Natural hazards in the County include fault zones, flood zones, volcanic hazard areas, steep slopes, fire hazard areas, debris flow areas, and avalanche prone areas. Information on the County's environmental resources and natural hazards is contained in the **MEA**, along with maps showing the location of those resources and hazards.

12) Economic concerns focus on the need for development projects to "pay their own way" and on the need to provide for local economic growth. Most of the services and infrastructure in the County are provided either by the County or local special districts. All of these agencies have been hard hit by lower property tax revenues and increasing service demands. The County must ensure that development does not adversely impact service agencies.

There is also a need to provide for local economic growth by creating jobs for local residents. Many of the County's residents are unable to work in the community in which they reside and many of the area's younger residents must leave the area in order to find work. Lack of year-round employment in the tourist and recreation industry– the dominant industry in the County–is the primary cause of employment instability. How to plan for and encourage a diversified economic base in order to provide stability in the job market is a concern, as is the need to maintain a balance between economic growth and environmental concerns.

ISSUES/OPPORTUNITIES/CONSTRAINTS FOR COMMUNITY AREAS

This section lists issues and constraints which apply to specific planning areas throughout the County. These issues are in addition to the general countywide issues, opportunities, and constraints discussed above.

ANTELOPE VALLEY

1. There is a significant amount of privately owned high quality agricultural land in the Antelope Valley. There is a desire to maintain this land in agricultural uses in order to preserve the area's scenic qualities. Increasing development pressures could affect the use of the agricultural land in the Valley.
2. Residents in the Antelope Valley are interested in preserving the existing rural character of the communities and the Valley as a whole.
3. The BLM, in its Resource Management Plan, has identified privately owned land in the Valley for potential acquisition and has identified a smaller amount of federal land for disposal into private ownership. Residents of the area are concerned about a potential loss of private land and would like to implement a policy of no net loss of private land in the Valley.
4. There is the potential to enhance the natural resource-based recreational opportunities in the area, particularly by developing additional recreational facilities and opportunities at Topaz Lake. In planning for additional recreation at Topaz Lake, there is a need to designate a boat launching area to provide boat access within California and to designate restricted boating areas to protect critical water bird nesting and rearing habitat. The Walker River Irrigation District is currently working cooperatively with other agencies to develop a recreation management plan for Topaz Lake.
5. Much of the Valley is in the floodplain of the Walker River and may also contain wetlands.
6. Sewage disposal may become a constraint to additional development in existing community areas. Currently, individual septic systems are in use throughout the Valley.
7. There is substantial local interest in protecting the surface and groundwater resource in the Valley.
8. Seismic hazards are situated in several areas of the Valley, including along the western portion of the Highway 395 corridor.
9. There is a need to preserve critical deer migration corridors and winter habitat, particularly along the western portion of the Highway 395 corridor.

SWAUGER CREEK

1. The central concern in the Swauger Creek area is regulating development, including residential land uses, in order to preserve the natural resources in the area.

Residents in the area are also interested in preserving and enhancing wildland recreational and research values in the surrounding area.

The open space environment of the area should be recognized as a valid natural resource, and its enjoyment a form of recreation in the true sense of the word. The landowners of the area recognize that this natural environment, its peace, quiet, low density, and natural surroundings are some of the values that brought them to this area, and that the preservation of viewsheds in general, and of certain specific visual groups in particular, is an important component of a land use plan for the area. The landowners feel themselves to be the trustees of the resource values of the area, and as such, to be responsible to future generations for the quality of their stewardship.

BRIDGEPORT VALLEY

1. There is a significant amount of high quality agricultural land in the Bridgeport Valley, all of which is privately owned. There is a desire to maintain this land in agricultural uses in order to preserve the scenic qualities of the land. Much of the agricultural land may include wetlands; a wetlands delineation study has been completed for portions of the Valley. There is a need to address potential impacts to surface waters from grazing and irrigation and associated impacts to fisheries and wildlife.
2. There is local interest in preserving the small town character of Bridgeport.
3. There is an opportunity to enhance the recreational opportunities available at Bridgeport Reservoir and to protect the wetlands and associated natural resources in the surrounding area. When considering recreational opportunities at the Reservoir, there is a need to designate restricted boating areas to protect critical water bird nesting and rearing areas.
4. There is an interest in protecting the groundwater resource in the Valley.
5. There is a need to expand PUD services to accommodate the local and recreational demands of the surrounding area (particularly sewage disposal).
6. There is an interest in maintaining desirable water conditions in Bridgeport Reservoir, the East Walker River and its tributaries (e.g., reservoir level, instream flow and water quality).

MONO BASIN

1. The extremely limited private land base throughout Mono Basin and especially in Lee Vining limits potential community expansion in the area. In Lee Vining, there is some potential for land exchanges or purchases either with the Forest Service or the LADWP.
2. Residents of Lee Vining would like to see some affordable housing developed in the area, either rental units or single-family units.
3. Residents of Mono City are concerned about the expansion of their community beyond the current limits of the subdivision. They are concerned about possible

impacts to visual quality and to the deer herd in the area. The impacts from increased traffic levels are also a concern.

4. Both in Lee Vining and Mono City there are some concerns about the water supply systems. The Mono City system has enough to supply the lots in the existing subdivision but not to supply additional development beyond that level. The Lee Vining Public Utility District (PUD) is currently in the process of improving its supply in order to serve additional development and to meet new water quality standards established by the state.

JUNE LAKE

1. Issues for the June Lake Area are discussed in the **June Lake 2010: June Lake Area Plan**.

MAMMOTH VICINITY

1. Preservation of visual resources, especially in the Highway 395 viewshed, is a key concern. Highway 395 from the Benton Crossing Road to the intersection with Highway 203 is a state-designated scenic highway. The visual corridor along Highway 395 has been identified in both the County General Plan and the Inyo National Forest Land and Resource Management Plan as an important viewshed for the traveling public.

2. The Town has a current need for additional land designated for land intensive industrial uses and for affordable housing. Industrial uses such as wood lots, lumber yards and other materials storage areas, areas for heavy equipment storage, etc. typically do not require large structures, may be visually obtrusive/offensive, and may be potentially noisy or dirty. There is an opportunity for the Town and the County to work together on regional affordable housing needs. The Town and County are also considering an appropriate site for a household hazardous waste transfer facility in the area.

3. The Town of Mammoth Lakes currently has an insufficient water supply to support the level of growth established in the Town's General Plan. Future activities to obtain additional water supplies from areas outside of the Town's boundaries may impact resources and values on those lands.

4. There is very little privately owned land in the Mammoth Vicinity Plan area. Significant parcels of private land occur along Hot Creek and in the valley west of Crowley Lake. The LADWP owns large parcels of land in the Casa Diablo/Hot Creek area, at the Whitmore recreational area, and adjacent to Crowley Lake. The LADWP has no formal planning documents for those lands.

5. The Mammoth Lakes Airport Land Use Plan (ALUP) establishes a comprehensive land use plan which defines the type and pattern of future development on private and public lands in the Airport Land Use Planning Area. The plan was prepared jointly by the Airport Land Use Commission and the Inyo National Forest, and is more specific than either the County General Plan or the Inyo National Forest Land and Resource Management Plan.

6. The Mono Local Agency Formation Commission (LAFCO) has adopted a sphere of influence for the Town which is coterminous with the existing Town boundaries. Two conditional sphere areas were also designated which may be activated if and when certain conditions are met. These conditional sphere areas consist of an area adjacent to the northeast portion of the Town where future recreational development is planned, and an area of less than 300 acres situated at the Mammoth/Yosemite Airport. The County has transferred ownership of the Airport to the Town. The conditional sphere areas contain sensitive wildlife resources (i.e., mule deer and sage grouse habitat).

UPPER OWENS

1. All landowners agree that agricultural uses, including aquaculture, should be continued. There appears to be support for continuing current grazing management practices; some landowners are fencing riparian areas, those that are not have observed no problems caused by grazing. Some landowners question the long-term viability of grazing the area due to the high market value of privately owned land, coupled with the low cash flow generated by agriculture; the value of the area for domestic water purposes may also constrain future grazing. Other landowners believe agriculture can be viable well into the future. There appears to be a consensus among the private landowners that agricultural uses are compatible with the recreational use of the area.

2. Some landowners believe that the unique recreational value of the Upper Owens is more valuable than the potential recreational value that could be created by ski area expansion between Mammoth and June. These unique environmental and recreational attributes of the area need to be recognized and considered when reviewing development projects that could impact the area. Some landowners believe that there is a growing need for winter access to the area. The majority of the landowners believe the area should focus on resort rather than community development. Resort development shall be of the type that attracts people for a limited time, not the type that promotes year-round occupancy. Some landowners believe that the historical land uses of agriculture, recreational fishing and aquaculture should take precedence over any new land use. There appears to be less use of the river by some landowners for fishing purposes.

3. There is a growing need for winter security. Vandalism occurs in the winter and at times during hunting season. If urbanization occurs, the demand for urban services will increase, and urban/rural conflicts will result. There is currently no plowed winter access to the area, and no phone or electrical service to some of the properties. The area also lacks structural fire protection and other similar services.

4. There is considerable concern that fluctuating flows from the Mono Basin will impact the Upper Owens fishery and riparian areas, and that decreased flows have inhibited fish from traveling upstream from Crowley Lake. Upper Owens landowners believe that it is imperative that consistent flows be maintained from East Portal to Crowley. There is some concern that resort visitors may impact the water resource.

5. There is a considerable concern that water transfer projects from the Upper Owens and/or its watershed will negatively impact the area. There is concern about development of a fish hatchery at Big Springs; the Board of Supervisors has formally opposed such a proposal. There is also concern about the direct and indirect impacts that future ski area development may have on the area.

6. The Upper Owens area provides sensitive habitat for mule deer, bald and golden eagles, and numerous other wildlife species.

LONG VALLEY

1. There is a desire to develop a self-sufficient community in the Long Valley area and to avoid being perceived solely as a "bedroom" community for Mammoth.
2. There is a need to provide services and commercial uses for residents. Existing services, such as water supply and fire protection, need to be upgraded in order to provide for additional development. Crowley Lake/Hilton Creek may need a community water system sometime in the future. There is an opportunity to consolidate existing service entities, such as several mutual water systems, the Birchim Community Services District, and the Hilton Creek Community Services District, in order to provide more cost-effective and efficient services. Long Valley residents are also interested in revitalizing community-oriented commercial uses in Crowley Lake/Hilton Creek, such as a small cafe, and in providing some professional offices, such as a medical/dental office and a lawyer's office.
3. In order to support the additional services and commercial uses desired by residents, there is local interest in providing some additional employment in the area, potentially including some light manufacturing.
4. There is a desire to provide additional recreational development at Crowley Lake and throughout the area. There is a need, when considering additional recreational development at Crowley Lake, to designate restricted boating areas to protect critical water bird nesting and rearing habitat. Within the communities, particularly Crowley Lake/Hilton Creek, there is a desire to develop additional neighborhood parks and a trail system connecting the parks and the communities.
5. The Long Valley area includes important wildlife habitat; i.e., mule deer migration corridors.

WHEELER CREST

1. The main concern in the Wheeler Crest area is preserving the aesthetic beauty and tranquility of the area while still allowing for development of the many privately owned parcels in the area. The focus of development is to be single-family residential development.
2. The Wheeler Crest area contains vital deer wintering and migration habitat.

TRI-VALLEY (BENTON/HAMMIL/CHALFANT)

1. There is a significant amount of high quality agricultural land in the Hammil Valley, as well as large amounts of contiguous privately-owned land.

2. A desire to maintain and enhance agricultural uses in the Hammil Valley is the main constraint to residential development.
3. The Chalfant area is experiencing increasing pressure from the Bishop area for residential development. Many of the residents in Chalfant would like to retain the current rural residential character of the area which allows them to keep animals (primarily horses).
4. Much of the Tri-Valley area is subject to flooding.
5. Due to its relative isolation and lack of local employment opportunities, Benton may not experience much demand for additional growth. However, when the Benton Crossing Road is completely paved, it will be easier to commute to work in Mammoth from Benton.
6. The recent introduction of carrots as a cash crop has revitalized some of the agricultural areas in the Benton and Hammil valleys.

BENTON HOT SPRINGS VALLEY

1. Benton Hot Springs Valley, located on Hwy. 120 west of Benton, includes the town of Benton Hot Springs. The majority of land in the valley, including the entire townsite, is owned by one landowner. Benton Hot Springs is the oldest town in Mono County and contains several historic structures which the landowner wishes to preserve and protect.
2. The valley itself is used for agricultural purposes, primarily livestock grazing. The landowner wishes to retain this use in order to preserve the open space and scenic values of the land. In addition, several ponds and springs in the area provide habitat for a variety of wildlife, particularly migratory waterfowl. The landowner wishes to improve habitat for wildlife.
3. The majority of land in the valley, including the townsite, is within the 100 year floodplain and is subject to periodic flooding.

OASIS

1. Oasis, located in the extreme southeastern corner of the County, includes privately owned lands that are used for agriculture, primarily alfalfa production. This area is isolated from the rest of the County by the White Mountains. Access is on State Route 168 which runs north through Westgard Pass from Big Pine in Inyo County to connect with State Route 266 which connects to routes in Nevada.

BRIDGEPORT & LEE VINING AIRPORT LAND USE PLANNING AREAS

The following briefly summarizes the major issues, opportunities and constraints concerning land use and airport operations in the Lee Vining and Bridgeport airport planning areas.

1) Airport operations inherently present certain risks to the general welfare of the public and residents within the airport vicinity, particularly within the area called the airport Safety Zone. The Safety Zone consists of:

- a) The primary surface, runway and clear zones (See Figure 1– Airport Clear Zone);
- b) The area underlying the runway approach and transitional surfaces (See Figure 2–Civil Airport Imaginary Surfaces); and
- c) The area within the primary traffic pattern (See Figures 3 & 4–Primary Traffic Patterns).

2) Since aircraft align with the approach/departure surface, transitional surface and clear zone when landing or taking off on runways, these areas carry the highest volume of air traffic. Aircraft change power settings to take off or land in this area, so they have a tendency to have more problems within these zones. The convergence of aircraft landing and taking off within these narrow areas also intensifies the noise levels in these zones.

3) The clear zone, which is located immediately at the end of the runway, is particularly subject to these safety and noise factors. The limits of the Clear Zone are shown schematically on Figure 1. The Clear Zone is the most critical zone in which aircraft operations might affect the safety of people and property in the airport environs.

4) The impact of aircraft noise associated with airport operations is an obvious factor in determining land use compatibility within the planning area. A noise impact analysis has been prepared for the Bryant Field Airport Master Plan, and noise readings have been taken for the Lee Vining Airport. Noise activity directly related to Bryant Field and Lee Vining Airports does not extend much beyond the area of the airport property (see Figures 5 & 6). Consistent with the Mammoth/June Lake Airport Land Use Plan, this plan assumes that 55 dB CNEL is the maximum acceptable noise exposure level for residential uses, without soundproofing.

At Bryant Field Airport, the 55 dB CNEL contour projects partially into the residential area to the east of the airport. The airport noise impact to this area is infrequent and intermittent, and therefore not significant; this same area experiences greater and more frequent noise impacts from the adjacent highway traffic on S.R. 182. A drastic increase in airport activity could cause the impact to become significant in the future.

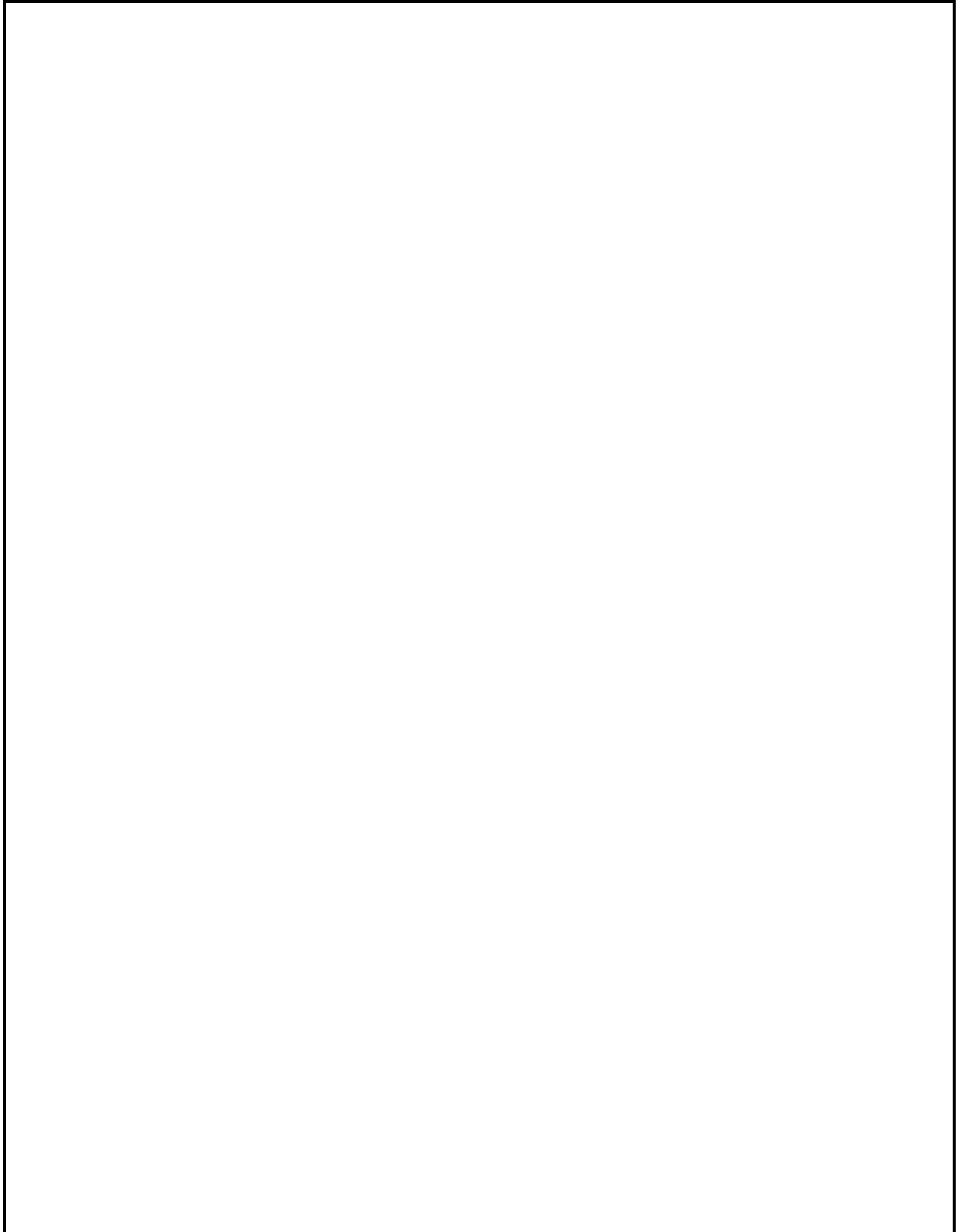
No residential development or other sensitive noise receptors presently exist or are planned adjacent to the Lee Vining Airport.

5) Due to the inherent risks presented by airport activities, some land uses need to be restricted in certain airport zones. Neither Bryant Field nor the Lee Vining airport is situated in a manner that significantly conflicts with existing land use. Several structures are located within the clear zone of Bryant Field, and a number of residential structures are located in the Bryant Field approach surface. The County has actively pursued acquisition of buildings/property in the clear zone.

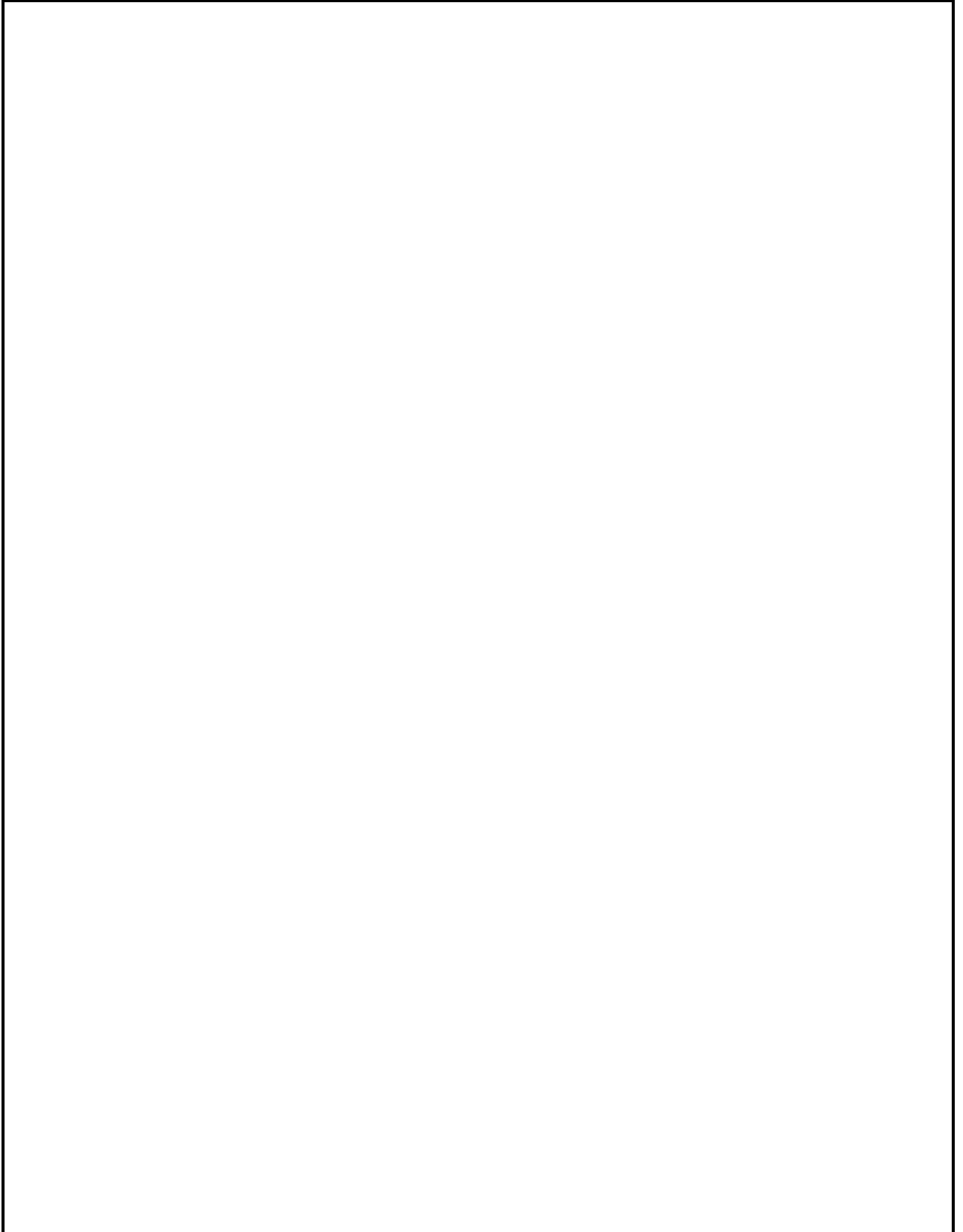
6) The prevalence of Forest Service and City of Los Angeles land ownership in the vicinity of the Lee Vining Airport limits potential future land use conflicts in the Lee Vining Airport planning area.

7) The location of Bryant Field within an area surrounded by agricultural lands, the Bridgeport Reservoir and wetlands limits the development potential and associated conflicts with airport operations. With the exception of several existing structures, the developed portions of Bridgeport are not within the airport's clear zone, although a number of structures are located at the end of the approach/departure surface.

**FIGURE 1
AIRPORT CLEAR ZONE AND IMAGINARY SURFACES**



**FIGURE 2
CIVIL AIRPORT IMAGINARY SURFACES**



**FIGURE 3
BRYANT FIELD AIRPORT PRIMARY TRAFFIC PATTERN**

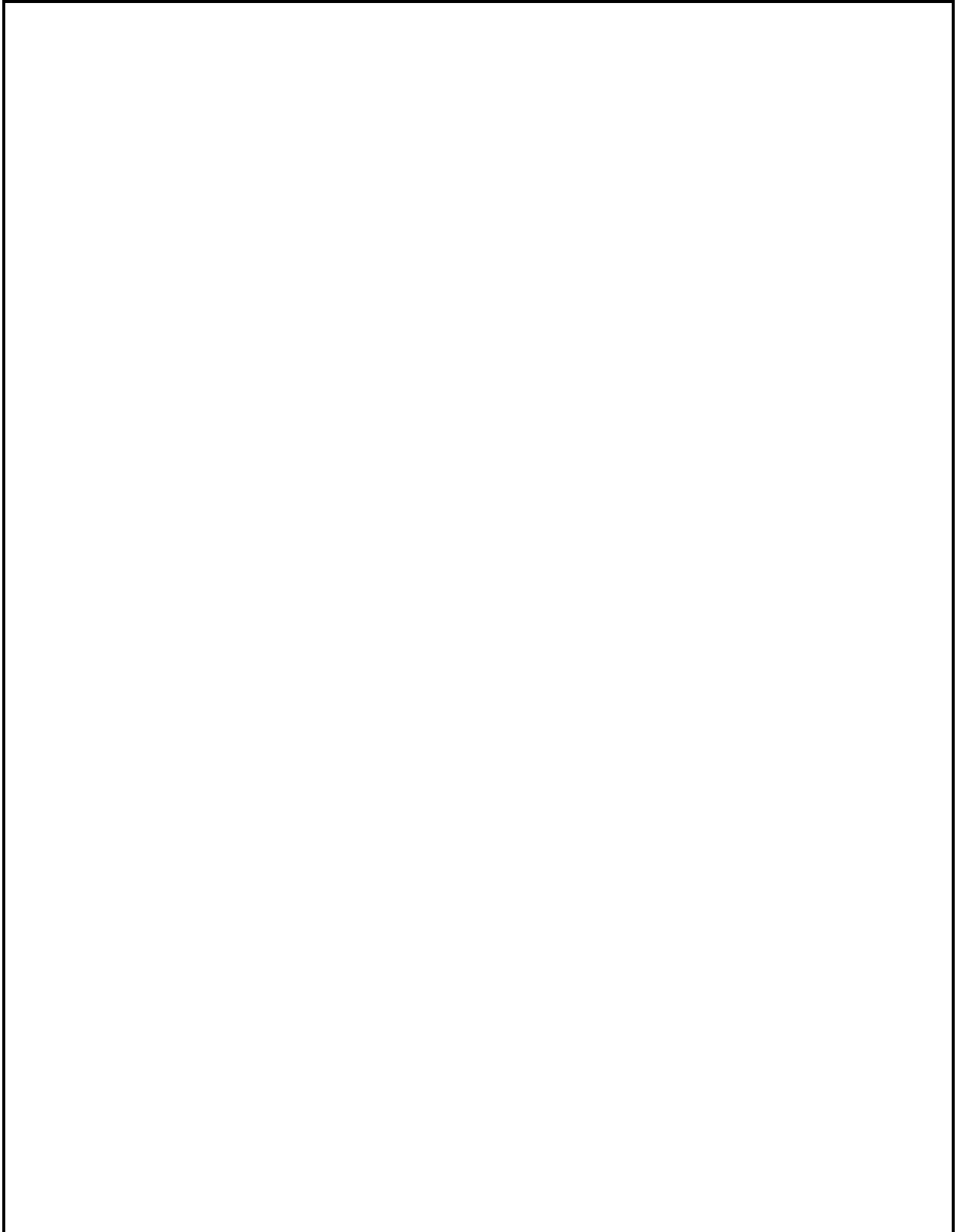
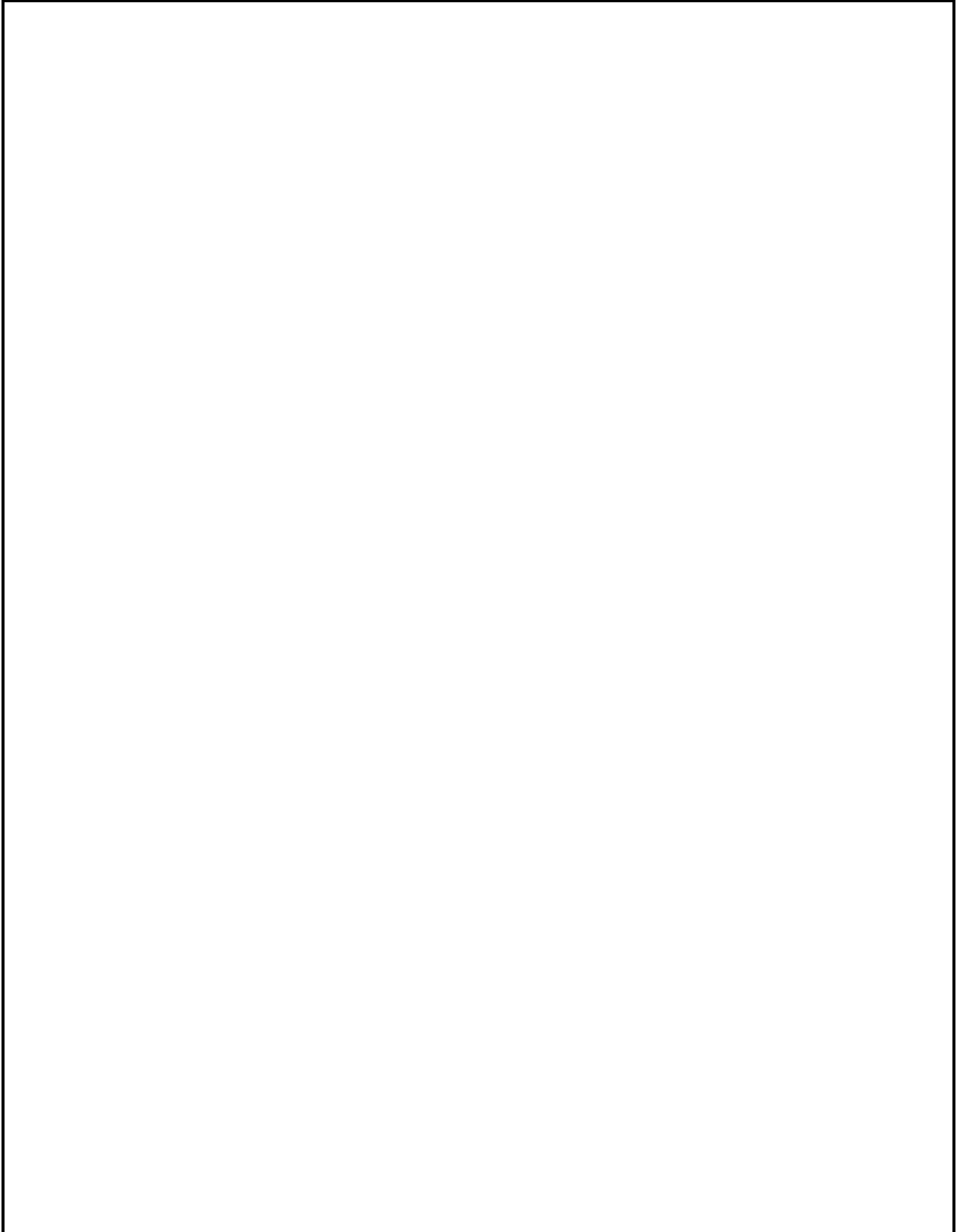


FIGURE 4
LEE VINING AIRPORT PRIMARY TRAFFIC PATTERN



**FIGURE 5
BRYANT FIELD AIRPORT EXISTING NOISE CONTOURS**

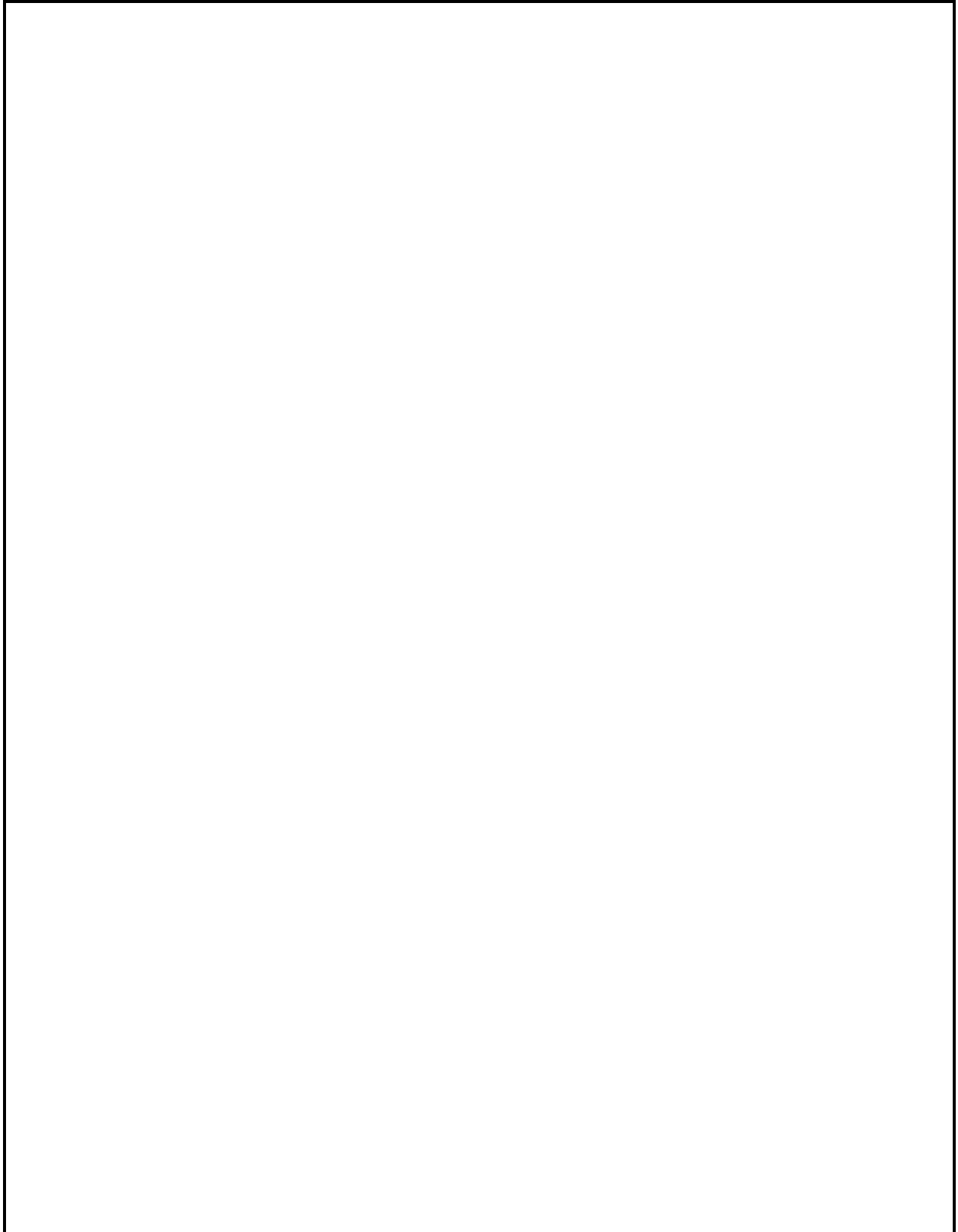
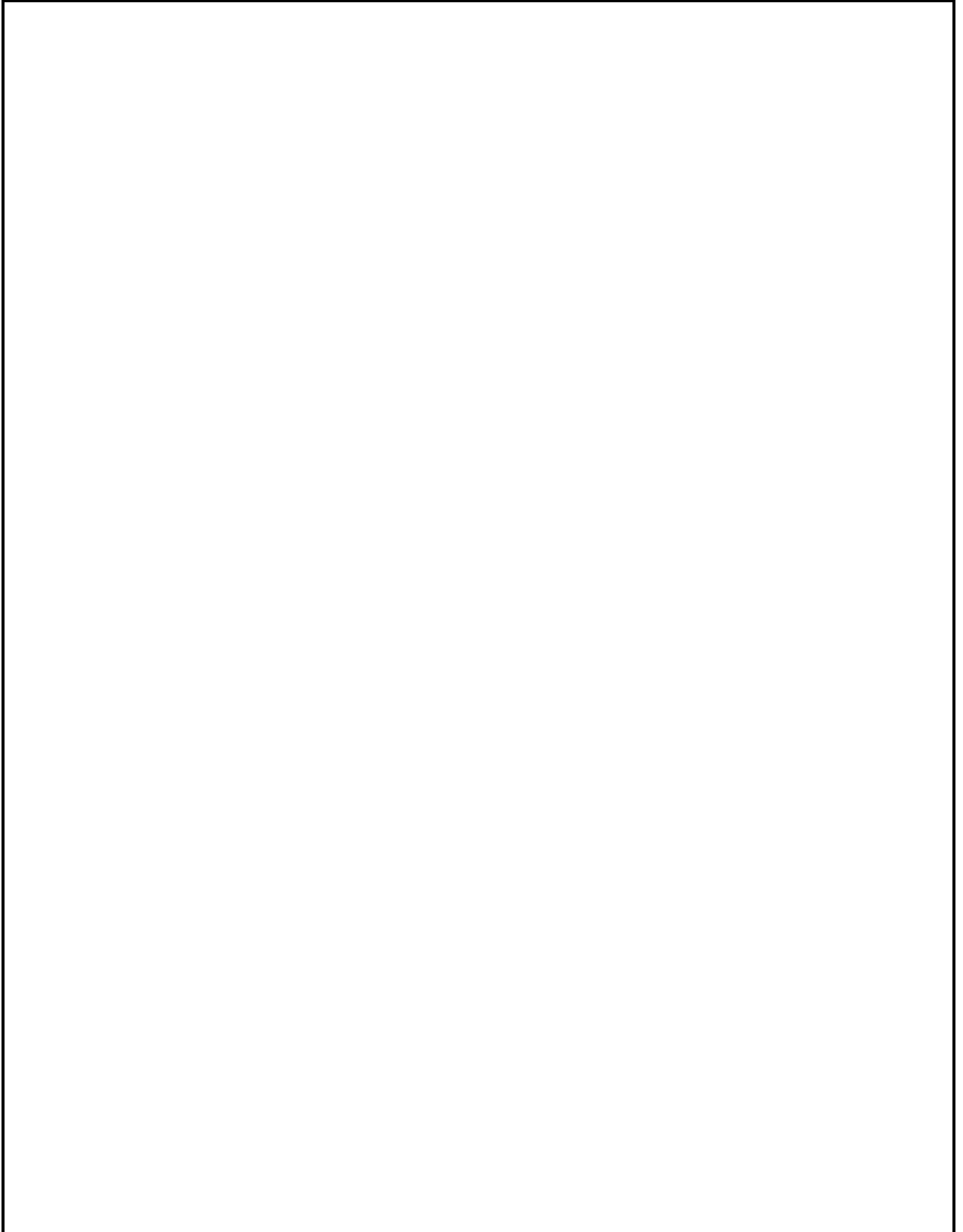
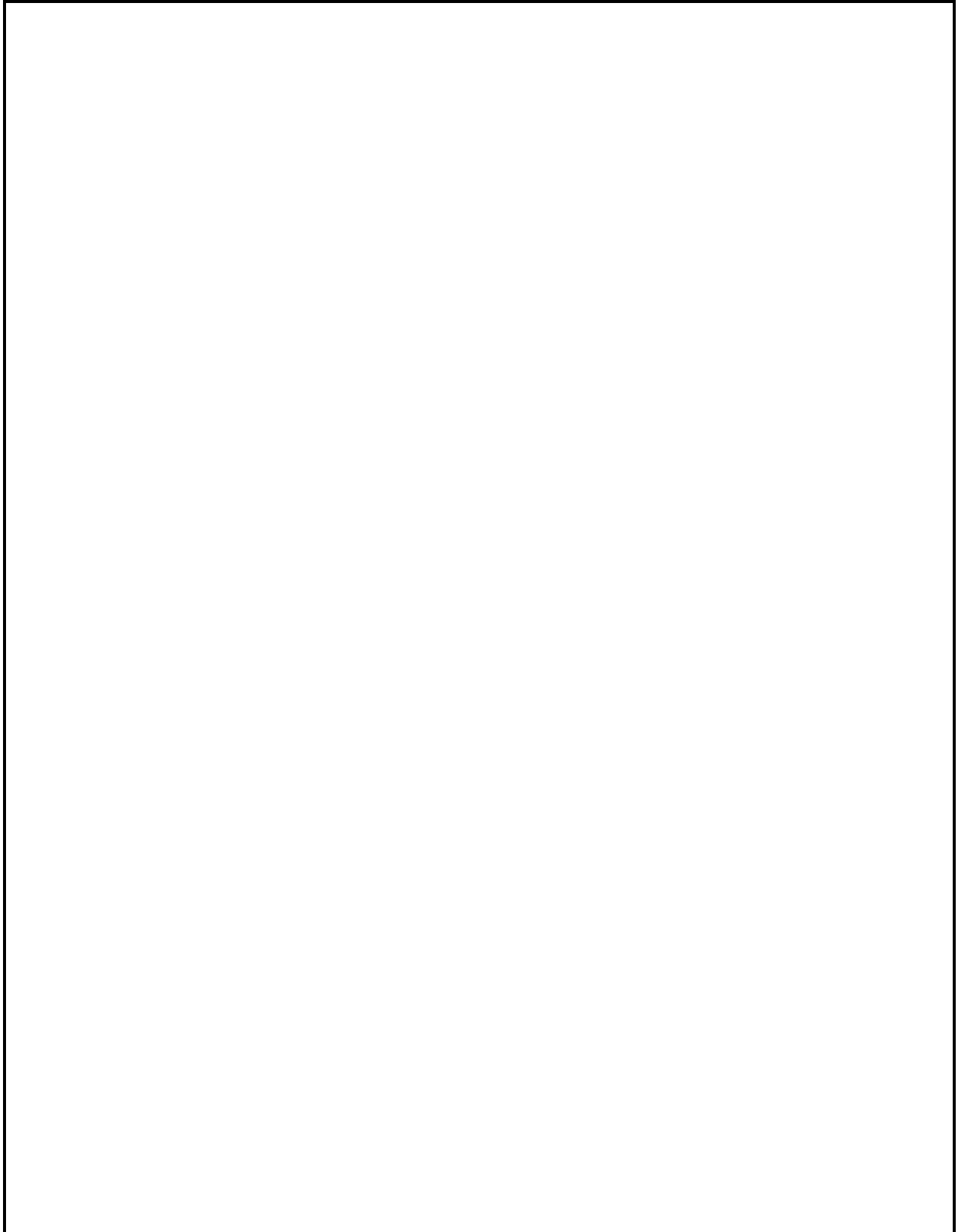


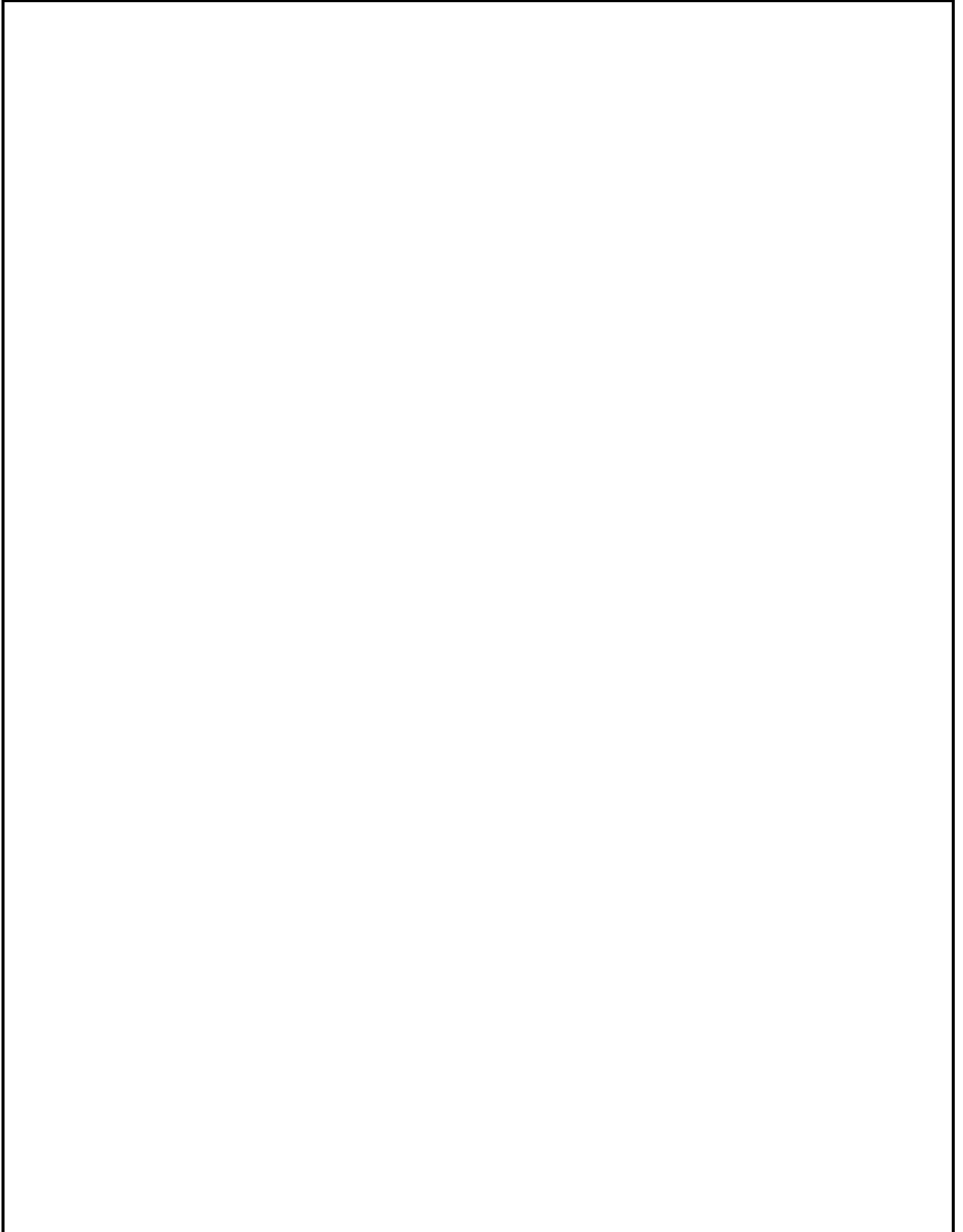
FIGURE 6
LEE VINING AIRPORT EXISTING NOISE CONTOURS



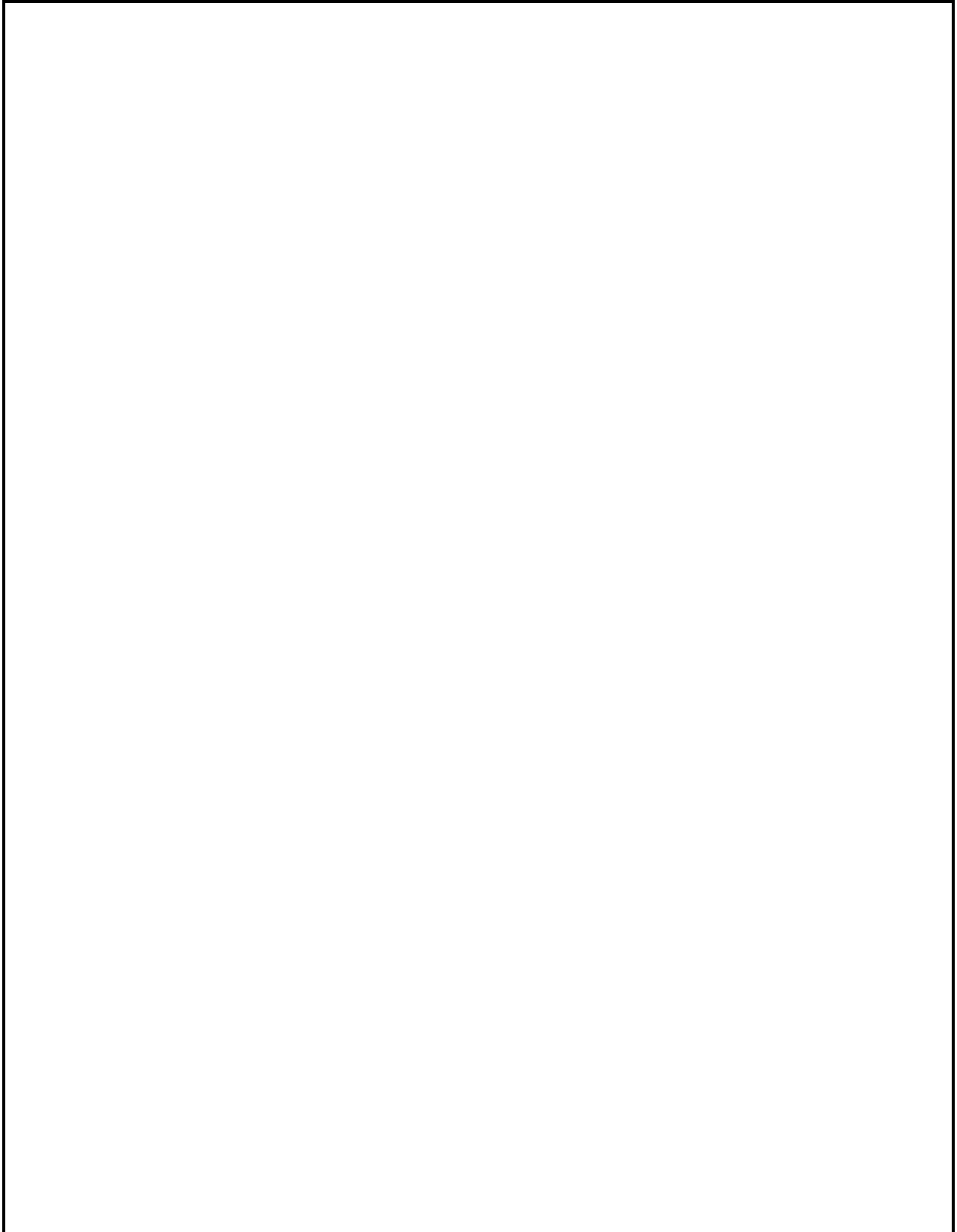
**FIGURE 7
BRYANT FIELD AIRPORT IMAGINARY SURFACES**



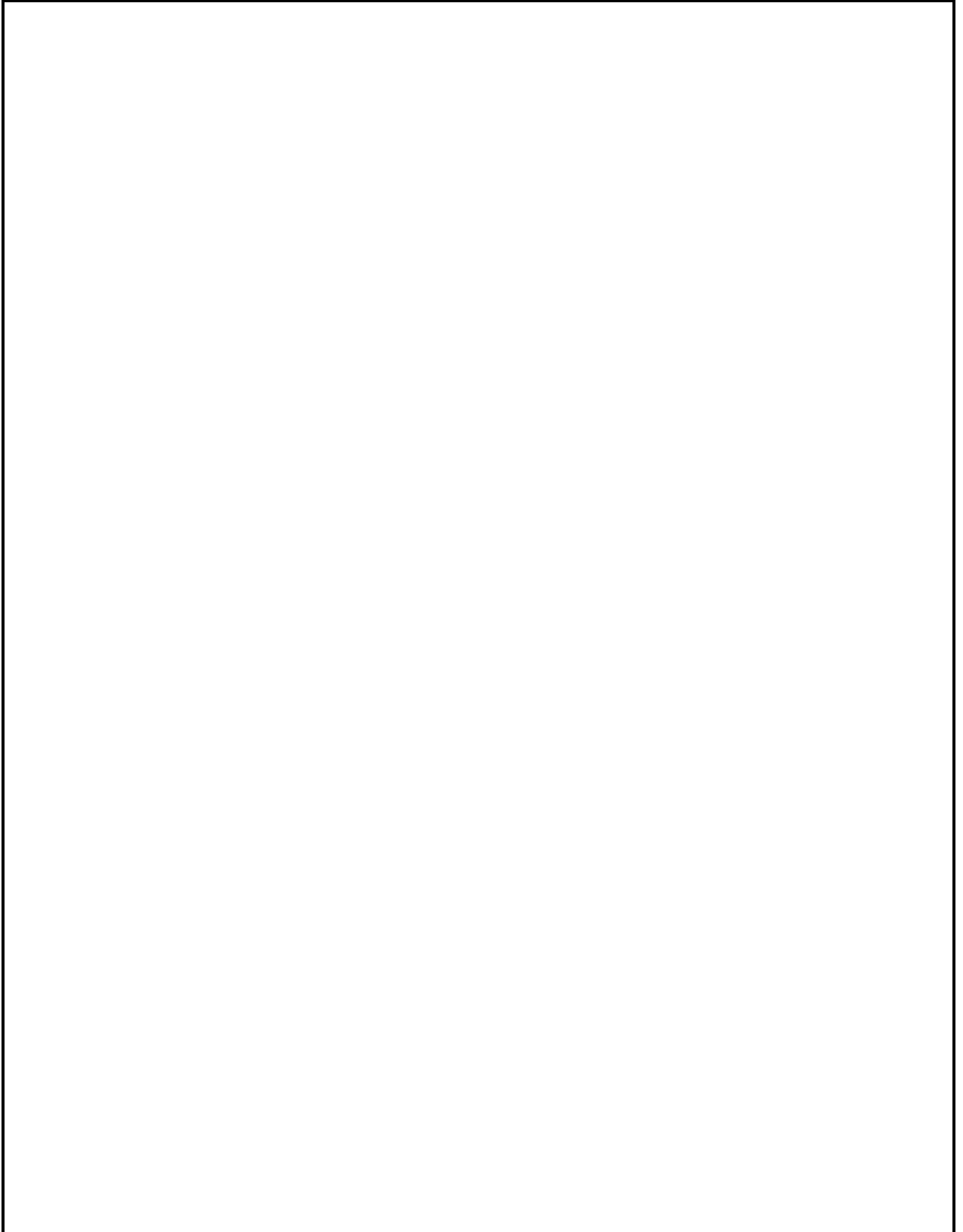
**FIGURE 8
LEE VINING AIRPORT IMAGINARY SURFACES**



**FIGURE 9
BRYANT FIELD AIRPORT PLANNING BOUNDARY**



**FIGURE 10
LEE VINING AIRPORT PLANNING BOUNDARY**



III. POLICIES

Introduction

This section presents policies which apply to private lands in the unincorporated area of the county. It first presents policies that apply to all private land in the unincorporated area. It then presents policies for each of the community areas in the County, i.e., Antelope Valley, Swauger Creek/Devil's Gate, Bridgeport Valley, Bodie Hills area, Mono Basin (Mono City and Lee Vining), June Lake, the Upper Owens area, the Mammoth Vicinity, Long Valley, Wheeler Crest, Tri-Valley, the Benton Hot Springs area and Oasis. Policies for Antelope Valley, Swauger Creek/Devil's Gate, Bridgeport Valley, Mono Basin, the Upper Owens area, the Benton Hot Springs area and Oasis were developed by the local Regional Planning Advisory Committees or community planning groups. Policies for the remaining community areas are summaries of policies from the appropriate Area Plan. Some of the Land Use Policies in this section summarize policies contained in other elements of the County General Plan. Implementation measures for those policies are found in the referenced General Plan Element.

This section also contains the land use policies from the Conway Ranch Specific Plan and from the Airport Land Use Plans for the Mammoth/Yosemite Airport, the Lee Vining Airport, and the Bridgeport Airport (Bryant Field).

NOTE: Land use policies in this Element should be reviewed in conjunction with the following policies and regulations: policies in other General Plan Elements (i.e., Housing, Conservation/Open Space, Noise, Safety, Circulation, and Hazardous Waste Management); applicable sections of the Mono County Code (e.g., Land Use Regulations, Noise Ordinance, Grading Ordinance, Subdivision Ordinance); applicable State policies and regulations (e.g., Lahontan Regional Water Quality Control Board Basin Plan, Great Basin Unified Air Pollution Control District Air Quality Plan, Caltrans planning documents, etc.); and applicable Federal policies and regulations (e.g., Clean Water Act, TEA 21, US Forest Service planning documents, Bureau of Land Management planning documents, etc.).

It should also be noted that County “... development policies and standards shall be viewed as minimum requirements; development should strive to exceed those minimums whenever reasonably feasible. County staff may require project modifications as necessary to implement this policy” (Mono County Land Use Element, Policy 10).

COUNTYWIDE LAND USE POLICIES

GOAL

Maintain and enhance the environmental and economic integrity of Mono County while providing for the land use needs of residents and visitors.

OBJECTIVE A

Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural, cultural and recreational resources and that is consistent with the capacities of public facilities and services.

Policy 1: Contain growth in and adjacent to existing community areas.

Action 1.1: Encourage infill development in existing communities and subdivisions. New residential subdivision should occur within or immediately adjacent to existing community areas. New residential development outside existing community areas and subdivisions should be limited to an overall density of one unit per 40 acres, plus a secondary unit.

Action 1.2: New residential development for permanent year-round residents should be concentrated in existing community areas.

Action 1.3: Provide sufficient land to accommodate the expansion of community areas, including sites for affordable housing.

Action 1.4: Support the exchange of public lands into private ownership for community expansion purposes if consistent with General Plan policies.

Action 1.5: Future development projects with the potential to induce substantial growth or concentration of population, or to substantially alter the use and density on a parcel or parcels, shall assess potential impacts prior to project approval. The analysis shall:

- a) be funded by the applicant;
- b) be prepared by a qualified person under the direction of Mono County;
- c) describe the existing conditions in the general project vicinity;
- d) describe the growth-inducing impacts of the proposed development, including impacts on services, infrastructure, and traffic; and
- e) recommend project alternatives or measures to avoid or mitigate the identified impacts to a level of non-significance.

Mitigation measures shall be included in the project plans and specifications and shall be made a condition of approval for the project. Projects having significant growth inducing impacts, or which substantially alter the use and density on a parcel, may only be approved if a statement of overriding considerations is made through the EIR process.

Action 1.6 Evaluate proposed amendments to the Land Use Maps based on the land use designation criteria listed in the Land Use Designation section of this element.

Policy 2: Assure that adequate public services and infrastructure are available to serve planned development.

Action 2.1: Require that necessary services and facilities, including utility lines, are available or will be provided as a condition of approval for proposed projects.

Action 2.2 Require that new development projects adjacent to existing communities be annexed into existing service districts, where feasible.

Action 2.3: Through permit conditions and mitigation measures, require development projects to fund the public services and infrastructure costs of the

development. In accordance with state law (Government Code § 53077), such exactions shall not exceed the benefits derived from the project.

Policy 3: Designate most lands outside of existing community areas for low intensity uses (e.g., open space, agricultural, resource management). Higher intensity uses (e.g., industrial, resource extraction, large-scale resort development) may be permitted outside of existing community areas if it can be demonstrated that the use cannot be accommodated in existing community areas, that the use is incompatible with existing community uses, or that the use directly relies on the availability of unique on-site resources. Higher intensity uses shall not adversely impact the area's scenic, recreational, cultural and natural resources.

Action 3.1: Proposals for higher intensity uses outside of community areas, including mining operations, shall be addressed through the Specific Plan or PUD process. Such development may be allowed through a Specific Plan or PUD provided that at a minimum, the following findings can be made:

- 1) Permanent open space preservation is provided;
- 2) The development would not adversely affect existing or potential farming, ranching, or recreational operations;
- 3) Development is clustered, concentrated or located to avoid adverse impacts to cultural resources;
- 4) Development is clustered, concentrated or located to maintain the visual quality of the area;
- 5) Adequate public services and infrastructure for the proposed development are available or will be made available;
- 6) The development protects and is compatible with the surrounding natural environment and rural character of the area;
- 7) Housing is limited to that necessary to maintain the development; and
- 8) The development avoids or mitigates potential significant environmental impacts as required by Mono County General Plan policies and the California Environmental Quality Act (CEQA).

Action 3.2: Development applications for higher intensity uses outside of community areas shall include an assessment of the potential significant environmental impacts as required by General Plan policies.

Action 3.3: Proposals for development on federal lands shall address 1) impacts to nearby communities, including impacts to services and infrastructure, and 2) potential environmental impacts of the project and measures to avoid or mitigate the impact.

Policy 4: Avoid the juxtaposition of incompatible land uses.

Action 4.1: The compatibility of adjacent uses (e.g., noise, traffic, type of development) shall be a major factor in determining land use designations for private property.

Action 4.2: Proposed projects that may include potentially incompatible land uses, or that may be incompatible with surrounding land uses, shall provide project alternatives or mitigation measures to reduce the potential impacts to a level of non-significance.

Action 4.3: Utilize the Specific Plan or Area Plan process, where appropriate, for large projects that may include potentially incompatible land uses, or that may be incompatible with surrounding land uses.

Policy 5: Regulate future development in a manner that minimizes visual impacts to the natural environment, to community areas, and to cultural resources and recreational areas.

Action 5.1: Implement the Visual Resource policies in the Conservation/Open Space Element.

Policy 6: Develop standards and siting criteria for the placement of group homes, juvenile facilities, schools and similar facilities.

Action 6.1: A use permit is required for group homes, juvenile facilities, schools and similar facilities. The fiscal and socio-economic impacts of the project and proposed mitigation measures or project alternatives to address the impacts shall be addressed in the use permit.

Policy 7: Maintain or enhance the integrity of critical wildlife habitat in the County by limiting development in those areas and requiring mitigation in conformance with CEQA and this General Plan. Examples of critical wildlife habitat include, but are not limited to: key winter ranges, holding areas, migration routes, and fawning areas for mule deer; habitat for other big game species; leks, and winter and summer range for sage grouse; fisheries and associated habitat; and riparian and wetland habitat.

Action 7.1: Implement policies contained in the Conservation/Open Space Element and appropriate Area Plans.

Policy 8: Regulate resource extraction in a manner that maintains environmental quality.

Action 8.1: Consider applications for mining exploration and geothermal exploration activities only in areas designated for Resource Management, Open Space, or Agriculture.

Action 8.2: Mining operations, geothermal operations, small-scale hydroelectric generation facilities, wind and solar energy generation facilities and similar resource extraction activities may be permitted only in areas designated Resource Extraction. Saleable minerals operations (e.g., aggregate mining) may also be permitted in areas designated Agriculture.

Action 8.3: In areas where the existing General Plan land use designation is inconsistent with Action 8.2 above, applications for mining operations, geothermal operations, small-scale hydroelectric generation facilities, wind and solar energy generation facilities, or similar resource extraction activities may require a General Plan Amendment.

Action 8.4: Regulate mineral extraction activities in a manner consistent with the Mineral Resource Policies of the Conservation/Open Space Element.

Action 8.5: Regulate geothermal development and other energy development projects in a manner consistent with the Energy Resources Policies in the Conservation/Open Space Element.

Action 8.6: Existing mining operations, geothermal operations, and other existing resource extraction operations shall be designated Resource Extraction. Existing saleable materials operations (e.g., aggregate mining) in agricultural areas shall be designated Resource Extraction. Once these sites have been exhausted and reclaimed, the land use designation shall be revised to reflect the planned future land use.

Action 8.7: Regulate timber production activities on private lands in a manner consistent with policies in the Conservation/Open Space Element.

Policy 9: Development activity in the Bodie area shall be compatible with the cultural, historic, and natural values of the area.

Action 9.1: Development projects, including mining operations (but not exploration activities), in the Bodie area shall require a Specific Plan or Area Plan. The Specific Plan or Area Plan should focus on ensuring that the development project complies with Policy 9 above. The Specific Plan or Area Plan for a mining operation shall also specify post-mining land uses and requirements for those land uses.

Action 9.2: Designate the Bodie area with the Specific Plan/Area Plan designation in this Land Use Element. Until the Specific Plan or Area Plan is adopted, the area shall be administered in accordance with the directives of the Resource Management land use designation.

Policy 10: In order to protect the area's exceptional natural resources, cultural resources, recreational values and quality of life, and to ensure that future development is of the highest quality, development policies and standards shall be viewed as minimum requirements; development should strive to exceed those minimums whenever reasonably feasible. County staff may require project modifications as necessary to implement this policy.

Action 10.1: During preapplication and application processing, County staff and, when applicable, staff from applicable federal, state, and local agencies, shall work with applicants for specific plans, general plan and land use redesignations, tract and parcel maps, use permits, variances, director review permits, mergers, lot line adjustments, reclamation plans, building permits, grading permits and other applicable permits to ensure that the proposed development is of the highest quality and is consistent with or, when reasonably feasible, exceeds General Plan policies and implementing standards.

Policy 11: Coordinate planning efforts with applicable federal, state, and local agencies.

Action 11.1: The County shall coordinate its planning activities with the planning activities of other public agencies in Mono County, i.e., applicable special districts, resource agencies, and the Town of Mammoth Lakes,.

Policy 12: For parcels with different designations on different portions of the parcel, the lower intensity designation shall prevail until a tentative map is approved for the parcel.

OBJECTIVE B

Provide a balanced and functional mix of land uses.

Policy 1: Designate adequate sites for a variety of land uses in order to provide for the land use needs of community areas.

Action 1.1: Establish Area Plan boundaries and associated policies in this element. Transfer the land use designations of existing Area Plans into the designations used in this element.

Action 1.2 Update the Area Plans for the Antelope Valley, Swauger Creek/Devil's Gate, Bridgeport Valley, Bodie Hills, Mono Basin, June Lake, the Upper Owens area, the Mammoth Vicinity, Long Valley, the Wheeler Crest, the Tri-Valley communities, the Benton Hot Springs Valley, and Oasis on an as-needed basis, with the assistance of applicable Community and Regional Planning Advisory Committees.

Action 1.3: Regulate the subdivision of land within community areas in a manner consistent with applicable area land use goals and policies.

OBJECTIVE C

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

Policy 1: Designate adequate sites for a variety of residential development in each community area.

Action 1.1: Designate areas for high density residential development only in existing community areas. High density residential development should be located in areas with convenient access to employment, shopping, recreation, and transportation, including public transit.

Action 1.2: Residential development outside of existing community areas should be of a low overall density. Higher density residential development in certain locations may be permitted through clustering and transferring densities.

Policy 2: Provide for affordable housing.

Action 2.1: Encourage the provision of a variety of rental housing in community areas.

Action 2.2: Implement policies in the county Housing Element pertaining to the provision of affordable housing.

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

Action 3.1: Designate suitable areas in communities as "Commercial Lodging."

Action 3.2: Designate suitable areas outside of communities as "Rural Resort."

OBJECTIVE D

Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

Action 1.1: Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

Policy 2: Commercial uses should be developed in a compact manner; commercial core areas should be established/retained in each community area, and revitalized where applicable.

Action 2.1: Orient new commercial development in a manner that promotes pedestrian use. Avoid strip commercial development.

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

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

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

Action 4.1: Where appropriate, designate land "Mixed Use" (MU) to allow for a mix of residential and compatible commercial uses.

OBJECTIVE E

Provide for industrial land uses which are economically beneficial to the area and which are compatible with the environment.

Policy 1: Provide for local industrial land use needs.

Action 1.1: Designate a sufficient amount of land in appropriate community areas to meet local industrial land use needs (e.g., wood lots, equipment storage, etc.). Local industrial land use areas should be outside of residential areas.

Policy 2: Provide for light industrial uses (e.g., light manufacturing, assembly work, etc.) which do not create significant environmental impacts.

Action 2.1: Designate suitable areas for light industrial uses. Criteria used to judge the suitability of a site for industrial uses shall include, but not be limited to, the following:

- a. Adequate access exists for industrial land uses;
- b. Industrial development on the site would be compatible with surrounding land uses (e.g., noise levels, fumes, traffic levels);
- c. Industrial development on the site would not significantly impact existing or potential farming, ranching, or recreational operations;
- d. Adequate public services and infrastructure for industrial development are available or could be provided;
- e. Development on the site could be clustered, concentrated, located, or screened to maintain the visual quality of the area. Screening may be achieved through the use of fences, vegetation, topographical features, berms, etc.; and
- f. Development on the site would avoid potential significant environmental impacts or those impacts could be mitigated as required by Mono County General Plan policies and the California Environmental Quality Act (CEQA).

OBJECTIVE F

Protect open space and agricultural lands from conversion to and encroachment of developed community uses.

Policy 1: Protect lands currently in agricultural production.

Action 1.1: Designate large parcels in agricultural use as "Agriculture."

Action 1.2: Assign the Agriculture designation to lands designated as Agriculture in this element.

Action 1.3: Implement policies in the Conservation/Open Space Element.

Policy 2: Preserve and protect open space in order to protect natural and cultural resources and to provide for a variety of recreational opportunities.

Action 2.1: Implement policies contained in the Conservation/Open Space Element.

Action 2.2: Designate undeveloped lands owned by out-of-county agencies such as the Los Angeles Department of Water and Power (DWP), and the Walker River Irrigation District (WRID), or by utility entities such as Sierra Pacific Power Company, and Southern California Edison (SCE) as "Open Space" ("OS") or "Agriculture" ("A") in this element. Exceptions to this policy may include lands adjacent to community areas needed for community uses, or lands outside community areas needed for public purposes.

Action 2.3: Designate California State Department of Fish and Game lands as "Open Space."

Action 2.4: Amend the Land Development Regulations (LDR) to include a definition of "site disturbance" and to include standards for site disturbance in various land use designations.

OBJECTIVE G

Prevent the exposure of people and property to unreasonable risks by limiting development on hazardous lands.

Policy 1: Restrict development in areas which are constrained by natural hazards, including but not limited to, flood, fire, geologic hazards, and avalanche hazards.

Action 1.1: Limit the intensity of development in hazard areas through the assignment of appropriate land use designation.

Action 1.2: Avoid intensive development outside existing fire protection districts, unless an appropriate fire protection entity is established as a condition of project approval.

Action 1.3: Implement the provisions of the Safety Element.

OBJECTIVE H

Maintain and enhance the local economy.

Policy 1: Land use designations shall provide sufficient land for the economic development of community areas.

Policy 2: Assess the economic costs and benefits of proposed development projects.

Action 2.1: Future development projects with the potential to have significant local socio-economic impacts shall provide a fiscal impacts analysis. The analysis shall:

- a) be funded by the applicant;
- b) be prepared by a qualified person under the direction of Mono County;
- c) include a market analysis documenting:

- the demand for such a project over a reasonable timeframe;
 - the projected direct and indirect revenues generated by the project within the general project vicinity, over a reasonable timeframe;
 - the projected direct and indirect costs associated with the service demands generated by the project, its employees, and operations during the anticipated project lifetime;
 - the projected short-term and long-term economic costs and benefits resulting from the project over its life span; and
 - phasing from initial construction to a point following termination of use or closure, if applicable;
- d) analyze applicable significant socio-economic implications of the project, such as employee housing, jobs generation, impacts on crime rates, impacts on schools, hospitals and other community facilities and services, effects of termination or closure of the project (where applicable) and changes in the quality of life resulting from the proposed project; and
- e) recommend project alternatives or measures to avoid or mitigate economic impacts.

Mitigation measures shall be included in the project plans and specifications and shall be made a condition of approval for the project. Projects having significant socio-economic impacts may be approved only if a statement of overriding considerations is made through the EIR process.

Action 2.2: In determining the significance of the environmental impacts of a development proposal, consider the relationship of the potential economic and social changes to the potential environmental changes resulting from the project.

Policy 3: Ensure that future development does not significantly impact governmental service providers.

Action 3.1: Impose permit conditions and mitigation measures that offset the impacts of development on governmental services and infrastructure (i.e., county services and other local service providers). Such conditions and mitigation measures shall also address impacts to county services and other local service providers from future development which occurs in the incorporated area. Affected county services include, but are not limited to, the following:

Social Services
Health Services, including Mental Health Services
Libraries
Justice System, including Courts, District Attorney and Public Defender, Sheriff, and Probation Depts.
Regional Parks and Recreation
General Administration and Finance

In accordance with state law (Government Code § 53077), these exactions will not exceed the benefits derived from the project.

Policy 4: Develop strategies to improve the County's economic climate.

Action 4.1: Appoint a countywide advisory task force, or several such community groups, to advise the Board of Supervisors on economic development plans and projects.

Action 4.2: The Task Force shall develop a countywide Economic Development Plan, or several such plans for community areas.

Action 4.3: Work with applicable entities to encourage economic development projects in appropriate areas.

Action 4.4: Pursue state and federal funds and private funding for economic development projects.

Action 4.5: Promote economic development that is consistent with General Plan goals and objectives relating to land use, open space, and conservation of natural resources.

Action 4.6: Develop a multi-year Capital Improvement Program to respond to long-range infrastructure needs for existing and future community development.

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

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

Action 5.2: Support the retention and expansion of all viable retail trade, consumer, and business establishments.

Action 5.3: Promote the continued growth of compatible industry on sites designated for industry and commerce.

Action 5.4: Concentrate development in existing communities in order to facilitate community economic growth.

OBJECTIVE I

Maintain an up-to-date and legally adequate land use system and General Plan.

Policy 1: Periodically review and update General Plan documents.

Action 1.1: Conduct a thorough review and update of General Plan documents every 5 years, or as required by State Law.

Action 1.2: Annually review the County General Plan, Area and Specific Plans, and the **Master Environmental Assessment (MEA)**, and update as needed with the assistance of the Community and Regional Planning Advisory Committees. Provide a report to the Board of Supervisors in accordance with Government Code § 65400 (b).

Policy 2: Ensure consistency among General Plan documents and the County Code.

Action 2.1: Initiate necessary land development regulation amendments to ensure consistency with the provisions of the General Plan.

Action 2.2: Utilize Community and Regional Planning Advisory Committees to conduct necessary land use redesignation studies.

Action 2.3: Initiate an update to the County Subdivision Regulations and update as necessary.

Action 2.4: Prepare and update as necessary Airport Land Use Plans for the Bridgeport, Lee Vining, and Mammoth/Yosemite airports.

Action 2.5: Projects approved prior to implementing Action 2.1 above shall include a finding that the proposed use is consistent with the land use designation assigned in this element.

Policy 3: Ensure consistency among General Plan documents and planning documents of other agencies.

Action 3.1: Review and comment on planning and environmental documents of other agencies to ensure consistency and coordination with the policies of the General Plan.

Action 3.2: Conduct an annual review of all capital improvement projects proposed by the County and Special Districts in the unincorporated area of the County to ensure compatibility with General Plan directives.

Policy 4: Implement programs identified in this General Plan.

Action 4.1: Prepare and update as necessary other ordinances and regulations necessary to implement this General Plan.

Action 4.2: Promote the use of interagency agreements and cooperation in implementing the General Plan.

Action 4.3: Seek funding to implement the General Plan.

Action 4.4: Maintain an active code enforcement and environmental monitoring program, supported with active citation and penal authority.

PLANNING AREA LAND USE POLICIES

ANTELOPE VALLEY—GOAL

Provide for orderly growth in the Antelope Valley in a manner that retains the rural environment, and protects the area's scenic, recreational, agricultural, and natural resources.

OBJECTIVE A

Guide future development to occur in and adjacent to Walker, Coleville, and Topaz.

Policy 1: Discourage subdivisions into six parcels or more outside of community areas.

Action 1.1: Designate land outside of community areas and the Hwy. 395 corridor¹ for Agriculture or Resource Management.

Action 1.2: Maintain large minimum parcel sizes outside of community areas and the Highway 395 corridor.

Action 1.3: Limit the type and intensity of development in flood plain areas.

Action 1.4: Prior to accepting a development application in potential wetland areas, require that the applicant obtain necessary permits from the U.S. Army Corps of Engineers.

Policy 2: Provide for a mix of residential, commercial, recreational, institutional, and light industrial land uses within defined community areas, in a manner consistent with the overall goal for the Antelope Valley.

Action 2.1: Designate a sufficient amount of land to accommodate tourist and community commercial needs within existing community areas.

Action 2.2: Designate a sufficient amount of land to meet the housing and lodging needs of Antelope Valley's residents and visitors.

Action 2.3: Designate suitable lands for light industrial uses within community areas. Designated light industrial use areas should be limited to community serving industrial uses that will have no adverse environmental impacts. All industrial development must be compatible with surrounding land uses.

Action 2.4: Designate suitable lands for community recreational and institutional uses within community areas.

Policy 3: Along the Hwy. 395 corridor between existing communities, provide for limited development that is compatible with natural constraints and the Valley's scenic qualities.

¹The Highway 395 corridor is defined as the area in the Antelope Valley, outside of communities, along both sides of Hwy. 395, between the West Walker River to the east of Hwy. 395 and the sloping terrain to the west of Hwy. 395.

Action 3.1: Establish a design review process and standards for development in the Highway 395 corridor.

Action 3.2: Require projects within fault hazard zones to submit a geologic report prepared by a registered geologist. Such reports should focus on locating existing faults, evaluating their historic activity, and determining the level of risk they present to the proposed development. Report recommendations should address measures to reduce risk to acceptable levels. All such reports shall be prepared in sufficient detail to meet the criteria and policies of the State Mining and Geology Board.

Action 3.3: Maintain the large lot residential nature of the Hwy. 395 corridor.

Action 3.4: Uses of a greater intensity than rural residential may be permitted in the Hwy. 395 corridor if it is demonstrated that they comply with the following standards:

- a) The project shall not exceed the noise standards for rural residential uses as defined in the Mono County Noise Ordinance, nor increase substantially the ambient noise levels for adjoining areas. Projects having potential noise impacts shall provide a noise impact study which identifies potential noise impacts, and proposes project alternatives or mitigation measures to mitigate the potential impacts.
- b) The project shall not violate applicable ambient air quality standards of the Great Basin Unified Air Pollution Control District, contribute substantially to an existing or projected air quality violation, or expose residents or wildlife to substantial pollution concentrations. Projects having potential air quality impacts shall provide an air quality impact study which identifies potential impacts, and proposes project alternatives or measures to mitigate the potential impacts.
- c) The project shall comply with the requirements of the Mono County Land Clearing, Earthwork and Drainage Facilities Ordinance and the Pollution of Waters Ordinance, as well as with the requirements of the Lahontan Regional Water Quality Control Board. The project shall not substantially degrade water quality; substantially degrade or deplete groundwater resources; contaminate a public water supply; interfere substantially with groundwater recharge; involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected; or cause substantial flooding, erosion, or siltation. Projects having potential for such water-related impacts shall provide a water resource impact study which identifies potential impacts, and proposes project alternatives or measures to mitigate the potential impacts.
- d) The project shall not have a substantial, demonstrable negative aesthetic effect, and must comply with the design review standards established in accordance with Action 3.1, Policy 3. Projects having potential visual impacts shall provide a visual impact study which identifies potential visual effects, and proposes project alternatives or measures to mitigate the potential impacts.

- e) The project shall not interfere substantially with the movement of any resident or migratory fish or wildlife species, nor substantially diminish habitat for fish, wildlife or plants. Projects having potential fish and wildlife impacts shall provide an impact study which identifies potential fish and wildlife impacts, and proposes project alternatives or measures to mitigate the potential impacts.
- f) The project shall not conflict with established or planned recreational uses of the area.

Policy 4: Retain the existing privately owned land base in the Antelope Valley.

Action 4.1: Support a policy of no net loss of private land in the Antelope Valley.

Action 4.2: Oppose private land acquisitions by federal agencies within the Antelope Valley unless comparable land in the region is made available for disposal to private ownership. Exceptions to this policy may be considered if the land acquisitions are consistent with the overall goal for the Antelope Valley.

Action 4.3: Facilitate acquisition of BLM administered public lands south of the County landfill, east of Eastside Lane, and north of Walker, for community expansion, in a manner consistent with the overall goal for the Antelope Valley.

OBJECTIVE B

Maintain the scenic, agricultural, and natural resource values in the Valley.

Policy 1: Maintain and enhance scenic resources in the Antelope Valley.

Action 1.1: In order to protect and enhance important scenic resources and scenic highway corridors, designate such areas in the Antelope Valley for Open Space, Agriculture, or Resource Management.

Action 1.2: Encourage private landowners with visually significant property to grant or sell a conservation easement to a land conservation organization to protect the land as open space.

Action 1.3: Continue to use land use designations and subdivision regulations to preserve open space for scenic purposes.

Action 1.4: Conserve scenic highway corridors by maintaining and expanding large lot land use designations in areas within view of scenic highways.

Policy 2: Preserve the agricultural lands and natural resource lands in the Antelope Valley.

Action 2.1: Designate existing agricultural lands for agricultural use in the Land Use Element, and initiate associated district Land Use Designations and Land Development Regulations amendments.

Action 2.2: In accordance with the California Environmental Quality Act (CEQA), require the preparation of an Environmental Impact Report (EIR) for projects that may convert agricultural lands to other uses.

Action 2.3: Encourage agricultural land owners to utilize the property tax incentives for agricultural land provided for in the County's Williamson Act program.

Action 2.4: Inform owners of critical wildlife habitat areas of the potential for open space easements to protect such areas and of the potential for property tax adjustments.

Policy 3: Work with appropriate agencies to manage water resources in a manner that protects natural, agricultural and recreational resources in the Antelope Valley.

Action 3.1: Consider establishing a Groundwater Management District to manage the groundwater resources of the Antelope Valley.

Action 3.2: Work with the Lahontan RWQCB and other appropriate agencies to require appropriate actions to ensure that future development does not degrade water quality in the area.

Action 3.3: Work with the Walker River Irrigation District, adjacent Nevada Counties, and other appropriate agencies in developing a water management plan for Topaz Reservoir.

Policy 4: Ensure that an adequate water supply exists for new development projects.

Action 4.1: As a condition of approval, require development projects to demonstrate that sufficient water exists to serve both domestic and fireflow needs of the development and that use of the water will not deplete or degrade water supplies in the surrounding area.

Policy 5: Work with appropriate agencies to manage fish and wildlife resources within the Antelope Valley.

OBJECTIVE C

Maintain and enhance natural resource based recreational opportunities in the Valley and the surrounding area.

Policy 1: Work with appropriate agencies to maintain or improve natural resource base needed for recreational opportunities in the Antelope Valley and vicinity.

Policy 2: Work with appropriate agencies to initiate recreational facility development in environmentally suitable areas.

Action 2.1: Work with the Walker River Irrigation District and other appropriate agencies to develop a recreation management plan for Topaz Lake. Potential issues to address in the plan include:

- a. Provision of a designated boat launch area to provide boat access within California; and
- b. Creation of restricted boating areas to provide protected water bird nesting and rearing habitats at the south end of the reservoir.

SWAUGER CREEK-GOAL

Distribute and regulate residential land uses in a manner that minimizes impacts to natural resources, supports low impact recreational uses on wildlands, and preserves and enhances agricultural resources and wildland recreational and research values in areas adjacent to rural residential uses.

OBJECTIVE A

Provide for a sensitive pattern of future land development.

Policy 1: Future subdivisions in the planning area should recognize the inherent limitations of the land and the environment when determining appropriate parcel size and uses.

Action 1.1: Encourage minimum parcel sizes within the planning area based upon the sustainable carrying capacity of the land. The sustainable carrying capacity is to be formulated based upon Natural Resource Inventory maps and site visits by Area Planning Group members.

Action 1.2: Unless otherwise determined based on Action 1.1, encourage a minimum parcel size of 40 acres within the planning area.

Action 1.3: Review Land Use Designations and Land Development Regulations of all private lands within the area and adjust as necessary to ensure consistency with these policies.

Action 1.4: In assigning land use designations and indicate the minimum parcel size.

Action 1.5: Encourage consolidation of undersized parcels and/or land trades of same with public and private agencies interested in preservation of habitat (i.e., Nature Conservancy).

Action 1.6: Maintain liaison with USFS with regard to land trades that may affect planning.

Policy 2: Minimize the impacts of development.

Action 2.1: Encourage sustainable agricultural uses, both commercial and private through lobbying efforts and possible tax incentives.

Action 2.2: Restrict construction or improvement of roads within the planning area to the minimum necessary for access under the planned land use. Layout and construction of roads will be controlled by Natural Resource Inventory maps and site visits by Area Planning Group members.

Policy 3: Agricultural uses should be assigned an agricultural land use designation.

Policy 4: Forest clearing or cutting in old growth stands on west or south-facing slopes on private lands shall not be permitted without careful demonstration of reforestation potentials for similar vegetation.

Policy 5: Encourage fence design to facilitate the migration and movement of wildlife, with particular attention given to deer migration routes and protection from highway traffic.

Policy 6: Preserve the rural and wilderness character while allowing cottage industries and agricultural uses.

Action 6.1: Restrict location and size of all signs, in conformance with the County Sign Regulations.

Action 6.2: Restrict commercial uses to those compatible with the goals and objectives for the area (examples of incompatible uses include trailer and mobile- home parks, service stations, mini marts, landfills. Compatible uses would include agriculture, small recreational touring facilities, etc.).

OBJECTIVE B

Protect visual resources in the planning area.

Policy 1: Future development shall be sited and designed to be in scale and compatible with the surrounding natural environment.

Action 1.1: Develop design guidelines which ensure a minimum architectural standard that is compatible with the visual and scenic environment.

Action 1.2: Consider establishing a Design Review District for Swauger Canyon, in accordance with the provisions of the Land Development Regulations (LDR).

Action 1.3: Adopt the design guidelines for the Design Review District as part of CC&R's and attach to deeds on all properties within the Design Review District.

Action 1.4 Encourage SCE/Contel to develop an overall plan for the underground installation of all utilities within the planning area.

Policy 2: Protect areas identified as open viewsheds or significant viewsheds.

Action 2.1: Work with the Area Planning Group to identify open viewsheds and significant viewsheds and to develop specific design guidelines for those parcels.

Action 2.2: Assign Scenic Combining Land Use Designations and Land Development Regulations to such areas to protect scenic values.

Action 2.3: Parcels identified as having greater than 50 percent of their area within an open viewshed should be restricted to a minimum lot size of 80 acres.

OBJECTIVE C

Maintain existing air quality throughout the planning area and discourage any action that could degrade that standard.

Policy 1: Maintain clear and pristine air quality in the planning area.

Action 1.1: Require all woodstoves installed in the area to be certified EPA Phase II, in conformance with policies in the Public Health/Air Quality section of the Conservation/Open Space Element.

Action 1.2: Encourage use of renewable energy sources (wind, solar, hydro). Consult with appropriate agencies concerning tax incentive programs for the development of domestic renewable energy sources.

Policy 2: Minimize impacts of construction on air quality.

Action 2.1: Construction pads should be designed to minimize areas disturbed, and construction-related traffic shall be restricted to limited and predefined access routes.

Action 2.2: Once construction is consolidated to the building site and adjacent regraded or otherwise disturbed lands are released from construction activities, revegetation and rehabilitation efforts shall be implemented, using appropriate seed mixtures or other suitable means such as jute mats or erosion-control netting. Within the area, perennial rye-grass mixtures have proven effective with proper site preparation, and seed sources are available.

Policy 3: Minimize impacts of roads on air quality.

Action 3.1: Development of new private roads should be limited to those necessary for access to private residences; shall comply with the Mono County Fire Safe Regulations; should consider how to minimize visual impact; the type of construction (drainage, culverts, road bases and finishes) should minimize dust and erosion problems. Construction on designated wet meadow areas should be prohibited.

Action 3.2: Discourage new general public travel roads throughout the planning area.

Action 3.3: Restrict the speed limits on all secondary roads to 25 mph.

OBJECTIVE D

Improve water quality and maintain the existing streamflow regime, in order for residents and visitors to enjoy a high quality of life.

Policy 1: Development shall demonstrate adequate service availability, including water supply, sewage disposal, and utilities, in a manner sensitive to the existing natural environment. The inability to demonstrate the availability

of services, such as adequate sewage disposal, is sufficient reason for development to be prohibited altogether.

Policy 2: Consider mapping of all permanent and ephemeral surface water sources within the planning area

Policy 3: Approve parcels of adequate size and location so that septic tank discharges and the various chemicals that development brings into an area do not contaminate either surface or ground water. Large parcel size and limited number of dwellings per parcel will help to ensure a high quality of water.

All existing and proposed building sites should be meticulously examined for septic tank and leachfield suitability. Septic installations should not be permitted in wet meadow areas, in areas with a high water table, or on slopes in excess of 45 percent.

Policy 4: No net increase in runoff should be permitted. Future development projects shall provide a drainage and erosion control plan which complies with standards established by the Public Works Department.

Policy 5: Alternate methods of sewage treatment which are more compatible to the area than septic tanks, such as composting toilets, should be considered.

OBJECTIVE E

Maintain and enhance wilderness habitat through conservation of energy.

Policy 1: Reduce overall consumption of all nonrenewable forms of energy, through conservation and use of renewable sources.

Action 1.1: All residential parcels shall be mapped for solar access sites.

Action 1.2: Use of superinsulation and passive solar construction for space heating in all structures should be encouraged through the use of tax or fee incentives.

Action 1.3: Non-solar building sites should be required to use superinsulation techniques to reduce heating loads and costs.

Action 1.4: Woodstoves should be of maximum efficiency currently available (within 5 percent of greatest available efficiency).

Action 1.5: Domestic water heating should be augmented through the use of :

- 1) Batch solar heaters (or preheaters) on solar sites,
- 2) Use of instantaneous water heaters (gas or electric) that will eliminate standing losses.

Action 1.6: A schedule of Energy Incentives should be formulated, in conjunction with Mono County, to implement this policy.

Policy 2: Encourage responsible production of renewable forms of energy.

Action 2.1: Promote use of renewable energy through tax and fee incentives, as in Policy 1.

Action 2.2: Discourage out-of-area sale of energy produced by any means.

Action 2.3: The Area Planning Group may develop a regional reforestation plan using only native tree species.

OBJECTIVE F

Protect the recreational values in the area.

Policy 1: Establish area-wide pedestrian access to the waters of Swauger Creek; this has been accomplished in the Swauger Canyon area through the use of public easements, and should be extended to other areas if not already done.

Action 1.1: Fishing access to all sections of Swauger Creek should be encouraged on public and private lands.

Policy 2: Promote the safety of area residents and visitors.

Action 2.1: Consider amending Chapter 10.64, Firearm Discharge, of the Mono County Code to include private lands in the residential portion of the Swauger Creek Planning Area as a prohibited area for firearms discharge.

BRIDGEPORT VALLEY-GOAL

Provide for orderly growth in the Bridgeport Valley in a manner that retains the small town character, and protects the area's scenic, recreational, agricultural, and natural resources.

OBJECTIVE A

Guide future development to occur on existing private lands in Bridgeport Townsite, east of Bridgeport Reservoir, in the Evans Tract, and at Twin Lakes.

Policy 1: Carefully evaluate subdivisions outside of the existing community area. Consideration should be given to assigning large minimum parcel sizes in the Valley².

Action 1.1: Assign agricultural land use designation to the valley and the upland areas surrounding the valley. Minimum parcel sizes shall be determined through the land use designation process.

Policy 2: Limit future subdivisions outside the community area to large lots (1 - acre minimum). Lot sizes for subdivisions which infill the community should reflect existing lot sizes, patterns, development, neighborhood character, and the availability of community sewer and water.

Policy 3: Designate land presently in agricultural use as "Agriculture," and establish a Development Credits Program, including voluntary Transfer of Development Rights provisions, which will encourage clustering development away from irrigated land.

Action 3.1: Assign development credits to agricultural lands in the Bridgeport Valley on a per parcel bases in a manner consistent with Table 1 of the Tri-Valley Goals.

Action 3.2: Parcels created consistent with the Development Credit Program shall consist of a minimum of one acre. Parcels should be sited as follows:

- a. Adjacent to existing residential development (if feasible).
- b. A buffer may be required in consultation with adjacent agricultural landowners.
- c. Avoiding steep slopes and fault hazard areas.
- d. Avoiding wetlands and areas subject to flooding.
- e. Away from visually sensitive areas, such as ridgelines or along scenic highways.
- f. Minimizing impacts to migrating deer.
- g. Minimizing impacts to cultural resource sites.
- h. Proximate to existing access and utilities (if feasible).
- i. On soils of sufficient structural and sanitary waste disposal capabilities.

²The "community area" in the Bridgeport Planning Area includes the Bridgeport Townsite, the private lands east of Bridgeport Reservoir, the Evans Tract, Rancheria, and Twin Lakes. The "Valley" area includes the flat meadow area bounded to the east by Hwy. 395 and to the west and south by the upland areas. The "Valley" area also includes the flat meadow area north of Hwy. 395 and west of the reservoir.

Policy 4: Carefully evaluate the exchange of federal lands for community expansion in order to ensure consistency with the Bridgeport Valley land use goal.

Policy 5: Discourage tract housing developments. The term "tract housing" shall be defined in the Land Development Regulations.

Policy 6: Designate a limited amount of land to provide for local industrial land use needs.

OBJECTIVE B

Maintain the scenic, agricultural, and natural resource values in the Bridgeport Valley.

Policy 1: Preserve agricultural lands and wetlands.

Action 1.1: Work with appropriate agencies to manage water resources in the Valley in a manner that will protect the natural and recreational values of the water resource and associated resources (wildlife, riparian, etc.)

Policy 2: Consider establishing a Groundwater Management District to manage the groundwater resource.

Policy 3: Support designation of Highway 395 as a National Forest Scenic Byway.

OBJECTIVE C

Maintain and enhance natural resource-based recreational opportunities in the Bridgeport Valley.

Policy 1: Work with appropriate agencies to manage Bridgeport Reservoir in a manner that protects the natural resources in the area and provides additional recreational opportunities.

Policy 2: Work with appropriate agencies and groups to develop and implement a management plan for the Travertine Hot Springs.

Policy 3: Work with appropriate agencies to improve dispersed recreational opportunities (picnicking, camping, snowmobiling, cross country skiing, biking, etc.) with information signs and maps, restrooms, bike lanes, etc.

BRIDGEPORT AREA WETLANDS POLICIES–GOAL

To preserve and enhance wetland functions and values, including wildlife and plant habitat, beneficial livestock forage value, water quality benefits, and aesthetic and recreational values, while providing for orderly growth and an efficient, coordinated permitting process.

OBJECTIVE A

Guide development in the Bridgeport Valley so that no net loss of wetlands functions and values or acreage results from development activities.

Policy 1: Work with the U.S. Army Corps of Engineers to establish procedures for the processing of building and development proposals in or adjacent to wetlands³ areas in the Bridgeport Valley.

Action 1.1: Seek a regional permit from the U.S. Army Corps of Engineers that incorporates the mitigation strategy and process specified in these policies.

Policy 2: Work with willing landowners, agencies and applicants to establish a Bridgeport land bank to be used as mitigation for those areas where on-site mitigation is not feasible.

Action 2.1: Investigate potential sites for mitigation bank enhancement including:

1. The East Walker River and its floodplain, which offers an excellent opportunity for enhancement of high quality riparian habitat and fisheries habitat.
2. The Robinson Creek outwash plain, which offers an opportunity for vegetation enhancement and possible connection to extended habitat corridors.
3. Aurora Canyon, which offers an opportunity for enhancement of limited riparian areas within a few yards of the creek.
4. The pond area at the intersection of Highways. 395 and 182 (in the Airport Clear Zone), which offers an opportunity for marsh development.

Action 2.2: Investigate potential sites for a mitigation bank for the creation of wetlands, including:

³These policies pertain to "jurisdictional wetlands", i.e. those areas subject to Section 404 of the Clean Water Act which requires a permit for the discharge of dredged or filled materials into waters of the U.S., including wetlands. Under a Memorandum of Agreement with the Environmental Protection Agency, the U.S. Army Corps of Engineers is responsible for determining wetland jurisdiction and issuing permits; the Soil Conservation Service may, in the future, become responsible for determining wetland jurisdiction on intensively managed agricultural lands.

1. Irrigation-induced wetlands that could be permanently converted to wetlands.
2. Upland areas where a reliable water source could be applied to convert the area to wetlands.

Action 2.3: Contact public and private landowners in the Valley, including the Walker River Irrigation District (WRID), for potential sites and interest in participating in a mitigation bank.

Action 2.4: Establish a Wetlands Mitigation Bank Technical Advisory Committee (TAC) for the Bridgeport Valley. This group should include a representative from applicable agencies (e.g., Corps of Engineers, EPA, FWS, SCS, DFG, RWQCB, Mono County) and a representative of the following:

- a. Landowners in an area where wetland impacts will occur and mitigation will be required on a case-by-case basis.
- b. Landowners or the managing entity of the area where the mitigation bank will be located.
- c. Bridgeport Agricultural Property Owners.
- d. U.S. Board of Water Commissioners.

Policy 3: The Land Bank for the Bridgeport Valley shall be established as follows:

- A. The goals of the mitigation bank shall be to enhance or create self-sustaining functional ecosystems, providing equal functions and values to those impacted by development.
- B. The life of the bank shall be twenty (20) years from its inception. After the original 20 years, the life of the bank shall be renewed on 20 year cycles as needed, barring any significant changes in regulations, natural conditions or catastrophes.
- C. Parcels eligible to contribute to the bank shall be illustrated on a map.
- D. Mitigation sites incorporated into the land bank shall be developed and managed in accordance with a management plan prepared with the assistance of the Wetlands Mitigation Bank Technical Advisory Committee (TAC) established for the Bridgeport Valley. The TAC shall assist in the design and implementation of a management plan for the bank. This plan shall include specific debiting and crediting procedures for the bank and shall detail remedial action responsibilities.
- E. The Corps shall require periodic inspections conducted with assistance from the TAC to identify whether the mitigation site is in compliance with the management plan.
- F. The management plan shall identify an appropriate methodology to assess pre- and post-mitigation functional values, in order to establish bank credits and debits. To the extent possible, this methodology will be quantitative.

- G. The management plan shall specify the methodology which will be used to protect the enhanced or created wetlands in twenty year cycles. This may include conservation/open space easements, deed restrictions, transfer of the property to a tax-paying conservation organization or agency, or other appropriate methods.

Action 3.1: Seek funding to support landbank projects in the Bridgeport Valley, including but not limited to, grants, loans or other potential funding from:

Soil Conservation Service	Grants for sewage effluent treatment
EPA	U.S. Fish and Wildlife Service
Resources Agency	Ducks Unlimited

OBJECTIVE B

Maintain and enhance wetland habitat values and functions with willing landowners in the Bridgeport Valley.

Policy 1: Work with participating ranchers in the area to manage their land bank using one or more of the following methods/techniques:

fire;
rest;
technology;
money;
labor;
beneficial grazing practices;
living organisms;
human creativity; and /or
animal impacts.

Action 1.1: If grazing practices beneficial to wetlands are to be utilized, the grazing practices shall be specified in a grazing management plan approved by the SCS in consultation with the TAC.

Action 1.2: Investigate the use of sewage effluent for wetland restoration, creation, or enhancement purposes.

Policy 2: Work with developers to provide buffer zones around wetland areas adjacent to the developed areas

Policy 3: Work with public agencies and interested local groups to develop and post informational and educational signs around wetlands areas on public lands.

Policy 4: Work with interested local groups willing to participate (either financially or with donations of labor) with willing landowners in the protection or enhancement of wetlands.

Policy 5: Restrict public and animal (e.g., cattle) access as necessary to land bank riparian areas during times of nesting or other critical periods in the life cycles of wildlife or fish.

OBJECTIVE C

At the request of the landowner, reevaluate the jurisdictional status of sites proposed for development which are located in irrigated areas in the Bridgeport Valley when and where irrigation water is no longer applied.

Policy 1: In order to ensure that accurate and adequate data are collected to permit a reevaluation of wetland status for irrigation-induced wetlands that will meet federal delineation standards, the following additional conditions shall apply to altering the irrigation regime, acquiring data, and seeking a re-evaluation of jurisdictional status:

1. Areas shall be reevaluated only where a definite project proposal exists.
2. The entire area of the proposed project will be reevaluated.
3. The existing topography in the vicinity of the subject area should not be altered without contacting the U.S. Army Corps of Engineers.
4. During the time of reevaluation, livestock may be excluded as necessary (in consultation with the SCS) to allow plant species to be identified and catalogued. Cattle exclosures in representative areas may be necessary for monitoring or evaluation.
5. Reevaluation should begin no later than May 1. Water table levels should be monitored throughout the early growing season by means of pits or piezometer wells, and vegetation should be studied at a time that may vary from mid-May to July, depending upon weather.
6. Data should be acquired at locations on both sides of apparent wetland boundaries. The locations of piezometer wells or other tests of soil conditions (for example, a,a-dipyridil test for reducing conditions) should be representative of the entire subject area. Methodologies in the current jurisdictional wetland manual will be used to define wetlands.
7. As per the new National Technical Committee on Hydric Soils (NTCHS) criteria for hydric soils, poorly drained areas with soil permeability less than 6.0 inches/hour (such as most of Bridgeport Valley) would be determined to meet the mandatory soils and hydrology criteria for jurisdictional wetlands if the water table remains within 1.5 feet of the surface for at least two weeks during the growing season.

Action 1.1: Reevaluations of jurisdictional status of proposed project sites located in irrigated areas, shall be performed by a qualified professional under the direction of the County and in consultation with the Soil Conservation Service and the U.S. Army Corps of Engineers. The work shall be funded by the project applicant.

BODIE HILLS- -GOAL⁴

Protect and enhance Bodie Hills Planning Area resources that complement the Bodie Experience.

OBJECTIVE A

Protect the visual characteristics of the Bodie Hills that contribute to the Bodie Experience, and ensure that any development allowed is compatible with the existing rural and historic landscape.

Policy 1: Structures proposed on private lands within the Bodie Hills Planning Area shall be constructed in accordance with the minimum development standards found in the Mono County General Plan Visual Resource Policies.

Action 1.1: Develop design guidelines for residential, commercial, and industrial development projects. At a minimum, the following development standards (from the Visual Resource Policies) shall apply:

- a. Projects should not dominate the natural environment, and should complement existing community character; the scale, design, and siting of a project should be appropriate for the setting;
- b. Building mass should be varied and should be appropriate for the surrounding community or area. Facades in commercial districts should be varied;
- c. Project siting and structural design should be sensitive to the climate, topography, and lighting of the surrounding environment;
- d. The design, color, and building materials for structures, fences, and signs shall be compatible with the natural environment and/or surrounding community;
- e. Visually offensive land uses shall be adequately screened through the use of landscaping, fencing, contour grading, or other appropriate measures;
- f. The visual impacts of parking areas shall be minimized through the use of landscaping, covered parking, siting which screens the parking from view, or other appropriate measures;
- g. Signs shall comply with the County's Sign Regulations;
- h. Standardized commercial structures, designs, and materials shall not be allowed (e.g, a "McDonald's" shall be designed with materials and finishes that harmonize with the surrounding area);
- i. Industrial areas shall be as compact as possible;
- j. Exterior lighting shall be shielded and indirect and shall be minimized to that necessary for security and safety;

⁴BLM Resource Management Plan (RMP) decisions for the Bodie Bowl Area of Critical Environmental Concern (ACEC) are included in this policy section for reference.

- k. All new utilities shall be installed underground, in conformance with applicable provisions of the Land Development Regulations (LDR);
- l. Existing roads shall be utilized whenever possible. Construction of new roads should be avoided except where essential for health and safety;
- m. Earthwork, grading, and vegetative removals shall be minimized;
- n. All site disturbances shall be revegetated with a mix of indigenous species native to the site (based upon a pre-project species survey). A landscaping plan shall be submitted and approved for all projects.

BLM Resource Management Plan Decision:

Manage the main travel corridors into the Bodie Bowl to conform to Visual Resource Management (VRM) II standards.

Objective B

Maximize fire protection within the Bodie Hills Planning Area, including both prevention and suppression.

Policy 1: Actively support fire prevention efforts on public and private lands.

Action 1.1: BLM shall install and maintain Fire Danger Rating signs on Hwy. 270 and on Cottonwood Canyon Road. State Parks shall change the fire rating as needed.

Action 1.2: All campfires within the Bodie Hills Planning Area (including the ACEC) shall require a valid campfire permit issued by BLM, Forest Service, CDF or State Parks. All campfires shall be in accordance with existing fire restrictions during the summer fire season.

Action 1.3: Require new development to comply with the Mono County Fire Safe Regulations (Chapter 22).

BLM RMP Decision:

Employ full fire suppression techniques against all wildfires.

OBJECTIVE C

Reduce vandalism within the Bodie Hills Planning Area.

Policy 1: Recognize and support visitor education as the primary deterrent to vandalism. To help reduce vandalism, the BLM, State Parks and the County should continue to educate the public about the cultural, historic, and natural values of Bodie SHP and the Bodie Hills.

Action 1.1: The BLM shall work with State Parks to develop interpretive kiosks or panels along the roads into Bodie to foster a better appreciation of the

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cultural, historic, and natural values of the Bodie Hills. The verbiage shall be positive and include references to respecting private lands within the area.

Action 1.2: Appropriate agencies shall patrol the Bodie Hills during special permitted events and times of high visitor use, such as hunting season, making visitor contacts and establishing a presence in the area.

OBJECTIVE D

Maintain a high level of air quality in the Bodie Hills Planning Area.

Policy 1: Activities permitted in the Bodie Hills Planning Area shall meet ambient air quality standards.

Action 1.1: The proponent of any project that may adversely impact air quality shall obtain an air quality permit or clearance from the Great Basin Air Pollution Control District.

Action 1.2: Any project that may generate excessive levels of dust shall be required to use dust control measures approved by Great Basin APCD.

Action 1.3: Future development projects shall comply with the public health and safety policies of the Mono County General Plan, including requirements for future development projects to avoid impacts to air quality or mitigate impacts to a level of non-significance, unless a statement of overriding considerations is made through the EIR process (Conservation/Open Space Element, Public Health & Safety Policies, Goal I, Objective A, Policy 3). In addition, future development projects with the potential to significantly impact air quality shall assess potential impacts prior to project approval in conformance with the requirements of public health and safety policies (Conservation/Open Space Element, Public Health & Safety Policies, Goal I, Objective A, Action 3.1).

Policy 2: Mono County and State Parks shall continue to seek and implement methods to reduce the dust problems on the county roads within the Bodie Hills Planning Area approaching the ACEC.

Action 2.1: Pave Hwy. 270 to the cattle guard at the edge of the Bodie Bowl. Turn it over to Caltrans for maintenance.

Action 2.2: Pave Cottonwood Canyon Road.

OBJECTIVE E

Provide for the health and safety of visitors and the environment.

Policy 1: Visitor safety within the Bodie Hills Planning Area is a priority.

Action 1.1: Provide for the health and safety of Bodie visitors consistent with established ordinances and regulations of the BLM, State Parks and Mono County.

OBJECTIVE F

Recreational uses that do not interfere with the Bodie Experience may be permitted.

Policy 1: Permit development of visitor services outside the ACEC to accommodate visitors to the Park. This development should be consistent with, and not threaten, the historic resources at Bodie.

Action 1.1: To provide for visitor service development that facilitates the Bodie Experience and provides dispersed recreational activities Mono County may assign Rural Resort land use designations to appropriate private property.

Action 1.2: The BLM shall designate lands suitable for a visitor center and associated services.

Policy 2: Special and recreational events (trail rides, cattle drives, bike rides, filming, etc.) on public lands in the Bodie Hills Planning Area shall be considered on a case by case basis. Events shall be monitored so that they do not detract from the Bodie Experience.

BLM RMP Decision:

Enhance dispersed recreation opportunities such as off-highway vehicle touring, primitive camping, mountain biking, snowmobiling, hunting, fishing, cross-country skiing, sightseeing and environmental interpretation.

OBJECTIVE G

Provide services that will enhance the Bodie Experience.

Policy 1: Interpretive, directional, and other signing within the Bodie Hills Planning Area should be provided to educate and inform visitors. The number of signs should be kept to a minimum. Signs should be strategically placed to avoid detracting from the scenic values of the Bodie Hills Planning Area and the Bodie Experience. The messages should be stated in positive terms and address public and private lands.

Action 1.1: The BLM should work with State Parks to develop interpretive kiosks or panels along the roads into Bodie to foster a better appreciation of the area's values, and thereby lessen the threat of vandalism. The verbiage should be of a positive nature ("Bodie is a Special Area . . .").

Action 1.2: Caltrans and Mono County should develop scenic turnouts on Hwy. 270 and Cottonwood Canyon Road. Some interpretive information should be provided, with multi-lingual information or use of international symbols.

Action 1.3: BLM shall place signs on all secondary routes within the Bodie Hills Planning Area. Signs should describe the routes, particularly those crossing both public and private lands, and highlight the need for the public to respect private property.

BLM RMP Decision:

Develop an activity plan for recreational use in the area. Incorporate an interpretive element to highlight wildlife, geologic and cultural values.

OBJECTIVE H

Any economic and resource development projects on public lands shall be conducted in a manner that protects the historic and scenic values in the Bodie Hills Planning Area, and that does detract from the Bodie Experience.

Policy 1: Any commercial or concessionaire development on public lands should complement or enhance the Bodie Experience.

Policy 2: Concessionaires may be considered for solving transportation problems associated with the State Park, such as providing shuttle services or alternative access such as horses.

Policy 3: Grazing on public lands within the Bodie Hills shall be guided by the BLM Bishop RMP and the Coordinated Resource Management Plans (CRMPs).

BLM RMP Decisions:

Use the existing Coordinated Resource Management Planning (CRMP) process to identify and implement vehicle route closures to protect sensitive plants or deer or sagegrouse habitats; to manage grazing; and to attain DPC and stream improvement goals.

Stabilize and restore selected stream reaches throughout the Bodie Hills to improve riparian and aquatic habitat quality. Monitor water quality to determine the impacts of recreation, grazing and mining activities.

Enhance wildlife habitat and watershed conditions, and attain Desired Plant Community prescriptions.

Policy 4: Wildlife habitat management on public lands shall be guided by the BLM's Bishop RMP and the CRMPs.

Policy 5: Mining on valid, existing claims on public lands shall be allowed, subject to existing law.

Policy 6: On public lands (where existing BLM policy allows) project proponents shall pay for administrative, study, monitoring and reclamation costs of projects.

Policy 7: An economic or fiscal impact analysis should be completed and utilized in the decision-making process along with the NEPA document for any major project proposal on public lands.

OBJECTIVE I

Allow for agriculture, resource management activities, and rural resort uses on private lands in the Bodie Hills Planning Area which do not detract from the Bodie Experience.

Policy 1: Grazing on private lands within the Bodie Hills Planning Area is an historic use. Mono County supports the continued agricultural use of private lands within the Bodie Hills.

Action 1.1: Assign Agricultural land use designations to private property in the Bodie Hills Planning Area.

Action 1.2: Assign Development Credits to property with an agricultural land use designation in the Bodie Hills Planning Area based upon a per parcel bases, as follows:

- a. For parcels which total ten (10) acres or less, one (1) development credit shall be assigned.
- b. For parcels which total forty (40) acres or less, one (1) development credit shall be assigned for each ten (10) acres.
- c. For parcels which total more than forty (40) acres, four (4) development credits shall be assigned for the first forty (40) acres, and one additional development credit shall be assigned for each additional forty (40) acres, or portion thereof greater than ten (10) acres.
- d. The assigned credits shall be reflected on Mono County's Land Use Maps. As an example, a 650-acre parcel would qualify for 20 development credits, and would be designated Agriculture, 20 Development Credits (AG 20dc).
- e. Each development credit permits the construction of one single-family residence. Development credits may be transferred to parcels as small as one acre in size. Development credit parcels should be clustered as follows:
 1. Adjacent to existing residential development (if feasible).
 2. With a buffer established in consultation with adjacent agricultural landowners.
 3. To avoid steep slopes and fault hazard areas.
 4. To avoid wetlands and areas subject to flooding.
 5. Away from visually sensitive areas, such as ridgelines or along scenic highways.
 6. To minimize impacts to wildlife, including migrating deer.
 7. To minimize impacts to cultural resource sites.
 8. Proximate to existing access and utilities (if feasible).

9. On soils of sufficient structural and sanitary waste disposal capabilities.

Policy 2: Wildlife management on private land shall be guided by the provisions of the Mono County Land Use Designation, the Mono County Land Development Regulations, and the policies of the Mono County General Plan

Policy 3: Mineral resource activities on private lands may be permitted subject to established laws.

Action 3.1: Mineral Resource extraction or exploration projects shall comply with requirements of the California Surface Mining and Reclamation Act (SMARA); the Mineral Resource Policies of the Mono County General Plan; the Resource Extraction District, Reclamation Ordinance, and Mining Operations Ordinance of the Mono County Code; and applicable environmental requirements, including the California Environmental Quality Act (CEQA).

Policy 4: Proponents shall bear the costs for project environmental studies, mitigation monitoring, permit processing and reclamation, in accordance with the Mono County General Plan, Mono County Environmental Handbook, and implementing ordinances and resolutions.

Policy 5: An economic or fiscal impact analysis may be required for projects having potential adverse fiscal impacts.

Action 5.1: Require applicable development projects to comply with Mono County General Plan Land Use policies which require assessments of the economic costs and benefits of a project (Land Use Element, Objective H, Policy 2 and Action 2.1).

MONO BASIN-GOAL

Provide for the orderly growth of Mono Basin communities in a manner that retains the small town character, coincides with infrastructure expansion, facilitates economic and community development, and protects the area's scenic, recreational, and natural resources.

OBJECTIVE A

Direct future development to occur in and adjacent to Lee Vining.

Policy 1: Obtain lands necessary for the orderly expansion of Lee Vining.

Action 1.1: Work with appropriate agencies to provide for developable lands adjacent to Lee Vining.

Action 1.2: Designate lands adjacent to Lee Vining for community expansion in the Land Use Element.

Policy 2: Future development should coincide with infrastructure and service capability expansion.

Action 2.1: Support and assist the Lee Vining PUD in securing sufficient water for community growth.

Action 2.2: Require development projects to obtain "will-serve" letters from applicable service agencies.

OBJECTIVE B

Encourage infill development of Mono City prior to considering development on adjacent lands.

Policy 1: Existing lots at Mono City should be developed before adjacent lands are considered for development.

Policy 2: If necessary, obtain lands for the orderly expansion of Mono City.

Action 2.1: Request the BLM to designate lands adjacent to Mono City for potential future land disposal, when and if demand for additional development warrants such disposal.

Policy 3: Future development should coincide with infrastructure and service capability expansion.

OBJECTIVE C

Maintain the scenic, recreational, and natural attributes of areas outside Lee Vining and Mono City.

Policy 1: Ensure that future development outside existing communities is compatible with the scenic, recreational, and natural attributes of the area.

Action 1.1: Provide for low intensity uses (e.g., low density residential uses) outside of Lee Vining and Mono City. Higher intensity uses (e.g., limited commercial, industrial, and resource extraction) may be permitted if it can be demonstrated that the use cannot be accommodated in existing community areas, that the use is incompatible with existing community uses, or that the use directly relies on the availability of unique on-site resources. Higher intensity uses should not adversely impact the area's scenic, recreational, and natural resources.

Action 1.2: Require preparation of a Specific Plan and EIR for subdivisions of 30 parcels or more that are not within or adjacent to Lee Vining or Mono City.

Action 1.3: Require preparation of a Specific Plan or PUD for development projects proposed on federal exchange lands (parcel maps are exempt from this requirement).

Action 1.4: Periodically review the Conway Ranch Specific Plan and any other future specific plans in the Mono Basin.

OBJECTIVE D

Guide development to provide for community needs.

Policy 1: Encourage the development of affordable housing, including rental units.

Policy 2: Provide a site for limited industrial uses, including roadyards, heavy equipment storage, and similar uses, within or adjacent to Lee Vining.

Action 2.1: Consider relocating visually offensive land uses, such as roadyards, to the designated industrial site.

Policy 3: Focus commercial development within or adjacent to Lee Vining.

Policy 4: Provide a community center in Lee Vining.

JUNE LAKE

Policies and Actions for June Lake are contained in the **June Lake 2010: June Lake Area Plan**, adopted in 1991.

GOAL

That June Lake ultimately develop into a moderately-sized, self-contained, year-round community.

OBJECTIVE A

Promote the expansion of the June Lake Loop's privately owned land base to accommodate planned community growth.

OBJECTIVE B

Promote well-planned and functional community development that retains June Lake's mountain community character and tourist-oriented economy.

OBJECTIVE C

Contain growth in and adjacent to existing developed areas, and retain open space buffers around each area.

OBJECTIVE D

Balance the rate of development throughout the separate neighborhood areas. Where prudent and feasible, balance the rate of development in new areas and the rate of infill and redevelopment in established areas.

OBJECTIVE E

Utilize Land Use designations to stimulate redevelopment in depressed areas, to limit and phase-out incompatible uses, and to guide June Lake's future.

OBJECTIVE F

Protect existing and future property owners and minimize the possibility of future land ownership/use conflicts through the building and planning permit processes.

OBJECTIVE G

Meet the land needs of the commercial/industrial uses.

OBJECTIVE H

Balance the development of recreational facilities with the adequate provision of public amenities, employee and visitor housing, infrastructure and circulation facilities.

OBJECTIVE I

Maintain the June Lake Village as the Loop's Commercial Core by providing a wide-range of commercial and residential uses in a pedestrian-oriented atmosphere.

OBJECTIVE J

Through the Specific Plan Processes, develop the West Village/Rodeo Grounds into a well-coordinated resort area that provides a balance of resident and visitor housing in close proximity to recreational facilities and other activity centers.

OBJECTIVE K

Retain the Down Canyon's single-family residential character while providing for additional commercial development along S.R. 158 and pockets of higher density residential uses.

MAMMOTH VICINITY-GOAL

Maintain and enhance the scenic, recreational, and environmental integrity of the Mammoth vicinity.

OBJECTIVE A

Maintain and enhance scenic resources in the Mammoth vicinity.

Policy 1: Future development activity in the Mammoth vicinity shall avoid potential significant visual impacts or mitigate impacts to a level of non-significance, unless a statement of overriding considerations is made through the EIR process.

Action 1.1: Future development projects with the potential to have a substantial, demonstrable negative aesthetic effect shall provide a visual impact analysis prior to project approval. Examples of a substantial, demonstrable negative aesthetic effect include:

- 1) Reflective materials;
- 2) Excessive height and/or bulk;
- 3) Standardized designs which are utilized to promote specific commercial activities and which are not in harmony with the community atmosphere; and
- 4) Architectural designs and features which are incongruous to the community or area and/or which significantly detract from the natural attractiveness of the community or its surroundings.

The analysis shall:

- a) be funded by the applicant;
- b) be prepared by a qualified person under the direction of Mono County;
- c) assess the visual environment in the general project vicinity;
- d) describe the impacts of the proposed development upon views and scenic qualities within the project site and on surrounding areas; and
- e) recommend project alternatives or measures to avoid or mitigate visual impacts.

Mitigation measures shall be included in the project plans and specifications and shall be made a condition of approval for the project.

Policy 2: Future development shall be sited and designed in a manner that preserves the scenic vistas presently viewed from Highway 395.

Action 2.1: Assign Scenic Combining designations along Highway 395 in order to minimize the impacts of development in the Highway 395 viewshed.

Action 2.2: Designate undeveloped LADWP lands as "Open Space" in order to protect the scenic resources on those lands.

Action 2.3: Continue to enforce the visual resource policies in the Mammoth Lakes Airport Land Use Plan.

Action 2.4: Require any expansion of existing visually offensive land uses within the Highway 395 viewshed to be adequately landscaped or otherwise screened.

Policy 3: Restore visually degraded areas when possible.

Action 3.1: Work with agencies and organizations owning or managing existing uses in the Highway 395 viewshed to mitigate the adverse visual impacts of those uses; e.g., by painting, landscaping, or otherwise screening the use.

Action 3.2: Investigate the potential of relocating existing visually incompatible uses in the Highway 395 viewshed.

Action 3.3: In conformance with the Mammoth Lakes Airport Land Use Plan, promote reclamation of existing quarry sites, including surface restoration and revegetation, following exhaustion of the mineral resource.

Policy 4: Coordinate scenic resource policies in the Mammoth vicinity with Forest Service and BLM visual policies and objectives.

Action 4.1: Work with the Forest Service and BLM on development projects on their lands to ensure that potential adverse visual impacts are fully mitigated.

OBJECTIVE B

Provide for the land use needs of both the incorporated and unincorporated areas.

Policy 1: Contain growth in and adjacent to existing developed areas.

Action 1.1: Prohibit subdivisions into 6 lots or more in the unincorporated area of the Mammoth vicinity, except in areas designated for Specific Plans or PUDs; minor parcel maps of 4 lots or less may be considered if consistent with Mammoth vicinity policies.

Action 1.2: Support exchange of federal lands into the private sector for community expansion only if it can be demonstrated that there is a need for such expansion, that the community infrastructure can support the expansion, and that potential significant environmental effects can be avoided or mitigated.

Action 1.3: When and if additional ski area development is proposed for the San Joaquin Ridge, this plan should be updated to address concerns raised by that development.

Action 1.4: Work with the Town of Mammoth Lakes to address regional housing needs.

Policy 2: Provide for industrial land use needs.

Action 2.1: Limited industrial uses may be allowed at the Old Elementary school site, in conformance with the Mammoth Lakes Airport Land Use Plan.

Action 2.2: Amend the Mammoth Lakes Airport Land Use Plan to allow only resource extraction uses at the existing quarry on private land within the planning area and recommend the same policy for other existing quarries in the planning area.

Action 2.3: Work with the Town of Mammoth Lakes to identify and designate an appropriate site for land intensive industrial uses and a household hazardous waste transfer facility within the Town's sphere of influence boundary.

Policy 3: Future development projects shall avoid potential significant environmental impacts or mitigate impacts to a level of non-significance, unless a statement of overriding concerns is made through the EIR process.

Action 3.1: Future development projects with the potential to have significant environmental impacts shall assess the impact(s) and recommend project alternatives and/or mitigation measures prior to project approval, in the manner required by General Plan policies.

Policy 4: Provide additional regional recreational facilities.

Action 4.1: Study the feasibility of expanding the existing recreational facilities at Whitmore.

Action 4.2: Develop additional interpretive sites in the area, such as the proposed geothermal interpretive center, as funding becomes available.

Policy 5: Encourage the continued use of Hot Creek and the Upper Owens River for fishing purposes.

Action 5.1: Development plans for these areas shall preserve the integrity of the fishery. Implement the policies in this element which pertain to the Upper Owens River.

Action 5.2 Establish a Hot Creek Buffer Zone. Development within that zone shall require a finding that all identified environmental impacts of the project are reduced to less than significant levels by the permit conditions.

OBJECTIVE C

Preserve and enhance natural resources in the Mammoth vicinity.

Policy 1: Maintain or enhance the integrity of key wildlife habitat in the area by limiting development in the area. Examples of key habitat include, but are not limited to: key winter ranges, holding areas, migration routes, and fawning areas for mule deer; leks, and winter and summer range for sage grouse; and waterfowl habitat at Crowley Lake, Laurel Pond, and along the Owens River.

Action 1.1: Implement policies in the Conservation/Open Space Element.

Policy 2: Maintain or enhance the integrity of fisheries in the planning area.

Action 2.1: Support the DFG's Trout Enhancement Plan for the Mammoth area.

Action 2.2: Manage riparian areas to maintain high quality habitat for fish, especially in threatened and endangered species waters, wild trout waters, and the meadow reaches of streams.

Policy 3: Preserve, maintain and enhance surface and groundwater resources in the planning area.

Action 3.1: Require projects which could adversely impact water resources, including down-gradient water resources, to avoid or mitigate effects to a point where clearly no significant effects would occur.

Action 3.2 Work with the appropriate agencies to develop and implement a comprehensive management plan for Crowley Lake and the downstream areas of the aqueduct system. The management plan should ensure that the aqueduct system is managed in a manner that protects the ecological values of the Long Valley and the downstream areas of the aqueduct system.

Action 3.3 Develop a Special Area Management Plan⁵ in cooperation with the Corp of Engineers for wetlands in Long Valley.

Policy 4: Regulate geothermal and mining and reclamation activities in the Mammoth vicinity in a manner that retains the scenic, recreational, and environmental integrity of the Mammoth vicinity.

Action 4.1: All geothermal, mining and reclamation activities shall comply with the policies of the County's Conservation/Open Space Element and the County's Reclamation Ordinance.

Action 4.2: Geothermal and mineral extraction activities shall be allowed only in areas designated Resource Extraction; exploratory activities shall be allowed only in areas designated Resource Management, Open Space, or Agriculture.

⁵A Special Area Management Plan is a set of policies developed cooperatively with the U.S. Corps of Engineers to address local wetland development issues.

UPPER OWENS RIVER–GOAL

Retain the existing rural character and environmental resources of the Upper Owens Area.

OBJECTIVE A

Protect the unique natural setting, ecology, riparian corridor and fishery, wildlife, recreational and agricultural resources of the Upper Owens by limiting the types and intensity of development in the area.

Policy 1: Limit development in the area to guest ranches, related commercial uses, agricultural uses and support residential uses.

Action 1.1: In this element, designate the privately owned property of the Upper Owens area as Agriculture, Open Space, Specific Plan or Resource Management.

Action 1.2: Assign Agriculture, Open Space, or Specific Plan designation to the privately owned property of the Upper Owens area in a manner consistent with Action 1.1.

Action 1.3: Require the preparation of a specific plan for projects of more than 30 units. Such projects shall provide a fiscal impact analysis that assesses the impacts of the project on local service agencies, and a market study that analyzes the market demand for such a development.

Action 1.4: A use permit or a Specific Plan (SP) shall be required for residential, guest ranch or commercial development that exceeds one unit per parcel. Projects proposing several units constructed over a period of time may apply for a single use permit. Certain uses, such as employee housing, may be exempted from these requirements following redesignation of properties (see Action 1.2 above).

Policy 2: Limit winter residential occupancy to that which is associated with minimum security and maintenance requirements.

Action 2.1: New residential subdivisions for permanent residents, unless associated with existing guest ranches or agricultural operations, shall not be permitted. Residential subdivisions proposed to provide housing for the resort/ranch owners, guests, managers, and employees may be permitted.

Action 2.2: Study the financial impacts, feasibility, and mechanisms for providing winter access to the area.

Policy 3: Restrict development in a manner that preserves the environmental quality of the area.

Action 3.1: Based upon existing resource information, estimate thresholds for maintaining the area's environmental quality; thresholds should address air quality, viewsheds, water quality, noise environment, traffic, and wildlife habitats. The type and intensity of permitted development should not exceed the estimated thresholds. Development projects proposed prior to the

establishment of these thresholds should address these issues in project environmental assessments.

Action 3.2: Development projects that may have significant environmental impacts shall assess potential impact(s), determine if they exceed estimated environmental thresholds, and recommend project alternatives and/or mitigation measures prior to project approval, in the manner required by General Plan policies and CEQA.

Action 3.3: Development projects shall avoid potential significant environmental impacts or mitigate impacts to a level of non-significance, unless the benefits of the proposed project outweigh the unavoidable adverse environmental effects, and an appropriate statement of overriding considerations is made through the EIR process.

Action 3.4: Future development shall be sited and designed to avoid disturbing the scenic quality of the area. Leapfrog development shall be discouraged. The use of bright colors and reflective materials shall be avoided, and buildings should utilize natural screening, such as topographic features and vegetative cover, to avoid detracting from open vistas. Construction in open meadow areas and on ridgelines should be avoided. Buildings shall be low profile, and in no instance exceed 35 feet in height. Utility lines shall be installed underground where environmentally feasible.

Policy 4: Facilitate input from area residents on local planning issues.

Action 4.1: Establish an Upper Owens Planning Advisory Committee consisting of area landowners to review and comment on planning and environmental projects having the potential to impact the area.

OBJECTIVE B

Protect the water resources of the Upper Owens Area.

Policy 1: Ensure that direct and indirect impacts of development projects on the water resources of the Upper Owens Area are avoided or mitigated to a point where clearly no significant effects would occur.

Action 1.1: Oppose development of a fish hatchery at Big Springs, unless it can be demonstrated that there will clearly be no significant adverse effects on the area's water and fishery resources.

Action 1.2: Oppose water transfer projects that could affect the Upper Owens Watershed - such as the development of the Dry Creek Wellfield - unless it is demonstrated that there will clearly be no significant adverse effects on the area's water resources.

Action 1.3: Require development within the Upper Owens Area to avoid or mitigate impacts to local water resources to a point where clearly no significant adverse effects would occur.

Action 1.4: Require development to set back 50 feet from the top of the bank of natural waterways, and to comply with other stream, riparian and wetland area setback requirements of Federal and State agencies.

Action 1.5: Request that potential impacts to the Upper Owens River be thoroughly considered in applicable environmental studies.

Action 1.6: Require projects with the potential to impact the water resources of the Upper Owens area to conduct long term water monitoring programs in order to ensure the maintenance of the area's water quality and quantity.

Policy 2: Preserve the Upper Owens River water resources and riparian corridor.

Action 2.1: Work with local landowners to develop coordinated strategies for preserving the integrity of the Upper Owens River corridor, including the riparian corridor, downstream to Crowley Lake. Stream preservation options and techniques—such as conservation easements, transfer of development rights, fencing, enhancement of water quality and the sale of sensitive land to conservation organizations—should be considered.

Action 2.2: Work with local landowners to manage access to the river in a manner that preserves the integrity of the riparian corridor and the fishery.

Action 2.3: Promote sound grazing management in accordance with the Conservation/Open Space Element, Agriculture/Grazing/Timber policies, Goal I, Objective C.

OBJECTIVE C

Promote the continuation of agricultural uses, including aquaculture uses, that are compatible with the rural recreational and open space values of the area.

Policy 1: Allow for the continuation and reasonable expansion of agricultural uses, including grazing and aquaculture uses, in a manner consistent with the environmental and recreational values of the area.

Action 1.1: Designate lands used for agricultural purposes as “Agriculture” to ensure consistency with the General Plan.

Action 1.2: Require development to be sited in a manner that avoids interference with existing ranching operations and livestock and wildlife movement.

LONG VALLEY-GOAL

Maintain the rural residential character of the Long Valley communities (i.e., Long Valley, McGee Creek, Crowley Lake/Hilton Creek, Aspen Springs, and Sunny Slopes) in a manner that provides for commercial uses to serve community needs, and that protects the area's visual, recreational, and natural resources.

OBJECTIVE A

Ensure adequate public services (e.g., fire protection, school facilities) and infrastructure (e.g., water supply, sewage treatment, utilities) for the area.

Policy 1: Future development should coincide with infrastructure and service capability and expansion.

Action 1.1: Require development projects to obtain "will-serve" letters from applicable service agencies.

Action 1.2: Evaluate the cumulative impact of all new development on public services, public facilities and the environment.

Action 1.3: For areas not served by a water system, future development projects shall be required to demonstrate, prior to permit issuance, that sufficient water exists to serve both domestic and fire flow needs of the development and that use of that water will not deplete or degrade water supplies on adjacent properties, or adversely impact water supplies for natural resources.

Policy 2: Encourage the timely expansion of special district facilities, including provisions for a satellite fire station in the Sunny Slopes area, water treatment facilities, television service, etc..

Action 2.1: Study the feasibility and desirability of consolidating service provision in the Long Valley area, as suggested in the Sphere of Influence Reports prepared by Mono LAFCO for the Birchim Community Services District (Sunny Slope) and the Hilton Creek Community Services District (Crowley Lake/Hilton Creek).

Action 2.2: Study the feasibility and desirability of developing a community water system for the Crowley Lake/Hilton Creek area.

OBJECTIVE B

Maintain the quality and livability of community areas.

Policy 1: Preserve and enhance existing single-family residential uses.

Action 1.1: Future residential development in community areas shall have a minimum lot size of 15,000 square feet except for areas adjacent to existing development with lot sizes of 7,500-10,000 square feet, where the minimum lot size may be 10,000 square feet.

Action 1.2: Through the provision of density bonuses, encourage clustering of residential units in areas designated for low density residential uses for sites of two (2) acres or more.

Policy 2: Future development projects shall avoid potential significant environmental impacts or mitigate impacts to a level of non-significance, unless a statement of overriding considerations is made through the EIR process.

Action 2.1: Future development projects with the potential to have significant environmental impacts shall assess the impact(s) and recommend project alternatives and/or mitigation measures prior to project approval, in the manner required by General Plan policies.

Action 2.2 Study the feasibility and desirability of establishing a Design Review District and associated design review standards in the planning area.

Policy 3: Prevent incompatible adjacent land uses.

Action 3.1: Require adequate buffering (e.g., landscaping, physical barriers) to protect residential areas from non-residential, incompatible land uses.

Action 3.2: Provide adequate private open space in all residential areas and developments.

Action 3.3: Require higher density residential development to be compatible with the surrounding area and to provide sufficient open space.

Action 3.4: Encourage the development of higher density development within walking distance of the commercial area in Crowley Lake/Hilton Creek.

OBJECTIVE C

Provide for commercial development which supplies the area with convenient and necessary goods and services.

Policy 1: Provide adequate land for existing and future commercial needs.

Action 1.1: Designate a sufficient amount of land to accommodate tourist and community commercial needs.

Action 1.2: Cluster commercial development in order to create a commercial core area ("village center") in Crowley Lake/Hilton Creek.

Action 1.3: Mixed uses (commercial and residential) may be allowed, provided these uses do not adversely affect the basic rural residential character of the area.

Action 1.4: Adopt the following land use designation for use in the existing mixed use areas in the Long Valley communities:

Mixed Use ("MU")

This designation provides for a wide range of resident and visitor oriented residential and commercial uses, including business, professional and retail uses. The designation also allows for the construction of mixed use buildings. All commercial development in the Long Valley communities, including that in the Mixed Use designation, shall comply with the commercial development performance standards contained in the Long Valley Area Plan.

Permitted Uses: Examples of permitted uses include recreational uses, commercial lodging, professional services, business services, small-scale community-oriented retail operations, food services and residential uses.

Building Intensity: Minimum lot size is 10,000 square feet except for hotels, motels, condominiums, townhouses, and similar uses the minimum lot size is 20,000 square feet. Maximum building intensity is 15 dwelling units per acre for multiple-family residential units including apartments and condominiums. Motels may not exceed a maximum density of 40 units per acre.

Policy 2: Promote improvements in community commercial areas to increase their attractiveness and to rejuvenate existing commercial uses.

Action 2.1: All commercial development shall comply with the following commercial development performance standards:

- a) All commercial development shall comply with Objective B, Policy 2 and Action 2.1 of this Plan, which require avoidance or mitigation of any potential significant environmental impacts, unless a statement of overriding considerations is made.
- b) The project must comply with the design review standards established in accordance with Objective B, Policy 2, Action 2.2. Exterior signs and lighting shall be considered in the design review standards.
- c) The project shall not exceed a sustained or intermittent noise level of 60 dBA.
- d) The project shall supply adequate access, parking and loading areas.
- e) Exterior signs shall comply with the Mono County Sign Regulations.
- f) Uses involving or producing noxious fumes or odors shall not be permitted unless fumes or odors are treated or diffused prior to release from the generating source.
- g) Operations using and storing noxious chemicals including but not limited to pesticides and herbicides, other than those packaged for resale, or large volumes of solvents or flammable liquids, will not be allowed.

Policy 3: Encourage the development of professional uses (e.g., clinic, doctor's office, law offices) in the Crowley Lake/Hilton Creek commercial core, to provide for the needs of residents.

Policy 4: Allow the continuation of home occupations (as defined in the Mono County Land Development Regulations) which are not in conflict with surrounding uses.

OBJECTIVE D

Provide for light industrial uses which supply the community with convenient and necessary services (e.g., material and equipment storage, wood lots, automotive repair).

Policy 1: Permit development of clean small-scale light industrial uses which provide local year-round employment, serve local needs tending to make the area industrially self-sufficient, and are environmentally compatible to the area.

Action 1.1: Designate a sufficient amount of land to accommodate light industrial needs.

Action 1.2: Pursue the acquisition of suitable public land for the remote placement of incompatible industrial uses.

OBJECTIVE E

Provide for recreational and open space uses in and around the Long Valley planning area.

Policy 1: Ensure the preservation of open space in the planning area.

Action 1.1: Require in-filling of areas designated for residential, commercial, and industrial uses prior to allowing conversion of agricultural land or public open space.

Action 1.2: Designate lands owned by the LADWP for open space.

Policy 2: Discourage the extension of public and private facilities, especially roads, into open space or agricultural land.

Policy 3: Encourage recreational uses and activities in all seasons.

Action 3.1: Support increased all season recreational use of Crowley Lake.

Action 3.2: Encourage the California Fish and Game Commission, with the cooperation of the LADWP, to extend the fishing season at Crowley Lake until November 15.

Action 3.3: In cooperation with the LADWP, encourage recreational development at Crowley Lake, including development of winter use ski trails, a winter campground/trailer park, water skiing, sailing, and concessions.

Policy 4: Maintain and increase recreational facilities for residents.

Action 4.1: Designate sites for neighborhood parks. Each park is encouraged to provide a multiple recreational setting with input from the service area population as to facilities, activities and design.

Action 4.2: Continue to promote multiple use of Whitmore Park in response to regional needs.

Action 4.3: Study the feasibility of developing bike paths/trail system throughout the area, including methods of funding such a system.

Policy 5: Ensure that those using recreation facilities contribute to the cost of providing and maintaining facilities.

Policy 6: Ensure that recreational facilities are compatible with adjacent land uses, the maintenance of environmental quality and the protection of property rights.

Action 6.1: Require all new development proposals to provide public access and rights-of-way to public open space, in conformance with the provisions of the Subdivision Map Act.

OBJECTIVE F

Promote complementary and compatible uses of adjoining BLM, USFS, and LADWP lands.

Policy 1: Encourage a systematic prioritized land exchange policy to discourage development of isolated and remote private parcels; to discourage development of private parcels subject to public safety hazards; to discourage development of private parcels indispensable to sound natural resource management; to minimize long term county and special district service costs; and to encourage acquisition of public lands for public facility and private uses.

Action 1.1: Identify those private parcels which by reason of their remote, isolated or hazard prone location could be considered for trade to public agencies.

Action 1.2: Identify those public parcels which by reason of their location could house otherwise incompatible public facilities or private uses (e.g., light industrial) and which should be considered for acquisition.

Action 1.3: Request the BLM to designate lands adjacent to community areas for potential future land disposal.

WHEELER CREST--GOAL

To retain, as nearly as possible, the character and quality of life presently enjoyed in the community through the year 2010.

OBJECTIVE A

Prevent incompatible or conflicting uses within the Wheeler Crest community.

Policy 1: The timing and location of new residential developments shall be directed to areas with existing services or adjacent to areas with existing services, (i.e., fire protection, water supply, sewage and utilities).

Action 1.1: In-fill, to the greatest extent possible, developed private land to the residential densities specified in this plan (i.e., Estate Residential Designation, one-acre minimum lot size). Overall densities for areas outside existing developed areas shall not exceed one unit per two acres (Estate Residential Designation, two acre minimum lot size). As specified in the Plan EIR and other Plan policies, larger minimum lot sizes may be appropriate for sensitive resource areas.

Action 1.2: Require developers, at time of application submittal, to demonstrate adequate service availability (water supply, fire flow, sewage/septic, utilities).

Action 1.3: If any extension of services will be required for a proposed project, an economic analysis, including projected public costs, shall be required.

Action 1.4: Consider, and mitigate, the cumulative impact of any new development prior to project approval.

Action 1.5: The residential density of any proposed project shall be consistent with surrounding densities as built.

Action 1.6: Petition the Board of Supervisors to establish a development fee and/or land bank for community uses.

Policy 2: Residential development shall have a minimum impact on the environment.

Action 2.1: Adequate open space shall be provided as part of any proposed development.

Action 2.2: Preserve adequate solar access for all existing and proposed development.

Action 2.3: Discourage installation of street lights unless necessary for safety reasons.

Action 2.4: Place all utilities underground unless the geology will not allow it.

Action 2.5: Develop design review standards indicating desired architectural type and outside treatments that will harmonize with the rural character of the area.

Policy 3: Retain the rural residential character of the entire study area.

Action 3.1: Permit only single-family residential and related accessory structures. Bed and Breakfast establishments shall also be permitted on parcels of 100 acres or greater, if designed to be compatible with existing residential uses, and if the undeveloped portion of the parcel remains as open space or agricultural use in perpetuity.

Action 3.2: General commercial uses are neither compatible, nor needed, within the residential area, and shall be prohibited. Bed and Breakfast establishments shall be exempt from this provision, as detailed in Action 3.1.

Action 3.3: Permit small-scale agricultural uses (including the keeping of animals for personal use) within the mandate of the County requirements for the ER designation, or more restrictive CC&R's, as applicable.

Action 3.4: Avoid community strife by respecting current, more restrictive CC&R's, as well as County land use designations.

Action 3.5: Consider amending the Land Development Regulations or this Plan in order to further restrict the intensity of animal use in residential areas.

Policy 4: Encourage a diversity of architectural styles that reflect a rural residential lifestyle.

Action 4.1: Permit and encourage innovative construction techniques, as long as permitted by local ordinance and building codes (i.e., passive/active solar design).

Policy 5: Encourage the transfer of privately owned, environmentally sensitive or isolated land within the Wheeler Crest planning area.

Action 5.1: Identify parcels incompatible for private use by virtue of location and/or environmental sensitivity (i.e., avalanche area, deer migration route, etc.).

Action 5.2: Coordinate with the USFS or BLM to exchange public land that is more suitable for private ownership.

OBJECTIVE B

Preserve the value of land dedicated or deeded for community services, natural resources or recreation use as development occurs in the planning area (parks, community centers, equestrian trails, ski trails, hiking trails, tennis courts, deer migration corridors , etc.).

Policy 1: When utilities are installed in new residential areas, ensure that they are adequate for future local needs and are compatible with the rural residential flavor of the planning area.

Policy 2: Provide sites and/or facilities to accommodate a variety of community activities.

Action 2.1: Closely regulate any proposed community facility to ensure compatibility with rural residential and open space uses.

Action 2.2: As necessary, provide an environmental impact analysis of all proposed community facilities.

Action 2.3: Evaluate and improve, if necessary, all utilities to adequately serve community facilities.

Action 2.4: Provide incentives to encourage private parties to contribute towards necessary community facilities.

Policy 3: Guarantee that improvements for community use will increase the attractiveness of the use, and that the use will be compatible with residential uses and surrounding resource values.

Action 3.1: Buffer all community use from residential uses with a combination of open space, plantings, physical barriers.

Action 3.2: Evaluate traffic, safety and air quality impacts of all proposed community facilities.

Action 3.3: Buffer new developments from deer corridors or other key wildlife habitats using a combination of open space, plantings and physical barriers.

OBJECTIVE C

Provide for recreational and open space uses in and around the Wheeler Crest area.

Policy 1: Preserve adequate open space rangeland to protect movement of wildlife, cattle and pack stock.

Action 1.1: Monitor and discourage the conversion of viable agricultural land.

Policy 2: Prevent the intrusion of development into rangelands, with special attention to protecting range vegetation and water supply.

Action 2.1: Discourage extensions of public and private facilities, especially roads, into open space rangeland as defined by Department of Fish and Game, Bureau of Land Management and U.S. Forest Service.

Policy 3: Provide for recreational and aesthetic open space in and around the Wheeler Crest planning area.

Action 3.1: Utilize Quimby Act fees to finance park and recreation development. Capture currently available state and federal monies allocated for these purposes.

Policy 4: Ensure that recreational facilities are compatible with land uses, maintain environmental quality and protect property rights.

Action 4.1: Recreational needs should be considered in the planning and development of circulation and transportation improvements.

Action 4.2: Maintain and enhance recreation opportunities.

Policy 5: That existing National Forest and BLM lands surrounding the community be retained in public ownership or be utilized for community purposes.

Action 5.1: Coordinate all planning and development activities adjacent to public lands with the affected public entity.

Action 5.2: Assist in the preservation of valuable deer habitat by establishing a land bank, or other mechanisms, to retain migration corridors.

Action 5.3: Coordinate with public agencies to preserve and enhance natural stream courses.

Action 5.4: Consider requiring a fire safety buffer between public land and any new development.

Action 5.5: Assign Open Space designation for surrounding DWP lands.

Policy 6: That isolated public lands within the study area be exchanged for private lands better suited for watershed protection and other public purposes.

Action 6.1: Identify and designate those lands which, by reason of their remote, isolated, or hazardous location, should be exchanged.

Policy 7: Encourage sound management and utilization of public lands to benefit local recreational and energy needs.

Action 7.1: Any proposed hydroelectric facilities shall be consistent with the goals of this plan.

OBJECTIVE D

Ensure adequate public services (e.g., fire protection) and infrastructure (e.g., water supply, sewage treatment, utilities) for the area.

Policy 1: Ensure that necessary public facilities are planned for as new residential development is proposed. Ensure that adequate land, in appropriate locations, is set aside for public facilities.

Action 1.1: The Mono County Health Department and the Wheeler Crest Community Services District shall evaluate, as the community expands, the need for community water systems in the planning area.

Action 1.2: Maximize groundwater recharge by protecting natural drainage areas and encouraging their preservation as open space.

Action 1.3: Require utilization of all water saving devices at building construction.

Policy 2: Necessary public facilities shall be located and designed to be compatible with surrounding land uses.

Action 2.1: All proposed public facilities shall provide sufficient buffering to protect residential areas from noise and visual impact.

Action 2.2: Provide adequate parking, snow storage, underground utilities, etc., in accord with the nature and function of the facility.

OBJECTIVE E

Provide for a quality residential life by maintaining and improving the existing housing stock while ensuring that housing needs of the entire community are being met.

Policy 1: Conserve, by maintaining or rehabilitating, the planning area's housing stock.

Action 1.1: Allow alternative housing construction modes, as long as these conform architecturally with existing homes (i.e., modular, manufactured, etc.); and retain the rural-residential character.

Policy 2: Improve the supply of buildable land by encouraging land exchanges of undevelopable parcels in wet meadow and avalanche prone areas for more suitable areas.

OBJECTIVE F

Protect and enhance the environmental resources in the area which contribute to the quality of life and form the basis for the recreation-oriented local economy; i.e., open space, air and water quality, scenic resources, streams and wildlife.

Policy 1: Protect all year-round streams from encroachment or development that detracts from their natural beauty.

Action 1.1: Witcher and Birch creeks have been identified by the DFG as locations for the reintroduction of Lahontan cutthroat trout. Require an environmental analysis for any project that may impact this resource.

Action 1.2: Utilize open space and drainage easements as well as clustering of major new development as stream preservation tools.

Action 1.3: Adopt erosion control and grading regulations that will minimize removal of natural vegetation to help prevent downstream sedimentation.

Action 1.4: Prohibit artificial redirection of water courses, especially Lower Rock Creek, Witcher Creek and Birch Creek.

Action 1.5: Maintain and preserve existing vegetation and habitat along stream courses.

Policy 2: Preserve clean surface and groundwater resources.

Action 2.1: Maximize groundwater recharge by protecting natural drainage areas. Ensure their preservation by leaving them in open space.

Action 2.2: Monitor groundwater levels and quality and consider initiation of a groundwater management plan to ensure protection of the resource.

Action 2.3: Cooperate and coordinate with Lahontan Regional Water Quality Control Board in protecting the area's water resources. This may include requirement of on-site sedimentation control devices.

Action 2.4: Promote water conservation through the use of native and/or drought resistant plantings.

Policy 3: Protect wildlife and native plants, especially rare and endangered species.

Action 3.1: Create a list of known or potential rare and endangered plants that may exist within the study area. Retain the expertise of the California Native Plant Society.

Action 3.2: Require an environmental analysis for any proposed land use located in areas that are known habitats for rare and endangered wildlife or flora. The analysis would study the effects of the proposed development upon this resource and how adverse impacts would be mitigated.

Action 3.3: The entire planning area is either within or in close proximity to valuable deer migration routes. Thus all projects, other than homes on subdivided lots, shall assess and mitigate to the greatest degree possible, the impacts of development on this resource. Mitigation measures may include but not be limited to: clustering, reduction of density, large minimum lot sizes, prohibiting construction in certain locations, relocation, contribution to a land bank for alternate routes, fencing of gardens/landscaping, protection of special habitat types such as wet meadows, and building setbacks.

Action 3.4: Restrict off-road vehicle use in areas of environmental sensitivity (i.e., deer migration and habitat areas).

Action 3.5: Support the DFG's continuing program to reintroduce native game species (bighorn sheep).

Policy 4: Protect open space and scenic values within and around the community.

Action 4.1: Require developers/builders to protect views from parcels which are on the "upper" side of a proposed development. This applies to any affected property regardless of whether it is inside or outside the project boundaries.

Action 4.2: Retain areas inappropriate for development (i.e., wet meadows, avalanche hazard zones) in natural open space.

Action 4.3: Prohibit road extensions into valuable open space areas.

Policy 5: Identify and protect significant historical and archaeological sites from damage or destruction.

Action 5.1: Any proposed project in an area having potential archaeological resources shall conduct a site assessment prior to project approval or any grading activity.

Action 5.2: Cluster or relocate projects away from unique cultural resources.

Action 5.3: Revise county procedures regarding cultural resources to assure recordation/preservation prior to site disturbance.

Policy 6: Develop programs that prevent the harassment of wildlife by domestic animals.

Action 6.1: Support enforcement of the leash law in the Wheeler Crest community.

Action 6.2: Support active cooperation of community organizations.

Policy 7: Preserve and protect native vegetation and sizable stands of native trees.

Action 7.1: Work with all federal, state, and local agencies to implement and maintain tree preservation programs.

Action 7.2: Site plans for all proposed projects, including single-family homes, shall identify all mature native trees and native plants. The plans should demonstrate a reasonable attempt to retain as many native trees and native plants as possible.

OBJECTIVE G

Ensure public safety from the unreasonable risks presented by natural hazards (i.e., seismic, avalanche, flood, wildland fire).

Policy 1: Take all feasible steps to reduce the threat to life and property from fire by implementing effective fire prevention measures.

Action 1.1: Consider requiring expanded fuel breaks and greenbelts between new development and public lands.

Action 1.2: Where feasible, require two access points (built to current standards) for all development projects, that are easily accessible to all emergency vehicles.

Action 1.3: Require that vegetation within new developments use native and drought resistant species.

Action 1.4: Require a minimum of 30 feet between all new residences unless existing structures make this unfeasible.

Action 1.5: Set up an emergency evacuation plan that is available prior to a fire breaking out. This could also be used for other natural disasters.

Action 1.6: Propane, gasoline, and other fuel storage should be confined to peripheral locations to provide a safety buffer from areas of human occupancy.

Action 1.7: All new development shall comply with all requirements of the Wheeler Crest Fire Protection District, as well as existing county requirements. Fire hydrants, water storage and water lines shall be provided as necessary to guarantee sufficient fire flow.

Action 1.8: Require a consistent street naming and housing numbering system for the area and require all names and numbers to be clearly visible.

Action 1.9: The County, supported by the Fire District, shall continue to require road designs which guarantee adequate width, moderate grades, and wide turning radii, so that emergency vehicles can quickly and safely respond to any call.

Action 1.10: Work with applicable agencies to provide a secondary/emergency access route for the Wheeler Crest community.

Policy 2: Establish appropriate siting and development standards in order to reduce the risks of earthquakes.

Action 2.1: Assist in enforcing state seismic requirements.

Policy 3: Identify avalanche danger areas and protect life and property accordingly.

Action 3.1: Implement the avalanche policies and mitigation measures in the Safety Element.

Policy 4: Develop and provide an adequate level of safety oriented services: sheriff, paramedic, and fire.

Action 4.1: Utilize the Sheriffs and Public Works to assist in monitoring and evacuating procedures during natural disasters.

Action 4.2: Promote increased emergency medical services for the community.

Action 4.3: Support and monitor compliance of the county's "No Shooting" ordinance.

TRI-VALLEY-GOAL

Preserve the rural and agricultural character of the Tri-Valley area.

OBJECTIVE A

Preserve the agricultural character of the Hammil Valley.

Policy 1: Protect agricultural uses from the encroachment of incompatible land uses.

Action 1.1: Limit residential development in Hammil Valley in order to minimize agricultural-residential conflicts.

Action 1.2: Prohibit scattered residential development in Hammil Valley which would increase agricultural-residential conflicts.

Policy 2: Encourage the continuation of agricultural production through implementation of the Development Credits Program.

Action 2.1: Under the Development Credits Program, in the Hammil Valley:

1. No parcel may be created less than ten (10) acres in size.
2. One development credit permits the construction of one single-family residence.

Action 2.2: Consider amending the ten (10) acre minimum parcel size.

Action 2.3: Prior to project approval, development credits shall be assigned by the decision-making body having authority to approve or deny the project. Development credits shall be assigned in accordance with the total acreage under a single ownership. The total number of development credits shall be assigned in accordance with the following rules (see Table 1):

- a. For lands under a single ownership which total ten (10) acres or less, one (1) development credit shall be assigned.
- b. For lands under a single ownership which total forty (40) acres or less, one (1) development credit shall be assigned for each ten (10) acres.
- c. For lands under a single ownership which total more than forty (40) acres, four (4) development credits shall be assigned for the first forty (40) acres, and one additional development credit shall be assigned for each additional forty (40) acres, or portion thereof greater than ten (10) acres.

Action 2.4: The assigned development credits shall be recorded in a Development Credits Ledger. The Development Credits Ledger shall be maintained by the Planning Department.

Action 2.5: One development credit is considered to have been used for each existing dwelling unit on lands under a single ownership. Those lands shall be appropriately debited in the Development Credits Ledger.

**TABLE 1
DEVELOPMENT CREDITS ASSIGNMENTS**

Nominal Parcel Size (Acres)	Actual Parcel Size (Acres)	Development Credits
10	0.1-19.4	1
20	19.5-29.4	2
30	29.5-39.4	3
40	39.5-49.4	4
50	49.5-89.4	5
90	89.5-129.4	6
130	129.5-169.4	7
170	169.5-209.4	8
210	209.5-249.4	9
250	249.5-289.4	10
290	289.5-329.4	11
330	329.5-369.4	12
370	369.5-409.4	13
410	409.5-449.4	14
450	449.5-489.4	15
490	489.5-529.4	16
530	529.5-569.4	17
570	569.5-609.4	18
610	609.5-649.4	19
650	649.5-689.4	20
690	689.5-729.4	21
730	729.5-769.4	22
770	769.5-809.4	23
810	809.5-849.4	24
850	849.5-889.4	25
890	889.5-929.4	26
930	929.5-969.4	27
970	969.5-1009.4	28
1010	1009.5-1049.4	29
1050	1049.5-1089.4	30
1090	1089.5-1129.4	31
1130	1129.5-1169.4	32
1170	1169.5-1209.4	33
1210	1209.5-1249.4	34
1250	1249.5-1289.4	35
1290	1289.5	36

Action 2.6: Property owners who own more than forty (40) acres must submit and obtain approval of a Master Plan for all the lands under their ownership prior to the use of any of the development credits assigned to lands under their ownership.

Action 2.7: Property owners who own a 1/4, 1/4 section or forty (40) acres or less need not file a Master Plan and may use their development credits through the normal County land development procedures. Parcels of forty acres or less

may apply for or be assigned Agricultural or Rural Residential designation. Development credits shall be debited to the Development Credits Ledger at the time of project approval.

Action 2.8: The Master Plan shall designate the owner's assignment of development credits to each parcel under their ownership. Upon approval of the Master Plan by the decision-making body having authority to approve or deny the project the development credits shall be assigned to the parcels as stipulated by the Master Plan. The Development Credits Ledger shall be posted accordingly.

Action 2.9: The development of parcels which are the subject of a Master Plan shall comply with all applicable Mono County land use designation and development requirements. In addition, the decision-making body having authority to approve or deny the project shall make a finding that the proposed project is in conformance with the approved Master Plan.

Action 2.10: Wherever feasible, development shall occur on clustered ten (10) acre parcels. The location of the residential clusters shall be guided by the following policies:

- a. Residential development shall occur adjacent to existing residential development, or
- b. Residential development shall occur on soils rated Class II or poorer by the Soil Conservation Service land use capability classifications.
- c. Non-residential land uses shall be contiguous to agricultural operations.

Action 2.11: When the size, location, or configuration of the lands under a single ownership permits no alternative location for the use of the assigned development credits other than adjacent to agricultural operations, the parcels shall be configured to allow the maximum setback for a building site from the agricultural operation.

Action 2.12: The Master Plan shall designate the phasing of development.

Action 2.13: The Master Plan may be amended utilizing county procedures for amendment of a General Plan.

Action 2.14: The Master Plan shall designate those lands with no remaining development credits as "Exclusive Agriculture."

Action 2.15: Prior to or upon the sale of an "Exclusive Agriculture" parcel which has no remaining development credits, the seller shall disclose to the buyer that the parcel has no remaining development credits.

Action 2.16: "Exclusive Agriculture" parcels of 160 or more acres are permitted one single-family dwelling. When appurtenant to agricultural use, other farm outbuildings and quarters for farm labor shall be permitted.

Action 2.17: Contiguous parcels designated as "Exclusive Agriculture" which total 160 acres or more may be combined under a single ownership. The provisions of Actions 2.15 and 2.16 shall then be applied to the larger parcel.

Action 2.18: When sold, parcels which are the subject of an approved Master Plan shall retain the number of development credits assigned to them by the Master Plan and recorded in the Development Credits Ledger. When sold, parcels which are not the subject of an approved Master Plan shall be assigned development credits in accordance with Action 2.3 of the Development Credits Program. The lands which remain under the ownership of the selling party shall be reassigned development credits in accordance with Action 2.3 of the Development Credits Program.

Policy 3: Allow family farming mixed with large farms.

Policy 4: Allow farm worker housing on parcels which support ongoing agricultural operations. Farm worker housing shall constitute a residence and shall require the use of a development credit except for parcels designated "Exclusive Agriculture."

OBJECTIVE B

Integrate additional residential development into the existing community character in Benton and Chalfant.

Policy 1: Allow for the continuation of growth in Benton.

Action 1.1: Gross densities for residential development in Benton shall not exceed two (2) dwelling units per acre. For parcels forty (40) acres or greater, clustering shall be encouraged.

Policy 2: Preserve the rural character and setting of Chalfant.

Action 2.1: Gross densities for residential development in Chalfant shall not exceed one (1) dwelling unit per acre. For parcels ten (10) acres or greater, clustering shall be encouraged.

Policy 3: Encourage residential development in areas which will minimize the impact on the environment.

Action 3.1: Encourage the completion of adequate studies of the flooding potential throughout the Tri-Valley area.

Action 3.2: Encourage the exchange of environmentally sensitive private lands for public lands.

Action 3.3: Continue to enforce the provisions of the county's Flood Plain combining district in the Tri-Valley area.

Policy 4: Encourage residential land use patterns in Benton and Chalfant which will permit the efficient delivery of public services.

Action 4.1: Encourage residential development in Benton and Chalfant to take place on parcels contiguous to existing development.

Policy 5: Encourage the timing of growth which will allow for efficient use of existing public facilities and for adequate planning for additional public facilities.

Action 5.1: Allow additional residential subdivision only when adequate services (including fire protection, water, and school facilities) are available or planned for development. The proponent of a residential subdivision shall include this assessment as part of the environmental review process.

Action 5.2: New development projects shall comply with fire safe regulations and obtain "will-serve" letters from the White Mountain Fire Protection District or the Chalfant Valley Fire Department.

OBJECTIVE C

Provide adequate commercial facilities to serve visitors and residents in the Tri-Valley.

Policy 1: Designate adequate lands along Highways 6 and 120 in Benton and Chalfant for small-scale commercial uses which serve the communities.

Policy 2: Allow only agriculture-related commercial uses in Hammil Valley.

Policy 3: Prevent the establishment of regional commercial facilities.

Policy 4: In Benton, encourage the establishment of commercial enterprises oriented towards providing services to highway travelers.

Policy 5: Allow the continuation of home businesses in the area.

OBJECTIVE D

Provide for industrial land use needs in the Tri-Valley area.

Policy 1: Accommodate small industrial developments compatible with the existing communities of Benton and Chalfant in order to establish a local employment center and an economic base.

Policy 2: Allow only agriculture-related industrial uses in Hammil Valley.

OBJECTIVE E

Provide for recreational and open space uses in the Tri-Valley area.

Policy 1: Utilize the open space provided by Federal lands to ensure that the open space needs of the community are met and to provide buffer space between communities.

Action 1.1: Designate appropriate federal lands as public lands. Public land shall be used for open space or public purposes such as schools, parks, recreational landing strip, etc.

Action 1.2: Designate a landing strip for agricultural and emergency uses in Hammil Valley.

Action 1.3: Encourage cluster development in Specific Plans to provide for open space.

Policy 2: Provide adequate land for the recreational needs of the area.

Action 2.1: Designate sites for community recreational areas.

Action 2.2: Require new large-scale development to allocate sufficient land and facilities to meet the recreational needs of residents of the development.

BENTON HOT SPRINGS VALLEY-GOAL

Preserve the historic, rural, and agricultural character of the Benton Hot Springs Valley.

Policy 1: Preserve and restore historic features of Benton Hot Springs.

Action 1.1: Support public use and appreciation of Benton Hot Springs' historic properties, including the establishment of museums and exhibits.

Action 1.2: Encourage and support, as possible, restoration of historic structures and new construction within the historic town that reinforces and compliments the town's historic design and character.

Action 1.3: Support the landowner's efforts to convert non-conforming structures (i.e., mobile homes and trailers) into structures that fit with the historic town character.

Action 1.4: Apply the Historic Building Code to Benton Hot Springs' historic properties rather than the Uniform Building Code. Support and/or approve variances to local, state, and federal regulations when such variances are determined to be environmentally sound and safe and are consistent with furthering preservation of historic resources.

Policy 2: Maintain the open space and rural character of Benton Hot Springs meadow.

Action 2.1: Encourage grazing and agricultural uses of Benton Hot Springs meadow and irrigated pasture lands, as opposed to intensive development, in order to preserve open space values.

Action 2.2: Support conservation practices and activities to enhance and maintain wildlife, livestock, visual, and recreation benefits. If so desired by the landowner, support conservation and visual easements and tax reduction incentives as affordable means for open space protection. Determine that farming and ranching activities are appropriate uses and activities within these undeveloped areas.

Action 2.3: Encourage the clustering of intensive land use and development activities within and adjacent to the historic town to avoid significant encroachment on open space areas.

Action 2.4: Support development of additional water sources and ponds to enhance habitat for wildlife and livestock.

Action 2.5: Support actions to mitigate flood damage potential within and adjacent to the historic town.

Policy 3: Encourage uses and businesses that support and compliment, or do not seriously detract from, Benton Hot Springs' historic, hot springs, agricultural and rural attributes.

Action 3.1: Support using Benton Hot Springs' historic structures for residential housing and tourism services.

Action 3.2: Provide visitor services, including gas station, store/market, food, gift shops, museums and exhibits, lodging, and hot springs access, within and adjacent to the historic town.

Action 3.3: Encourage agricultural activities, such as aquaculture, greenhouse gardening, and field crops, in addition to livestock rearing.

Action 3.4: Allow for the development of short-term recreational-vehicle facilities and recreation special events in areas adjacent to the historic town and along Hwy. 120.

Action 3.5: Allow single-family residential development (estate residential, rural residential, and larger lots with 5-acre minimums) in locations adjacent to existing residential development (Benton Paiute Reservation and Benton historic town) and outside of open space (agricultural) areas.

Action 3.6: Support the establishment of a fire protection district or evaluate annexing Benton Hot Springs to the White Mountain Fire Protection District.

OASIS–GOAL

Protect agricultural and natural resource values in the area.

OBJECTIVE A

Preserve the agricultural lands and natural resource lands in the Oasis area.

Policy 1: Designate existing agricultural lands for agricultural use in the Land Use Element, and initiate associated redesignation amendments.

Action 1.1 In accordance with the California Environmental Quality Act (CEQA), require the preparation of an Environmental Impact Report (EIR) for projects that may convert agricultural lands to other uses.

Action 1.2: Encourage agricultural land owners to utilize the property tax incentives for agricultural land provided for in the County's Williamson Act program.

Action 1.3: Inform owners of critical wildlife habitat areas of the potential for open space easements to protect such areas and of the potential for property tax adjustments.

CONWAY RANCH SPECIFIC PLAN-LAND USE POLICIES

(Note: The following summarizes the goals and objectives of the Conway Ranch Specific Plan. Detailed policies and standards are contained in the Specific Plan and should be consulted.)

GOAL

To create a private resort development which will provide additional lodging, residential, and recreational facilities within the Mono Basin.

GENERAL LAND USE OBJECTIVES

The basic design principle for the Conway Ranch Specific Plan will be the creation of a private resort community which has an open ranch-like setting. Building structures will be low-profile with a unified texture and design compatibility. The design of all structures will be subordinated to the theme of the ranch and to the natural setting. The concept of the land use plan is to cluster structures of related form, color and texture. The expression of building structures will be minimized to avoid the staccato effect which arises from the placement of individual, isolated, unrelated structures.

Mixed densities and land uses shall be utilized to provide a variety of resort accommodations and residential development within the planning area. Maximum number of total residential/resort units shall not exceed 690 units for an overall planning area development density of 0.80 units/acre.

An adequate level of services, facilities and infrastructure shall be provided through the phased implementation of a public facilities plan.

The development will provide a flexible plan to accommodate improvements to the open space elements and changes in lifestyle uses.

RESIDENTIAL OBJECTIVES

To provide for a development which is planned as a unified and integrated whole.

To provide for development which incorporates environmental sensitivity into design features and amenities.

To provide for a variety of housing alternatives.

To provide for a transfer of density and product types from one parcel to another to accommodate economic fluctuations and market trends, but not to exceed a total of 690 units.

COMMERCIAL/RESORT OBJECTIVES

To provide for a unified commercial lodging center which will serve as the focal point of the community.

To provide for development of a commercial core with a range of services, including retail and service commercial, which will be necessary to meet the specialized needs of the resort community.

To provide resort accommodations for transient occupancy.

PUBLIC FACILITIES OBJECTIVES

To provide adequate public facilities and services such as water supply systems, sewage facilities, solid waste disposal, fire protection, security, first aid, road maintenance, and snow removal which will allow the Conway Ranch to function as a largely self-contained community and thereby minimize the impact on existing service providers and service levels of the County.

To provide all operational services by the association and the various public utility companies.

To provide adequate public utility easements during the development phases. The association shall have the authority to issue subsequent easements if required to meet future needs.

RECREATIONAL OPEN SPACE OBJECTIVES

To provide recreational amenities that promote the region's reputation for recreation and strengthen the local economy.

To provide recreational uses that are consistent with the character and open space goals of the project.

To provide for uses that can be meshed with the adjoining natural open areas.

NATURAL OPEN SPACE OBJECTIVES

To provide for design and construction methods which will protect the natural open areas to be retained in the Specific Plan.

To provide operational policies, rules, and regulations to protect the wildlife habitat and existing character of the natural open space areas.

HOUSING OBJECTIVES

To provide a variety of high-quality housing alternatives and associated amenities to attract a variety of new recreationalists and second home buyers to Mono County.

To ensure an adequate supply of locally available affordable employee housing.

To ensure that housing structures are sensitively designed to be compatible with the natural setting.

CIRCULATION OBJECTIVES

Provide for a system of primary and secondary private roadways which will safely accommodate traffic volumes associated with projected land uses and densities.

Establish design and improvement standards for private roadways which will reduce visual impacts and maintain a semi-rural ("country lane") character.

Provide a system of trails and bike-paths to accommodate non-motorized forms of transportation and recreational uses.

OPEN SPACE/CONSERVATION OBJECTIVES

Retain significant portions of the planning area as open space to preserve scenic values and natural resources.

Ensure the preservation of designated natural open space areas.

Utilize recreation open space to enhance the visual appearance of project development and create diversified recreation opportunities.

Protect and preserve wildlife habitat.

Protect and preserve surface and groundwater resources.

Maintain air quality and conserve energy resources.

Protect and preserve soil and vegetation resources.

SEISMIC SAFETY OBJECTIVE

To develop a residential resort community which minimizes potential threat to human safety and physical damage resulting from seismic activity.

SAFETY OBJECTIVE

Construct and operate the Conway Ranch project in a manner that minimizes potential hazards to human safety or property and promotes sound safety practices.

NOISE OBJECTIVE

Minimize noise levels on site to provide a setting which is relaxing and conducive to creating a quality recreational experience.

SCENIC HIGHWAYS AND GENERAL AESTHETIC OBJECTIVES

Preserve the scenic quality of the lands abutting major roads.

Present an overall aesthetically pleasing development which does not degrade the visual resources of the area.

RECREATION OBJECTIVES

Develop a year-round destination resort community oriented toward fly fishing, golf, and other activities, to encourage year-round tourism in Mono County.

Protect and enhance the natural resources of the site to maximize the outdoor recreational experience and preserve the existing character of the Mono Basin.

Manage a portion of project open space for the provision of specific recreational facilities to enhance the recreational diversity on the site.

MAMMOTH LAKES AIRPORT LAND USE PLAN

GOAL

Promote the orderly development of the area surrounding the Mammoth/Yosemite Airport (formerly Mammoth Lakes Airport) in order to protect the general welfare of the public, enhance the safety of air navigation and traffic, and maintain the utility and economic viability of the facility.

OBJECTIVE A

All development in the Airport Land Use Planning Area must comply with the following general land use provisions.

Policy 1: All non-federal land uses designated for the airport planning area are subject to the requirements of the Mono County Land Use Designations and Land Development Requirements except as specifically modified by the Airport Land Use Plan.

Policy 2: The ALUC must review and approve all proposed private land uses prior to formal action by jurisdictional agencies. ALUC review will focus on compatibility with the adopted airport Land Use Plan and compliance with the safety provisions, height restrictions, and visual and noise standards.

Policy 3: ALUC criteria regarding land use policy are intended to augment and amend the County General Plan Land Development Regulations and, where applicable, may be incorporated into the BLM and U.S. Forest Service plans for the planning area.

Policy 4: The ALUC land use plan and policies will establish the general parameters for regulation of development within the planning area on non-federal lands. Each local agency or jurisdiction shall be required to amend its general plan to incorporate the provisions of the ALUC Land Use Plan and Policies. Federal agencies may amend applicable land management plans to conform to the ALUP.

OBJECTIVE B

The Safety Zone shall be kept free of all unrelated airport land uses.

Policy 1: No permanent structures or other objects projecting above the level of the primary surface of any runway will be permitted, unless directly related to a necessary airport operation.

Policy 2: No residential land uses shall be permitted.

Policy 3: No industrial land uses shall be permitted.

Policy 4: No use which may result in short or long term concentration of people shall be permitted.

Policy 5: No use which would result in large concentrations of people shall be permitted.

OBJECTIVE C

Prevent incompatible land uses in the overflight zone.

Policy 1: The following are considered incompatible land uses within the airport traffic pattern zone:

- a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial climb following take-off or toward a landing at an airport, unless the use is a FAA approved navigational signal light or visual approach slope indicator (VASI);
- b. Any use which would cause sunlight to be reflected toward an aircraft engaged in an initial climb following take-off or toward an aircraft engaged in a final approach toward a landing at an airport;
- c. Any use which would generate large amounts of smoke or steam, that may be detrimental to the operation of aircraft;
- d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or instrumentation;
- e. Other uses which may affect safe air navigation within this area;
- f. Uses which would attract large concentrations of birds;
- g. Uses within the primary traffic pattern zone which on a regular basis would result in concentrations of people exceeding 25 persons per acre. Particularly unacceptable uses are shopping centers, restaurants, schools, hospitals, stadiums/arenas, and office complexes, industries and factories which would exceed the 25 persons per acre requirements; and
- h. Uses or land divisions, which on a regular basis would result in a concentration of people exceeding 25 persons per acre over a 24-hour period, or 50 persons per acre over a period of 2 hours or more within the primary traffic pattern zone.

Policy 2: Single-family residential or multiple-family uses, or land divisions, which would result in a density greater than one (1) dwelling unit per acre may be permitted. Multiple-family projects will be evaluated on an individual basis, with specific attention given to location and concentration.

Policy 3: The ALUC shall restrict the development of all new non-compatible land uses.

Policy 4: All land uses or use characteristics which may affect safe air navigation or which, because of their nature and proximity to an airport, may pose high risks to the land users shall be avoided/prohibited in the vicinity of an airport.

Policy 5: All residential uses shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources not to exceed 45 db CNEL in any habitable room with windows closed.

Policy 6: Development of Airport Master Plans or Layout Plans, or changes to existing plans of any public use airport that involves significant changes in land use, noise sources, or policy changes in size or type of aircraft to use the airport will, prior to finalizing or modifying the plans, be referred to the ALUC for consideration, as required by Section 21676 (c) of the PUC.

Policy 7: No hazardous installations such as above-ground oil, gas or chemical storage facilities, excluding facilities for non-commercial, private domestic or private agricultural use shall be permitted.

Policy 8: Except when overriding circumstances exist, a condition for approval of any project, subdivision, land use redesignation, or land exchange shall be the subject of the dedication of an aviation easement to the airport. The aviation easement shall contain and/or address the following:

- a. Right-of-flight at any altitude above acquired easements surface.
- b. Right to cause noise, vibrations, fumes, dust, and fuel particle emissions.
- c. Right of entry to remove, mark or light any structures or growths above easement surfaces.
- d. Right to prohibit creation of electrical interference, unusual light sources, and other hazards to aircraft flight.

Policy 9: As a further condition for approval of a residential subdivision or land trade, except where overriding circumstances exist, require the property owners to agree to the following:

- a. That it is understood by the owners and the owners' successors in interest that the real property in question lies close to an operating airport and that the operation of the airport and the landing and take-off of aircraft may generate high noise levels.

- b. That the owners shall not initiate or support any action in any court or before any governmental agency if the purpose of the action is to interfere with, restrict, or reduce the operation of the airport or the use of any airport by any aircraft.
- c. That the owners shall not protest or object to the operation of the airport or the landing or take-off of aircraft before any court or agency of government.
- d. The above easement and agreement shall run with the land and shall be binding upon the owners and subsequent owners of the property.

Policy 10: A buyer notification statement shall be a requirement for the transfer of title of any property located within the airport's planning boundary. This statement should indicate that the buyer is aware of the proximity of an airport, the characteristics of the airport's current and projected activity, and the likelihood of aircraft overflights of the affected property.

Policy 11: In addition to the above basic policies, all development subject to a use permit or involved in a land exchange within the planning boundary shall contain the following provisions.

- a. It is understood by the owner that the subject property is within the area of influence of an airport and the operation of the airport, including aircraft landings and take-offs may generate high noise levels.
- b. The owner shall not initiate or support any action to interfere with, restrict, or reduce the operation of the airport by any aircraft. The owner shall not protest or object to the operation of the airport before any court or agency of the government.
- c. The above stipulations shall be binding upon any subsequent owners or successors in interest to the property.

OBJECTIVE D

Regulate height of structures and objects in the Airport Planning Area.

Policy 1: No structures or obstructions are permitted within the designated primary runway surface, approach surfaces or clear zones.

Policy 2: Structures within the ALUC Planning Boundary over 35 feet in height are permitted only when in conformance with requirements of the Mono County Land Use Designations and Land Development Regulations and when not in conflict with any runway surface, approach surface or clear zone.

Policy 3: The ALUC shall review any applicable development proposals and restrict the erection or growth of objects which penetrate the established airport height restriction areas.

Policy 4: Rotating beacons, spot lights, or similar aircraft navigation hazards markers which are not part of airport operations are prohibited within the entire overflight zone.

Policy 5: Any structure, either within or outside the ALUC Planning Boundary is not in conformance if it:

- a. Penetrates the height restriction surfaces adopted by the ALUC (unless it is determined not to be a "hazard" by the FAA).
- b. Would result in a loss in airport utility, such as causing the usable length of the runway to be reduced.
- c. Would conflict with the VFR airspace used for the airport traffic pattern of enroute navigation to and from the airport.
- d. Is determined to be a "hazard" by the FAA.

OBJECTIVE E

Regulate noise in the Airport Planning Area,

Policy 1: Noise and aviation easements, as necessary, shall be required before approval of any land trade or approval of any project within the Planning Boundary.

Policy 2: No residential development is permitted within the 65 dB CNEL contour. Non-residential development may be permitted within the 65 dB CNEL contour if structures are soundproofed to limit interior noise levels to 45 dB CNEL.

Policy 3: The maximum noise exposure considered acceptable for non-residential land uses without special sound reduction construction is 60 dB CNEL.

Policy 4: The maximum noise exposure considered acceptable for residential land uses is 55 dB CNEL. All residential structures shall include soundproofing construction to limit interior noise levels to 45 dBA in any habitable room.

Policy 5: If a noise analysis, including noise monitoring, is conducted for a particular location and the results indicate that the maximum CNEL will be less

than shown herein, then the lower exposure level may be used for the land use evaluation at the discretion of the ALUC.

BRIDGEPORT/LEE VINING AIRPORT LAND USE PLAN

GOAL

Provide for the orderly growth of the Lee Vining and Bridgeport Airports and areas surrounding those airports, in a manner that safeguards the general welfare of the public and residents within the airport vicinity.

OBJECTIVE A

Regulate new development in airport safety zones in a manner that provides for air navigation and airport vicinity safety, and that maintains the utility and viability of airport facilities.

Policy 1: Restrict new uses on non-federal lands in the airport land use planning boundary to those which are compatible with existing airport operations and planned facilities reflected in the airport layout plan or airport master plan.

Action 1.1: Require that proposed projects/uses within the airport land use planning boundary be consistent with these policies and the planned land use illustrated in the community land use maps of this element. Applications for projects/uses that are determined by planning staff not to be consistent with these policies shall not be processed unless they are accompanied by an appropriate proposed amendment to the County General Plan and Airport Land Use Plan.

Action 1.2: Actions adopting or amending the County General Plan, specific plans, land use designation or building regulations for the airport land use planning boundary shall be consistent with these policies, and shall be submitted to the Airport Land Use Commission (ALUC) for review.

Policy 2: Coordinate with the BLM and Forest Service to ensure that development on federal lands within airport land use planning areas is compatible with these policies.

Action 2.1: Request the BLM and Forest Service to refer proposed projects that may conflict with airport operations—such as those which may create dust, smoke, steam or glare, or attract birds, involve structures of excessive height, or attract concentrations of people—to the ALUC for review and comment.

Policy 3: The airport master plan or layout plan of the Bridgeport and Lee Vining airports shall be consistent with these policies.

Action 3.1: Prior to the adoption of, or amendment of, airport master plans or layout plans that involve significant changes in land use or noise sources, or policy changes regarding the size or type of aircraft which may use the airport, plans shall be referred to the ALUC for consideration, as required by Section 21676 (c) of the PUC. The Commission shall make a determination within 60 days from the date of referral whether the proposed action is consistent with the Airport Land Use Plan for that airport.

Policy 4: Although this plan recognizes the incompatibility of certain land uses in the airport land use planning area based on noise, safety, and airspace concerns, it also recognizes there may be specific situations where a normally incompatible use may be considered compatible because of terrain, specific location, or other factors related to the site. After due consideration of applicable factors, the ALUC may find a normally incompatible land use to be acceptable. In such cases, the ALUC shall specify why the exception is being granted, and find that the land use would not create a safety hazard, that airspace would not be violated, and that extraordinary circumstances related to the site justify the exception. Exceptions may be granted on a case-by-case basis, and shall not be generalized to include other sites.

OBJECTIVE B

Avoid incompatible land uses within the Airport Land Use Planning Area, particularly within the Airport Safety Zone, including the Clear Zone.

Policy 1: Restrict land uses or land use intensity/characteristics which may affect safe air navigation or which, because of their nature and proximity to an airport, may be incompatible with the airport.

Action 1.1: The following restrictions apply within the airport land use planning areas:

- a) Prohibit beacons, spot lights, or similar aircraft navigation markers which are not part of airport operations. Also prohibit uses that direct a steady light, including reflected sunlight, or a flashing light of red, white, green or amber colors toward an aircraft engaged in an initial climb following take-off, or toward an aircraft engaged in a final approach toward a landing, unless the use is an FAA approved navigational signal light or visual approach slope indicator (VASI).
- b) Prohibit uses which generate large amounts of smoke or steam that could be detrimental to the operation of aircraft.
- c) Prohibit uses that generate electrical interference that could be detrimental to the operation of aircraft and/or instrumentation.
- d) Prohibit uses which may affect safe air navigation, such as uses that attract large concentrations of birds. Special attention should be given to the operation and maintenance of the Bridgeport Landfill to minimize its attraction to birds.

Action 1.2: New uses within the Safety Zone which on a regular basis would result in concentrations of people exceeding 25 persons per acre shall be prohibited. Particularly unacceptable uses are multiple family units, shopping centers, restaurants, schools, hospitals, stadiums/arenas, office complexes, heavy industries and factories.

Action 1.3: Hazardous installations such as above-ground oil, gas or chemical storage facilities, excluding facilities for non-commercial, private domestic or private agricultural use shall not be permitted within the Safety Zone.

Action 1.4: In the County General Plan and this Airport Land Use Plan, designate undeveloped areas within the airport Safety Zone for low intensity land uses, such as Agricultural, Resource Management, Open Space, Estate or Rural Residential land uses.

Action 1.5: Restrict new residential subdivisions within the airport safety zone to a minimum lot size of one acre. The development of a single-family unit on an existing residential lot less than an acre in size shall not be subject to these restrictions; secondary units on such parcels within the safety zone shall be reviewed and approved by the ALUC prior to County action.

Policy 2: Inform applicants of development projects within the airport safety zone of potential land use conflicts and applicable restrictions, and ensure that such development does not unreasonably restrict airport operations.

Action 2.1: As a condition for approval of any development project or land exchange within the airport safety zone, applicable aviation easements⁶ should be dedicated to the airport. Aviation easements should address the following:

- a) Right-of-flight at any altitude above acquired easement surfaces;
- b) Right to cause noise, vibrations, fumes, dust, and fuel particle emissions;
- c) Right of entry to remove, mark or light any structures or growth above easement surfaces;
- d) Right to prohibit creation of electrical interference, unusual light sources, and other hazards to aircraft flight; and
- e) Right to prevent erection or growth of all objects above acquired easement surfaces.

Avigation easements should extend from the ground elevation of the runways and the defined approach surfaces to 150 feet above that elevation throughout the primary traffic pattern area.

Action 2.2: Applicants shall acknowledge, in an enforceable legal document, such as an avigation easement:

- a) That it is understood by the owner(s) and the owners' successors in interest that the real property in question lies close to an operating

⁶In an avigation easement, the landowner acknowledges that aircraft and ancillary effects are present in the airspace overhead and gives up any future right to sue regarding the acknowledged effects and their impact upon the enjoyment of his property or change in property value. Avigation easements are permitted and defined by Public Utilities Code Section 21652. The requirement for avigation easements allows property to be developed for residential and other land use in areas influenced by airports, but offers constructive notice to future buyers and protection to the airport in that people choosing to live and/or work in influenced areas will not have a legal basis for suit.

airport and that the operation of the airport and the landing and take-off of aircraft may generate high noise levels, which can affect the quiet enjoyment of the property;

- b) That the owner(s) shall not initiate or support any action in any court or before any governmental agency if the purpose of the action is to interfere with, restrict, or reduce the operation of the airport, or the use of the airport by any aircraft;
- c) That the owner(s) shall not protest or object to the operation of the airport or the landing or take-off of aircraft before any court or agency of government; and
- d) That such easement(s) and/or agreement(s) shall run with the land and shall be binding upon the owners and subsequent owners of the property.

Policy 4: Prohibit incompatible land uses within the Clear Zone.⁷

Action 4.1: Review all building and development permit applications to ensure that the Clear Zone is kept as free as possible of all unrelated airport land uses.

Action 4.2: Review all applications for building/development permits to ensure that no new permanent structures or other objects project above the level of the primary surface of any runway, unless the structure/objects are directly related to a necessary airport operation. Airport-related permit applications shall be reviewed by the ALUC for consistency.

Action 4.3: Except for minor alterations to existing structures, no new or additional residential, commercial, or industrial land uses shall be permitted within the Clear Zone.

Action 4.4: No use which would result in a large concentration of people, either on a short-term or long-term basis, shall be permitted within the Clear Zone.

OBJECTIVE C

Establish height limits on new structures and vegetation within the clear zone and approach surfaces of airports.

Policy 1: Within the designated primary runway surface, approach surfaces or clear zones, no structure, tree, or other object shall be permitted to exceed the height limits established in accordance with FAR Part 77.

Action 1.1: Structures over 35 feet in height are permitted within an airport land use planning area only when in conformance with requirements of the Mono County Land Use Designations and Land Development Regulations when not in conflict with any runway surface, approach surface or clear zone.

⁷The Clear Zone consists of a clear zone adjacent to the end of runways and the approach/departure surface.

Action 1.2: The ALUC may review and comment on any applicable development proposals and restrict the erection or growth of objects which penetrate the established airport height restrictions.

Action 1.3: Prohibit heights on new development/uses which would result in a loss in airport utility, such as causing the usable length of the runway to be reduced.

Action 1.4: Prohibit heights which would conflict with the VFR airspace used for the airport traffic pattern of enroute navigation to and from the airport.

Action 1.5: No object shall be erected to a height which would result in an increase in the minimum ceiling or visibility criteria for an existing or proposed instrument approach procedure.

OBJECTIVE D

Protect future development from objectionable airport related noise.

Policy 1: Require noise and aviation easements, as necessary, before approval of any land trade or any major project within an airport land use planning area.

Policy 2: No residential development shall be permitted within the 65 dBA CNEL⁸ contour. The maximum noise exposure considered acceptable for residential land uses is 55 dBA CNEL. All residential structures should include soundproofing construction to limit interior noise levels to 45 dBA in any habitable room.

Action 2.1: If a noise analysis, including noise monitoring, is conducted for a particular location and the results indicate that the maximum CNEL will be less than shown herein, then the lower exposure level may be used for the land use evaluation at the discretion of the ALUC.

⁸Decibel (dB)--Environmental noise is measured in units of decibels (dB), on a logarithmic scale. The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sound of different frequencies. The normal range of hearing extends from about 3 dBA to about 140 dBA. A 10 dBA increase in the level of a continuous noise represents a perceived doubling of loudness, a 3 dBA increase is barely noticeable to most people. Environmental noise fluctuates in intensity over time and is typically described as a time averaged noise level.

Community Noise Equivalent Level (CNEL)--The average equivalent A-weighted sound level during a 24 hour period. Weighting factors are applied that place greater emphasis on evening sound levels (i.e. 5 decibels are added to noise events occurring between 7 p.m. and 10 p.m.) and even greater emphasis upon nighttime sound levels (i.e. 10 decibels are added to noise events occurring between 10 p.m. and 7 a.m.).

Policy 3: The maximum noise exposure acceptable for non-residential land uses without special sound reduction construction is 60/70 dBA CNEL.

Action 3.1: If a noise analysis, including noise monitoring, is conducted for a particular location and the results indicate that the maximum CNEL will be less than shown herein, then the lower exposure level may be used for the land use evaluation at the discretion of the ALUC.

IV. LAND USE DESIGNATIONS

Land Use Designation Criteria

Each and every parcel of land in the unincorporated area of the county has been duly assigned a land use designation, as depicted in the Land Use Maps contained in Section VII of this Land Use Element. Except as otherwise expressly provided by the Land Development Regulations set forth in Section VI of this Land Use Element, no land may be developed or used except in the manner permitted by its assigned designation. (See also Sections 01.060, 02.705, 03.010, and 04.020 of the Land Development Regulations.) The land use designations described below were applied to private lands in the County based on an area's suitability for certain uses. Each parcel or area was analyzed using the following criteria:

- Does the area include natural hazards that limit development, such as flood zones, Alquist-Priolo zones, unstable soils or steep slopes, etc.?
- Does the area include natural resources that limit development; e.g., wetlands, significant habitat, deer migration routes, etc.?
- What are the existing uses in the area?
- Is infrastructure available for development (i.e., sewer, water, roads, fire protection)?
- What is the existing land division pattern in the area and what are the lot sizes?
- Does the area have open space value (e.g., visuals, wildlife habitat, agricultural preservation, cultural resources)?
- What is the community vision for the future of the area?

Land Use Designations

The maximum population densities listed below were calculated without allowances for density bonuses. Certain designations in the Mono County Land Use Designations provide density bonuses of varying percentages based on a variety of criteria, such as the provision of affordable housing or covered parking. Some Area Plans also provide for density bonuses if certain criteria are met. In addition, State Housing Law requires counties to provide density bonuses if a certain percentage of a housing project is provided for affordable housing. Population densities were calculated for all land use designations using a population density of 2.51 persons per dwelling unit (1990 Census).

Land use designations shown on the land use maps are based upon an evaluation of natural, cultural, and social characteristics of the land as well as the countywide land use policy framework and specific area policies. However, the analyses did not always include a detailed study of the circumstances and environmental constraints of each specific parcel. Future detailed evaluation of specific properties may show that an alternate use is warranted. For this reason, upon proper application, the County will consider amendments to this plan.

The term "permitted use" as used in the following land use designations refers to a typical land use that is allowed within a particular land use category; permitted uses listed for each land use designation are examples of permitted uses within that designation. Additional specific uses may be permitted if they are similar to the listed uses. A permitted use is considered to be consistent with and to further the objectives of the General Plan. Permitted uses may also be subject to performance or other development standards in the Mono County Land Development Regulations or applicable area or specific plans and either ministerial or discretionary approval.

The term "site disturbance" as used in the following land use designations refers to the portion of a parcel which has been changed from its natural condition during the process of development, including but not limited to areas altered by structures, parking areas, roads and driveways, and graded areas. It does not include areas used for agricultural operations. Land that has been disturbed but that has subsequently been reclaimed or revegetated is not counted in the calculation of site disturbance. "Site disturbance" includes the area considered as lot coverage (structures and impervious surfaces). Calculations for lot coverage and site disturbance are calculated using gross coverage/disturbance for parcels one acre or more in size; parcels under one acre in size are calculated using net coverage/disturbance.

Since the County has direct planning authority over only a small percentage of the lands in the County, the county must work with other land managers to manage the natural resources in the area in a coordinated and standardized manner, in order to conserve natural and cultural resources while at the same time providing for community needs. Although the Land Use Element assigns land use designations to all of the land within its planning area, the focus of the planning effort is the privately owned unincorporated lands within the county. Land use designations have been developed to reflect federal land use designations and to compliment the land use designations used by the Town of Mammoth Lakes.

Rural Residential (RR)**INTENT**

The RR designation is intended to permit larger lot single-family dwelling units with ancillary rural uses in areas away from developed communities. Small scale agriculture, including limited commercial agricultural activities, is permitted.

PERMITTED USES

- Single-family dwelling
- Small scale agriculture for personal activities
- Accessory buildings and uses¹
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Mobile home used as a single-family dwelling^{2 sl}

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Secondary unit (see Chapter 16, Development Standards–Secondary Units)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Art galleries, country clubs and golf courses
- Kennel
- Construction of an accessory building prior to construction of the main building
- Mobile-home parks (see Dev. Standards–Mobile Homes & RV Parks, Ch. 17^c)
- Small scale agriculture, including limited commercial agricultural activities^{rp}

DEVELOPMENT STANDARDS

Minimum Parcel Size: 1 acre

Minimum District Area: 5 acres

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet

Maximum Lot Coverage: 40 percent

Minimum Setbacks:

Front:	50 feet	Rear:	30 ^{sl} feet	Side:	30 ^{sl} feet
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Setbacks for Accessory Buildings Used As Barns Or Stables

Front:	50 feet	Rear:	30 ^{sl} feet	Side:	30 ^{sl} feet
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Note: In State Responsibility Areas (SRAs), the minimum side and rear yard setbacks are 30 feet unless an exception is obtained from the California Department of Forestry (CDF). With a CDF exception side and rear yard setbacks may be reduced to those set forth in Table 4.090 Special Yard Requirements. All of the unincorporated area of the county are included in SRAs except for the Antelope Valley (Walker, Coleville, Topaz).

Building Density: 1 du/lot and a secondary unit^{gp} (see Ch. 16, Development Standards– Secondary Units).

Rural Residential (RR) continued

Population Density: Maximum population density is 5.02 persons per 5 acres or approximately 1 person per acre.

Maximum Building Height: 35 feet See table 4.080 for other provisions.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile Homes and RV Parks).
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

FOOTNOTES

c	Clarification
rp	Recommendation from the Regional Planning Advisory Committee
gp	General Plan addition
sl	State Law requirement

Estate Residential (ER)**INTENT**

The ER designation is intended to permit large-lot, single-family dwelling units with ancillary rural uses in areas adjacent to developed communities. Small scale agriculture is permitted for personal use only.

PERMITTED USES

- Single-family dwelling
- Small scale agriculture for personal use
- Accessory buildings and uses¹
- Mobile home used as a single-family dwelling²
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Secondary unit (see Ch. 16, Development Standards–Secondary Units)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Art galleries, country clubs and golf courses
- Kennel
- Construction of an accessory building prior to construction of the main building
- Mobile-home parks (see Dev. Standards–Mobile Homes & Mobile-home Parks, Ch. 17)

DEVELOPMENT STANDARDS

Minimum Parcel Size: 1 acre

Minimum District Area: 5 acres

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet

Maximum Lot Coverage: 40 percent

Minimum Setbacks:

Front: 50 feet

Rear: 30 feet

Side: 30 feet

Note: In State Responsibility Areas (SRAs), the minimum side and rear yard setbacks are 30 feet unless an exception is obtained from the California Department of Forestry (CDF). With a CDF exception side and rear yard setbacks may be reduced to those set forth in Table 4.090 Special Yard Requirements. All of the unincorporated area of the county are included in SRAs except for the Antelope Valley (Walker, Coleville, Topaz).

Building Density: 1 du/lot and a secondary unit (see Ch. 16, Development Standards–Secondary Units).

Population Density: Maximum population density is 5.02 persons per 5 acres or approximately 1 person per acre.

Maximum Building Height: 35 feet See Table 4.080 for other provisions.

Estate Residential (ER) continued

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile Homes and RV Parks).
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

Rural Mobile Home (RMH)**INTENT**

The RMH, rural mobile home, district is intended to provide for development in rural areas within the County consistent with developed lifestyles when mixed uses are determined to be acceptable to the citizens of the RMH area. The RMH district is further intended to provide for mixed uses including single-family residences, mobile homes used as residences, and small-scale agricultural uses including the keeping of fowl and animals for personal use. The RMH district shall also provide for local commercial uses upon a finding that such uses are necessary and in the best interest of the community.

PERMITTED USES

- Single-family dwelling
- Small scale agriculture for personal activities
- Accessory buildings and uses¹
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Mobile home used as a single-family dwelling^{2 sl}

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Secondary unit (see Ch. 16, Development Standards-Secondary Units)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Kennel
- Construction of an accessory building prior to construction of the main building
- Mobile-home parks (see Dev. Standards-Mobile Homes & RV Parks, Ch. 17^c)

DEVELOPMENT STANDARDS

Minimum Parcel Size: 1 acre

Minimum District Area: 5 acres

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet

Maximum Lot Coverage: 40 percent

Minimum Setbacks:

Front:	50 feet	Rear:	30 ^{sl} feet	Side:	30 ^{sl} feet
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Setbacks for Accessory Buildings Used As Barns Or Stables

Front:	50 feet	Rear:	30 ^{sl} feet	Side:	30 ^{sl} feet
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Note: In State Responsibility Areas (SRAs), the minimum side and rear yard setbacks are 30 feet unless an exception is obtained from the California Department of Forestry (CDF). With a CDF exception side and rear yard setbacks may be reduced to those set forth in Table 4.090 Special Yard Requirements. All of the unincorporated area of the county are included in SRAs except for the Antelope Valley (Walker, Coleville, Topaz).

Rural Mobile Home (RMH) continued

Building Density:	1 du/lot and a secondary unit 8P (see Ch. 16, Development Standards-Secondary Units).
Population Density:	Maximum population density is 5.02 persons per 5 acres or approximately 1 person per acre.
Maximum Building Height:	35 feet See table 4.080 for other provisions.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile Homes and RV Parks).
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

FOOTNOTES

c	Clarification
gp	General Plan addition
sl	State Law requirement

Single Family Single-Family Residential (SFR)

INTENT

The SFR district is intended to provide for the development of single-family dwelling units in community areas.

PERMITTED USES

- Single-family dwelling
- Accessory buildings and uses¹
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Mobile home used as a single-family dwelling² ^{sl}

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Secondary unit (see Ch. 16, Development Standards-Secondary Units) ^c

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Cluster development of single-family dwellings on lots of 3+ acres
- Country clubs and golf courses
- Mobile-home parks (see Dev. Standards-Mobile Homes & RV Parks, Ch. 17) ^c
- Construction of an accessory building prior to construction of the main building

DEVELOPMENT STANDARDS

Minimum Lot Size: 7,500 sf³

Minimum District Area: 5 acres

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet

Maximum Lot Coverage: 40 percent

Minimum Setbacks:

Front: 20 feet **Rear:** 10 feet **Side:** 10 feet

Note: Side yards may be reduced in accordance with Table 4.090, Special Yard requirements.

Building Density: 1 du/lot and a secondary unit (see Ch. 16, Development Standards-Secondary Units).

Population Density:

Maximum population density of 15 persons per acre

Maximum Building Height: 35 feet See table 4.080 for other provisions.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.

Single-Family Residential (SFR) continued

2. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile Homes and RV Parks).
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 10	Development Standards- Equestrian Overlay District
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

FOOTNOTES

- | | |
|-----|-----------------------|
| c. | Clarification |
| sl. | State Law requirement |

Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)

INTENT

The MFR-L designation is intended to provide for low density multi-family residential development, such as duplexes and triplexes.

The MFR-M designation is intended to encourage long-term multi-family housing by allowing for higher population densities and by not allowing commercial lodging facilities; i.e., hotels, motels.

The MFR-H designation is intended to encourage multi-family units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.

PERMITTED USES

- Single-family dwelling
- Mobile home used as a single-family dwelling¹-MFR-L only ^c
- Duplexes and triplexes
- Accessory buildings and uses²
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- MFR-L Model units
- None stated for MFR-M, and MFR-H

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

MFR-L, MFR-M and MFR-H

- Art galleries
- Quasi-public buildings and uses
- Public utility buildings and structures, not including service yards
- Country clubs and golf courses
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing 4 or more units
- Parking lots and parking structures

MFR-H only

- Mobile-home parks (see Dev. Standards-Mobile Homes and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Social care facilities and related integrated professional offices
- Parking lots and parking structures when abutting a commercial district
- Hotels, motels, bed & breakfast establishments and dorms
- Transient rentals (less than 30 consecutive days) of 4 or more dwelling units only

DEVELOPMENT STANDARDS

Minimum Lot Area:

MFR-L

Minimum lot size - 7,500 sf

Single-family residences & duplexes - 7,500 sf

Multiple family - 11,250 sf

Condominiums, cooperatives, townhomes, cluster developments - 2 acres

Schools - 5 acres

Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)**MFR - M**

Minimum lot size - 10,000 sf

Condominiums, cooperatives, townhomes, cluster developments - 20,000 sf

MFR - H

Minimum lot size - 7,500 sf

Hotels, resort hotels and motels- 20,000 sf

Condominiums, cooperatives, townhomes, cluster developments - 20,000 sf

MFR-M Lots measuring less than 10,000 sf shall be limited to single-family & duplex uses.

Minimum District Area:	MFR-M	3 acres
	MFR-H	5 acres

Minimum Lot Dimensions:	Width - 60 feet
	Depth - 100 feet

MFR-L width for:

- Condominiums, cooperatives, townhomes, cluster developments-150 feet
- Schools-200 feet

Maximum Lot Coverage:	MFR-L	40 percent	MFR-M and MFR-H	60 percent
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Minimum Setbacks:

Front:	20 feet	Rear:	10 feet	Side:	10 feet
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See table 4.090, Special Yard Requirements for other requirements.

Building Density:**MFR-L**

1 du/3,750 sf or 11.6 du/acre

MFR-M & H

Condominiums, multiple family residences and similar uses-15 du/acre

Density bonuses are available in the MFR-M and MFR-H for affordable housing. The MFR-M also provides a bonus for enclosed, covered parking. In no case shall projects containing affordable housing and/or enclosed, covered parking density bonuses exceed 26 units/acre.

1. Density bonuses are available to residential projects at a rate of 25% over the maximum density or a ratio of 1 bonus unit to 1 affordable/employee housing unit, whichever is greater. Density bonuses will be awarded in a manner consistent with Government Code Section 65915.
2. Units designated as manager/employee housing unit shall not be counted in density calculations.
3. Density bonuses for enclosed, covered parking are available at a rate of 1 bonus dwelling unit per 2 enclosed, covered parking spaces. Projects must provide enclosed, covered parking for at least 50% of the units to qualify for bonuses. Density bonuses would be calculated on the surplus of required covered parking spaces greater than 50%.

Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)**MFR-H**

Hotels, motels, etc.-40 units/acre

Population Density: Maximum population density is 37.6 persons per acre for multi-family dwellings.

Maximum Building Height: 35 feet See table 4.080 for other provisions

Landscaping: Projects subject to Use Permit shall submit a landscape site plan at the time of application. A minimum of 5% of the building site shall be landscaped in the MFR-L designation.

NOTES

1. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are 2 mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile Homes and RV Parks).
2. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO**Land Development Regulations-**

Chap. 3	Uses Permitted
Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

FOOTNOTES

- c. Clarification

Mixed Use (MU)**INTENT**

The MU designation is intended to provide for a wide range of compatible resident and visitor oriented residential and commercial uses, including business, professional, and retail uses; to provide for efficient use of land and increased opportunities for affordable housing; to provide a transition between intensive commercial uses and residential uses; and to be applied to areas with existing mixed use development.

MU transitional areas can limit the size of business establishments and restrict uses incompatible with residential district. Not all areas need contain residential uses. Commercial uses shall conform to strict standards that prohibit obnoxious odors, obtrusive light and glare and excessive noise.

USES PERMITTED

- Single-family dwelling
- Mobile home used as a single-family dwelling.^{1 c} Mobile homes are excluded from June Lake GP
- Duplexes and triplexes
- Accessory buildings and uses²
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch 31)

- Residential uses–e.g., single-family residences, condominiums, townhomes, duplexes, triplexes and commercial lodging cluster developments, apartments
- Retail trade–e.g., food, drug, hardware, apparel, arts and crafts, sporting goods, bookstores, bakery, florist
- Social care facilities–e.g., medical and dental offices, welfare and charitable services.
- Professional offices–e.g., real estate, financial, insurance, rental and reservation services, legal services
- Business services–e.g., stenographic and mailing services, general advertising, business and management consulting
- Recreational activities–e.g., health clubs, dance studios
- Food service establishments–e.g., restaurants, cafes, deli's
- Conversion or expansion of existing operations

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch 32)

- All of the above uses subject to director review, if determined to be necessary by the planning director
- Parking lots and parking structures other than required off-street parking when abutting a commercial district
- Religious and cultural activities–e.g., museums, art galleries, churches
- Small scale malls, plazas, parks and related pedestrian open space
- Conversion or expansion of existing operations
- Mobile-home parks (see Development Standards–Mobile-home Parks and RV Parks, Ch. 17) ^c
- Recreational-vehicle parks (see Ch. 17) ^c

Mixed Use (MU) continued**DEVELOPMENT STANDARDS****Minimum Lot Area:**

Hotels, resort hotels, motels, & rental cabins–20,000 sf

Condominiums, cooperatives, townhouses, cluster developments, and similar uses (excluding apartments)–20,000 sf

All other uses–10,000 sf

Areas lacking community water & sewer –one-acre minimum all uses C, RP

Land uses on lots measuring less than 10,000 sf shall be limited to single-family residences, duplexes and triplexes.

Minimum District Area: 5 acres

If the land use designation and existing uses of abutting properties are compatible, a minimum district area of 2 acres may be considered.

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet**Maximum Lot Coverage:** 60 percent

An additional coverage bonus of 10 percent (total coverage of 70 percent) shall be granted to structures that contain mixed commercial and residential (employee or long-term rentals) uses; commercial uses with public accommodations; or commercial uses which front a public pedestrian mall or plaza.

Minimum Setbacks:

Front: 10 feet **Rear:** 5 feet **Side:** 0 feet

Minimum side yard when abutting a residential district is 10 feet. Minimum side yard on a corner lot is 10 feet.

Building Density: Hotels, resort hotels, motels–40 du/acre

Apartments, multi-family units, condominiums and similar uses–15 du/acre

Density for mixed uses on one parcel; e.g., apartment units and motel units, will be calculated at a proportionate rate. GP

Density bonuses are available for affordable housing and enclosed, covered parking . In no case shall projects containing affordable housing and/or parking density bonuses exceed 26 units per acre for residential units and 60 units per acre for commercial lodging units.

1. Density bonuses are available to residential and commercial lodging projects at a rate of 25% over the maximum density or a ratio of 1 bonus unit to 1 affordable/employee housing unit, whichever is greater. Density bonuses will be awarded in a manner consistent with Government Code Section 65915.
2. Units designated as manager/employee housing unit shall not be counted in density calculations.
3. Density bonuses for enclosed, covered parking are available at a rate of 1 bonus dwelling unit per 2 covered parking spaces. Projects must provide enclosed, covered parking for at least 50% of the units to qualify for bonuses. Density bonuses would be calculated on the surplus of required covered parking spaces greater than 50%.

Mixed Use (MU) continued

Population Density: Maximum population density is 37.6 persons per acre for multi-family residential uses.

Maximum Building Height: 35 feet See table 4.080 for other provisions

Landscaping: Projects subject to Use Permit shall required to either landscape per an approved landscape site plan or leave in natural open space (i.e., ungraded) all areas not covered by impervious surfaces. Any combination is acceptable.

Special Regulations:

- A change of business shall be reviewed for compliance with mix use designation.
- The hours of operation shall be limited to the period between 7 a.m. and 10 p.m.
- Businesses operating within the zone shall not exceed a sustained or intermittent noise level of 60 dB(L_{dn}/CNEL).
- Projects shall be reviewed for adverse impacts resulting from exterior lighting and signs.
- Uses involving or producing noxious fumes or odors shall not be permitted unless fumes or odors are treated or diffused prior to release from the generating source.
- Operations using and storing noxious chemicals including but not limited to pesticides and herbicides, other than those packaged for resale, large volumes of solvents or flammable liquids, will not be allowed.

NOTES

1. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are 2 mobile homes on the same parcel, they must: 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile-home and RV Parks). Mobile homes are excluded from June Lake.
2. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

- | | |
|-------------|-------------------------------|
| Chap. 4 | Development Standards-General |
| Chap. 6 | Development Standards-Parking |
| Chap. 7 | Development Standards-Signs |
| Table 4.080 | Building Heights |
| Table 4.090 | Special Yard Requirements |

Land Use Element-Antelope Valley Policies, June Lake Policies , and Long Valley Policies

FOOTNOTES

- | | |
|-----|--|
| c. | Clarification |
| rp. | Recommendation from the Regional Planning Advisory Committee |
| gp. | General Plan addition |

Commercial Lodging, Moderate (CL-M) and High (CL-H)

INTENT

The CL-M designation is intended to provide commercial lodging units for short-term occupation in or near residential uses.

The CL-H designation is intended to provide short-term commercial lodging units in close proximity to commercial/recreational centers.

PERMITTED USES

- Single-family dwelling (mobile homes are not permitted)
- Duplexes and triplexes
- Accessory buildings and uses¹
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Transient rentals (rentals for less than 30 consecutive days) of up to 3 dwelling units

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Mobile-home parks (see Dev. Standards–Mobile-home and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing 4 or more units
- Hotels, motels, lodges, bed & breakfast establishments, cabins & other uses found to be similar by the commission. Ancillary uses such as limited dining, lounges and convenience retail, provided the ancillary use does not occupy more than 25% of the project's habitable space
- Transient rentals (less than 30 consecutive days) of 4 or more dwelling units
- Conversion of 5 or more apartment units into transient rentals
- Conversion of existing habitable space into ancillary uses
- Parking lots and parking structures other than required off-street parking
- Construction of an accessory building prior to construction of the main building

DEVELOPMENT STANDARDS

Minimum Lot Area:

Hotels, motels, lodges, bed & breakfast establishments, rental cabins and other similar
uses-20,000 sf

Condominiums, cooperatives, townhouses, cluster developments and similar uses
(excluding apartments)-20,000 sf

All other uses-10,000 sf

Land uses on lots measuring less than 10,000 sf shall be limited to single-family residences, duplexes and triplexes (mobile homes are not permitted)

Minimum District Area: 3 acres CL-M
5 acres CL-H

If the land use designation and existing uses of abutting properties are compatible, a minimum district area of 2 acres may be considered.

Minimum Lot Dimensions:

Width –	60 feet
Depth –	100 feet

Commercial Lodging, Moderate (CL-M) and High (CL-H) continued

Maximum Lot Coverage: 60 percent

Minimum Setbacks:

Front: 10 feet **Rear:** 5 feet **Side:** 0 feet

Minimum side yard when abutting a residential district is 10 feet. Minimum side yard on a corner lot is 10 feet. See Table 4.090, Special Yard Requirements for other requirements.

Building Density:

CL-M Hotels, motels, lodges, bed & breakfast establishments, rental cabins and other similar uses–15 du/acre

Apartments, multi-family units, condominiums and similar uses–15 du/acre

CL-H Hotels, motels, lodges, bed & breakfast establishments, rental cabins and other similar uses–40 du/acre

Apartments, multi-family units, condominiums and similar uses–15 du/acre

Density bonuses are available for affordable housing and enclosed, covered parking. In no case shall projects containing affordable housing and/or parking density bonuses exceed 26 units/acre for residential units and 60 units per acre for commercial lodging units in the CL-H.

1. Density bonuses are available to residential and commercial lodging projects at a rate of 25% over the maximum density or a ratio of 1 bonus unit to 1 affordable/employee housing unit, whichever is greater. Density bonuses will be awarded in a manner consistent with Government Code Section 65915.
2. Units designated as manager/employee housing unit shall not be counted in density calculations.
3. Density bonuses for enclosed, covered parking are available at a rate of 1 bonus dwelling unit per 2 enclosed, covered parking spaces. Projects must provide enclosed, covered parking for at least 50% of the units to qualify for bonuses. Density bonuses would be calculated on the surplus of required covered parking spaces greater than 50%.

Population Density:

Maximum population density is 37.6 persons per acre for multi-family residential uses.

Maximum Building Height: 35 feet See Table 4.080 for other provisions.

Landscaping: Projects subject to Use Permit shall submit a landscape site plan at the time of application.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Densities stated are based upon availability of both community water and sewer.
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety

and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

Commercial Lodging, Moderate (CL-M) and High (CL-H) continued

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

Rural Resort (RU)**INTENT**

The RU designation is intended to provide appropriate sites for outdoor recreation facilities and limited visitor-oriented facilities and services in rural areas of the county. The district is intended to protect the environment and rural character of an area while allowing for compatible development.

PERMITTED USES

- Single-family dwelling
- Accessory buildings and uses¹
- Mobile home used as a single-family dwelling²
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Small scale agriculture for personal use
- Adult-oriented businesses conducted in compliance with the locational requirements of Chapter 19 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with the permit and other operational requirements of Chapter 5.45 of the Mono County Code

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Secondary unit (see Ch. 16, Development Standards-Secondary Units)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Construction of an accessory building prior to construction of the main building
- Recreational-vehicle parks (see Dev. Standards-Mobile-home and RV Parks, Ch. 17)
- Hotels, motels, bed & breakfast establishments, cabins & other uses found to be similar by the commission. Ancillary uses such as limited restaurants, lounges and convenience retail, provided the ancillary use does not occupy more than 25% of the project's habitable space
- Transient rentals (less than 30 consecutive days)
- Developed campgrounds
- Commercial recreational facilities such as cross-country ski facilities, equestrian facilities, golf courses & facilities (if developed in conjunction with lodging facilities), marinas & boathouses
- Employee housing, if developed in conjunction with recreational/lodging facilities

DEVELOPMENT STANDARDS

Minimum Parcel Size: 5 acres

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet

Site Disturbance: 10 percent (includes a maximum of 5 percent lot coverage).
Maximum site disturbance may be increased if the remainder of the parcel is preserved as open space in perpetuity.

Minimum Setbacks:

Front: 30 feet

Rear: 30 feet

Side: 30 feet

Building Density:

1 du per 5 acres and a secondary unit (see Ch. 16, Development Standards- Secondary Housing). Lodging facilities may not exceed a maximum intensity of 40

Rural Resort (RU) continued

units/acre and a total of 150 units per site. Spaces for recreational vehicles may not exceed a maximum density of 17 spaces per acre. Density for mixed uses on one parcel; e.g., motel units and RV spaces, will be calculated at a proportionate rate.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are 2 mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile Homes and RV Parks).
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

Commercial (C)

INTENT

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 creation of a pleasant and efficient environment for shopping and business is an important function of this district.

PERMITTED USES

- Any proposed change of use when conducted within an existing conforming, legally developed structure for the following retail and professional uses. If exterior structural alterations or additional parking is required it shall require director review
- Retail Trade—e.g., food, drug, hardware, limited apparel, liquor stores, limited department stores, dry goods, gift shops, home furnishings, paint, tires, bookstores, bakery, florist, pet supplies, health food stores, sporting goods, etc.
- Services—e.g., finance, insurance and real estate, banks, savings and loans, title abstracting, real estate developers and builders, commodity services, holding and investment services, bail bonds,
- Personal Services—e.g., self-service laundries and dry cleaning, beauty parlors, barbers, shoe repair, photographic services, cleaning and laundry , etc.
- Business Services—e.g., stenographic and mailing services, general advertising, business and management consulting, blueprinting, photo finishing, employment services, etc.
- Repair Services—e.g., radio and television repair, furniture and jewelry repair, repair of anything sold in this district, etc.
- Professional Services—e.g., physicians, dental and legal services, welfare and charitable services, medical and dental laboratories, etc.
- Cultural/Religious Activities—e.g., churches, art galleries, museums, etc.
- Food service establishments—e.g., restaurants, delis, fast food, bars, etc.
- Any combination of permitted uses
- When found compatible with the intent, single-family residential, duplex and triplex, plus accessory structures

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch 31)

- All permitted uses if determined necessary by the director
- Temporary uses: model homes, mobile-home display units, etc., only if one year or less

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch 32)

- All new construction for the purpose of conducting sales, business or services and all conversions from a prior use when structural alterations are required.
- Household units; if found compatible with the district, apartments, condominiums, etc
- Lodging—e.g., hotels, motels, time-share, R. V. parks, bed and breakfast establishments, etc.
- Transportation, communications— e.g., parking lot
- Retail trade—e.g., automotive service stations
 - Business services—e.g., stenographic and mailing services, general advertising, business and management consulting
 - Educational—e.g., nursery and primary schools, private childcare facilities
 - Miscellaneous services—e.g., religious activities

- Cultural activities—e.g., museums and art galleries, etc

Commercial (C) continued

- Public—e.g., hospitals, post offices, water treatment plants, etc.
- Food service establishments—e.g., restaurants, ice cream parlors, fast food restaurants, lunch rooms, delicatessens, etc.
- Entertainment establishments—e.g., theaters, movies, cocktail lounges, bars, nightclubs, discotheques, etc.
- Retail establishments—e.g., department stores, sporting goods, etc.
- Professional offices—e.g., medical complex, administrative centers, animal hospitals and boarding kennels, etc.
- Buildings for conducting services—e.g., financial institutions, bath houses, health clubs, convention centers, roller skating, bowling, indoor ice-skating, auto rental, reducing and figure salons, etc.
- Accessory buildings and uses¹
- All of the permitted uses and uses subject to director review if determined necessary by the director.

DEVELOPMENT STANDARDS

Minimum Lot Area: 10,000 sf

Minimum District Area: 2 acres

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet

Maximum Lot Coverage: 60 percent, when principal use is a residential use
70 percent, all other uses

Minimum Setbacks:

Front: 10 feet **Rear:** 5 feet **Side:** 0 feet

Minimum side yard when abutting a residential district is 10 feet. Minimum side yard on a corner lot is 10 feet. Reduced front setbacks may be available in June Lake, Lee Vining, and Bridgeport. See Table 4.090, Special Yard Requirements.

Density: Residential uses – 15 du/acre
Hotels, motels – 40 units/acre

If underground or understructure parking is provided for 50% to 100% of the hotel/motel rooms, then a density bonus up to 25% to 50% may be awarded as part of the use permit process.

Maximum Building Height: 35 feet See table 4.080 for other provisions

Landscaping: Fences and/or screening shall be required when abutting any residential district. Any use subject to use permit shall be required to either landscape (per approved landscape plan) or leave in natural open space (i.e., ungraded) all areas not covered by impervious surfaces.

Commercial (C) continued

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Densities stated are based upon availability of both community water and sewer.
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

Service Commercial (SC)

INTENT

The SC designation is intended to provide for a wide variety of wholesale, retail and service uses which are not normally compatible with uses permitted in other commercial districts; e.g., enclosed light manufacturing of a non-polluting type, limited outdoor storage.

PERMITTED USES

- Any proposed change of use when conducted within an existing conforming, legally developed structure. If exterior structural alterations, additional parking or outdoor storage is required, it shall require a use permit.
- Cottage industry–e.g., limited recreational equipment, apparel and other finished products, crafts, printing, etc.
- Repair Services–e.g., car repair and parts, plumbing, electrical, etc.
- Construction Services–e.g., contractor or building services, engineering contractor^{FP}, cabinet making, roofing, water-well drilling contractor storage, etc.
- Transportation services, limited travel agents, bus terminals, enclosed packing and shipping terminals, existing truck and trailer parking - heavy equipment storage^{FP}
- Warehousing, enclosed retail and wholesale storage
- Sale lots–e.g., car sales, (requires a minimum one-half acre area)
- Any combination of the permitted service commercial uses
- All permitted uses in the C district
- Construction supplies, materials and equipment storage^{FP}

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch 31)

None stated

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch 32)

- All new construction for the purpose of conducting sales, business or services and all conversions from a prior uses when structural alterations or additional parking is required
- All uses subject to a use permit in the C district
- All permitted uses in the C district, but requiring new construction or alterations
- All uses utilizing outdoor storage
- Commercial planned unit development
- Accessory buildings and uses¹

DEVELOPMENT STANDARDS

Minimum Lot Area: 10,000 sf

Minimum District Area: 3 acres

If abutting land use designations have a commercial or industrial land use designation, and existing uses in these abutting properties are compatible, a minimum district area of 2 acres may be considered.

Minimum Lot Dimensions: Width – 60 feet
Depth – 100 feet

Maximum Lot Coverage: 70 percent

Service Commercial (SC) continued

Minimum Setbacks:

Front: 10 feet **Rear:** 5 feet **Side:** 0 feet

Minimum side yard when abutting a residential district is 10 feet. Minimum side yard on a corner lot is 10 feet. Lots larger than one acre are subject to Fire Safe Regulations Chapter 22.^{sl}

Building Density: 1 du/lot and secondary unit (see Ch. 16, Development Standards - Secondary Units). Employee housing for those working on the premises subject to use permit.^{rp}

Density: Maximum population density is 5.02 persons per 5 acres or approximately 1 person per acre.^{rp}

Maximum Building Height: 35 feet See table 4.080 for other provisions

Landscaping: Any uses subject to use permit shall be required to either landscape (per approved landscape plan) or leave in natural open space (i.e., ungraded) all areas not covered by impervious surfaces. Fencing, berms and/or landscaping may be required to buffer incompatible land uses as determined by the director or the commission.

Fences: None required, except when adjoining a residential district, then a screening fence or wall not less than 5 high nor more than 6 feet in height shall be erected along adjoining residential district.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Densities stated are based upon availability of both community water and sewer.
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

FOOTNOTES

- | | |
|-----|--|
| rp. | Recommendation from the Regional Planning Advisory Committee |
| sl. | State Law requirement |

Industrial Park (IP)

INTENT

The IP designation is intended to provide for a combination of light and moderate intensity industrial uses which do not create environmental nuisances or hazards to a degree which might be obnoxious or offensive to persons conducting business in this or adjacent areas.

PERMITTED USES

- Any proposed change of use when conducted within an existing, conforming, legally developed structure, for those uses subject to a director review or use permit
- Adult-oriented businesses conducted in compliance with the locational requirements of Chapter 19 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with the permit and other operational requirements of Chapter 5.45 of the Mono County Code

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch 31)

- All permitted uses if deemed necessary by the director
- Agricultural uses, nurseries, green houses
- Offices, business and professional
- Laboratories
- Commercial laundries and dry cleaning establishments
- Wholesale sales and warehousing
- Vehicle repair garages and shops
- Manufacture of clothing, household effects, art, jewelry, silverware, ceramics, leather goods (assembly only) toys, and electronics
- Upholstery
- Shops for the assembly or completion of finished paper, wood, or metal products
- Editorial and designing, printing, lithography, bookbinding
- Painting, plumbing, electrical, cabinet and glass shops,
- Public buildings and uses
- Light equipment rental and/or storage yards
- Storage yard for construction materials and equipment
- Lumber yards and building materials, wholesale and retail (but not lumber mills)
- Temporary buildings and appurtenant structures to allowed use
- Storage of recreational vehicles, boats and miscellaneous recreational related equipment
- Recycling centers
- Accessory buildings and uses¹

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch 32)

- Industrial condominiums
- Tank farms
- Freight terminals

DEVELOPMENT STANDARDS

Minimum Lot Area: 10,000 sf

Minimum District Area: 10 acres

If abutting parcels have a commercial or industrial land use designation and existing uses on those abutting properties are compatible, a minimum district area of 5 acres may be considered.

Industrial Park (IP) continued

Minimum Lot Dimensions: Width - 75 feet
 Depth - 100 feet

Maximum Lot Coverage: 80 percent

Minimum Setbacks:

Uses Subject to DR Front: 20 feet **Rear:** 5 feet **Side:** 0 feet

Uses Subject to UP Front: 20 feet **Rear:** 10 feet **Side:** 10 feet

Side and rear yards may be modified by the director or commission. Yards when abutting a residential district shall not be less than 20 feet along the property line. Corner lots shall have a side yard of 10 feet along the street frontage.

Density: Residential uses are not permitted.

Maximum Building Height: 40 feet

Landscaping: Screening, fences, and/or landscaping may be required when the character of the proposed use, the size and location of the building site or nature of adjacent uses are such as to require screening and will be determined as part of the use permit or director's review process.

Location Standards: Before siting a proposed industrial park district, proof shall be provided that it conforms with nuisances and hazards requirements of section 04.250.

Minimum Space Between Buildings: 10 feet

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Densities stated are based upon availability of both community water and sewer.
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4 Development Standards-General
Chap. 6 Development Standards-Parking
Chap. 7 Development Standards-Signs

Industrial (I)

INTENT

The I designation is intended to provide for heavy industrial uses which may potentially cause moderate to higher degrees of environmental nuisances or hazards.

The functional and visual character of the district is such that it should be located in areas that are relatively remote from residential and commercial development.

PERMITTED USES

- Those uses listed as permitted under Industrial Park
- Caretaker unit – one per district
- Heavy vehicle storage and maintenance
- Adult-oriented businesses conducted in compliance with the locational requirements of Chapter 19 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with the permit and other operational requirements of Chapter 5.45 of the Mono County Code

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch 31)
None specified

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch 32)

- Those uses listed as permitted under Industrial Park
- General manufacturing such as batch plant, concrete C, asphalt and textile and lumber mills
- Alternative energy generation plants: photo voltaic, mirrors, and biomass conversion
- Refining of petroleum and its products
- Smelting of metals such as; copper, iron, tin, and zinc
- Solid waste
- Distillation of alcohol
- Junkyards
- Auto wrecking and salvage yards
- Commercial excavation and mining of stone and earth materials
- Food processing, canning and similar uses
- Accessory buildings and uses¹
- Heavy equipment storage GP
- Firewood processing and storage GP
- Impound yards GP

DEVELOPMENT STANDARDS

Minimum Lot Area: 10,000 sf

Minimum District Area: 30 acres Except upon finding the dependence of a location on a resource (e.g., gravel pit).

Minimum Lot Dimensions: Width – 75 feet
Depth – 100 feet

Maximum Lot Coverage: 80 percent

Minimum Setbacks:
None stated for the district.

Industrial (I) continued

Density: Residential uses are not permitted, with the exception of caretaker's units.

Maximum Building Height: 40 feet A greater height may be approved by the Director.

Landscaping: Screening, fences will be required when the character of the proposed use, the size and location of the building site are such as to require screening. Landscaping is encouraged in the front yard setback. Fence height may exceed 6 feet, but shall not interfere with necessary sighting requirements for vehicles.

Location Standards: Before siting a proposed industrial district, proof shall be provided that it conforms with nuisances and hazards requirements of section 04.250 nuisances and hazards.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Densities stated are based upon availability of both community water and sewer.
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

- | | |
|---------|-------------------------------|
| Chap. 4 | Development Standards-General |
| Chap. 6 | Development Standards-Parking |
| Chap. 7 | Development Standards-Signs |

FOOTNOTES

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|-----|-----------------------|
| c. | Clarification |
| gp. | General Plan addition |

Public and Quasi-Public Facilities (PF)

INTENT

The PF designation is intended to provide for a variety of public and quasi-public facilities and uses.

PERMITTED USES

- Grazing of horses, cattle, sheep and goats
- Small scale recreational uses (e.g., pack station)
- Structure accessory to the above uses
- Other uses permitted by the public landowner

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)
None stated

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Large scale recreational uses, including ski facilities, commercial concessions
- Mining
- Public utility buildings, structures and uses, including activity involved in the exploration, development, utilization and construction of hydroelectric and geothermal power plants
- Other uses which may result in a potentially adverse environmental impact
- Construction of an accessory building prior to construction of the main building
- Solid waste facilities, landfills, household hazardous waste facilities GP
- Cemeteries GP
- Airports, heliports, taxiways, and landing strips for aircraft GP
- Public facilities structures and uses, including but not limited to: county buildings, county road shops, community centers, parks, ballfields, schools, libraries, churches, museums, campground facilities GP
- Research facilities C
- Group homes, juvenile facilities, schools and similar facilities C

DEVELOPMENT STANDARDS

Minimum Parcel Size: None

Minimum District Area: None

Minimum Lot Dimensions: None

Maximum Lot Coverage: None

Minimum Setbacks: None

Building Density: Proposed densities shall be reviewed on a case-by-case basis by the planning director.

Maximum Building Height: None

Public and Quasi-Public Facilities (PF) continued

NOTES

1. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

FOOTNOTES

- | | |
|-----|-----------------------|
| c. | Clarification |
| gp. | General Plan addition |

Resource Management (RM)

INTENT

The RM designation is intended to recognize and maintain a wide variety of values in the lands outside existing communities. The RM designation indicates the land may be valuable for uses including but not limited to recreation, surface water conservation, groundwater conservation and recharge, wetlands conservation, habitat protection for special status species, wildlife habitat, visual resources, cultural resources, geothermal or mineral resources. The land may also need special management consideration due to the presence of natural hazards in the area; e.g., avalanche-prone areas, earthquake faults, flood hazards, or landslide or rockfall hazards.

The RM designation provides for low-intensity rural uses in a manner that recognizes and maintains the resource values of the parcel.

Land subject to the land use authority of an agency other than the County may be designated RM with a reference to the appropriate plan as follows:

Toiyabe National Forest Land & Resource Management Plan-RM/TNF
Inyo National Forest Land & Resource Management Plan-RM/INF
Mono Basin National Forest Scenic Area Comprehensive Management Plan-RM/MB
Bureau of Land Management, Bishop Resource Management Plan-RM/BLM
California Department of Fish and Game Lands-RM/DFG
Mammoth Airport Land Use Plan-RM/ALUP

These designations recognize the planning authority of other agencies on publicly owned lands only; the County has authority over private and DWP lands throughout the unincorporated area.

PERMITTED USES

- Single-family dwelling
- Mobile home used as a single-family dwelling¹
- Accessory buildings and uses²
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Resource exploratory activities which do not involve excavation, devegetation, or other potentially significant environmental effects
- Agricultural uses, provided that such uses are proposed in conjunction with a bona fide agricultural operation³, except those requiring a Use Permit

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Resource exploratory activities which involve excavation, devegetation, or other potentially significant environmental effects
- Secondary Unit (see Ch. 16, Development Standards-Secondary Units)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Limited scale lodging, such as small inns, bed and breakfast establishments, and cabins, if found to be compatible by the commission

- Recreation facilities, such as improved bike trails, cross-country ski trails, and pedestrian trails requiring modification of the natural landscape, if found to be compatible with the natural habitat of the area by the commission
- Construction of an accessory building prior to construction of the main building
- Airports, heliports, taxiways, and landing strips for aircraft

Resource Management (RM) continued

- Mining and geothermal exploration projects

DEVELOPMENT STANDARDS

Minimum Parcel Size: 40 acres or 1/4 of 1/4 section

Maximum Site Disturbance: 10 percent maximum lot coverage is 5 percent.
Maximum site disturbance may be increased in conformance with the Specific Plan process.

Minimum Setbacks:

Front: 50 feet **Rear:** 30 feet **Side:** 30 feet

Maximum Building Density: 1 du/lot and a secondary unit (see Ch. 16, Development Standards-Secondary Units).

Population Density: Maximum population density is 5.02 persons per 40 acres or approximately 0.13 persons per acre.

NOTES

1. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are 2 mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile-home and RV Parks).
2. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
3. "Agricultural uses" includes agricultural sheds and warehouses; packing, processing, storage or sale of agricultural products and supplies, machinery, implements and equipment; transportation of agricultural products, supplies and equipment together with the necessary maintenance, repair and service of trucks and equipment used therein; the feeding and selling of livestock; aqua culture; accessory buildings and uses including barns, stables and other farm outbuildings; quarters for farm labor or other employees employed on the premises; stands for sale of agricultural products grown on the premises.
4. Large scale projects may be subject to a Specific Plan (Ch. 36) in conformance with the General Plan.
5. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

Agriculture (AG)**INTENT**

The AG designation is intended to preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture.

PERMITTED USES

- Agricultural uses, provided that such uses are proposed in conjunction with a bona fide agricultural operation¹, except those requiring a Use Permit
- Single-family dwelling
- Mobile home used as a single-family dwelling²
- Accessory buildings and uses³
- Farm labor housing
- Stands for sale of agricultural products grown on the premises
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Fisheries and game preserves ^{TP}

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Secondary Unit (see Ch. 16, Development Standards-Secondary Units) ^C

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Commercial hog and poultry raising
- Farm labor trailer parks
- Public utility buildings and structures
- Airports, heliports, taxiways, and landing strips
- Stock feeding yards, animal sales yards, agricultural processing plants, and slaughterhouses
- Limited scale lodging, such as guest ranches, small inns, bed and breakfast establishments, and cabins ^C
- Animal hospitals, large and small, veterinary clinics and animal boarding ^{TP}
- Kennel (see Animal Standards, Table 4.110)
- Mineral exploration activities (including geothermal exploration activities) ^{GP}
- Equestrian facilities ^{TP}
- Commercial hunting and fishing ^{TP}
- Rural recreation, parks, and golf courses ^{TP}
- Sports facilities and outdoor public assembly ^{TP}
- Plant nurseries ^{TP}
- Exotic animals ^{TP}

DEVELOPMENT STANDARDS

Minimum Parcel Size: 2.5 acres, but varies by area-minimum parcel sizes/ densities are established by land use designation maps and policies. (Hammil Valley, see Tri-Valley Goal page II-86 through II-91) ^{GP} (Ten (10) acre minimum in the Antelope Valley) (Bridgeport Valley and Bodie Hills see Hammil Valley ^{TP})

Minimum Lot Dimensions: Width - 60 feet
 Depth - 100 feet

Maximum Lot Coverage: 40 percent

Agriculture (AG) continued

Minimum Setbacks:

Front:	50 feet	Rear:	50 feet	Side:	50 feet
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Setbacks for Accessory Buildings Used As Barns Or Stables

Front:	50 feet	Rear:	30 ^{sl} feet	Side:	30 ^{sl} feet
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Note: In State Responsibility Areas (SRAs), the minimum side and rear yard setbacks are 30 feet unless an exception is obtained from the California Department of Forestry (CDF). With a CDF exception side and rear yard setbacks may be reduced to those set forth in Table 4.090 Special Yard Requirements. All of the unincorporated area of the county are included in SRAs except for the Antelope Valley (Walker, Coleville, Topaz).

Building Density: 1 du/lot and a secondary unit 8P (see Ch. 16, Development Standards-Secondary Units).

Population Density: Approximately 2 persons per acre.

NOTES

1. "Agricultural uses" includes farm labor housing; agricultural sheds and warehouses; packing, processing, storage or sale of agricultural products and supplies; repair, maintenance, servicing, storage, rental or sale of agricultural machinery, implements and equipment; transportation of agricultural products, supplies and equipment together with the necessary maintenance, repair and service of trucks and equipment used therein.
2. Provided that the unit is newer than ten (10) years old and meets the criteria set forth in Section 04.280. When there are 2 mobile homes on the same parcel, they must 1) comply with the Secondary Housing requirements (see Ch. 16), or 2) comply with state standards for a mobile-home park and obtain a use permit from the county (see Ch. 17, Mobile Homes and RV Parks).
3. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building, including barns, stables and other farm outbuildings and quarters for farm labor or other employees employed on the premises;
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" s 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

FOOTNOTES

- c. Clarification
- rp. Recommendation from the Regional Planning Advisory Committee
- gp. General Plan addition

Scenic Area Agriculture (SAA)

INTENT

The SAA designation is intended to recognize existing and historic uses as certified by the Forest Service in its Private Land Certification Process and, within the constraints of the Mono Basin National Forest Scenic Area Plan, to allow for further limited scale development and new uses consistent with the purposes of the Scenic Area. Emphasis is placed on those new uses which would provide for recreational, interpretive, visitor services and research opportunities while maintaining a natural and rural appearing landscape.

The SAA designation is intended also to preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture, consistent with the Mono Basin National Forest Scenic Area.

PERMITTED USES

The following uses are permitted to the extent they comply with the **Mono Basin National Forest Scenic Area Private Property Development Guidelines**, contained in Appendix E of the Mono Basin National Forest Scenic Area Comprehensive Management Plan (CMP), and with the **Compatibility Determinations for Proposed New Commercial Uses and Developments**, Appendix F of the CMP. Compatibility determinations shall be based upon recommendations of the U.S. Forest Service.

- Agricultural uses, provided that such uses are proposed in conjunction with a bona fide agricultural operation⁴, except those requiring a use permit
- Single-family dwelling
- Mobile home used as a single-family dwelling⁵
- Accessory buildings and uses¹
- Stands for sale of agricultural products grown on the premises
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Fisheries and game preserves ^{rp}
 - Single-family dwelling
 - Small scale agriculture for personal use
 - Accessory buildings and uses¹

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

The following uses are permitted to the extent they comply with the **Mono Basin National Forest Scenic Area Private Property Development Guidelines** contained in Appendix E of the Mono Basin National Forest Scenic Area Comprehensive Management Plan, and with the **Compatibility Determinations for Proposed New Commercial Uses and Developments**, Appendix F of the CMP. Compatibility determinations, which shall be based upon recommendations of the U.S. Forest Service, shall be included as a Director Review finding.

- Attached Secondary Unit (see Ch. 16, Development Standards – Secondary Units) ^c
- Any expansion of an existing use

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

The following uses are permitted to the extent they comply with the **Mono Basin National Forest Scenic Area Private Property Development Guidelines**, contained in Appendix E of the Mono Basin National Forest Scenic Area Comprehensive Management Plan (CMP), and with the **Compatibility Determinations for Proposed New Commercial Uses and Developments**, Appendix F of the CMP. Compatibility determinations, which shall be based upon recommendations of the U.S. Forest Service, shall be included as a planning commission use permit finding.

Scenic Area Agriculture (SAA) continued

- Public utility buildings and structures
- Limited scale lodging, such as guest ranches, small inns, bed-and-breakfast establishments and cabins; and limited scale employee housing for those working on the premises ^c
- Limited scale animal hospitals and small, veterinary clinics and animal boarding ^{TP}
- Limited scale kennel (see Animal Standards, Table 4.110)
- Equestrian facilities ^{TP}
- Commercial hunting and fishing ^{TP}
- Rural recreation and parks^{TP}
- outdoor public assembly ^{TP}
- Plant nurseries ^{TP}
- Exotic animals ^{TP}
- Exterior structural alterations, additional parking or outdoor storage
- Cottage industry; e.g., limited recreational equipment, apparel and other finished products, crafts, printing, etc.
- Limited scale repair services; e.g., car repair and parts, plumbing, electrical
- Limited scale construction services; e.g., contractor or building services, engineering contractor ^{TP}, cabinet making, roofing, water-well drilling, contractor storage, etc.
- Existing truck and trailer parking, heavy-equipment storage, construction supplies, and materials ^{TP}
- Any compatible combination of the permitted uses
- All new construction for the purpose of conducting sales, business or services and all conversions from a prior use when structural alterations or additional parking are required
- All uses utilizing outdoor storage
- Limited scale educational uses (see Appendix F of the Mono Basin CMP)
- Limited scale buildings for interpretation
- Accessory buildings and uses ¹
- Any proposed change of use when conducted within an existing conforming, legally developed structure for the following uses:
 - Gift shops, bookstores
 - Limited scale repair services conducted as a cottage industry - e.g., radio and television repair, furniture and jewelry repair, repair of anything sold in district, etc.
 - Limited scale art galleries

DEVELOPMENT STANDARDS

The following standards shall apply to the extent they comply with the **Mono Basin National Forest Scenic Area Private Property Development Guidelines**, contained in Appendix E of the Mono Basin National Forest Scenic Area Comprehensive Management Plan (CMP), and with the **Compatibility Determinations for Proposed New Commercial Uses and Developments**,

Appendix F of the CMP. Compliance shall be based upon recommendations of the U.S. Forest Service.

Minimum Lot Area: 10,000 sf

Minimum District Area: 2 acres

Scenic Area Agriculture (SAA) continued

Minimum Lot Dimensions: Width - 60 feet
Depth - 100 feet

Maximum Lot Coverage: 70%

Minimum Setbacks:

Front: 10 feet **Rear:** 5 feet **Side:** 0 feet

Minimum side yard when abutting a residential district is 10 feet. Minimum side yard on a corner lot is 10 feet. Lots larger than one acre are subject to Fire Safe Regulations, Ch. 22.^{sl}

Building Density: 1 du/lot and secondary unit (see Ch. 16, Development Standards - Secondary Units). Limited scale lodging and employee housing for those working on the premises subject to use permit.^{tp} Densities shall be consistent with Scenic Area Guidelines and be determined at the time of application.

Maximum Building Height: 35 feet (see Table 4.080 for other provisions), unless otherwise required by the Scenic Area Guidelines.

Landscaping: Any uses subject to use permit shall be required to either landscape (per approved landscape plan) or leave in natural open space (i.e., ungraded) all areas not covered by impervious surfaces. Fencing, berms and/or landscaping may be required to buffer incompatible land uses as determined by the director or the commission.

- **Fences:** None required, except when adjoining a residential district, then a screening fence or wall not less than 5 feet high nor more than 6 feet in height shall be erected along adjoining residential district.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building, including barns, stables and other farm outbuildings and quarters for other employees employed on the premises.
2. Densities stated are based upon availability of both community water and sewer.
3. Uses may have been omitted from the list of those specified, hence the commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses Not Listed As Permitted.
4. "Agricultural uses" include: aquaculture, existing farm labor housing; agricultural sheds and warehouses; packing, processing, storage or sale of agricultural products and supplies; repair, maintenance, servicing, storage, rental or sale of agricultural machinery, implements and equipment; transportation of agricultural products, supplies and equipment together with the necessary maintenance, repair and service of trucks and equipment used therein.
5. Provided that the unit is less than ten (10) years old and meets the criteria set forth in Section 04.280.

SEE ALSO

Land Development Regulations	
Chapter 4	Development Standards - General
Chapter 6	Development Standards - Parking
Chapter 7	Development Standards - Signs
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

Open Space (OS)

INTENT

The OS designation is intended to protect and retain open space for future generations. These lands may be valuable for resource preservation (e.g., visual open space, botanical habitat, stream environment zones, etc.), low-intensity recreational uses, mineral resources, or other reasons.

PERMITTED USES

- Crop and tree farming
- Bikeway, pedestrian ways, equestrian trails, cross country ski touring, ski back trails
- Wildlife preserves, botanical preserves and similar uses GP
- Single-family dwelling GP

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

None stated

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Recreation areas requiring significant modification of natural landscape - e.g., golf courses, tennis courts, commercial stables, alpine ski runs
- Accessory buildings and uses, including barns, stables and farm buildings
- Water storage tanks
- Mineral exploration activities (including geothermal exploration activities) GP

DEVELOPMENT STANDARDS

Minimum Parcel Size: None

Minimum District Area: None

Maximum Site Disturbance: 10 percent (includes lot coverage) GP

Density: 1 du/80 acres and a secondary unit (see Ch. 16, Development Standards—Secondary Housing). GP No residential development is allowed if the parcel is less than 80 acres C

Population Density: Approximately 0.06 persons per acre.

NOTES

1. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations—

MONO COUNTY GENERAL PLAN

Chap. 4	Development Standards-General	Table 4.080	Building Heights
Chap. 6	Development Standards-Parking	Table 4.090	Special Yard Requirements

FOOTNOTES

- c. Clarification
gp. General Plan addition

Natural Habitat Protection (NHP)

INTENT

The NHP designation is intended to protect sensitive environmental habitats by minimizing site disturbance and development. Private lands placed in this district contain valuable wildlife habitat, scenic resources, and/or areas subject to natural hazards. Lands contained in this district are high priorities for land exchanges into public holding or purchases by land conservation organizations.

PERMITTED USES

- Single-family dwelling (excluding mobile homes)
- Accessory buildings and uses¹
- Wildlife preserves, botanical preserves, wetland preservation/banking, and similar uses
c, gp

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Transient rentals (rental for less than 30 consecutive days) of up to 3 dwelling units
- (i.e., rental cabins or bed-and-breakfast establishments).

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Construction of an accessory building prior to construction of the main building
- Limited density residential development such as condominiums, cooperatives, townhouses, and cluster developments, if found to be compatible with the natural habitat area by the commission
- Commercial lodging uses such as limited scale hotels, motels, including lodges, bed and breakfast establishments, and cabins if found to be compatible with the natural habitat area by the commission
- Recreation facilities, such as improved bike, cross country skiing, and pedestrian trails, golf courses, tennis courts, stables requiring modification of the natural landscape, if found to be compatible with the natural habitat area by the commission
- Educational facilities such as a nature or interpretive center focusing on natural site characteristics, if found to be compatible with the natural habitat area by the commission

DEVELOPMENT STANDARDS

Minimum Parcel Size: 2 acres

Minimum District Area: 5 acres

The planning commission may reduce the minimum district area in order to protect sensitive environmental habitats.

Minimum Lot Dimensions: None stated

Maximum Site Disturbance: 10 percent Maximum lot coverage for all structures, parking and access is 5 percent. The county general plan, area plans or specific plans may contain more restrictive coverage limitations (i.e., 3% June Lake). Project site plans shall show the extent of lot coverage and site disturbance.

Minimum Setbacks: 30 feet from any property line or road. Variances may be granted where the project is located to minimize impacts to significant natural site features, but shall not be granted to increase development intensity.

Natural Habitat Protection (NHP) continued

Density: 1 du/5 acres
Commercial lodging units, 1 unit/3 acres

Population Density: Maximum population density is 1 person per acre for commercial lodging uses.

Maximum Building Height: 24 feet See table 4.080 for other provisions

Additional Requirements:

- Development projects in the NHP district shall be located in a manner that minimizes visual impacts on surrounding property owners and scenic highways or major thoroughfares. Visual screening may also be used to minimize visual impacts.
- Development projects, where feasible, shall be located away from or outside of sensitive wildlife habitat areas.
- Projects in potential wetland areas shall receive 404 permit approvals or other applicable clearance from the Army Corps of Engineers prior to applying for county development permit.
- Other requirements may be required in area or specific plans.

NOTES

1. Accessory buildings and uses customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building.
2. Large scale projects may be subject to a Specific Plan (Ch. 36) in conformance with the General Plan.
3. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

SEE ALSO

Land Development Regulations-

Chap. 3	Uses Permitted
Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Table 4.080	Building Heights

Table 4.090 Special Yard Requirements

FOOTNOTES

- c. Clarification
gp. General Plan addition

Resource Extraction (RE)

INTENT

The RE designation is intended to provide for protection of the environment and resource extraction activities in a manner consistent with the Mono County General Plan and applicable state and federal laws. The designation is also intended to provide for processing plants utilizing on-site materials or materials found in close proximity to the site. The Resource Extraction Designation is intended to be applied only in areas with existing or proposed and permitted resource development activities.

PERMITTED USES

All permitted uses within each category are not listed; the commission may determine additional uses for each category as long as they are consistent with the intent of this designation (see Section 04.030, Interpretation of Similar Uses).

- Geological, geochemical, or geophysical mapping, surface sampling by hand of outcrops and soil, and activities which do not involve extensive excavation, devegetation, or other potentially significant environmental effects.
- Such other uses as the Director may determine to be of an infrequent nature and which involve only minor surface disturbances.
- Residential uses are limited to caretaker units or on-call employee housing associated with on-site resource development projects; such residential units shall be removed during the final reclamation process. Residential subdivisions or other types of permanent residential development are not allowed.
- Agricultural uses that are compatible with the resource extraction activity.

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Excavations or grading conducted for farming or on-site construction for the purpose of restoring land following a flood or natural disaster.
- Resource development activities involving the prospecting for, or extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one parcel of one acre or less.
- Resource development activities that do not involve either the removal of more than 1,000 cubic yards of minerals, ore, or overburden; or involve more than one acre in any one parcel.
- Surface mining operations that are required by Federal law in order to protect a mining claim, if such operations are conducted solely for this purpose and in compliance with applicable federal regulations which administer the affected mined lands.
- Such other surface mining operations as are categorically determined by the State Mining and Geology Board to be exempt from the provisions of SMARA; and/or those particular resource development activities with similar impacts that the County may

determine to be of infrequent nature and/or involve insignificant amounts of surface disturbance.

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Surface mining operations as defined in SMARA.
- Sub-surface mining operations.
- Exploring, drilling, processing, stockpiling and transporting of gas, oil, and other hydrocarbons.
- Exploring, drilling, and development of geothermal resources.

Resource Extraction (RE) continued

- Construction and operation of geothermal power plants, hydropower plants, and wind and solar power plants.
- Resale and wholesale distributing of materials produced on site and accessory uses, including but not limited to constructing and using rock crushing plants, aggregate washing, screening and drying facilities and equipment, ore reduction plants, asphalt and concrete batching plants, and storage of materials and machinery which is in use and utilized by the permitted operation.

DEVELOPMENT STANDARDS

Minimum Lot Area: 40 acres or 1/4 of 1/4 section, with the exception of patent and/or historical mining claims and "vested operations" which shall be considered on a case-by-case basis. Minimum lot area may be reduced in conformance with the permit process.

Minimum District Area: 40 acres or 1/4 of 1/4 section

Density: Residential uses are not permitted with the exception of on-call employee housing or a caretaker's unit.

Setbacks:

No processing equipment or facilities or resource development shall occur within:

- a. 100 feet from any interior public street or highway unless the public works director determines that a lesser distance would be acceptable.
- b. 100 feet from any exterior property line.
- c. 500 feet from any adjacent private dwelling, institution, school, or other building or location used for public assemblage.
- d. No geothermal development located within the Hot Creek Buffer Zone shall occur within five hundred (500) feet on either side of a surface watercourse (as indicated by a solid or broken blue line on U.S. Geological Survey 7.5 or 15-minute series topographic maps).

Residential uses shall be:

- a. 50 feet from any interior public street or highway unless the public works director determines that a lesser distance would be acceptable.
- b. 50 feet from any exterior property line.

SEE ALSO

Land Development Regulations-

MONO COUNTY GENERAL PLAN

Chap. 4	Development Standards-General
Chap. 6	Development Standards-Parking
Chap. 7	Development Standards-Signs
Chap. 15	Development Standards-Resource Extraction
Chap. 35	Development Standards-Reclamation Plan Processing
Table 4.080	Building Heights
Table 4.090	Special Yard Requirements

Area Plan (AP)

INTENT

The AP designation is intended to identify areas which have or will have an adopted area plan. Area Plans generally provide more specific direction for community areas than that provided in the countywide General Plan. In some instances, an Area Plan may also be appropriate to provide direction for large development proposals, in a manner similar to a Specific Plan.

PERMITTED USES

- Permitted uses will be determined by the land use designations applied to specific parcels within the Area Plan boundaries.

DEVELOPMENT STANDARDS

- Development standards (e.g., building densities, site disturbance/lot coverage, setbacks, etc.) will be determined by the land use designations applied to specific parcels within the Area Plan boundaries.

SEE ALSO

Mono County General Plan
Land Development Regulations
Mono County Code

Specific Plan (SP)

INTENT

The SP designation is intended to provide for planned development in areas outside of existing communities, or on large parcels of land within or adjacent to existing communities. The Specific Plan designation may also be applied to an area to provide direction for potentially conflicting or incompatible land uses. The designation may also be used to "plan for future land uses in the vicinity of, and access routes serving" surface mining operations (Public Resource Code § 2764).

PERMITTED USES

- Permitted uses will be determined by the Specific Plan in accordance with Government Code § 65451, applicable provisions of the Mono County General Plan, the Land Development Regulations, and the Mono County Code.

DEVELOPMENT STANDARDS

- Development standards (e.g., building densities, site disturbance/lot coverage, setbacks, etc.) will be determined by the Specific Plan in accordance with Government Code § 65451, applicable provisions of the Mono County General Plan, the Land Development Regulations, and the Mono County Code.

SEE ALSO

Mono County General Plan
Land Development Regulations
Mono County Code

V. PROJECTED BUILDOUT

Projected buildout figures were calculated for each community area and for the private lands outside of community areas based on the land use maps in the previous section and the allowable densities established for each land use designation (see Tables 2 & 3). The figures for maximum potential dwelling units and maximum potential population are based on the assumption that the maximum number of housing units allowed under general plan land use designations could be developed. This assumption is somewhat unrealistic, however, since large parcels of private land outside of community areas are in many cases unlikely to be developed in the next 20 years due to environmental constraints, lack of access, lack of infrastructure, and community desires to keep large parcels of agricultural lands as open space.

Assuming that the maximum potential number of dwelling units would be developed also assumes that commercially designated lots that are currently developed either with lower density residential uses or with commercial uses would be redeveloped with higher density residential uses. It is probably unrealistic to assume that this would occur on all commercially designated lots.

The anticipated 80 percent buildout figures for dwelling units and population actually assumes an 80 percent buildout in community areas and a 50 percent buildout on private lands outside of community areas. This assumption is also probably high for the reasons stated above.

Individual sheets for each Planning Area are included in this section in the following order:

- Antelope Valley
- Swauger Creek
- Bridgeport Valley
- Bodie Hills
- Mono North (Mono City, Lundy, Cottonwood Canyon Road)
- Mono South (Lee Vining)
- June Lake
- Mammoth Vicinity
- Long Valley
- Wheeler Crest
- Chalfant Valley
- Hammil Valley
- Benton Valley
- Outside Planning Areas

**TABLE 2
BUILDOUT BY PLANNING AREA-MONO COUNTY**

Planning Area	Maximum Potential Dwelling Units	%Of County Wide Total
	Proposed	%
Antelope Valley	5,194	18.6
Swauger Creek/Devil's Gate	9	0
Bridgeport Valley	3,531	12.6
Bodie Hills	402	1.4
Mono Basin North	1,111	4.0
Mono Basin South	490	1.8
June Lake	3,970	14.2
Mammoth Vicinity	400	1.4
Long Valley	2,600	9.3
Wheeler Crest	645	2.3
Chalfant Valley	661	2.4
Hammil Valley	304	1.1
Benton Valley	3,874	13.9
Outside Planning Areas	4,756	17.0
Countywide Total	27,947	

Notes:

- 1 Numbers may not add up due to rounding.
- a. Buildout change calculated assuming acreage was previously designated Resource Management (RM) which allows a density of 1 dwelling unit/40 acres. Previous buildout would have been 360 dwelling units.
- b. In the 1993 General Plan, the buildout calculation for the June Lake Planning Area did not include the buildout figure for the Rodeo Grounds Specific Plan area. Other buildout calculations for the June Lake Planning Area were miscalculated. Correcting the previous figures results in the proposed buildout; however, there is no real change in buildout from that allowed by the existing land use designations.
- c. In the 1993 General Plan, the total buildout calculation was miscalculated. The total buildout figure for Large Lot Residential (LLR) should have been 620. The total buildout figure for Specific Plan (SP) should have been 690; this figure was included in the total for the Mono North Planning Area but was omitted from the countywide total. The correct total buildout figure has been used in this table.

**TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS****Community Planning Area: ANTELOPE VALLEY**

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	585	454 ^a
RR Rural Residential	1 du/acre	1,511	398 ^b
RMH Rural Mobile Home	1 du/acre	65	65
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre	180	2,700
CL, M Commercial Lodging, Moderate	15 du/acre		
CL, H Commercial Lodging, High	15 du/acre		
RU Rural Resort	1 du/5 acres	11	---
C Commercial	15 du/acre	4	60
SC Service Commercial	---		
IP Industrial Park	---	20	---
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---	37	---
RM Resource Management	1 du/40 acres	540	13
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	14,894	1,489 ^c
AP Area Plan	---		
SP Specific Plan	---	260	--- ^d
Total Private Lands		18,107	5,179
RM Resource Management – Federal/State	---	6,685	---
OS Open Space – WRID	1 du/80 acres	1,236	15
Other	---		
Total		26,028	5,194

Notes: du = dwelling unit

- 146 acres designated ER 10 (10-acre minimum lot size).
- 1,344 acres designated RR 5 (5-acre minimum lot size); 39 acres designated RR 40 (40-acre minimum lot size).
- AG 10 (10-acre minimum lot size) designated in Antelope Valley.
- This represents the future expansion area for Coleville. No development plan has been proposed.

TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS

Community Planning Area: SWAUGER CREEK

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	348	9a
RR Rural Residential	1 du/acre		
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres		
C Commercial	15 du/acre		
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---		
RM Resource Management	1 du/40 acres		
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 acres		
AP Area Plan	---		
SP Specific Plan	---		
Total Private Lands		348	9
RM Resource Management--Federal/State	---	1,600	---
Other	---		
Total		1,948	9

Notes:

du = dwelling unit

a. Designated ER 40 (40-acre minimum lot size).

TABLE 2 BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS**Community Planning Area: BRIDGEPORT VALLEY**

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	296	296
RR Rural Residential	1 du/acre	30	30
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre	199	1,154
MFR-L Multiple-Family Residential – Low	11.6 du/acre	23	266
MFR-M Multiple-Family Residential – Moderate	15 du/acre	4	60
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre	39	585
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres	124	---
C Commercial	15 du/acre	26	390
SC Service Commercial	---	2	---
IP Industrial Park	---	21	---
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---	183	---
RM Resource Management	1 du/40 acres	854	21
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	24,823	691 ^a
AP Area Plan	---		
SP Specific Plan	---	167	--- ^b
Total Private Lands		26,791	3,493
RM Resource Management – Federal/State	---	17,936	---
OS Open Space – WRID	1 du/80 acres	3,066	38
Total		47,793	3,531

Notes: du = dwelling unit

- a. 66 acres designated AG 10 (10-acre min. parcel size). 115 acres designated AG 20 (20-acre min. parcel size). Dwelling unit potential for remaining 24,602 acres calculated using the development credits program established in Hammil Valley which allows a certain number of units to be developed per parcel, depending on the size of the parcel and the ownership. In Bridgeport Valley it results in 678 potential du for the 24,602 acres.
- b. Development of the remaining 167 acres in the Bridgeport Community is constrained by identified wetlands; special considerations are necessary for development. No development plan has been submitted for either of these areas.

TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS

Community Planning Area: BODIE HILLS

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre		
RR Rural Residential	1 du/acre		
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres	155 ^b	---
C Commercial	15 du/acre		
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---		
RM Resource Management	1 du/40 acres		
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	14,251	402 ^a
AP Area Plan	---		
SP Specific Plan	---		
Total Private Lands		14,406	402 ^c
RM Resource Management – Federal/State	---	114,994	---
Other	---		
Total		129,400	402

Notes:

du = dwelling unit

- a. Dwelling units were calculated using the development credits program established in Hammil Valley which allows a certain number of units to be developed per parcel, depending on the size of the parcel and the ownership.
- b. The Bodie RV Park Specific Plan.
- c. This figure does not include any lands within the Bodie Area of Critical Environmental Concern (ACEC) established by the Bureau of Land Management.

**TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS**

**Community Planning Area: MONO BASIN NORTH
(MONO CITY, LUNDY, COTTONWOOD CANYON ROAD)**

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	410	10 ^a
RR Rural Residential	1 du/acre	301	15 ^b
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre	190	192 ^c
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres	1	---
C Commercial	15 du/acre		
SC Service Commercial	---	3	---
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---		
RM Resource Management	1 du/40 acres	4,807	120
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	255	68 ^d
AP Area Plan	---		
SP Specific Plan	---	878	690 ^e
Total Private Lands		6,845	1,095
RM Resource Management – Federal/State	---	26,454	---
OS Open Space – LADWP	1 du/80 acres	797	10
OS Open Space – SCE	1 du/80 acres	521	6
Total		34,617	1,111

Notes du = dwelling unit

- 410 acres designated ER-40 (40-acre minimum lot size).
- RR-20 (20-acre minimum lot size).
- The existing subdivision in Mono City has a minimum lot size of 10,000 square feet and provides for 180 units; 125 acres in Lundy Canyon designated SFR 10 (10-acre min. lot size).
- 95 acres at AG 20 (20-acre minimum lot size).
- Figure from Conway Ranch Specific Plan.

TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS

Community Planning Area: MONO BASIN SOUTH (LEE VINING).

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre		
RR Rural Residential	1 du/acre		
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre	4	23
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres		
C Commercial	15 du/acre	28	420
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---	18	---
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---	37	---
RM Resource Management	1 du/40 acres		
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.		
AP Area Plan	---		
SP Specific Plan	---	74	10 ^a
Total Private Lands		161	453 ^b
RM Resource Management – Federal/State	---	4,062	---
OS Open Space – LADWP	1 du/80 acres	2,607	32
OS Open Space – SCE	1 du/80 acres	435	5
Other PF – USFS Mono Lake Visitor Center	---	72	---
Total		7,337	490

Notes: du = dwelling unit

- a. 74 acres = the Tioga Inn Specific Plan which permits 10 residential dwelling units. The remaining areas designated on the land use maps as SP are future potential expansion areas for Lee Vining that are now owned by LADWP.
- b. Also includes land leased from LADWP.

**TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS****Community Planning Area: JUNE LAKE**

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	9	9
RR Rural Residential	1 du/acre		
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre	164	951
MFR-L Multiple-Family Residential – Low	11.6 du/acre	9	104
MFR-M Multiple-Family Residential – Moderate	15 du/acre	9	135
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre	14	210
CL, M Commercial Lodging – Moderate	15 du/acre	21	315
CL, H Commercial Lodging – High	15 du/acre	20	300
RU Rural Resort	1 du/5 acres	152	---
C Commercial	15 du/acre	26	390
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---	132	---
PF Public/Quasi-Public Facilities	---	4	---
RM Resource Management	1 du/40 acres		
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres	31	6
AG Agriculture	1 du/2.5 ac.		
AP Area Plan	---		
SP Specific Plan	---	145	1,450 ^a
Total Private Lands		736	3,870
RM Resource Management – Federal/State	---	46,892	---
OS Open Space – LADWP	1 du/80 acres	8,024	100
Other	---		
Total		55,652	3,970

Notes:

du = dwelling unit

- a. 145 acres = Rodeo Grounds Specific Plan which permits 10 du/acre. Other sites identified as SP on the June Lake Land Use Maps reflect potential exchange parcels with the US Forest Service.

TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS

Community Planning Area: MAMMOTH VICINITY

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre		
RR Rural Residential	1 du/acre		
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres		
C Commercial	15 du/acre		
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---	36	---
RE Resource Extraction	---	304	---
PF Public/Quasi-Public Facilities	---	206	---
RM Resource Management	1 du/40 acres	516	13
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 acres	3,084	211 ^a
AP Area Plan	---		
SP Specific Plan	---	141	--- ^b
Total Private Lands		4,287	224
RM Resource Management – Federal/State	---	92,623	---
OS Open Space – LADWP	1 du/80 acres	14,136	176
Other – Town of Mammoth Lakes Private Lands	---	(2,200) ^c	---
Total		111,046	400

Notes: du = dwelling unit

- Inaja Ranch = 1,234 acres. Inaja Ranch has 26 seasonal use cabins. The remaining 770 acres is estimated to allow a maximum density of 1 du/10 acres.
- Hot Creek Ranch = 141 acres. No development plan has been submitted for that seasonal use facility.
- This acreage figure is not included in the total acreage since planning authority for those private lands lies with the Town of Mammoth Lakes.

TABLE 2 BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS**Community Planning Area: LONG VALLEY**

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	349	123 ^a
RR Rural Residential	1 du/acre	143	24 ^b & d
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre	339	896 ^c
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre	4	60
MFR-H Multiple-Family Residential – High	15 du/acre	9	135
MU Mixed Use	15 du/acre	37	555
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres		
C Commercial	15 du/acre	39	585
SC Service Commercial	---	1	---
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---	34	---
RM Resource Management	1 du/40 acres		
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	3	1
AP Area Plan	---		
SP Specific Plan	---	80	114 ^e
Total Private Lands		1,037	2,493
RM Resource Management – Federal/State	---	10,270	---
OS Open Space – LADWP	1 du/80 acres	8,625	107
Total		19,932	2,600

Notes: du = dwelling unit

- 10 acres designated ER 1.5 (1.5-acre min. lot size); 188 acres designated ER 3(3-acre min. lot size); 122 acres designated ER 5 (5-acre min. lot size).
- 71 acres designated RR 10 (10-acre min. lot size); 69 acres designated RR 5 (5-acre min. lot size).
- 6 acres designated SFR 10,000 (10,000 square feet min. lot size); 179 acres designated SFR 15,000 (15,000 square feet min. lot size); 80 acres designated SFR 0.5 (0.5-acre min. lot size); 50 acres designated SFR 1 (1 acre min. lot size); 24 acres designated SFR 7,500 (7,500 sq. ft. min. lot size).
- 58 acres in Long Valley covers an area impacted by avalanches which requires special studies for development. No development plan has been submitted for that area.
- 80 acres in Hilton Creek is the Lakeridge Ranch Specific Plan which permits the development of 114 single-family residences.

TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS

Community Planning Area: WHEELER CREST

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	953	636 ^a
RR Rural Residential	1 du/acre		
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres		
C Commercial	15 du/acre		
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---	1	---
RM Resource Management	1 du/40 acres		
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 acres		
AP Area Plan	---		
SP Specific Plan	---		
Total Private Lands		954	636
RM Resource Management – Federal/State	---	4,149	---
OS Open Space – LADWP	1 du/80 acres	725	9
Other	---		
Total		5,828	645

Notes:

du = dwelling unit

- a. The Wheeler Crest Area Plan limits densities to 1 du/acre in existing developed areas, and 1 du/2 acres in other areas. Dwelling units were calculated assuming 319 acres at 1 du/acre and 634 acres at 1 du/2 acres.

**TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS****Community Planning Area: CHALFANT VALLEY**

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	109	109
RR Rural Residential	1 du/acre		
RMH Rural Mobile Home	1 du/acre	443	365 ^a
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres		
C Commercial	15 du/acre	1	15
SC Service Commercial	---	3	1
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---	40	---
PF Public/Quasi-Public Facilities	---	3	---
RM Resource Management	1 du/40 acres	162	5
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 acres	1,136	69 ^b
AP Area Plan	---		
SP Specific Plan	---	---	---
Total Private Lands		1,897	564
RM Resource Management – Federal/State	---	44,403	---
OS Open Space – LADWP	1 du/80 acres	7,769	97
Other	---		
Total		54,069	661

Notes:

du = dwelling unit

- a. 100 acres at 5-acre minimum lot size; 10 acres at 2-acre minimum lot size.
b. 1,030 acres at 40-acre minimum lot size.

TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS

Community Planning Area: HAMMIL VALLEY

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre		
RR Rural Residential	1 du/acre	411	17 ^a
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres		
C Commercial	15 du/acre		
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---	3	---
RM Resource Management	1 du/40 acres	355	9
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	6,134	278 ^a
AP Area Plan	---		
SP Specific Plan	---		
Total Private Lands		6,903	304
RM Resource Management – Federal/State	---	60,674	---
Other	---		
Total		67,577	304

Notes:

du = dwelling unit

- a. Hammil Valley has a development credits program which allows a certain number of units to be developed per parcel, depending on the size of the parcel and the ownership. Dwelling units were calculated using the Development Credits Table included in the land use policies for the Tri-Valley.

**TABLE 2
BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS****Community Planning Area: BENTON VALLEY**

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre		
RR Rural Residential	1 du/acre	1,799	586 ^a
RMH Rural Mobile Home	1 du/acre		
SFR Single-Family Residential	5.8 du/acre		
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple-Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre	110	1,650 ^b
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres	35	---
C Commercial	15 du/acre	15	225 ^b
SC Service Commercial	---		
IP Industrial Park	---		
I Industrial	---	40	---
RE Resource Extraction	---		
PF Public/Quasi-Public Facilities	---	45	---
RM Resource Management	1 du/40 acres	893	22
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	3,578	1,391
AP Area Plan	---		
SP Specific Plan	---		
Total Private Lands		6,515	3,874
RM Resource Management – Federal/State	---	37,248	---
Other	---		
Total		43,763	3,874

Notes:

du = dwelling unit

- 492 acres RR; 288 acres RR 4 (4-acre minimum lot size); 16 acres RR 7 (7-acre minimum lot size); 775 acres RR 5 (5-acre minimum lot size); 134 acres RR 10 (10-acre minimum lot size); 234 acres RR 40 (40-acre minimum lot size).
- Assumes the development of a water and sewer system to obtain this density.
- 202 acres designated AG 5 (5 acre minimum lot size); 22 acres AG 7 (7-acre minimum lot size).

TABLE 2 BUILDOUT BY PLANNING AREA AND LAND USE DESIGNATIONS

Community Planning Area: OUTSIDE PLANNING AREAS

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	1,367	152 ^a
RR Rural Residential	1 du/acre	6	6
RMH Rural Mobile Home	1 du/acre		
SFR Single -Family Residential	5.8 du/acre	132	765
MFR-L Multiple-Family Residential – Low	11.6 du/acre		
MFR-M Multiple-Family Residential – Moderate	15 du/acre		
MFR-H Multiple Family Residential – High	15 du/acre		
MU Mixed Use	15 du/acre		
CL, M Commercial Lodging – Moderate	15 du/acre		
CL, H Commercial Lodging – High	15 du/acre		
RU Rural Resort	1 du/5 acres	95	---
C Commercial	15 du/acre	34	510 ^b
SC Service Commercial	---	3	---
IP Industrial Park	---		
I Industrial	---		
RE Resource Extraction	---	80	---
PF Public/Quasi-Public Facilities	---	2	---
RM Resource Management	1 du/40 acres	21,683	542
OS Open Space	1 du/80 acres		
NHP Natural Habitat Protection	1 du/5 acres		
AG Agriculture	1 du/2.5 ac.	10,999	2,524 ^c
SAA Scenic Area Agriculture		4	4
AP Area Plan	---		
SP Specific Plan	---		
Total Private Lands		34,404	4,503
RM Resource Management – Federal/State	---	1,323,992	---
OS Open Space – LADWP	1 du/80 acres	19,038	238
OS Open Space – Sierra Pacific Power	1 du/80 acres	946	11
OS Open Space – SCE	1 du/80 acres	380	4
Total		1,378,760	4,756

Notes: du = dwelling unit

- a. 286 acres designated ER 5 (5-acre minimum lot size); 221 acres designated ER 20 (20-acre minimum lot size); 796 acres designated ER 40 (40-acre minimum lot size).
- b. Assumes the development of a water and sewer system to obtain this density.
- c. Dwelling unit potential for 5,182 acres calculated using the development credits program established in Hammil Valley which allows a certain number of units to be developed per parcel, depending on the size of the parcel and the ownership. In Huntoon/Buckeye Valley it results in 200 potential du for the 5,182 acres.

TABLE 3
BUILDOUT BY LAND USE DESIGNATIONS—COUNTYWIDE TOTALS

Land Use Designation	Density	Acres	Maximum Potential Dwelling Units
ER Estate Residential	1 du/acre	4,426	1,798
RR Rural Residential	1 du/acre	4,201	1,076
RMH Rural Mobile Home	1 du/acre	508	430
SFR Single-Family Residential	5.8 du/acre	1,027	3,981
MFR-L Multiple-Family Residential – Low	11.6 du/acre	32	370
MFR-M Multiple-Family Residential – Moderate	15 du/acre	17	255
MFR-H Multiple-Family Residential – High	15 du/acre	9	135
MU Mixed Use	15 du/acre	380	5,700
CL, M Commercial Lodging – Moderate	15 du/acre	21	315
CL, H Commercial Lodging – High	15 du/acre	20	300
RU Rural Resort	1 du/5 acres	573	---
C Commercial	15 du/acre	173	2,595
SC Service Commercial	---	12	---
IP Industrial Park	---	41	---
I Industrial	---	94	---
RE Resource Extraction	---	556	---
PF Public/Quasi-Public Facilities	---	555	---
RM Resource Management	1 du/40 acres	29,810	745
OS Open Space	1 du/80 acres	---	---
NHP Natural Habitat Protection	1 du/5 acres	31	6
AG Agriculture	1 du/2.5 acres	79,156	7,124
SAA Scenic Area Agriculture		4	4
AP Area Plan	---	---	---
SP Specific Plan	---	1,745	2,264
Total Private Lands	---	123,391	27,099
RM Resource Management--Federal/State	---	1,791,982	---
OS Open Space – LADWP	1 du/80 acres	61,721	769
OS Open Space – WRID	1 du/80 acres	4,302	53
OS Open Space – Sierra Pacific Power	1 du/80 acres	946	11
OS Open Space – SCE	1 du/80 acres	1,336	15
Town of Mammoth Lakes Private Lands	---	(2,200)	---
PF – USFS Mono Lake Visitor Center	---	72	---
Total	---	1,985,950	27,947

This table is a revision of Table 3 in the Land Use Element of the 1993 General Plan. There are separate sheets for each Planning Area in addition to the summary sheet shown here.

BUILDOUT BY LAND USE DESIGNATIONS—COUNTYWIDE TOTALS (Table 3 Continued)**Notes:**

- du = dwelling unit.
- Numbers may not add up due to rounding.
- Maximum potential dwelling units may not equal total acreage multiplied by the allowable density. This is due to the designation of minimum lot sizes other than those established by the allowable density.
- The acreage figure for the Town of Mammoth Lakes Private Lands is not included in the total private lands acreage since planning authority for those lands lies with the Town of Mammoth Lakes.
- The private land total has changed from the existing total in Table 3 in the Land Use Element of the 1993 General Plan due to more accurate maps, more precise calculations (including the exclusion of streets), and land exchanges and sales which have occurred between public and private ownership since 1993.
- The calculations for maximum potential dwelling units do not include the potential for secondary housing units where it is available.
- The maximum potential dwelling units have not been calculated for the Rural Resort (RU) designation. Although the designation allows one du/5 acres, it does not allow subdivisions. Other environmental constraints also limit development on that land. No development plans have been submitted for most of the property designated RU.
- Densities over 1 du/acre are dependent on the availability of community water and sewer services. As a result, the maximum allowable buildout is unlikely to occur on parcels with designations which allow multi-family residential development.
- The maximum allowable buildout is also unlikely to occur on parcels designated Open Space (OS). All the parcels designated OS are owned by utility companies (LADWP, WRID, Sierra Pacific Power, and SCE). Due to environmental constraints and the ownership, it is unlikely that these lands will develop, particularly to their maximum allowable buildout.
- The 31 acres designated Natural Habitat Protection (NHP) were overlooked in the 1993 General Plan.
- The 1,336 acres designated Open Space (OS)–SCE were overlooked in the 1993 General Plan.
- A small reduction in the total acreage designated Resource Management (RM)–Federal/State reflects land exchanges and more precise maps.

VI. LAND DEVELOPMENT REGULATIONS

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CHAPTER 01

GENERAL PROVISIONS–INTRODUCTORY PROVISIONS

Sections:

- 01.010 Purpose and Intent.**
- 01.020 Authority for Regulations.**
- 01.030 Application and Scope.**
- 01.040 Interpretation.**
- 01.050 Restrictions.**
- 01.060 Land Use Designations.**

01.010 Purpose and Intent.

A. The purpose of the Mono County Land Development Regulations is to regulate development as allowed by Government Code 65850, including the following:

1. The use of buildings, structures, and land as between industry, business, residences, and open space uses.
2. Signs and billboards.
3. The location, height, bulk, number of stories, and size of buildings and structures.
4. The size and use of lots, yards, and other open spaces.
5. The percentage of a lot which may be occupied by impervious surfaces.
6. The intensity of land use.
7. Requirements for off-street parking and loading.
8. Establishment and maintenance of setback lines.

B. These regulations are deemed necessary in order to implement the County's General Plan as summarized in the following objective:

Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural and recreational resources and that is consistent with the capacities of public facilities and services.

01.020 Authority for Regulations.

The Mono County Land Development Regulations are adopted pursuant the State Planning and Zoning Law, Division 1 of Title 7 of the California Government Code (commencing with Section 65000), and other applicable state and federal laws.

01.030 Application and Scope.

Except where preempted by applicable state or federal laws, these regulations (along with other applicable provisions of this General Plan, including but not limited to the Land Use Maps incorporated herein) shall apply to all land in the unincorporated area of the County. Such land may only be developed or otherwise used in a manner consistent and compliant with these regulations and any other applicable provisions of this General Plan.

01.040 Interpretation.

Unless otherwise provided, any ambiguity concerning the content or application of the Land Development Regulations shall be resolved by the Planning Commission (see Section 3.030, Interpretation of "Similar Uses") or, on appeal therefrom, by the Board of Supervisors.

01.050 Restrictions.

The Land Development Regulations are not intended to interfere with, abrogate, or annul any easement, covenant or other agreement between parties. Where the Land Development Regulations impose a greater restriction upon the use of buildings or land than is imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of the Land Development Regulations shall control. Unless otherwise specified, the County of Mono is not responsible for enforcing CC&Rs.

01.060 Land Use Designations.

For purposes related to the orderly development of the county and in order to carry out the provisions of this General Plan, each and every parcel of land in the unincorporated area of the county has been duly assigned a land use designation, as depicted in the Land Use Maps contained in Section VII of this Land Use Element. (See also "Land Use Designations" in Section IV of this Land Use Element.) A "land use designation" is a general category or class of land use activity (e.g., "residential," "commercial," or "industrial") that is permitted to occur on those specific parcels of land in the County that have been duly assigned that particular land use designation by the County pursuant to this Land Use Element. (See definition of "Land Use Designation" set forth in Section 02.705 of these Land Development Regulations.) Except as otherwise expressly provided by these Land Development Regulations, no land may be developed or used except in the manner permitted by its assigned designation, to wit:

- A. No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building or premises be used, designated or intended to be used for any purpose, or in any manner other than that which is included among the uses listed as permitted by the particular land use designation assigned by the County to the parcel of land on which such building or premises is located.
- B. No building shall be erected, reconstructed or structurally altered to exceed in height the limit allowed by these regulations for the particular land use designation assigned by the County to the parcel of land on which such building is located, except as provided in Section 04.110 of these Land Development Regulations.
- C. No building shall be erected nor shall any existing building be altered, enlarged or rebuilt, nor shall any yard or open space be encroached upon or reduced in any manner, except in conformance with the yard, building site area and building location regulations applicable to the particular land use designation assigned by the County to the parcel of land on which such building, yard, or open space is located, except as provided in Chapter 4 of these Land Development Regulations.
- D. No yard or other open space provided about any building for the purpose of complying with provisions of these regulations and this General Plan shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for any building on any other site.

CHAPTER 02

GENERAL PROVISIONS-DEFINITIONS

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02.010 Context and General terminology.

The terms and definitions contained in this chapter shall be used to assist in interpreting the provisions of the Land Development Regulations only.

When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural, those in the plural number include the singular; "or" includes "and," and "and" includes "or."

- A. "Commission" means the Planning Commission of Mono County.
- B. "County boundary" means the boundary of Mono County.
- C. "Department" means the Department of Planning.
- D. "Director" means the Director of Planning or Director of Energy Management in the case of energy related use permits.
- E. "Federal" means the government of the United States of America.

- F. "Used" includes "arrange for, designed for, occupied or intended to be occupied for."

02.020 Abutting.

"Abutting" means having a common border.

02.030 Accessory Building or Use.

"Accessory building or use" means a subordinate building or use incidental to that of the main building or main use on the same lot.

02.040 Acreage.

- (a) Acreage, gross. "Gross acreage" means the total lot or parcel area as determined through calculations based on the recorded legal description for the subject property.
- (b) Acreage, net. "Net acreage" means the total lot or parcel area remaining after existing and/or proposed right-of-ways have been excluded.

02.050 Adjacent.

"Adjacent" means near, close or abutting; for example, a retail business district across the street or highway from a residential district shall be considered as "adjacent."

02.060 Agriculture.

"Agriculture" means the art or science of cultivating the ground, including the harvesting of crops and rearing and management of livestock; tillage; husbandry; farming; horticulture; and forestry; the science and art of the production of plants and animals useful to man.

02.070 Airport.

"Airport" means any area which is used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or are intended to be used for airport buildings or facilities, including open spaces, taxiways and "tie-down" areas.

02.080 Alley.

"Alley" means a passage or way open to public travel, affording a secondary means of vehicular access to abutting lots and not intended for general traffic circulation.

02.090 Alquist-Priolo Earthquake Fault Land Use Designations and Land Development Regulations Act.

"Alquist-Priolo Earthquake Fault Land Use Designations and Land Development Regulations Act": Also known as the Alquist-Priolo Earthquake Fault Zones as of January 1994, its purpose is to provide for public safety in hazardous fault zones. The Act requires the delineation of potential damage areas, called "Special Studies Zones," along known active faults throughout California. It requires local governments to withhold approval of construction permits in those zones until geologic investigation has determined that the site is not threatened by surface displacement from future faulting.

02.100 Animal enclosure.

"Animal Enclosure" means a detached accessory building, or portion of a building used to shelter and feed pets readily classifiable as being incidental to residential uses. This term precludes stables, corrals, barns, which are used for farm/ranch animals.

02.110 Animal hospital, large.

"Large animal hospital" means any premises used for the treatment, care, boarding, and grooming of large or small animals, and not conducted wholly within a building.

02.120 Animal hospital, small.

"Small animal hospital" means any premises used for the treatment, care, boarding, and grooming of dogs, cats and similar size animals, with all operations being conducted wholly within a building unless otherwise specified in the use permit.

02.130 Apartment.

"Apartment" means a room or suite of two or more rooms which is designated for, intended for or occupied by one family doing its cooking therein.

02.140 Automobile wrecking yard.

"Automobile wrecking yard" means the same as junkyard.

02.150 Bed and Breakfast.

"Bed and Breakfast Establishment" means a transient dwelling other than a hotel or dorm where lodging and meals are provided for compensation. Density and parking requirements for hotels shall be applied to Bed and Breakfast establishments, in MFR or Commercial Districts. Upon general plan consistency review, bed and breakfast establishments may be found appropriate in the agricultural district. Further, no meal service may be provided other than for guests staying on the premises.

02.160 Block.

"Block" means that property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting streets, unsubdivided acreage, watercourse or body of water.

02.170 Buffer.

"Buffer" means a strip of land established to separate incompatible or different land uses. Normally a buffer area is landscaped and retained as open space. The term may be used more broadly to describe any area that separates two unlike land uses, such as multiple-family housing between single-family housing and commercial uses.

02.180 Building.

"Building" means any structure built for the support, shelter or enclosure of any person, animal, or for storage.

02.190 Building, accessory.

"Accessory building" means a subordinate building, the use of which is incidental to that of a main building on the same building site.

02.200 Building, main.

"Main building" means a building in which is conducted the principal use of the building site upon which it is located. In any residential district, any dwelling shall be deemed to be a main building on the building site upon which it is located.

02.210 Building site.

"Building site" means a parcel of land occupied or intended to be occupied by one building or group of buildings and uses customarily accessory and incidental thereto, including such open spaces as are provided or are intended to be used in connection

therewith or are required by the regulations for the district wherein such parcel is located.

02.220 Business.

"Business" means the retail or wholesale sale, provision of service, or handling of any article, substance or commodity for profit or livelihood, but not including the handling of lumber or other building materials or the open storage or sale of any material or commodity, nor the processing or manufacturing of any product or substance.

02.230 Campground.

"Campground" means land which is used or intended for use, or to be let or rented for occupancy by campers on a temporary basis without provisions for electrical or sanitary hookups at individual campsites.

02.240 Carport.

"Carport" means an accessible and usable covered space of not less than the required dimensions for a parking space for the storage of automobiles. Carports shall be located to meet the setback and building height requirements of the land use designations and, land development regulations. A turning radius of at least twenty-five feet shall be provided for any carport which does not face directly on a street.

02.250 Cattle feed yard.

"Cattle feed yard" means any premises on which cattle are held or maintained for the purpose of feeding and fattening for market and where sixty percent or more of the feed for such cattle is imported or purchased.

02.260 Cemetery.

"Cemetery" means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

02.270 Club.

"Club" means an association of persons (whether incorporated or not) religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

02.280 Combining district.

Combining districts are intended to provide an additional mechanism that can more precisely portray unique constraints or opportunities and may be applied to the underlying base designation (e.g., SFR, ER, AG, etc.). To establish a combining district the procedures outlined Chapter 48, Amendments, shall be followed.

02.290 Cluster development.

"Cluster development" means the concentration of detached single-family residences onto smaller lots than ordinarily permitted by the base designation (e.g., ER, SFR, etc.), or onto commonly owned lots, while not exceeding the permitted density for the total acreage being considered. This permits optimum use of the land, i.e., responding to site constraints by clustering away from the area of sensitivity, yet not decreasing the allowable density.

02.300 Conversion of existing residential facilities to other uses.

"Conversion of existing residential facilities to other uses" means multifamily developments or apartments and mobile-home parks which are converted to another use, including the conversion to no use or cessation of use as residential facilities.

02.310 (a) Condominium, commercial.

"Commercial condominium" is an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building used for commercial purposes such as offices and stores.

02.310 (b) Condominium, industrial.

"Industrial condominium" is an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building used for industrial purposes such as manufacture, and assembly.

02.310 (c) Condominium, residential.

"Residential condominium" is an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building used as a residence.

02.310 (d) Condominium, hotel.

"Condominium-hotel" means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building used for vacation residence. A "condo-hotel" may or may not contain cooking facilities. Further, all development requirements part of a residential condominium shall be requirements of a condo-hotel. (Exception: If this is for financing purposes as specified in a Development Agreement or other agreed upon mechanism for a "hotel," these requirements shall not apply).

02.320 Contiguous.

"Contiguous" means in actual close contact; touching; bounded or traversed by. Property shall be considered as contiguous units, even if it is separated by roads, streets or easements.

02.330 Consistency.

"Consistency" means a review to ensure that all plans and actions conform to guidelines of this General Plan and Area General Plans.

02.340 Country Club.

"Country Club" means the land area and buildings containing recreational facilities, clubhouse, and usual accessory uses, open only to members and their guests for a membership fee.

02.350 Court.

"Court" means open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such buildings or structures.

02.360 Density.

"Density" means the ratio of dwelling units to net acreage.

02.370 Design.

"Design" means (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or

recreational purposes; and (9) such other specific physical requirements in the plan and configuration of a project as may be necessary to ensure consistency with or implementation of the General Plan, or any applicable specific plan.

02.375 Designation

"Designation" means "Land Use Designation" (defined below).

02.380 Design Review Committee (DRC).

"Design Review Committee (DRC)" means a person or persons appointed by the Board of Supervisors to review all applications for commercial structures, multifamily development, and signs within a defined design review district.

02.390 Development Agreement.

"Development Agreement" means a contract or agreement whereby the County is authorized to enter into an agreement with developers that set forth the rules that will govern a development as it proceeds through the approval process. A development agreement must specify the time during which the County agrees not to change its regulations, and may also include any other terms and conditions including time schedules for development or additional public services and facilities to be provided by the developer.

02.400 Deviation.

"Deviation" means authorized variances from required distances, setbacks, areas or physical improvements.

02.410 District area.

"District area" means all land area within a specific land use designation. For instance, the SFR district area in a specific community may contain 50 acres. Acreage for any district area is calculated based on all contiguous property in a single land use designation.

02.420 Dorm.

"Dorm" means a transient lodging other than a hotel/motel or bed and breakfast. A dorm usually contains common sleeping, bathroom and kitchen facilities.

02.430 Duplex.

"Duplex" means a building designed or used exclusively for the occupancy of two families living independently of each other and having separate kitchen and toilet facilities for each family.

02.440 Dwelling.

"Dwelling" means a structure or portion thereof designed and used exclusively for residential occupancy and permitted home occupations, but not including hotels, motels, dorms, travel trailers or tents.

02.450 Dwelling, multiple family.

"Multiple family dwelling" means a building designed or used for occupancy by three or more families, all living independently of each other and having separate kitchen and toilet facilities for each family.

02.460 Dwelling, one family.

"One family dwelling" means a detached building designed or used exclusively for the occupancy of one family and having kitchen and toilet facilities for only one family.

02.470 Environmental Impact.

"Environmental Impact" means projected long or short-term effects (adverse or beneficial) which a development project or plan may have on the natural and built environment if the project is carried out.

02.480 Factory built housing.

"Factory built housing" means a residential building, dwelling unit, individual dwelling room, or combination thereof, manufactured in such a manner that all concealed or parts of manufacture cannot be inspected before installation at the building site without disassembly, damage, or destruction of the part, which is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with building standards published in the State Building Standard Code. Modular housing is now synonymous (i.e., has the same meaning as) with factory built housing per the State of California definition.

02.490 Family.

"Family" means a person or persons living together as a single housekeeping unit in a dwelling unit.

02.500 Farm labor quarters.

"Farm labor quarters" means rooming or boarding houses, bunkhouses, trailers, mobile homes or mess halls for any number of farm laborers customarily employed principally on land owned or leased by the person or persons engaged in the agricultural enterprise, and located on the premises. Farm labor quarters also means farm labor housing where two or fewer families are provided living quarters or housing accommodations.

02.510 Findings.

"Findings" mean a set of conclusions which are required before specified permits, deviations, ordinance changes or other entitlements may be granted.

02.520 Floor area ratio.

"Floor area ratio" means the ratio of gross (e.g., including halls, restrooms, storage areas) floor area to total lot area expressed as a fraction.

02.530 Garage, private.

"Private garage" means a detached accessory building or a portion of the main building on the same lot as a dwelling for the storage of vehicles of occupants of the dwelling. A turning radius of not less than twenty-five feet shall be provided for any garage which does not face directly upon a street.

02.540 Garage, public.

"Public garage" means any premises, except those defined in this chapter as a private garage, used for the storage and/or repair of motor vehicles, or where any such vehicles are equipped for operation or repair (i.e., tow trucks), or kept for remuneration, hire or sale.

02.550 Golf course.

"Golf course" means a golf course with a minimum of nine holes, none of which shall be less than a three par.

02.560 Guesthouse.

"Guesthouse" means an accessory use to a residence that may contain living and sleeping spaces, including bathrooms, but shall not contain facilities for the cooking of food. A guesthouse shall not be used as a dwelling unit for rental whether compensation is direct or indirect. A guesthouse cannot be located within any required setback area. On parcels of less than one (1) gross acre, guesthouses may not exceed 640 square feet and will be subject to Director review and approval. As a condition of approval, the owner shall record a "Declaration of Restriction" limiting the use of the unit to be that of a bonafide guesthouse. Said covenant shall include an accurate site plan showing all improvements and clearly indicate the guesthouse.

02.570 Grade, natural.

"Natural grade" means the incline of the surface of earth along a continuous slope before its alteration by the works of man (including any interim grading, whether authorized or not).

02.580 Height of building.

"Height of building" means the vertical distance from the average level of the highest and lowest point of that portion of the building site covered by the building to the topmost point of the building, but excluding certain features as specified in Section 04.110 as set forth in subsection A and B of that section. All height shall be calculated from the natural or finished grade, whichever is more restrictive.

02.590 Home occupation.

"Home occupation" means any use which can be carried on within a dwelling by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling, and which:

- A. Is confined completely within the dwelling and occupies not more than twenty-five percent of the gross floor area of one floor thereof;
- B. Involves no sales of merchandise other than that produced on the premises or merchandise directly related to and incidental to the occupation; as long as no other violation of any other subsection occurs;
- C. Is carried on by members of the family occupying the dwelling, with no other persons employed;
- D. Produces no evidence of its existence in the external appearance of the dwelling or premises, or in the creating of noise, odors, smoke or other nuisances to a greater degree than that normal for the neighborhood (i.e., no delivery trucks);
- E. Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which located;
- F. Requires no structural, electrical or plumbing alterations in the dwelling;
- G. Involves no equipment other than that customarily used in dwellings;
- H. Involves no outdoor storage or advertising.

02.600 Housing, dependent.

See Section 02.610, Housing, Secondary, and also Chapter 16, Development Standards– Secondary Housing.

02.610 Housing, secondary.

"Housing, secondary" (also called "Dependent" or "Granny" Housing) means residential occupancy of a living unit located on the same parcel as the principal unit. It provides complete, independent living facilities for one or more persons. It including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the primary unit is situated. It can be either attached to or detached from the existing

residential unit, dependent on the lot or parcel size (see 16, Development Standards—Secondary Housing).

02.620 Hotel.

"Hotel" means any building or portion thereof containing six or more rental guest rooms that are used, designed for or intended for use, by six or more guests which pay the compensation or rent either directly or indirectly.

02.630 Hotel, resort.

"Resort hotel" means a hotel and accessory recreational components, as well as service uses designed primarily for the convenience of guests.

02.640 Industrial park.

"Industrial park" means a single parcel of land designated to provide for a combination of light and moderate industrial uses which do not in their maintenance, assembly, manufacture, or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to a degree which might be obnoxious or offensive to persons conducting a business in this or any adjacent district. Where applicable, the provisions outlined in Nuisances and Hazards, Section 04.250, shall apply.

02.650 Infrastructure.

"Infrastructure" means the basic utilities and services necessary to support development; e.g., sewer, water, and roads.

02.660 Joint-use parking.

"Joint-use parking" means the common use of (a) parking space(s) among businesses on the same lot whose operating hours do not overlap.

02.670 Junkyard.

"Junkyard" means the use of more than 200 square feet of the area of any parcel, lot or contiguous lots for the storage of junk, including scrap metals or other scrap materials and for the dismantling, wrecking or storage of used automobile or vehicles or machinery or parts thereof.

02.680 Kennel.

- A. Kennel, private. "Private kennel" means any property where dogs and cats over the age of four months are kept in accordance with the requirements of Section 04.270 for the use and enjoyment of the occupant for noncommercial purposes.
- B. Kennel, boarding or commercial. "Boarding or commercial kennel" means any facility other than a private kennel, including, but not limited to, a facility for the keeping, boarding, breeding, training and maintaining of more than four dogs of four months of age or older, whether for a fee or not, or for sale.

02.690 Kitchen.

"Kitchen" means any room, all or part of which is designed or used for cooking and the preparation of food.

02.700 Land Development Technical Advisory Committee.

"Land Development Technical Advisory Committee" means a technical committee consisting of the Director of Public Works, the Planning Director and the Health Officer, and any other affected county departments, or their designated representatives. This body shall act in a technical capacity to the Commission. This body reviews and makes

recommendations on all subdivisions, land divisions, use permits, general plan amendments, land use redesignations and, if necessary, preapplications.

02.705 Land Use Designation.

"Land Use Designation" is a general category or class of land use activity (e.g., "residential," "commercial," or "industrial") that is permitted to occur on specific parcels of land in the unincorporated area of the County that have been duly assigned that designation by the County pursuant to this Land Use Element of the General Plan. Land use designations are generally described in Section IV of this Land Use Element and their specific assignments to individual parcels of land in the unincorporated area of the County are depicted in the Land Use Maps set forth in Section VII of this Land Use Element. Because assigned land use designations essentially create regulatory boundaries or areas within which certain permitted uses may occur, parcels of land are sometimes described under these Land Development Regulations as being located within their assigned land use designations. Except as otherwise expressly provided by these Land Development Regulations, no land may be developed or used except in the manner permitted by its assigned designation. (See Section 01.060 of these Land Development Regulations.)

02.710 Landscaping.

"Landscaping" means the use of plant and natural materials, paving materials or structural materials in order to amend and enhance the exterior environment on any parcel, public right-of-way and easement or to reestablish or reinforce the existing natural environment.

02.720 Lot.

"Lot" means land occupied or to be occupied by a use, building or a unit group of buildings and uses and accessory buildings and uses, together with such yards, open spaces and lot width and area as are required, and having frontage upon a street; or an area or parcel shown on and created by a final or parcel map recorded with the County Recorder.

02.730 Lot Coverage.

"Lot Coverage" means the percentage of a lot encumbered by structures and areas devoted to vehicular traffic or parking. Specified requirements may be modified for substandard lots.

02.740 Lot, double frontage.

"Double-frontage lot" or through lot means a lot other than a corner lot which has frontage on two (2) parallel or approximately parallel streets. Required front yards shall be measured from both street frontages.

02.750 Lot Depth.

"Lot depth" means the average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

02.760 Lot Width.

"Lot width" means the distance measured at the building setback line (BSL) along a line or arc which is parallel or concentric to the right-of-way.

02.770 Manufactured housing.

"Manufactured housing" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or 40 body feet or

more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Manufactured housing is defined to include mobile homes and factory-built housing.

02.780 Manufactured housing subdivision.

"Manufactured housing subdivision" means any area or tract of land where two or more lots are created in accordance with applicable provisions of Title 17 of the Mono County Code for the exclusive use of manufactured housing units which are defined to include mobile homes and factory-built housing.

02.790 Mobile Home.

"Mobile home" means a structure transportable in one or more sections, designed and equipped to contain not more than two dwelling units to be used with or without a foundation system. Mobile home does not include a recreational vehicle, commercial coach or modular housing (i.e., factory-built housing).

02.800 Mobile-home display units.

"Mobile-home display units" means any mobile home or mobile homes which are used solely for the purpose of displaying units offered for sale by the developer of an approved mobile-home park or subdivision in the area.

Mobile-home display units are deemed to be temporary and shall be removed from the site at the completion of the sales program or upon termination of any permit issued for that use. Mobile-home display units shall not be used at any time for living quarters unless installed on legal mobile-home lots that provide all necessary support requirements.

02.810 Mobile-home park.

"Mobile-home park" means any area or tract of land designed as a single unit where two or more mobile-home lots or spaces are rented or leased, or held out for rent or lease to accommodate mobile homes used for dwelling purposes.

02.820 Modular.

Refer to Factory built housing definition, Section 02.480.

02.830 Model home or unit, temporary.

"Temporary model home or unit" means any dwelling unit or units which are used solely for the purpose of displaying units offered for sale and which are of a temporary nature, the unit or units to be removed from the site at the expiration of any permit issued for the use. Temporary model homes or units shall not be used at any time as living quarters.

02.840 Motel.

"Motel" means a building or buildings containing guest rooms or units with associated automobile parking spaces designed and used primarily for the accommodation of transient automobile and other travelers.

02.850 Nonconforming.

"Nonconforming" means the existence or use of land, a building, a structure or portion thereof, which does not conform to the regulations of the land development regulations and which lawfully existed at the time the regulations with which it does not conform became effective.

02.860 Nurseries.

"Nurseries" means the retail or wholesale handling of any article, substance or commodity related to the occupation of gardening, including the sale of plants, shrubs, trees, packaged fertilizers, soils, chemicals and other nursery goods and related products. The bulk sale or bulk storage of fertilizers, soils, chemicals and other garden supplies shall be within a building.

02.870 Open space.

"Open space" means land where basic natural values have been retained. Open space can include wilderness areas as well as a small park in the middle of town, pastures, forested areas, agricultural uses, golf courses, flood washes, ski runs, etc. The function of open space may differ, depending upon the location. It may have a protective function, as in the case of open space in flood plain areas, where it serves to protect health and safety. It can have a structural or buffer function to space and separate conflicting land uses. It may serve the function of recreation or a scenic function to provide aesthetic views of forests or mountains.

02.880 Outdoor sales.

"Outdoor sales" means any retail sales operation conducted either partially or entirely outside, in a motorized vehicle, or temporary structure (i.e., tent, vegetable stand, etc.).

02.890 Overlay District.

"Overlay district" means an area within which a set of standards and requirements are employed to deal with special physical characteristics such as hazardous areas. Overlay districts are sometimes described in the general or area plans and are mapped and/or imposed in conjunction with, and in addition to, those of the underlying land use designation.

02.900 Parking space.

"Parking space" means a usable space on the building site at least 10 feet x 20 feet if over 7000 feet elevation and at least 9 feet x 18 feet if covered or under 7000 feet elevation. Such space shall be located off the street with adequate access to such space.

02.910 Parking, underground structure.

"Underground parking structure" is an improved, covered parking lot built beneath the structure which it primarily serves, and not extending more than five feet above the finished grade. Building height is then measured from the top of the underground parking structure.

02.920 Poultry farms.

"Poultry farms" means the raising and/or keeping of chickens, ducks, geese, pigeons, pheasants, or guinea fowl for commercial purposes.

02.930 Professional office.

"Professional office" means an establishment for professional, executive or administrative offices, including those of accountants, lawyers, medical doctors, dentists, architects, engineers, drafting offices, insurance agents, real estate agents and other occupations which are of similar character to those enumerated, but not including barbers, beauty parlors, cosmetologists or other service establishments or building trades contractors.

02.940 Public Buildings and uses.

"Public buildings and uses" means any civic or service oriented facility available to the general public including such uses but not limited to schools, parks, playgrounds, educational, recreational and social facilities, libraries, museums, firehouses, courthouses, administrative offices, hospitals and other governmental facilities.

02.950 Public utility buildings, structures and uses.

"Public utility buildings, structures and uses" means the use of land for public utility purposes by public, quasi- public and private energy and communication purposes and distributors except for conventional electrical distribution substations and facilities. Hydroelectric and geothermal power plant construction is considered to fall within this definition.

02.960 Quasi-public buildings and uses.

"Quasi-public buildings and uses" means a use operated by a private nonprofit educational, religious, recreational, charitable, fraternal or medical institution, association or organization, and including but not limited to such uses as churches, private schools, universities, community recreational, educational and social facilities, meeting halls, private hospitals and similar uses.

02.970 Recreational vehicles.

"Recreational vehicles" means a motor home, travel trailer, truck camper, or camping trailer, with or without motor power, designed for human habitation for recreation or emergency occupancy, which is eight feet or less in overall width and forty feet or less in overall length, or a bus conversion for human habitation, and for which a special permit and/or chauffeur's license is not required by the California Vehicle Code to move such vehicle on a public highway.

02.980 Recreational-vehicle park.

"Recreational-vehicle park" means any area or tract of land where two or more lots or spaces are rented or leased, or held out for rent or lease to owners or users of recreational vehicles which are occupied for temporary purposes or seasonal use. A recreational-vehicle park may allow the use of tents or other temporary camping facilities either in place of a recreational vehicle or in a separate designated area within its confines and considered as part of the number of approved lots or spaces in the park. In addition, a "RV" park normally contains provisions for electrical and sanitary hook-ups.

02.990 Scenic Highway.

"Scenic Highway" means any freeway, highway, route, road, street, boulevard, or other public right-of-way which traverses an area of land generally adjacent to (within 1,000 feet) and visible from the highway, which requires protective measures to ensure preparation of its scenic qualities.

02.1000 Scenic Highway Corridor.

"Scenic Highway Corridor" means the area of land generally adjacent to (within 1,000 feet) and visible from the highway, which requires protective measures to ensure preparation of its scenic qualities.

02.1010 Screening.

"Screening" means the use of fences, hedges, and walls as well as earth mounds and the massing of trees and shrubs in order to mitigate visual nuisance generated by specific land uses and to protect the amenities of abutting land use districts in accordance with the intent of those districts.

02.1020 Service station.

"Service station" means a retail business establishment limited to the sale of motor fuels and supplying goods and services generally required in the operation and maintenance of automotive vehicles. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; washing and lubrication services; the performance of minor automotive maintenance and repair. Major automotive repairs, painting, and body and fender work are excluded except where such uses are otherwise permitted in the district.

02.1030 Setback line, street.

"Street Setback line" means a line which defines the depth of the required street setback, front yard, or side yard or side street where said yard or yards abut a street. Said street setback line shall be parallel or concentric with the street right-of-way line.

02.1040 Sign.

"Sign" means any words, letters, numerals, emblems, designs, or other marks shown on any card, cloth, paper, metal, painted surface, glass, wood, plaster, stone or other device of any kind or character by which anything is made known and used to attract attention.

02.1050 Site plan.

"Site plan" means a plan, prepared to scale, showing accurately and with complete dimensions all of the uses proposed for a specific parcel of land taking into consideration the natural and man-made characteristics of the parcel.

02.1060 Site plan review.

"Site plan review" means the review by the County of a site plan and other studies to assist the County in determining the manner in which the applicant intends to make use of his property.

02.1070 Social care facility.

"Social care facility" means any facility in the general classification of a boarding home for aged persons, boarding home for children, day care home for children, day nursery, nursing home or parent-child boarding home. These facilities consist of a building or group of buildings used or designed for the housing of sick, demented, injured, convalescent, infirm or well, normal healthy persons, requiring licensing or certification by regulating government agencies.

02.1080 Special event.

"Special event" means any infrequently held activity, which requires extending service needs beyond normal service levels provided at the site; that is held at any place other than in a permanent building or permanent installation which has been constructed for the purpose of conducting such activity; and to which members of the public are invited or admitted; or is sponsored or encouraged by a club or organization. Special events may include, but are not limited to outdoor festivals, cultural festivals, carnivals, organized racing events, bazaars and rummage sales, and swap meets held no more than twice a year by any one organization.

02.1090 Stable, private.

"Stable, private" means a detached accessory building for the keeping of horses, burros, or mules owned by the occupants of the premises and not for remuneration, hire or sale.

02.1100 Stable, public.

"Stable, public" means a stable other than a private stable for keeping of horses.

02.1110 Street line.

"Street line" means the boundary between a street, public or private, and abutting property.

02.1120 Street, public.

"Public street" means a street, road or way, but not an alley; dedicated to, owned by or maintained by a state, county or incorporated city.

02.1130 Structural alterations.

"Structural alterations" means any change in the supporting members of a building, such as a bearing wall, column, beam or girder, floor or ceiling joists, roof diaphragms, foundations, pipes or retaining walls.

02.1140 Structure.

"Structure" means anything constructed or erected, except fences under six feet in height, the use of which requires location on the ground or attachment to something on the ground, but not including any trailer or tent.

02.1150 Subdivision.

"Subdivision" means the division, by any subdivider of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units for the purpose of sale, lease or financing whether immediate or future except for leases of land for agricultural purposes. Property shall be considered contiguous even if it is separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes a condominium project, as defined in Section 1350 of the Civil Code, a community apartment project, as defined in Section 11004 of the Business and Professions Code or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code. As used in this definition, agricultural purposes means the cultivation of food or fiber or the grazing or pasturing of livestock.

02.1160 Substandard lot.

"Substandard lot" means a unit of land, the area, width or other characteristics which fails to meet the requirements of the land use designation in which it is located.

02.1170 Temporary use.

"Temporary use" is any use or occupation of any building or land for a period of (30) thirty days or less.

02.1180 Time-share project.

"Time-share project" is any project in which a purchaser receives the right in perpetuity, for life, or for a term of years, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, or segment of real property, annually or on some other periodic basis, for a period of time that has or will be allotted from the use or occupancy periods where the

02.1190 Time-share estate.

"Time-share estate" is a right of occupancy in a time-share project which is coupled with an estate in real property.

02.1200 Time-share use.

"Time-share use" is a license, certificate or contractual or membership right of occupancy in a time-share project which is coupled with an estate in real property.

02.1210 Transient Rental.

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

02.1220 Travel trailer.

"Travel trailer" means a recreational vehicle. See Section 02.970.

02.1230 Use.

"Use" means the purpose for which land or a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

02.1240 Use, Accessory.

"Accessory use" means a use accessory to any permitted use and customarily a part thereof, which use is clearly incidental and secondary to the permitted use and which does not change the character thereof.

02.1250 Yard.

"Yard" means an open space other than a court on the same building site with a building, which open space is occupied and unobstructed from the ground upward, not including any portion of any street or alley or road right-of-way.

02.1260 Yard, front.

"Front yard" means that portion of the lot adjacent to a street right-of-way, extending between the side lot lines to a depth required by the district in which the lot is located.

02.1270 Yard, rear.

"Rear yard" means a yard extending across the back of the lot between the side lot lines and to a depth required by the district in which the lot is situated.

02.1280 Yard, side.

"Side yard" means a yard along the side line of the lot and to a width required by the district in which the lot is situated, and extending from the front yard to the rear yard.

CHAPTER 03

DEVELOPMENT STANDARDS—LAND USE DESIGNATIONS

Sections:

- 03.010** **Land use designation criteria.**
03.020 **Land use designations.**

03.010 Land use designation criteria.

Each and every parcel of land in the unincorporated area of the county has been duly assigned a land use designation, as depicted in the Land Use Maps contained in Section VII of this Land Use Element. Except as otherwise expressly provided by these Land Development Regulations, no land may be developed or used except in the manner permitted by its assigned designation. (See also Sections 01.060, 02.705, and 04.020 of these Land Development Regulations.) Land use designations (shown on the land use maps) are based upon an evaluation of natural, cultural, and social characteristics of the land as well as the countywide land use policy framework and specific area policies. Those analyses, however, did not always include a detailed study of the circumstances and environmental constraints of each specific parcel. Future detailed evaluation of specific properties may show that an alternate designation is warranted. Upon proper application, the County will consider amendments to the land use designations.

03.020 Land use designations.

Section IV of the Land Use Element contains summary sheets of the development standards that apply to each land use designation in Mono County. These sheets contain the general standards for each land use designation, as well as the uses permitted; they do not detail all possible standards and exemptions applicable to the given land use designation. The following is a list of the land use designations found in Section IV.

<u>Symbol</u>	<u>Land Use Designation</u>
RR	Rural Residential
ER	Estate Residential
RMH	Rural Mobile Home
SFR	Single-Family Residential
MFR-L, M, H	Multi-Family Residential (Low, Moderate and High)
RU	Rural Resort
CL-M, H	Commercial Lodging (Moderate and High)
MU	Mixed Use
C	Commercial
SC	Service Commercial
IP	Industrial Park
I	Industrial
RE	Resource Extraction
RM	Resource Management
AG	Agriculture
SAA	Scenic Area Agriculture
OS	Open Space

NHP	Natural Habitat Protection
PF	Public Facilities
SP	Specific Plan
AP	Area Plan

CHAPTER 04

DEVELOPMENT STANDARDS-GENERAL

Sections:

04.010	General provisions and exceptions.
04.020	Uses permitted.
04.030	Uses not listed as permitted.
04.040	Uses permitted subject to director review and approval.
04.050	Uses permitted subject to use permit.
04.060	Uses exempt.
04.070	Utilities.
04.080	Lot area.
04.090	Lot dimensions.
04.100	Density.
04.110	Building height.
04.120	Yards.
04.130	Special yard requirements.
04.140	Space between buildings.
04.150	Lot coverage.
04.160	Fences, screening and landscaping.
04.170	Off-street parking.
04.180	Access.
04.190	Signs.
04.200	Loading spaces.
04.210	Site plan review.
04.220	Countywide General Plan Provisions.
04.230	Area Plan Provisions.
04.240	Environmental review.
04.250	Nuisances and hazards.
04.260	Design Review Committee.
04.270	Animal Standards.
04.280	Placement of mobile homes in conventional SFR areas.
04.290	Home occupation.

04.010 General provisions and exceptions.

The general provisions and exceptions contained in these Land Development Regulations shall apply in all designations, where applicable. Where general provisions differ from provisions of a specific designation, the provisions of the specific designation shall apply.

04.020 Uses permitted.

- A. The regulations contained in this chapter shall apply to uses permitted throughout the land development regulations.
- B. Buildings, structures and land shall be used, designed, erected, structurally altered or enlarged only for the purposes listed as permitted in the land use designation in which such building, structure or land is located, and then only after applying for and securing all permits and licenses required by law. Any

use already established within an area when it is first designated but which is not a permitted use within such designation or is a permitted use only with a use permit shall be allowed to continue therein as a nonconforming use subject to all conditions and restrictions relating to nonconforming uses as provided in Chapter 34, Non-Conforming Uses.

- C. Accessory buildings and uses customarily incidental to any of the permitted uses and uses subject to a use permit when located on the same lot and constructed simultaneously with or subsequent to the main building.

04.030 Uses not listed as permitted.

- A. It is recognized that in the development of comprehensive land use development standards that:

- 1. Not all uses can be listed nor can future uses be anticipated.
- 2. Uses may have been omitted from the list of those specified as permissible in each of the various land use designations described in Section IV of this Land Use Element, hence the phrase, "plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

- B. Interpretation of "similar uses."

Where the term "and such other uses as the director or commission finds to be similar and not more obnoxious ... " is mentioned, it shall be deemed to mean other uses which, in the judgment of the director or the planning commission, as evidenced by a written decision, are similar to and not more obnoxious to the general welfare than the uses listed for the same designation. If a use is found similar to a permitted use or similar to a use requiring a director review or use permit, it shall also be permitted subject to the same requirements as its most similar listed use. The director shall make the interpretation concerning uses permitted or uses permitted subject to director review; the planning commission shall make the interpretation for uses permitted subject to use permit. For interpretation of uses of a potentially controversial or sensitive nature, the director may submit the matter to the commission for an interpretation.

Any decision may be appealed in accordance with Chapter 47, Appeals.

Prior to taking an action to find a use similar to and not more obnoxious to the general welfare than the uses listed for the same designation, the director or the planning commission shall find all of the following:

- 1. That the proposed use is consistent with this general plan and any applicable area plans or specific plans.
- 2. That the proposed use is compatible with the intent of the land use designation and is applicable throughout the county in that designation.
- 3. That the use is capable of meeting the standards and requirements of that designation.
- 4. That the use will be similar to and not be more obnoxious to the general welfare (i.e., health, safety) than the uses listed within the designation.

04.040 Uses permitted subject to Director review and approval.

- A. Placement and Use of Recreational Vehicles (RVs) on Vacant Property.
1. RV placement and use of undeveloped property during construction of a main building shall be permitted only for a short duration and shall not exceed one year, unless the Director Review Permit is renewed annually following notice to contiguous property owners.
 2. Long-term temporary uses - such as the use of an RV for three months of each year for a five year (5) period - may be permitted in seasonal hazard areas (e.g., designated avalanche or flood zones) subject to director review permit where otherwise appropriate.
 3. In granting a director review permit, the following conditions, at a minimum shall be required:
 - a. That the health department review and approve sanitation methods for the temporary use;
 - b. That the applicant obtain a building permit for the main building (if applicable) prior to RV placement;
 - c. That the applicant obtain any necessary permits for the RV use, such as a building permit for electrical hookup;
 - d. That the RV be removed from the site upon director review expiration;
 - e. That the RV be placed in a manner that minimizes visual impact to scenic highways and nearby properties.

No director review permit shall be granted if the proposed use is in conflict with local CC&Rs or applicable area or specific plans.

The temporary use of an RV for agricultural related purposes, where a parcel is twenty (20) acres or larger shall be exempt from the director's review. Storage of RV's on vacant parcels is also exempt from these requirements.

04.050 Uses permitted subject to use permit.

Certain uses listed in the land use designations set forth in Section IV of this Land Use Element are permitted only when subject to use permit. Such uses shall be subject to all applicable property development standards of this chapter and those of the designation in which the uses are located. Any such use shall be subject to submission of a site plan.

- A. Uses listed in the designations as "permitted subject to use permit" are permitted subject to the provisions of Chapter 32, Use Permits.
- B. In addition, the following uses are permitted in any designation subject to use permit:
1. Public buildings and quasi-public buildings and uses (see definitions).

2. "Special Events" such as a circus, carnival, open air theaters, race tracks or similar establishments involving assemblies of people and vehicles (see definitions).
3. The removal of minerals and natural materials. This does not include the excavation or removal of materials for a normal construction project or underground utilities or facilities; or the removal of mineral and natural materials or trees when such removal is motivated by land leveling as its prime objective.
4. Drilling for and/or the removal of oil or gas; geothermal fluids; and geothermal power plants generating up to 50 MW (megawatts) of electric power, including associated structures and transmission lines, (except lands under Williamson Act contract).
5. Wind generation (individual use), and commercial wind farms.
6. Small scale hydroelectric power generating facilities including, but not limited to: construction of generation facilities, penstocks, and diversion structures, and associated transmission lines.
7. Construction of an accessory building prior to the construction of a main building.
8. Airports, heliports, taxiways and landing strips for aircraft (except the OS designation).
9. Cemeteries, crematoriums (except the OS designation).

04.060 Uses exempt.

Any temporary and seasonal uses conducted by public agencies for public purposes shall be exempt from the provisions of the land use designations and land development regulations. This section is not applicable to permanent improvements.

04.070 Utilities.

Distribution lines to development shall be undergrounded. See Chapter 11, Development Standards–Utilities, for complete requirements.

04.080 Lot area.

- A. After the effective date of any general plan land use map by which any land or area is first assigned a land use designation, no land in any designation shall be divided by the recordation of any map or by voluntary sale, contract of sale or conveyance of any kind which creates a new parcel of land which consists of less than the minimum lot area required for the designation of which such lot is a part; provided further, that all land divisions shall be subject to the requirements for the division of land in Mono County. Any person participating in violation of this section, whether as seller, grantor, purchaser or grantee, is, as principle in the transaction, guilty of a misdemeanor.
- B. Where a lot has an area less than that prescribed by the land use designation in which that lot is located, and the lot was under one ownership at the time of

record at the time the area was first designated whereby the lot became nonconforming, the lot may be used subject to all property development standards of the designation in which such lot is located.

- C. If any land use designation is followed by a numerical suffix which differs from the base designation minimum, then the numerical suffix that follows shall take precedent.
- D. Minimum lot sizes for sewage systems
Minimum lot sizes shall be as follows: not with standing the fact that lesser lot sizes may be indicated in the respective designations:
 - 1. If an individual sewage disposal system but not an individual water supply are proposed, ten thousand (10,000) square feet;
 - 2. If both individual sewage disposal system and individual water supply are proposed, forty thousand (40,000) square feet;
 - 3. Minimum lot sizes in cluster subdivisions or similar developments not served by a public sewer system may be reduced if density standards for the whole subdivision are not increased above the gross density specified in the designation; provided that all other health requirements are met.

04.090 Lot dimensions.

- A. Every lot shall have a minimum width and depth of not less than 60'x100' unless otherwise specified in the designation in which the lot is located. The dimensions are minimum only and shall be increased where necessary to attain the minimum lot area required.
- B. The lot depth shall not exceed three times the lot width (3:1), unless the lot is ten (10) gross acres or larger in size then a ratio of four to one (4:1) is acceptable.
- C. Where a lot has a width or depth less than that prescribed by the land use designation, and the lot was under one ownership at the time of record at the time that the area was first designated whereby the lot became nonconforming, the lot may be used subject to all property development standards of the designation in which such lot is located. See Section 17.16.350.

04.100 Density.

- A. All density is based upon the net acreage of the parcel.
- B. Density requirements set forth in the base designation shall apply. Fractional parts from 0.5 to 0.9 may be rounded to the next higher number, subject to all development standards of the land use designation.

04.110 Building height.

- A. All buildings and structures hereinafter designed or erected, or existing buildings which may be reconstructed, altered, moved or enlarged, shall have a height no greater than 35 feet measured from grade. All heights shall be

calculated from the natural grade or finished grade, whichever is more restrictive.

- B. Accessory buildings in any residential designation shall be limited to a maximum height of twenty (20) feet except as may be permitted by use permit.
- C. On sloping lots situated on the downhill side of streets, the permitted height may be increased, not to exceed a maximum height of twenty (20) feet above the centerline of the adjacent street, measured at a point halfway across the street frontage of the lot.
- D. On large commercial projects and multifamily, condominium or apartment projects where an entire floor area is devoted to underground parking, the height of building shall mean the vertical distance from the ceiling of the parking facility to the topmost point of the building, but excluding certain features as specified in Sections 04.110 A & B.
- E. Exceptions To The Height Limitations:
 - 1. Permitted: The following uses are permitted:
 - a. Public utility exceptions. Poles for public utilities shall be allowed in all designations to a height greater than that permitted for buildings in the designation.
 - b. Residential exceptions. The height specified for residential development of 35' may be adjusted to allow additional height to a maximum of 45', provided that the required side and rear yards are increased one (1) foot in width for each foot of height over 35'.
 - 2. Director Review: The following uses shall be permitted at a height greater than 35 feet subject to Director review and approval: chimneys, silos, cupolas, flag poles, wind generation towers, monuments, natural gas storage holders, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances that are permitted in a designation. In cases where the additional height might result in substantial detrimental effects on the enjoyment and use of surrounding properties, a use permit will be required.
 - 3. Use Permit: Commercial and industrial exceptions - The height limitations of this chapter may be modified in commercial and industrial land use designations upon securing use permit approval providing that the gross floor area of such buildings shall not exceed that possible for buildings in such respective land use designations erected within the height limits of such district. Further, this approval is contingent upon a finding by the Planning Commission that the project will not result in substantial detrimental effects on the enjoyment and use of surrounding properties, and that the modified height will not exceed the lifesaving equipment capabilities of the fire protection agency having jurisdiction, and in no case shall exceed 60'.

04.120 Yards.

The following minimum yard requirements are applicable to all designations, unless they differ from the provisions of a specific designation, then the provisions of the specific designation shall apply.

A. Residential designations; Specific Plan; and Rural Resort:

1. Front: Each lot shall have a front yard of not less than (20) twenty feet deep;
2. Side and Rear: Elevations 7000' and above: side and rear yards of not less than ten (10) feet. Eaves into side yards shall be designed so that roofs will not shed snow onto adjoining property, vehicle parking, or public ways. If it is determined by the Building Department that the design, pitch, etc., of the roof may cause any of the above shedding problems, the side yard shall be increased proportionately.

Elevations below 7000' shall have side yards of not less than ten (10) feet on one side and not less than five (5) feet on the other side; rear yards shall be not less than ten (10) feet.

The side yard setback may be reduced to a minimum of five (5) feet, when sufficient documentation is presented to the planning department by the applicant showing that the design of the roof of the dwelling or accessory building is oriented so that snow does not shed towards adjacent properties, parking areas, walkways or public rights of way or private road easements. Pools may encroach five feet into the required rear yard.

3. Exceptions - Lots substandard in area (i.e., less than 7500 square feet) or lots measuring less than one of the minimum length by width measurements (i.e., 60'x100') are subject to the following minimum side and rear yard requirements:
 - a. Side. Each side yard shall not be less than five (5) feet, on corner lots, the side yard abutting the street shall be not less than ten (10) feet;
 - b. Rear. Each lot shall have a rear yard of not less than (10) feet.

B. Commercial designations.

1. Front. Each lot shall have a front yard of not less than ten (10) feet deep;
2. Side. No requirement except:
 - a. When abutting a residential district the lot shall have a side yard of not less than ten (10) feet.
 - b. On corner lots - not less than ten (10) feet.
3. Rear. Each lot shall have a rear yard of not less than five (5) feet deep.

C. The yard requirements as set forth above or in the specific designation shall apply, but may be modified by use permit issued pursuant to the provisions of subsection C of Section 04.110.

04.130 Special yard requirements.

- A. Double frontage lots. Front yard setbacks shall be required on both frontages. On lots abutting upon two or more streets, no structure shall be erected so as to encroach upon the front or side yard abutting any street.
- B. Yard requirements on combined lots. Contiguous lots may be combined to create a single building site. Where two or more contiguous lots are combined, yards shall be established from the exterior boundaries of the building site. Upon issuance of any permit for a building site containing two or more contiguous lots which have been combined to create the building site, the parcel shall be deemed a single parcel and all interior lot lines will be eliminated. Consequently, if less than the entire building site is to be sold, transferred, or conveyed, a parcel map must be recorded pursuant to Chapter 17.36 of the Mono County Code.
- C. Plan lines. If an official plan line is specified in the circulation element of this General Plan, any area general plan or land use designation, the required yards on the street side shall be measured from such official plan lines. In no case shall the provisions of land development regulations be construed as permitting any structure to extend beyond such official plan lines.
- D. Other yard regulations.
 - 1. Architectural features. Architectural features such as cornices, eaves, and canopies may extend not more than thirty inches into any required yard. Fireplaces, not exceeding eight feet in breadth, may extend not more than thirty inches into any required yard.
 - 2. Porches. Open, uncovered porches, landing places or outside stairways may project not more than three feet into any required yard.
 - 3. Front Yard Variation. In any residential designation where fifty percent or more of the building sites on any one block have been improved with buildings, the required front yard shall be not less than the average of the developed building sites, to a maximum of that specified for the designation in which the building site is located.
 - 4. Garage within Front Yard. Notwithstanding any part of the requirements of this section, in cases where the elevation of the front half of the lot at a point fifty feet from the centerline of the street is seven (7) feet above or below the grade of the centerline, a private garage, attached or detached, may be constructed to within five feet of the front line; provided that no such structure shall exceed eight (8) feet in height, measured from the finished floor line to the top plate line, nor more than twenty (20) feet from finished floor line to the roof peak or other structural appurtenance.
 - 5. Pools. Pools may not be located closer than five (5) feet from any side or rear lot line, nor shall they encroach into any easements. On corner lots, no pool shall be located closer than ten (10) feet to the lot line abutting the side street.
 - 6. Stables. The minimum building site area for the first two horses in a cooperatively or commercially owned stable is two (2) acres. For each additional horse, ten thousand square feet is required in addition to two acres. Stables and paddocks shall not be less than fifty (50) feet from the

front property line nor less than fifty (50) feet from any dwelling unit. These requirements do not apply to horses kept for personal use in permitted designations or in an equestrian combining designation.

7. Streams/creeks. In order to minimize the impact to areas with lakes, streams and creeks, the following procedures shall be applicable (specific plans or area general plans may be more restrictive or less restrictive, and shall take precedence):
 - a. Definitions A major stream is shown as a permanent stream on a U.S. Geological Survey (UGS) map, and is a continuously flowing water body. A minor stream is shown as an intermittent stream on a USGS topographic map and is a permanent stream with low flow during all or part of the year. Seasonal streams not shown on a USGS map are not subject to this section, unless determined otherwise in accordance with subparagraph c of this subdivision. A lake is an accumulation of water, larger than a pool or pond, generally formed by a natural or manmade obstruction in the course of flowing water, that is shown on a USGS map
 - b. New development shall be subject to the following minimum setbacks from any lake, and major or minor stream. Any proposed structure, including associated impervious surfaces, shall be located a minimum of thirty feet from the top of the bank. Greater setback requirements may be imposed through the land division and/or environmental review process if determined necessary to protect the waterbody and riparian resource. Deviations of these setback requirements may be granted if the mandatory director review findings can be made and the applicant can demonstrate that the proposed construction will not result in a significant adverse impact on the waterbody or the riparian area. Such director review applications shall include a landscaping plan which illustrates all project site disturbance areas and specifies a comprehensive program for restoring the disturbed areas.

Structures and uses existing within these setback areas prior to January 1, 1990 shall be permitted to remain and, if necessary, be reconstructed. Such reconstruction within the setback area shall not result in:

1. An increase in lot coverage;
 2. A change in use;
 3. Increased runoff from impervious surfaces; or
 4. An adverse change in the drainage of the lot.
- c. If the Department of Public Works determines in the course of their review that a stream course not identified on a U.S.G.S. map carries significant flow (either continuously or intermittently), the building setbacks in this subdivision may be imposed.

04.140 Space between buildings.

All buildings hereafter designed or erected and existing buildings which may be reconstructed, altered, moved or enlarged, shall comply with the space between building requirements as set forth herein:

The minimum space between exterior walls of building on the same lot shall be as follows:

- A. For buildings side to side or front to side, the space shall be not less than one half the height of the highest building abutting the space, but in no case less than ten (10) feet.
- B. For buildings front to front or front to rear, the space shall be not less than the average height of the main buildings, but in no case less than twenty (20) feet.
- C. Structures are considered attached if it is made structurally a part of and there is a common roof or wall.

04.150 Lot coverage.

All buildings hereafter designed or erected, and existing buildings which may be reconstructed, altered, moved or enlarged, shall comply with the maximum coverage of lot in the designation in which they may be located.

04.160 Fences, screenings and landscaping.

Fences are permitted, but not required, and shall not exceed six feet in height. Where fence, hedge or wall is located in any required front yard, it shall not exceed four feet in height. Higher fences in the front setback may be permitted subject to use permit, if they do not obstruct the line of sight from vehicles in roadways or driveways.

Screening and landscaping is permitted and may be required by the Planning Director for projects that need buffering from adjacent uses and/or to stabilize exposed or disturbed soils. Screening may take the form of berms, fences, landscaping, other appropriate materials or combinations thereof. Landscaping should utilize native and drought resistant species to the greatest extent practicable. Shrubs and trees should be of sufficient size and maturity to survive weather extremes as landscaped areas are frequently used for snow storage purposes over extended periods of time. Normally, a minimum one (1) inch caliper tree with staking will be required.

04.170 Off-street parking.

The provisions of Chapter 6, Development Standards–Parking, shall apply. Tandem parking is prohibited for all multiple family projects and all commercial and industrial uses.

04.180 Access.

Access to provide adequate ingress and egress shall be built and maintained to all lots in each designation according to all applicable road standards as determined by the Department of Public Works.

04.190 Signs.

- A. All signs shall be placed in accordance with the regulations established in Chapter 7, Development Standards–Signs.
- B. The following signs shall be permitted subject to Director's Review:
 - 1. Attached.

2. Freestanding/Monument.
 3. Directional.
- C. The following signs shall be permitted in all designations:
1. Real estate.
 2. Political.
 3. Temporary.

04.200 Loading spaces.

Loading space requirements shall be determined at the time of site plan review in accordance with the uses proposed.

04.210 Site plan review.

- A. Preapplication conference. Prior to submitting an application for a use permit, tentative tract or variance of substantial size and/or complexity (as determined by the Director), a prospective applicant should consult with the Land Development Technical Advisory Committee to obtain relevant information as well as to inform the Committee of the applicant's intentions. This conference will provide an opportunity to review the proposed plan of development and identify potential requirements or subjects requiring particular attention prior to entering into binding commitments or incurring substantial expense in preparing plans, surveys and other data. The applicant shall provide a conceptual plan showing the site, topography, surrounding land uses and road right-of-ways. Minutes will be taken by planning staff at the meeting and a copy shall be provided to the applicant. These minutes shall be included with the application at the time it is formally submitted.
- B. Compatibility with adjacent lands. Any site plan shall be designed and developed in a manner compatible with and complementary to, surrounding uses in the immediate vicinity of the site. Site planning on the perimeter shall give consideration to protection of the property and any division into parcels shall relate harmoniously to the topography of the site. Consideration shall also be given to suitable provision for reservation of watercourses (see Section 04.130 E.7.), wooded area, rough or steep terrain, and similar natural features and areas, and shall otherwise be so designated as to use such natural features and amenities to best advantage.
- C. A site plan shall be submitted for any use requiring a use permit. The site plan shall show the subject site, significant topographic features and adjacent structures in relation to proposed structures, phasing, intended method of parking and circulation, proposed grading and landscaping and such additional information (i.e., trash collection, snow storage, existing trees of twelve (12) inches or greater in diameter, or stands) deemed necessary for consideration of the proposal, or as required by applicable area general plans.

04.220 Countywide General Plan Provisions.

Prior to submitting an application for any new land use or a change of use, a prospective applicant should consult this general plan to ensure that the proposal is consistent with the goals and policies as well as the mapped land use designations of this general plan. The general plan is comprised of seven "elements." Each of these elements must be reviewed to determine a project's consistency. The elements which

make up the general plan include: land use (including maps illustrating land use designations), circulation, conservation and open space, noise, housing, safety and hazardous waste.

04.230 Area Plan Provisions.

In areas in which an area plan has been adopted (," Antelope Valley, Bridgeport, Bodie Hills, Mono Basin, June Lake, Long Valley, Mammoth Vicinity, Wheeler Crest, Tri-Valley) the provisions of the area plan shall also apply.

04.240 Environmental Review.

The environmental impact of applications for land uses subject to the regulations of this General Plan shall be reviewed and taken into account in deciding whether such applications shall be approved, as provided in Chapter 16, Mono County Code.

04.250 Nuisances and Hazards.

When any of the following is contained on any lot and is considered to be a nuisance or hazard to surrounding properties, the appropriate county entity shall investigate and initiate the appropriate enforcement proceedings:

- A. Emission of odors. Enclosures, devices, or other precautionary means shall be employed to ensure that odors are maintained at reasonable levels appropriate for the district and are not objectionable at the point of measurement when the use is in operation.
- B. Discharge of liquid or solid wastes. Land uses shall operate within the guidelines of the Lahontan Regional Water Quality Control Board. Disposal of liquid and solid waste shall also be in compliance with Chapter 7.12 and 7.16, Title 7, Health and Welfare, Mono County Code. Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or groundwater supply or interfere with the bacterial processes in sewage treatment.
- C. Vibration, noise. Refer to Chapter 10.16 of the Mono County Code, Public Peace, Safety and Morals.
- D. Fire and explosion hazard. All activities involving the use of storage of combustible, flammable or explosive materials shall be in compliance with nationally recognized standards and shall be provided with adequate safety devices for protection against the hazard of fire and explosion, and adequate fire fighting and fire suppression equipment and devices in compliance with state and local fire prevention regulations. Burning of waste materials in open fires is prohibited without written approval of the local fire department.
- E. Electrical disturbance. No activity or land use shall cause electrical disturbance that adversely affects persons or the operation of any equipment across lot lines and is not in conformance with the regulations of the Federal Communications Commission.

04.260 Design Review Committee (DRC).

Review by the local design review committee is required, where applicable. This DRC review should be initiated upon application to the County and finalized prior to issuance of building permits. The DRC will generally review all commercial structures, multiple family residential uses of four (4) units or more, and signs.

04.270 Animal Standards.

- A. Pet animals. The keeping of pet animals is permitted in addition to the animal units permitted in the matrix in the following subsection. Pet animals are subject to the following provisions:
1. For all dwellings, except multiple family, any and all of the following pet animals are permitted, with no minimum lot areas:
 - a. Four (4) dogs and four (4) cats.
 - b. Up to four (4) of any combination of the following:
 - Chickens (excluding roosters), cooped.
 - Ducks, penned.
 - Goose, turkey or similar fowl (limit 1), penned.
 - Rabbits or other domestic animals of similar size at maturity, penned.
 - c. Domestic birds, not fowl, enclosed at least 15- feet from any dwelling on adjoining property.
 2. Multiple family dwellings are permitted any combination of cats and dogs, up to a maximum of four animals per dwelling unit.
- B. Animal units. Animal husbandry, and the keeping of animals accessory to dwellings shall be permitted in accordance with the Animal Standards Table.

Table Animal Standards

04.280 Placement of mobile homes in conventional SFR areas.

Pursuant to state law, mobile homes (manufactured housing) are allowed in all areas designated for conventional single-family residential dwellings, ,” SFR, ER, RR, RMH, MFR-L, RU, RM and AG. In addition, they are allowed in the MU designation subject to Director Review. Mobile homes are not allowed in other designations. Mobile homes that do not meet the following standards may be allowed in the designations identified above, subject to a Use Permit.

The following requirements apply to all mobile-home installations except those installed in the RMH designation.

- A. A plot plan showing the proposed access, parking and location of the unit on the parcel;
- B. Evidence that the mobile home is 10 years old or newer on the date of installation. Mobile homes allowed in the RMH designation are exempt from this provision.
- C. For factory built or modular housing, a seal certifying that the unit has been approved by the California Department of Housing and Community Development.
- E. The unit must meet the design wind, seismic and roof load requirements. Mobile homes installed in the RMH designation that do not meet the snow load requirements may construct a ramada over the mobile home to meet the requirements.
- F. In addition the following standards shall apply to all mobile homes, except in the RMH designation;
 - 1. Have a minimum width of not less than twenty feet.
 - 2. Be attached to a permanent foundation system or better in compliance with all applicable building regulations;
 - 3. Be covered with an exterior material customarily used for conventional dwellings and approved by the Mono County Building Department. The exterior covering material shall extend to the ground except when a solid concrete or masonry perimeter foundation is used the exterior covering material need not extend below the top of the foundation;
 - 4. Have a roof pitch of not less than two inch vertical rise for each twelve inches of horizontal run and consisting of singles or other material customarily used for conventional dwellings and approved by the Mono County Building Department.
 - 5. Meet the roof loading requirements of the particular area in which the unit is installed;
 - 6. Eaves (roof overhang) shall be provided to the extent deemed necessary by the Mono County Building Department in order to be visually compatible with nearby single-family dwellings as well as to protect the structural integrity of the vertical walls of the unity.

04.290 Home occupation.

Home occupations are permitted in all residential designations, subject to obtaining a business license and compliance with the following home occupation standards. A proposed home occupation must be clearly incidental and secondary to the residential use of the parcel and must be carried on within onsite structures by inhabitants of the parcel.

In order to maintain the home occupation and the business license, the applicant shall comply with all of the following home occupation standards at all times:

- A. The business shall be confined completely within the dwelling and occupy not more than twenty-five percent of the gross floor area of one floor thereof;
- B. The business shall involve no sales of merchandise other than that produced on the premises or merchandise directly related to and incidental to the occupation; as long as no other violation of any other subsection occurs;
- C. The business shall be carried on by members of the family occupying the dwelling, with no other persons employed;
- D. The business shall produce no evidence of its existence in the external appearance of the dwelling or premises, or in the creating of noise, odors, smoke or other nuisances to a greater degree than that normal for the neighborhood (i.e., no delivery trucks);
- E. The business shall not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which located;
- F. The business shall require no structural, electrical or plumbing alterations in the dwelling;
- G. The business shall involve no equipment other than that customarily used in dwellings;
- H. The business shall involve no outdoor storage or advertising.

Table 4.080 building height requirements page 1

Table 4.080 building height requirements page 2

Table 4.080 building height figure 1

Table 4.090 special yard requirements page 1

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Table 4.090 special yard requirements page 3

CHAPTER 06

DEVELOPMENT STANDARDS-PARKING

Sections.

06.010	Minimum parking requirements.
06.020	Development.
06.030	Accessibility.
06.040	Tandem parking.
06.050	Parking size.
06.060	Parking layout.
06.070	Handicapped requirements.
06.080	On-site.
06.090	Off-site.
06.100	Joint use.
06.110	Minimum requirements.

06.010 Minimum parking requirements.

- A. The standards for providing parking shall apply at the time of erection of any main building or when off site parking is established. These standards shall also be complied with when an existing building is altered or enlarged by the addition of dwelling units or guest rooms, or where the use is intensified by the addition of floor space, seating capacity, seats, or changed to a use requiring additional parking.
- B. No parking area or parking space which is provided for the purpose of complying with the provisions of this chapter shall hereafter be relinquished, reduced or altered in any manner below the requirements established herein, unless equivalent spaces are provided elsewhere, the location of which is approved by the Commission.

06.020 Development.

- A. Any land hereafter used for parking lots, or car or trailer sales lots shall be developed with paving, drainage and painting, (lighting and wheel stops as determined by the Commission) according to the specifications of the County Departments of Planning and Public Works.
- B. All parking spaces shall be paved except as shown in the Table 06.010.
- C. Modification Of Requirements. The Planning Commission may waive, modify or increase the parking and driveway improvement standards of this section. The requirements in Table 06.010 are minimums.

06.030 Accessibility.

All parking spaces, whether in a garage or open area shall be located to be accessible and usable for the parking of motor vehicles. The minimum turning radius shall be twenty-five (25) feet.

06.040 Tandem parking.

Tandem parking is prohibited for all multiple residential, commercial, and industrial projects.

06.050 Parking size.

- A. Covered parking. The minimum size of parking spaces shall be nine (9) feet in width by twenty (20) feet in length.
- B. Uncovered parking. The minimum size of parking spaces shall be ten (10) feet in width by twenty (20) feet in length; in areas below 7,000 feet in elevation, the parking stall dimensions may be reduced to 9 feet by 18 feet. If a finding of necessity can be made for parking spaces directly accessed from a street, then the length of the parking space shall be thirty- three (33) feet.

06.060 Parking layout.

The method of providing parking shall be clearly shown on any site plan or building plan submitted for consideration.

06.070 Handicapped Requirements.

- A. Individual handicapped parking.
The minimum size shall be fourteen (14) feet wide lined to provided a nine (9) foot parking space and a five (5) foot loading area, by twenty feet in length.
- B. Double.
For two handicapped parking spaces, the minimum size shall be twenty-three (23) feet wide lined to provide two nine (9) foot parking spaces and one five (5) foot loading area shared between the spaces.

All handicapped parking shall be signed with surface identification symbol and with either a wall mounted or freestanding sign in accordance with the provisions of Title 24, 2-33240.

All parking shall be designed and maintained to permit full utilization of all spaces shown on the submittal. Covered parking may be incorporated in the design of the main building or buildings or may be permitted in separate parking structures.

06.080 On-site.

All parking spaces shall be on-site unless provided in accordance with the provisions of Section 06.090.

06.090 Off-site.

- A. When parking is to be provided off the regularly subdivided lot on which the structure or uses or portions thereof are located, the owner or lessee of record shall furnish satisfactory evidence to the Director that he owns or has available sufficient property to provide the minimum parking required by this chapter.
- B. When parking is to be provided on property other than that being developed or used, there shall have been recorded in the Office of the County Recorder, prior to the issuance of any permit to construct, erect, add to or alter, a covenant

executed by the owners of the property for the benefit of the County in a form approved by the County Counsel to the effect that the owners shall continue to maintain such parking so long as such structure, improvement or use exists. Such covenant shall also recite that the title to and right to use the lots upon which the parking space is to be provided will be subservient to the title to the premises upon which the structure is to be erected or the use maintained and shall warrant that such lots are not and will not be made subject to any other covenant or contract for such use without the prior written consent of the County.

In the event the owners of such structure should thereafter provide parking space equal in area and under the same conditions as to ownership upon the lot or lots other than the premises made subservient in a prior such covenant, the County will, upon written application, accompanied by a filing of a similar covenant, release such original subservient premises from such prior covenant.

06.100 Joint use.

Joint use of parking facilities on the same site may be allowed under the following conditions:

- A. When there is no conflict at time of use;
- B. When there is sufficient parking for all uses at any particular time.

06.110 Minimum requirements.

The following off-street parking requirements shall apply to all buildings, new uses commenced and to any areas of expanded uses commenced after the effective date of this ordinance. For any uses not specifically mentioned herein, the Commission shall determine the number or amount of parking required. All facilities shall be onsite unless specified differently.

Parking table 6.010 page 1

Parking table 6.010 page 2

Parking table 6.010 page 3

Parking table 6.020 page 1

Parking table 6.020 page 2

Parking figure 2

CHAPTER 07

DEVELOPMENT STANDARDS-SIGNS

Sections:

07.010	Intent.
07.020	Permitted signs.
07.030	Signs subject to director review.
07.040	General provisions.
07.050	Design excellence (optional).
07.060	Prohibitions.
07.070	Nonconforming signs.

07.010 Intent.

It is the intent of this chapter to establish sign standards that will enhance and preserve the unique scenic beauty of Mono County. Thus, aesthetics are the primary objective of the following sections. Signs shall be located to be compatible with their surroundings in terms of size, shape, color, texture and lighting. They should not compete visually with other signs. Because signs are important in providing information to the public, and reducing hazards and confusion to pedestrians and motorists, they should be simple in design and easy to read.

Further, the provisions of applicable area plans will apply if more restrictive regulations are contained therein. For example, a use permit is required for freestanding signs in a scenic highway corridor.

07.020 Permitted signs.

The following signs are permitted (some require a Building Department permit). These regulations, where more restrictive, override the Uniform Sign Code (1985 Edition):

A. Awning or Canopy Sign:

Definition: An awning sign is painted, stenciled, stitched, sewn or stained onto the exterior of an approved awning or canopy. Signs hanging from or attached to a canopy are not permitted under this definition (see Hanging Signs).

Requirements: No awning sign may have less than 8 feet of clearance from the bottom of the awning to the sidewalk. When an awning is the main signage for a business, the flap should be a minimum of 12 inches wide with 8 inch letters so that the sign can be easily read from across the street.

B. Changeable Copy Sign (or Marquee):

Definition: A sign which contains removable letters (or uses electronically changing copy) and provides information that is subject to change. This includes amenities available for motels or resorts, movies at theaters, and current events at an auditorium.

Requirements: Maximum size permitted is 20 square feet. This sign area shall be counted against the overall sign area permitted for any corresponding

monument/freestanding signs or attached/ projecting signs on the subject parcel.

C. Political Signs:

Definition: A sign which indicates or displays the name or picture of an individual seeking election or appointment to a public office or relates to a forthcoming public election or referendum or advocates a person's, group's or party's political views or policies.

Requirements:

1. No political sign shall be posted more than 45 days before the election. All signs shall be removed within 10 days after the election. The maximum sign area shall be 8 square feet.
2. Political signs shall not be erected within 50 feet of any street intersection or at any location where the sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign.
3. Political signs shall not be nailed or affixed to any tree, or public utility pole and shall not be located in the public right-of-way, parkway or publicly-owned land.
4. Political signs which have an adhesive backing shall not be affixed directly to any structure. Such a sign with adhesive backing shall first be affixed to a temporary backing of wood, paper or plastic for support which can be easily removed from its posted location.

D. Real Estate Signs:

Definition: A sign which advertises the sale, rental or lease of property on which it is erected and maintained.

Requirements: A maximum of one sign per parcel is permitted and shall be removed within fifteen days after the close of escrow or close of the rental/lease agreement. The sign must be located entirely within the subject property and shall not be lit. Maximum sign areas and heights shall be permitted as follows:

Parcel Size	Sign Size	Sign Height	Minimum Setback from Edge of Road
10 acres or less	4 sq.ft.	4 ft.	5 ft.
10 acres and larger	12 sq.ft.	8 ft.	20 ft.

E. Projecting Signs:

Definition: A sign which projects outward perpendicularly or at an angle from a wall or building face and is primarily attached to that wall or building face.

Requirements: A projecting sign may not extend more than 3 feet from the wall or building face and not exceed 10 square feet with a minimum clearance of 8 feet from the bottom of the sign to the sidewalk. Additional bonus square footage may be awarded as specified in Section 07.050, Design excellence.

F. Hanging Signs:

Definition: A hanging sign is similar to a projecting sign except that the primary sign face is hanging or suspended from a support bracket which projects outward from the wall or building face. A hanging sign may also hang from an awning.

Requirements: A hanging sign may not extend more than 4 feet from any building or wall face . It shall not exceed 10 square feet with a minimum clearance of 8 feet from the bottom of the sign to the sidewalk. Additional square footage may be awarded as specified in Section 07.050, Design excellence.

G. Residential Identification Sign: The Following residential identification signs are allowed without permit approval:

1. Private individual residence identification signs, limited to the names of the occupants and a total of 2 square feet in size.
2. Multiple Family Projects, limited to one permanent identification sign with a maximum area of 20 square feet, attached to an approved wall or facade. Freestanding or monument signs are subject to Director's Review as specified in this chapter. A total signing program will be required as part of the use permit requirements for any new multiple family residential project of four or more units. Additional square footage may be awarded as specified in Section 07.050, Design excellence.

H. Safety or Required Signs:

1. Signs required for the public safety and convenience shall be permitted in conjunction with permitted business identification signs and shall not be counted against the allowable identification sign area. Safety or required signs shall not exceed 3 square feet in each sign area and may contain any combination of the following words or symbols: "Parking" "Park Here" "Customers Only" "Open," etc., and shall not contain the name of the business.
2. Required signs include those mandated by a federal, state or local agency, and include display of gas prices by retail gasoline distributors. Gasoline price signs shall not exceed more than one set of signs per street frontage. Each line of letters or numbers cannot exceed 6 inches in height, and total sign area may not exceed 24 sq.ft.
3. If the name or logo of the business appears integrated along with any safety or required sign, the total sign area shall be counted against the allowable sign area.

I. Special Events and Holiday Signs:

Banners, signs or decorative materials are permitted in conjunction with a holiday season or an event conducted in accordance with Section 02.1080, Special Events. Such signs and decorative materials are not to be erected more than 30 days preceding the event and shall be removed upon its conclusion. Temporary signs in residentially-designated areas shall be limited to garage sales and open house signs, and shall be limited to 3 sq.ft.

J. Window Signs:

Definition: Sign(s) painted on, attached to, designed or placed so as to be read principally through the windows from outside the business.

Requirements: The total of all permanent window signs shall cover no more than 20% of total window area. Temporary sales and special event signs may be displayed over this 20% maximum, but shall be removed immediately upon conclusion of the sale or special event, in no case to exceed 30 days.

K. Building Identification and Directory Plaques:

Definition: A plaque mounted flush to a building to denote the building's identity, tenants or historical information. This sign shall not be counted against the allowable sign area.

Requirements: If the parking lot entrance and the main building entrance front on different streets, there may be one sign at each entrance. The total sign area shall be limited to a maximum size of 8 inches by 48 inches and letters shall not exceed 3 inches.

- L. Flags: Flags or emblems of the U.S.A. or the State of California, or emblems of a civic, philanthropic, educational or religious organization, when the same is not used in connection with a commercial promotion or as an advertising device.

07.030 Signs subject to director review.

The following signs are subject to Director Review as specified in Chapter 31:

A. Attached:

Definition: A sign mounted flush and affixed securely to a building wall that project no more than 6 inches from the face of a building wall, and does not extend vertically or horizontally beyond the building.

Requirements:

1. Attached signs may occupy one square foot for each (2) lineal feet of business frontage upon which the sign is located. In intensive commercial and industrial areas (e.g., C, IP and I), the maximum area of any attached sign shall not exceed a 100 square feet, but need not be less than 25 square feet. In rural, agricultural, residential and neighborhood commercial areas, the maximum area of any attached sign shall not exceed 50 square feet, but need not be less than 15 square feet.
2. When two or more separate businesses (," located in separate offices, spaces, or buildings) are located on one parcel, each shall be eligible for at least the minimum square footage (i.e., 15 or 25 sq. ft.).
3. Further, the maximum height of the sign shall be 20 feet or the height of the building, whichever is less. A maximum of two attached signs per occupancy is permitted, but in total combined area cannot exceed the maximum permitted. Additional square footage may be awarded as specified in Section .050, Design excellence.

B. Community and Historical:

Definition: A sign erected by a Chamber of Commerce or similar organization which identifies local communities or points of historical interest.

Requirements: There are no specific square footage or height restrictions. However, such signs shall be visually compatible and shall not compete with the area in which they are placed. The sign may identify a city or unincorporated community and may contain the name, sub-name or slogan of the area, but without other advertising.

- C. Freestanding and Monument Signs: One freestanding or monument permitted for parcels with a minimum of 100 feet of street frontage. Shopping centers with 10 or more shops/offices may have one for each street frontage.

1. Freestanding:

Definition: A sign anchored directly to the ground or primarily supported from the ground rather than a building.

Requirements: The maximum height of the sign shall be 20 feet or the height of the associated building whichever is less. Freestanding signs may occupy one square foot for every 3 lineal feet of street frontage, up to a maximum of 100 square feet. Freestanding signs shall be set back a minimum of 20 feet from the property line. Additional square footage may be awarded as specified in Section 7.050, Design Excellence.

2. Monument:

Definition: A freestanding sign attached continuously at grade.

Requirements: The maximum height of monument signs shall be 8 feet. Monument signs are computed the same as freestanding signs (above), except that the minimum need not be less than 45 square feet and the maximum can not exceed 125 square feet. Additional square footage may be awarded as specified in Section 7.050, Design excellence.

- D. Directional:

Definition: A sign that provides needed directions to remotely located business and scenic, recreation areas such as pack stations, lodges, resorts and lakes.

Requirements: Directional signs will only be approved upon a demonstrated need. It will be limited to the name of the business or area, and direction to its location. Signs cannot exceed 3 square feet.

- E. Informational Kiosks and Freestanding Directory Boards:

The following sign types will be allowed only when submitted as part of a total signing program for a shopping center, community improvement district, etc.:

1. Directory Boards Provides information as to the location of businesses in a pedestrian-oriented business area, not to exceed 3 sq.ft. in area and, if hung, shall not be higher than 6 feet.
2. Kiosks May provide information as to the location of businesses in a pedestrian-oriented business area, as well as a surface for handbills, posters and flyers to be affixed too. The total area of a kiosk display surface is not to exceed 40 sq.ft. or eight feet in height. Kiosks are to be separated from adjacent structures by a minimum of six feet. Kiosks shall be maintained with a neat appearance and out-dated materials shall be removed promptly.

07.040 General Provisions.

The provisions of this Section are applicable to all signs constructed or altered after the effective date of this chapter except as otherwise provided by this chapter. No person except a public officer or employee in the performance of a public duty shall paint, paste, display, construct, erect, alter, use or otherwise maintain any sign except in accordance with the provisions of this chapter.

A. Sign Measurements

1. Area: The area of a sign is to be measured as the number of square feet of the smallest rectangle within which a single sign face can be enclosed, as follows:
 - a. Sign Faces Counted: Where a sign has two faces containing sign copy, which are oriented back-to-back, are separated by not more than 3 feet at any point, and are parallel to each other; the area of the sign is to be measured using the face of the larger sign.
 - b. Wall-mounted letters (Channel letters): Where a sign is composed of letters individually mounted or painted on a building wall, without a border or decorative enclosure; the sign area is that of the smallest single rectangle within which all letters and words can be enclosed.
 - c. V-Shaped Signs: The area of "V" shaped signs shall be calculated the same as if it were a single sign face.
 - d. Sign Monument Signs: Area shall be calculated for that portion of the sign enclosed by the decorative border or frame and shall not include the foundation for the sign (however, the 8 foot height limit does include the foundation).
2. Height The height of a sign shall be measured as the vertical distance from the adjacent grade to the uppermost point on a sign or sign structure.

B. Sign Illumination For those signs to be lit, indirect illumination from a separate light source is required, with the exception of channel letters. Use of neon and internal lighting is prohibited unless integrated with an overall architectural or design theme and is subject to Director's approval. An indirectly illuminated sign is defined as any sign whose illumination is reflected from its source by the sign display surface to the viewer's eye, the source of light not being visible from the street or from abutting property.

C. Sign Copy Changes Any sign erected in conformance with the provisions of this chapter may be repainted, maintained, and the copy changed as long as there is no increase in existing sign area nor the sign face relocated; otherwise, the sign will be considered as a new sign and shall be subject to all provisions of this chapter. Where the sign is not in conformity with the provisions of the chapter, any change shall be in accordance with the provisions of Section 07.060, Nonconforming Signs.

D. Shopping Centers, Malls, Office Complexes and Multi-family Projects Any new proposal requiring a use permit and containing more than four (4) residential

units or four (4) shops/offices shall include a total signing program with their use permit application. This signing program shall include total number, size and type of signs proposed, as well as elevations illustrating proposed design and materials to ensure that the signage will be integrated into the project's planning and design.

07.050 Design excellence (optional).

Any sign permitted (except real estate, temporary, safety and political), or permitted by Director review, has the option to apply for additional sign area under the provisions of this section.

Depending upon the quality and design excellence of any new sign, as determined by the Director, additional sign area up to 25 percent over stated maximums may be awarded.

Factors to be considered in the design excellence of any proposed sign include method of construction and material, color, lighting, relationship of the sign to the building, and relationship of the sign to the community. These are described in more detail as follows:

A. Materials and method of construction

Materials and construction style should harmonize with the natural surroundings. Thus, wood and stone are encouraged, along with metal finishes that accent the County's mining past.

Wooden signs can be routed, carved or sand-blasted to get the effect of raised letters. Raised letters can also be attached to a wooden signage band. These can also be metal or precast and molded. Paint can also be directly applied to a flat wooden signage band.

Metal signs can also be used effectively by applying raised letters as described above or on a metal band. Paint and lettering can be applied, although a galvanized or baked enamel finish is required to avoid rusting.

Signage can be painted directly on the facade of a building. The use of tile can also be applied onto the wall surface if stucco walls are used instead of wood.

Use of natural materials and landscaping is an effective way to soften and accent monument and freestanding signs.

B. Colors and Visibility

Colors should relate to and complement the materials or paint scheme of the buildings, including accenting highlights and trim colors. The number of colors on any sign should be limited to three. This heightens readability (visibility); especially when one color is a dark hue, the second a medium hue, and the third a light accent color. These three combine to produce a highly legible sign. Additional colors only compete with one another. Fluorescent colors are not permitted.

C. Relationship of the sign to the building

The location and size of signs on any building should relate to the architecture of that particular structure. The sign should reinforce the existing features of the building by fitting them within other lines and shapes. Flat signs, parallel to

the facade, are excellent because they do not compete with the building. Wall signs should complement one another in color and shape and, if possible, be located in the same position over storefronts. In pedestrian areas signs should be located to be visible to both motorist and pedestrian.

D. Relationship of the sign to the community

Signs should not be out of scale with the street or visually disruptive, and should be visible by both passing motorists and pedestrians. Where feasible, relate new signs to others on the block by aligning them with existing signs or other horizontal elements, such as molding bands above store windows. A sign should complement and reinforce a community's character, creating harmony without uniformity.

07.060 Prohibitions.

The following signs and sign types are prohibited:

- A. No sign shall exceed 20 feet in height.
- B. Animated signs, such as those which rotate, move, flash, reflect, blink or effect changes in hue or intensity of illumination.
- C. Portable signs, including but not limited to, trailer-mounted marquees and sandwich boards.
- D. Signs which project over any property line or extend more than four (4) ft. from any building or wall except where such signs are an integral part of an approved canopy or awning.
- E. Signs placed above the eave line, except in the case of an A-frame building where no other option is available or where the theme or design of the building warrants such sign as determined by the Director.
- F. Vehicular-mounted freestanding signs.
- G. Off-site advertising signs or billboards.
- H. Signs that advertise a home occupation.
- I. Modification of the location or size of any sign granted under the provisions of Section 07.030, Director's Review. All modifications of such signs shall be reviewed by the Director.
- J. Use of neon or internal lighting unless in conformance with Section 07.040-B, Sign Illumination.
- K. Attachment of signs to utility poles or natural features, including trees and rocks, etc.
- L. Removal or pruning of trees within any public right-of-way to increase the visibility of any sign.
- M. Placement of private advertising or political signs on public property.

07.070 Nonconforming Signs.

Nonconforming signs are those which were in existence at the time of adoption of land development regulations, which do not conform to the provisions of this chapter. Such signs may be continued as follows:

- A. Expansion. A nonconforming sign may not be increased in area or lighting intensity or moved from its location after the effective date of this chapter.
- B. Sign Copy. The advertising copy on a nonconforming sign may be changed except as provided by subsection A, expansion of nonconforming signs, of this section.
- C. Discontinued use. If the use of a building or land associated with a nonconforming sign is discontinued for six months or more, all signs shall thereafter conform to the provisions of this chapter. Where a business operates on a seasonal basis and for which there is an active Mono County business license, the provisions relating to discontinued use will not apply.
- D. If the size or configuration of a lot or building is changed by the subdivision of the property or by alterations, identification signs and outdoor advertising signs on the resulting properties shall be required to conform to the sign regulations applicable to the newly created lot or lots at the time the change becomes effective.
- E. Removal. If a nonconforming sign is removed for any reason other than those specified in subsection C and this section, all subsequent signs must conform to the provisions of this chapter.
- F. Destroyed Signs and Advertising Structures.
 - 1. If a nonconforming sign is destroyed or partially destroyed to the extent of fifty percent or more of the replacement cost of the total sign before destruction by fire, explosion or act of God, the destroyed sign may be replaced or reconstructed; provided that it is brought into conformity with all applicable requirements of this chapter.
 - 2. If a nonconforming sign is partially destroyed to less than fifty percent of its replacement cost, it may be restored to its former nonconforming status.

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CHAPTER 08

DEVELOPMENT STANDARDS–SCENIC COMBINING DISTRICT

Sections:

08.010	Applicability.
08.020	Establishment of district.
08.030	Standards-General.
08.040	Uses permitted.
08.050	Uses permitted subject to use permit.
08.060	Permit issuance.

08.010 Applicability.

The S-C, scenic combining, district is intended to regulate development activity in scenic areas outside of communities in order to minimize potential visual impacts. Use of the S-C district is encouraged in areas adjacent to and visible from designated scenic highways as well as in other important scenic areas.

08.020 Establishment of district.

The S-C, scenic combining, district may be overlaid on any designation. In addition to the requirements of this chapter, initiation and application of the scenic combining district is subject to the same requirements as a land use redesignation (see Ch. 48, Amendments).

08.030 Standards-General.

Development in the scenic combining district shall be restricted by the following general standards:

- A. Visually offensive land uses shall be adequately screened through the use of extensive site landscaping, fencing, and/or contour grading.
- B. Earthwork, grading and vegetative removals shall be minimized.
- C. All site disturbances shall be revegetated with plants and landscaping which are in harmony with the surrounding environment (drought resistant indigenous plants are encouraged). A landscaping plan shall be submitted and approved for all projects.
- D. Existing access roads shall be utilized whenever possible. Construction of new access roads, frontage roads or driveways shall be avoided except where essential for health and safety.
- E. The number, type, size, height and design of on-site signs shall be strictly regulated according to the county sign regulations (see Ch. 7).
- F. The design, color and materials for buildings, fences and accessory structures shall be compatible with the natural setting.

- G. All new utilities shall be installed underground in accordance with Chapter 11, Development Standards–Utilities.
- H. Exterior lighting shall be shielded and indirect and shall be minimized to that necessary for security and safety.

08.040 Uses permitted.

All uses permitted in the basic land use designation with which the scenic combining district is combined shall be permitted.

08.050 Uses permitted subject to use permit.

All uses permitted in the basic land use designation with which the scenic combining district is combined shall be permitted, subject to securing a use permit.

08.060 Permit issuance.

The general standards listed in Section 8.03 shall be applied by the planning department during review of an application. No permit shall be issued until the project complies with the standards for this district.

CHAPTER 09

DEVELOPMENT STANDARDS-DESIGN REVIEW DISTRICT

Sections:

09.010	Applicability
09.020	Establishment of a design review district.
09.030	Design review process.
09.040	Standards-General.
09.050	Uses permitted.
09.050	Uses permitted subject to use permit.
09.060	Permit issuance.
09.050	Appeals.

09.010 Applicability.

This chapter provides for the establishment of design review districts and for design review of commercial structures and multi-family residential development within the district. Single-family residential development may also be reviewed if the ordinance establishing a design review district provides for such review.

09.020 Establishment of a design review district.

In addition to the requirements of this chapter, initiation and application of a design review district is subject to the requirements for a land use redesignation (see Ch. 48, Amendments). A design review district shall be established upon adoption of an ordinance which states the boundaries of the district and the purposes of the district.

9.030 Design review process.

- A. Upon creation of a design review district, the board of supervisors may appoint a design review committee or may designate the planning department as the design review body for the purposes of this chapter. If a design review committee is appointed, the committee shall consist of not less than three nor more than seven members residing within the design review district.
- B. Specific design review standards shall be established for each design review district. These standards shall, at a minimum, comply with the general development standards in Section 9.040. Specific standards for a design review district shall be developed and updated as needed by the planning department in consultation with any local architectural review committee or, if appointed, by the design review committee, in consultation with the planning department and any local architectural review committee. Standards must be adopted by the board of supervisors in a noticed public hearing prior to review of any projects.
- C. Either the planning department or, if appointed, the design review committee, shall review an application for a project or permit to determine whether the proposal is compatible with the established design review standards for the district. In their review, the planning department or the design review committee shall identify unacceptable visual qualities of the proposal and request appropriate changes. Proposals may be recommended for approval by

the design review committee with or without conditions; design review committee recommendations shall be considered by the planning department in the case of building permits or by the reviewing body prior to approval.

- D. If an active local architectural review committee exists to enforce CC&Rs in a subdivision that lies within a design review district, that committee may continue to review all development applications within the subdivision. In such cases, the design review committee or the planning department will coordinate with the architectural review committee to ensure that the proposal also complies with design review district requirements.

9.040 Standards-General.

- A. The overall objective of design review shall be to retain a community's natural topography, vegetation and scenic beauty to the greatest extent possible.
- B. Visually offensive land uses shall be adequately screened through the use of extensive site landscaping, fencing, and/or contour grading.
- C. Earthwork, grading and vegetative removals shall be minimized.
- D. All site disturbances shall be revegetated with plants and landscaping which are in harmony with the surrounding environment (drought resistant indigenous plants are encouraged). A landscaping plan shall be submitted and approved for all projects.
- E. Existing access roads shall be utilized whenever possible. Construction of new access roads, frontage roads or driveways shall be avoided except where essential for health and safety.
- F. The number, type, size, height and design of on-site signs shall be strictly regulated according to the county sign regulations (see Ch. 7, Development Standards-Signs).
- G. The design, color and materials for buildings, fences and accessory structures shall be compatible with the natural setting.
- H. The following architectural designs and features are considered detrimental to the general well-being of a community:
 - 1. Reflective materials;
 - 2. Excessive height and/or bulk;
 - 3. Standardized designs which are utilized to promote specific activities and which are not in harmony with the community atmosphere; and
 - 4. Architectural designs and features which are incongruous to the community and/or which significantly detract from the natural attractiveness of the community or its surroundings.
- I. All new utilities shall be installed underground in accordance with Chapter 11, Development Standards-Utilities.
- J. Exterior lighting shall be shielded and indirect and shall be minimized to that necessary for security and safety.

9.050 Uses permitted.

All uses permitted in the basic land use designation with which the design review district is combined shall be permitted.

9.060 Uses permitted subject to use permit.

All uses permitted in the basic land use designation with which the design review district is combined shall be permitted, subject to securing a use permit.

9.070 Permit issuance.

No permit shall be issued in any case where design review is required until the project complies with the established design review standards for the district.

9.080 Appeals.

Appeals of any design review decision shall be made in conformance with the provisions of Chapter 47, Appeals.

CHAPTER 10

DEVELOPMENT STANDARDS–EQUESTRIAN OVERLAY DISTRICT

Sections:

10.010	Intent.
10.020	Establishment of district.
10.030	Uses permitted.
10.040	Uses permitted subject to use permit.
10.050	Lot area/District area.
10.060	Special requirements.
10.070	Restrictions to use of an E-Overlay District.

10.010 Intent.

The equestrian overlay district is intended to provide for the superimposing of an equestrian district on all land use designations where single-family residences are permitted. The land use designation followed by the letter E (e.g., SFR-E) would indicate an equestrian district overlay providing for the keeping of large domestic animals for personal use subject to the minimum standards set forth in this district.

10.020 Establishment of district.

The equestrian district may be overlaid on any single-family residential district. In addition to the requirements of this chapter, initiation and application of this overlay district is subject to the same requirements as any land use redesignation (see Ch. 48, Amendments).

10.030 Uses permitted.

The following uses shall be permitted in the equestrian overlay district, plus such other uses as the Commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the basic land use designation with which the equestrian district is combined;
- B. Where the principal use of the subject parcel is single-family residential, the keeping of horses or other large domesticated animals for personal use may be permitted. No commercial animal raising or keeping shall be allowed.

10.040 Uses permitted subject to use permit.

All uses permitted in the basic land use designation with which the equestrian overlay district is combined shall be permitted, subject to securing a use permit.

10.050 Lot area/District area.

- A. Minimum lot area.
For the keeping of one horse or other large domesticated animal, fifteen thousand (15,000) square feet. Additional animals may be kept on a larger

parcel, but shall not exceed one animal for each ten thousand (10,000) square feet of land area contained in the parcel.

B. Minimum district area.

1. Five acres;
2. Any addition to an already established E-Overlay District shall be not less than one acre.

10.060 Special requirements.

- A. Animal confinement areas, including, but not limited to pens and corrals, shall be maintained in accordance with Mono County Health Department requirements. Confinement areas shall be maintained in a clean and orderly manner at all times. Accumulation of animal waste or other odor or insect producing materials shall not be permitted. No part of any animal confinement area shall be located closer than 50 feet to any dwelling with the exception of the animal owner's dwelling in which case the minimum distance may be twenty feet.
- B. Barns, stables and similar necessary buildings in the E overlay district may exceed the height limitations for accessory structures in the base designation, but in no case shall they exceed the heights permitted for primary dwellings in the base designation.

10.070 Restrictions to use of an E-Overlay District.

Any lands within the County which are subject to valid recorded conditions, covenants and restrictions which would prohibit any of the uses permitted in the E overlay district shall not be included in any petition for initiation for the creation of, or the addition to, an E overlay district. Should valid conditions, covenants and restrictions arise, the conditions, covenants and restrictions shall prevail.

CHAPTER 11

DEVELOPMENT STANDARDS-UTILITIES

Sections:

11.010 Placement of Utility Lines.

11.010 Placement of Utility Lines.

A. Exemption for Regulated Public Utilities.

The provisions of this section shall not apply to distribution and transmission lines owned and operated as part of the statewide electrical network regulated by the California Public Utilities Commission (PUC). The authority for this exemption is set forth in the California Constitution, Article XII, Section 8, which vests exclusive regulatory authority over the distribution and transmission lines of these utilities in the California Public Utilities Commission.

B. Uses Permitted.

Underground facilities for the distribution of gas, water, telephone, cable television and electricity shall be allowed in all designations.

C. Definitions.

For the purposes of this section, the following definitions shall apply:

1. **"Individual development"** means an individual development project, such as a single-family residence, a garage, a single commercial use, one apartment building, or similar uses. It does not mean a subdivision, land division, condominium development, or development of more than one detached unit at the same time.

2. **"Overhead utility lines"** means utility distribution lines which are installed above ground, either overhead, in an above ground conduit, or in some other manner.

3. **"Subdivision"** means the division of any unit or units of improved or unimproved land as further defined in Section 02.1520 and the Mono County Subdivision Ordinance.

D. Utility Distribution Lines to Individual Development.

Utility distribution lines to an individual development shall be installed underground, unless the applicant has obtained a Director Review Permit with Notice for overhead installation, in the manner specified in Chapter 31, Director Review Processing. For projects that require a use permit, the application for overhead utility lines shall be processed as part of the use permit application.

Prior to considering issuance of a permit, planning staff shall work with the applicant to site and design the project in a manner that avoids or minimizes the use of overhead lines, and that avoids or minimizes the impacts of overhead lines. Consideration should be given to combining lines whenever possible.

In granting a permit for overhead utility lines, the Planning Director (Director) or the Planning Commission (Commission) shall make one of the following findings, in addition to the required Director Review or Use Permit findings:

1. The overhead line placement will not significantly disrupt the visual character of the area. In making this determination, the Director or the Commission shall consider the following:
 - a. In areas without a number of existing overhead lines in the immediate vicinity, would overhead lines create the potential for a significant cumulative visual impact; i.e., would allowing an overhead line be likely to result in future requests for additional overhead lines in the area? If so, it may be determined that an overhead line will have a significant impact on the visual character of the area.
 - b. Does the topography or vegetation in the area effectively screen the proposed lines? If so, then an additional line may not significantly disrupt the visual character of the area.
 - c. Are there other potential alignments that would have less visual impact?
 - d. Does the project reduce the overall number of overhead lines and poles in the area? If so, it may be determined that an overhead line will not have a significant impact on the visual character of the area.

The Director or the Commission may consider additional information pertaining to the visual character of the area which is deemed relevant to the application.

2. The placement of utility lines above ground is environmentally preferable to underground placement. In making this determination, the Director or the Commission shall consider the following:
 - a. Will underground placement disturb an environmentally sensitive area, including but not limited to the following: cultural resource sites, significant wildlife habitat or use areas, riparian or wetland areas, or shallow groundwater? If so, above ground placement may be preferable.
 - b. Will underground placement require disturbance of a waterway, including perennial, intermittent, and seasonal streams? If so, above ground placement may be preferable.
 - c. Will underground placement increase the utility line's exposure to environmental hazards, such as flood hazards, fault hazards or liquefaction? If so, above ground placement may be preferable.
 - d. Are there other potential alignments that would avoid potential environmental impacts?

The Director or the Commission may consider additional information pertaining to the environmental sensitivity of the area which is deemed relevant to the application.

3. The installation of underground utilities would create an unreasonable financial hardship on the applicant due to the unique physical characteristics of the property. In making this determination, the Director or the Commission shall consider the following:
 - a. Is the cost of the line to be installed excessive?
 - b. Will the installation of underground utilities require trenching under a stream bed?
 - c. Will the installation of underground utilities require unreasonable trenching or blasting through rock?
 - d. Are there alternate alignments that would eliminate or significantly lessen the financial hardship?

The Director or the Commission may consider other site specific financial hardships deemed relevant to the application.

4. The exclusive purpose of the overhead line is to serve an agricultural operation.

For the purposes of this section, agricultural operations are defined as use of the land for the production of food and fiber, including the growing of crops and grazing of livestock. Above ground utility lines may be permitted for agricultural uses such as pumps and similar uses.

E. Utility Distribution Lines for Subdivisions.

Utility distribution lines for all subdivisions and land divisions shall be installed underground, unless a specific hardship can be demonstrated (see # 3 above). If a specific hardship can be demonstrated, overhead installation may be allowed subject to approval of a variance (see Ch. 33, Variance Processing).

Subdivisions may be required to underground the feeder distribution line to the subdivision. An assessment district, or a similar mechanism, may be established for this purpose as a condition of the tract map approval.

F. Use Permit.

Other utility (municipal, private, and if applicable, public utilities not regulated by the PUC) distribution lines, transmission lines and corridors, towers, electrical substations, repeater stations, pumping stations, and uses accessory thereto, including microwave facilities, may be allowed in all districts subject to first securing a use permit, in the manner specified in Chapter 32, Use Permit Processing.

G. Exceptions.

In the event that any regulations of the Public Utilities Commission or any other agency of the State with jurisdiction over utilities conflicts with the provisions of land use designations and the land development regulations, the regulations of the State shall apply, to the extent that the same are conflicting.

H. Locational Requirements.

Whether or not a utility is subject to any permitting requirements as delineated in subsections A-G, above, all new utility distribution lines, transmission lines,

corridors, rights-of-way, towers, electrical substations, repeater stations, pumping stations, and uses accessory thereto, including microwave facilities, shall comply with the policies of this General Plan and applicable area or specific plans.

Chapter 15

DEVELOPMENT STANDARDS-RESOURCE EXTRACTION DESIGNATION

Sections:

15.010	Purpose and Intent.
15.020	Applicability.
15.030	Criteria for Applying the "RE" Designation.
15.040	Use Permit Requirements.
15.050	Phasing Requirements.
15.060	Amendments.
15.070	Development Standards.
15.080	Reclamation Requirements.
15.090	Financial Assurances.
15.100	Inspections.
15.110	Administration.
15.120	Enforcement.

15.010 Purpose and Intent.

The intent of the Resource Extraction (RE) Designation is to evaluate and, if appropriate, permit resource extraction projects in a manner that is consistent with the provisions of this General Plan, applicable area plans, and applicable state and federal laws, such as the Surface Mining and Reclamation Act of 1975 (SMARA). The Resource Extraction (RE) Designation has been established to protect the environment and allow for the conditional development of on-site resources, including but not limited to, mineral resources, geothermal resources, wind and solar energy resources, hydropower resources, and timber resources.

15.020 Applicability.

The Resource Extraction (RE) Designation may be applied only to areas with existing or proposed resource development activities. The establishment of Resource Extraction (RE) designations is also intended to encourage and facilitate public awareness concerning the potential for resource and energy related extraction activities in areas where significant resource deposits or energy related resources have been identified.

In compliance with General Plan policies, mining operations, geothermal operations, small-scale hydroelectric generation facilities, wind and solar energy generation facilities and similar resource extraction activities may be permitted only in areas designated Resource Management and designated Resource Extraction. Within those areas, all resource development projects shall comply with the provisions of this chapter.

15.030 Criteria for Applying the "RE" Designation.

In applying the "RE" designation to a specific site, one or more of the following criteria must be demonstrated to the satisfaction of the County:

- A. An active resource development project currently exists on the subject lands.

- B. The project qualifies under the "vesting" provisions as specified in the California Surface Mining and Reclamation Act (SMARA).
- C. It has been reasonably determined to the satisfaction of the County that potentially significant resources exist on the lands under consideration. This determination may be based on reports filed by a registered professional acceptable to the county, and funded by the applicant, or in the case of surface mining operations, on mineral land classification reports filed in conjunction with SMARA.
- D. In areas with conflicting resource values, it has been reasonably determined to the satisfaction of the County that the proposed resource development activity, and therefore the proposed "RE" designation, is the highest and best use of the land, and is in full compliance with the General Plan.

15.040 Use Permit Requirements.

- A. Filing:
 - 1. Submittal: An application for a use permit shall be accompanied by the appropriate filing fee and shall be submitted to the Planning Department or Energy Management Department on forms provided by the applicable department. Applications must be complete
 - 2. Acceptance: An application for a use permit shall not be deemed complete or accepted for filing and the processing time limits shall not begin to run until the Planning or Energy Management Department accepts the application as complete.
- B. Procedure:
 - 1. Use Permit Processing: Within thirty (30) days after receipt of a resource use permit application, the Department shall review the application and shall notify the applicant or his designated representative, in writing, concerning any application deficiencies.
 - a. Applications shall be deemed complete, unless the applicant or his designated representative has been notified in writing that the application is incomplete prior to the expiration of the thirty (30) day review period. Acceptance of the application as complete shall not constitute an indication of project approval.
 - b. Complete applications shall be processed in accordance with the provisions of Chapter 19.38, Use Permits, and for surface mining operations, with the applicable provisions of SMARA.
 - 2. Non-Use of Permit: In conformance with Chapter 19.38, Use Permits, failure to commence diligent resource development activities within one (1) year subsequent to permit issuance, or within the period determined by the planning commission, shall render the use permit null and void. Documentation that the operator has made every attempt to secure required permits at the state or federal level but that, despite due diligence, the permits have not yet been issued may serve to stay this requirement.

C. Environmental Compliance:

Permits shall be processed in accordance with CEQA, the Mono County Environmental Handbook and General Plan policies. Common environmental documentation may be used for the exploratory and development permit stages of a project when consistent with CEQA.

Permits shall contain conditions which assure compliance with CEQA and with applicable laws and regulations of Mono County and other agencies with jurisdiction.

D. Monitoring:

In accordance with General Plan policies and CEQA requirements, when applicable, permits shall contain conditions for ongoing monitoring of operations. The Conservation/Open Space Element contains monitoring requirements for geothermal development, mineral resource development, and timber development.

15.050 Project Development-Phasing Requirements.

In compliance with General Plan policies, geothermal projects shall be developed in a phased manner. In addition to the phasing requirements listed below, energy resource extraction projects shall comply with all phasing requirements in this General Plan (Conservation/Open Space Element, Energy Resource Policies).

A. Phasing of Geothermal Projects.

Geothermal development shall be subject to the following phased permitting process:

1. The "Geothermal Exploration Permit" shall regulate geothermal exploration and reservoir characterization activities. The primary purpose of the exploratory phase is to determine hydrologic, geologic and other relevant characteristics of the geothermal resource being considered for development. During the exploratory phase, the permittee shall develop sufficient data, to the satisfaction of the County, to determine whether there is a geothermal resource adequate to sustain the proposed development project.
2. The "Geothermal Development Permit" shall regulate geothermal development, operations, termination of operations, site reclamation, and reserve monitoring. The purpose of the development phase is to regulate all geothermal development, including the siting and construction of facilities, conditions of operation, maintenance of roads and equipment, and to assure the protection of the environment.

B. Phasing of Other Resource Development Activities.

Other resource development activities may be subject to a phased permitting process, depending on the nature of the resource and its development.

15.060 Amendments.

A. Minor Amendments to an Approved Resource Development Permit.

1. Minor amendment: Minor changes to an approved resource development permit may be approved by the Planning Department Director or the Energy Management Director in accordance with the following provisions.

2. Processing: Requests for approval of a minor amendment shall be submitted on forms provided by the Planning Department or Energy Management Department, along with the applicable fees. Within thirty (30) days of receipt of such a request, the appropriate Director shall determine whether or not the application should be considered a minor amendment. The Director shall approve or deny the request and notify the applicant in writing within ten (10) days of his decision. The decision of the Director as to whether or not the request should be approved or denied shall be final, unless an appeal is filed. If it is determined that the request is not a minor amendment, the request may be processed as a major amendment.
 3. Requests for a minor amendment may be approved only if the Director is able to make all of the following findings:
 - a. That the proposed change involves only minor changes in the siting or operations of the project and will not affect the basic character or implementation of the permit.
 - b. No substantial adverse environmental damage, either on-site or off-site, will result from the proposed change and the proposed change is consistent with adopted environmental determinations.
 - c. That the proposed change will not be detrimental to the public health, safety and welfare and is compatible with the objectives and policies of this General Plan and applicable specific plans.
- B. Major Amendments to an Approved Resource Development Use Permit.
1. Major amendment: Major amendments to approved resource development use permits may be approved by the Planning Commission subject to the following provisions.
 2. Processing: Applications for proposed amendments shall be submitted on forms provided by the Planning Department or Energy Management Department and shall include such data as may be required to complete an environmental assessment. Applications shall include the required filing fee, and shall be noticed and scheduled for public hearing before the Planning Commission in the same manner as the original permit submittal.
 3. Amendments may be approved by the Planning Commission only if all of the following findings can be made:
 - a. The proposed amendments are necessary or desirable to assure a more practical recovery of the resource or to avoid multiple future disturbances of surface land or waters.
 - b. No substantial adverse environmental damage, either on-site or off-site, will result from the proposed change and that the proposed change is consistent with adopted environmental determinations.
 - c. The security required to be filed by the applicant with the County is adequate or additional security has been filed to guarantee compliance with the revised permit.

- d. The permit, as amended, will continue to meet the requirements of this chapter and will be conducted in conformity with all applicable laws, ordinances, and regulations of all agencies with jurisdiction over the resource development project.
- e. The approval of the amendment will not be detrimental to the public health, safety, or welfare and is compatible with the objectives and policies of this General Plan, and applicable specific plans, the land use designation and approved end use of the site.

15.070 Development Standards.

The following minimum development standards shall apply to all projects in the Resource Extraction Designation unless amended through the "Specific Plan" process. Other standards or conditions identified during the use permit process may also apply.

A. Lot Size and District Area.

The minimum lot size and district area shall be forty (40) acres or a quarter, quarter section, with the exception of patent and/or historical mining claims and "vested operations" which shall be considered on a case by case basis. Minimum lot size and district area may be reduced in conformance with the "Development Plan" or "Specific Plan" process.

B. Setbacks.

- 1. No processing equipment or facilities shall be located and no resource development shall occur within the following minimum horizontal setbacks:
 - a. One hundred (100) feet from any interior public street or highway unless the Public Works Director determines that a lesser distance would be acceptable.
 - b. One hundred (100) feet from any exterior property line.
 - c. Five hundred (500) feet from any adjacent private dwelling, institution, school, or other building or location used for public assemblage.
 - d. No geothermal development located within the Hot Creek Buffer Zone shall occur within five hundred (500) feet on either side of a surface watercourse (as indicated by a solid or broken blue line on U.S. Geological Survey 7.5 or 15-minute series topographic maps).
- 2. No residential uses shall be located with the following minimum horizontal setbacks:
 - a. Fifty (50) feet from any interior public street or highway unless the Public Works Director determines that a lesser distance would be acceptable.
 - b. Fifty (50) feet from any exterior property line.

C. Visual Impacts.**1. Siting.**

All resource development projects shall be sited, designed and operated to minimize impacts to the surrounding visual environment, in conformance with applicable provisions of this General Plan and the Mono County Code.

The Conservation/Open Element contains policies relating to the siting of various types of energy resource projects.

2. Screening.

Screening shall be required for uses which are contiguous to any residential or commercial district or use, for uses in scenic highway corridors or important visual areas, and for uses with an identified significant visual impact. Screening may be achieved through the use of siting, landscaping, fencing, contour grading, constructed berms and/or other appropriate measures. If landscaping is chosen as a method of screening, a landscape plan shall be submitted as part of the use permit application (see 15.59, Landscape Plan Requirements).

3. Lighting.

Exterior lighting shall be shielded and indirect and shall be minimized to that necessary for security and safety.

4. Materials and Colors.

Materials for structures, fences, etc. should harmonize with the natural surroundings, whenever possible. Materials should be non-reflective or should be painted with a matte finish. Colors for structures, fences, etc. should blend into the natural surroundings.

D. Erosion and Sediment Control.

1. Siting.

All resource development projects shall be sited, designed and operated to minimize erosion and sediment transport, in conformance with applicable provisions of this General Plan, the Mono County Code, and applicable state and federal regulations. The Conservation/Open Element, Energy Resource section, contains policies relating to the siting of various types of energy resource projects.

Siting should minimize impacts to the natural landscape. Project design should encourage the joint use of facilities whenever possible in order to minimize disturbance to the natural environment. Access and construction roads should be located so that natural features are preserved and erosion is minimized.

2. Site Disturbance.

Earthwork, grading, and vegetative removal shall be minimized. Existing access roads shall be utilized whenever possible. Construction of new access roads, frontage roads, or driveways shall be avoided except where essential for health and safety. Earthwork and grading shall be performed in accordance with the County's Grading Ordinance.

3. Revegetation.

Site disturbances shall be revegetated in conformance with the Reclamation Plan developed pursuant to the County's Reclamation Ordinance.

4. Drainage.

Drainage facilities shall be constructed and maintained in accordance with the County's Grading Ordinance and with any applicable requirements of the Lahontan Regional Water Quality Control Board pertaining to waste discharge.

E. Cultural Resources.

The applicant shall stop work and notify appropriate agencies and officials if archaeological evidence is encountered during construction or operations. No disturbance of an archaeological site shall be permitted until such time as the applicant hires a qualified consultant and an appropriate report is filed with the County Planning Department which identifies acceptable site mitigation measures, which shall then become conditions of the use permit and the reclamation plan (if applicable).

F. Noise.

All resource development projects shall be sited, designed and operated to minimize noise impacts to the surrounding environment, in conformance with applicable provisions of this General Plan (Noise Element) and the Mono County Code (Noise Ordinance).

G. Air Quality.

All resource development projects shall be designed and operated in compliance with all requirements of the Great Basin Unified Air Pollution Control District and applicable provisions of this General Plan.

H. Safety, including Hazardous Materials and Hazardous Waste.

All projects shall comply with applicable safety standards. Hazardous waste shall be maintained in conformance with the Mono County General Plan (Hazardous Waste Management Element) and the Mono County Integrated Waste Management Plan.

15.080 Reclamation Requirements.

Standards and procedures for the reclamation of resource development activities in Mono County are contained in the county's Reclamation Ordinance (Ch. 35 of the land development regulations). All resource development projects must comply with the Reclamation Ordinance. Reclamation plans must be submitted as part of the use permit application.

15.090 Financial Assurances.

Financial assurance requirements for the reclamation of resource development activities in Mono County are contained in the county's Reclamation Ordinance (Ch. 35 of the land development regulations). All resource development projects must comply with the financial assurance requirement.

15.100 Inspections.

A. Requirements.

The use permit shall establish an inspection schedule for compliance with use permit conditions. Inspections shall occur at least once a year, but may occur more often depending on the nature of the project. The inspection schedule may change over the lifetime of the project. The annual inspection for mining operations shall coincide with the annual inspection required by SMARA.

The County's Reclamation Ordinance establishes an inspection schedule for reclamation plans. The required inspections for compliance with use permit conditions and reclamation plan requirements should coincide.

B. Procedure:

The operator shall file a request for annual inspection with the County Compliance Officer at least once in each calendar year. Requests for annual inspections shall be accompanied by the appropriate filing fee.

The Compliance Officer shall inspect or cause to be inspected the site within thirty (30) working days of receipt of the application for inspection and the filing fee. Unless otherwise agreed, failure to inspect within thirty (30) working days shall be deemed a finding that the resource development operation is in compliance with its use permit.

15.110 Administration.

A. Appeals:

Appeals of any decision resulting from the requirements of this chapter may be made in conformance with the provisions of Chapter 19.42, Appeals.

B. Fees:

Fees required in conjunction with the provisions of this chapter shall be established from time to time by the Board of Supervisors.

15.120 Enforcement.

A. Enforcement:

The provisions of this chapter shall be enforced by the Energy Management Department, the Planning Department, and/or the County Compliance Officer or such other persons as may be designated by the Board of Supervisors. Enforcement of the provisions contained in this chapter shall be in accordance with applicable provisions of the Mono County Code.

B. Right of Entry:

Whenever it becomes necessary to inspect resource development activities as provided in this chapter or to investigate complaints associated with resource development activities or to monitor conditions of approval as may be imposed on resource development activities, reasonable access to the project site shall be afforded by the operator in conformance with Chapter 1.08 of the Mono County Code. Authorized representatives of the County, upon presentation of appropriate credentials, shall have access to the site without advance notice.

CHAPTER 16

DEVELOPMENT STANDARDS—SECONDARY HOUSING

Sections:

16.010	Intent.
16.020	Definition.
16.030	Applicable Land Use Designations.
16.040	General Provisions.
16.050	Standards of New Secondary Residential Units.
16.060	Conversion of Use.

16.010 Intent.

The intent of this chapter is to allow for the expansion of the affordable housing stock and to provide housing opportunities for the elderly in Mono County.

16.020 Definition.

"Secondary housing" (also referred to as "dependent" or "granny housing") means residential occupancy of a living unit located on the same parcel as the principal unit. It provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit is situated.

It can be either attached or detached from the primary or existing residential unit depending on the lot or parcel size. If attached, it shall be clearly subordinate to the primary unit.

16.030 Applicable Land Use Designations.

A secondary housing unit may only be permitted in the following land use designations provided a director review permit is first obtained: AG, ER, RR, SFR, RU & RM.

16.040 General Provisions.

- A. No secondary housing units will be permitted on parcels of less than 7,500 square feet.
- B. On parcels of 7,500 to 10,000 square feet in net area, an existing single-family residential unit may be altered or expanded to include an attached second residential unit not to exceed 400 square feet.
- C. On parcels of 10,000 square feet to one (1) acre in net area, an existing single-family residential unit may be altered or expanded to include an attached second residential unit not to exceed 640 square feet in area.
- D. Detached second residential units shall be permitted on parcels over one (1) acre in net area. Further, mobile homes may be used as the second unit (regardless of whether the primary unit is stick- built or mobile home) in ER, RR, and RMH.

16.050 Standards for New Secondary Housing Units.

- A. Any construction shall conform to the height, setback, lot coverage fees (including school impact fees), snow storage, and other development requirements generally applicable to residential construction in the land use designation in which the property is located.
- B. Any construction shall not overburden existing utility lines or connections (water, sewer) and a letter from the serving entity to that effect shall be obtained. If well and septic are to be utilized, a clearance letter shall be obtained from the County Health officer prior to Planning Department approval. In addition, the unit shall be so constructed so as not to hamper fire fighting capabilities.
- C. The parcel must contain an existing owner-occupied single-family detached unit. As part of the filing requirements for a second unit, the owner shall sign a declaration stating his intent to continue occupying the primary residence. Failure of the owner to maintain occupancy of the main unit shall be grounds for revocation of the use permit approving the secondary housing unit. Further, this declaration shall include wording that the owner shall not permit any transient rentals (i.e., of 30 days or less) of the proposed secondary housing unit.
- D. As part of the initial filing for a use permit for a secondary housing unit, the owner shall provide any C, C, & R's (covenants, conditions, and restrictions) or deed restrictions attached to the subject parcel. This will assure the Planning Department that the proposed unit does not violate any private building or deed restrictions.
- E. Building Code requirements which apply to existing single-family dwellings or detached living units, as appropriate, shall be adhered to.
- F. At least two (2) off-street parking spaces must be provided for the secondary unit (paving may be required per the provisions of Chapter 6, Parking), in addition to that required for the primary unit. These spaces (covered or uncovered) shall be side-by-side; not tandem. However, if all other provisions of this chapter can be met, with the only exception being side-by-side parking; consideration will be given for tandem parking. This exception shall be considered on the merits of the individual application and may be denied at the discretion of the Commission.
- G. Whether attached or detached, the second housing unit shall be architecturally compatible with the primary residence. In addition, if the second unit is attached, it shall be clearly subordinate to the primary residence, and the two (2) units shall retain the appearance of a single-family residence. Any new entrances shall be located on the side or rear of the building.
- H. The secondary unit shall conform to any other conditions or standards which in the judgment of the Planning Commission, or other designated body or official are necessary to mitigate possible adverse impacts on the neighborhood.
- I. Placement or construction of a detached secondary housing unit shall not, at any time, be a basis for approving a future division of a parcel, regardless of its location or size.

16.060 Conversion of Use.

- A. Any special conditions, variance, or waiver of land development regulations, building, parking or other standards approved for a secondary unit shall not apply to conversion of a secondary unit to another use; or
- B. Any conversion of a secondary housing unit to any use other than space for conducting a home occupation, inside storage or recreation area is prohibited.

CHAPTER 17

**DEVELOPMENT STANDARDS—MOBILE-HOME PARKS AND
RECREATIONAL-VEHICLE PARKS**

Sections:

17.010	Requirements generally.
17.020	Lot area and lot width.
17.030	Density.
17.040	Existing mobile-home parks and recreational-vehicle parks.
17.050	Streets.
17.060	Garbage collection area.
17.070	Fences, landscaping and screening.
17.080	Access.
17.090	Yards.
17.100	Signs.

17.010 Requirements generally.

The standards contained in this chapter shall apply to the development of all mobile home parks and recreational-vehicle parks in all designations. Refer to definitions 02.790 and 02.970 for the definition of mobile home and recreational vehicle.

17.020 Lot area and lot width.

- A. The minimum lot area in all designations shall be as follows but may be more restrictive in any applicable area general plan:
 - Mobile-home parks, five acres;
 - Recreational-vehicle parks, two acres.
- B. The minimum lot width in all designations shall be:
 - Mobile-home parks, two hundred fifty (250) feet;
 - Recreational-vehicle parks, one hundred (100) feet.

17.030 Density.

The maximum density permitted in all districts shall be as follows, but may be more restrictive in any area general plan:

- A. Mobile-home parks, not more than ten (10) mobile-home spaces for each one acre of land area;
- B. Recreational-vehicle parks, not more than seventeen (17) recreational-vehicle spaces for each one acre of land.

17.040 Existing mobile-home parks and recreational-vehicle parks.

The following standards shall apply to all existing mobile-home parks and recreational-vehicle parks which were legally established prior to adoption of the land use designations and land development regulations.

- A. Lot Area and Width.
 - 1. Any existing mobile-home park or recreational-vehicle park legally established prior to adoption of the land development regulations and which has a lot area or lot dimensions of less than prescribed by the designation in which it is situated is deemed a nonconforming lot and shall be permitted to continue the mobile-home park use. A mobile-home park on a nonconforming lot may, upon securing a use permit, expand to utilize the entire nonconforming parcel.
- B. Mixed Uses - Nonconforming lots.
 - 1. Subject to securing a use permit, a portion of a mobile-home park may be designated for use by recreational-vehicle spaces.
 - 2. Subject to securing a use permit, a portion of a recreational-vehicle park may be converted for use by mobile-home spaces subject to the following criteria:
 - a. Any percent of the lot area may be converted to mobile-home uses; however, mobile-home areas shall be distinct from areas designated for recreational vehicles (i.e., separated by a road, fence or landscaped buffer).
 - b. When converting recreational-vehicle spaces for mobile-home occupation, the converted space shall comply with all minimum yard requirements in section 17.090.
 - c. All mobile-home spaces so created shall meet all state and County requirements for mobile-home installation.

17.050 Streets.

The following street width standards shall apply to all internal streets for new parks or additions to existing parks. In those portions of the county which lie at an elevation of seven thousand (7,000) feet and above, internal streets shall be widened an additional five (5) feet over allowable minimums to facilitate snow removal.

- A. Recreational-vehicle Parks.
 - 1. One Way: 15 feet. One way streets shall be permitted only when individual recreational-vehicle sites are designed so that the vehicle can pull out (not back out) into the correct one way direction.
 - 2. Two Way: 25 feet.
 - 3. Parking: Parking along internal roadways is allowed only when a paved or graveled parking lane eight (8) feet wide is provided in addition to the roadway.
- B. Mobile-home Parks.
 - 1. Two Way: 25 feet.
 - 2. Parking on one side of the street: 33 feet.
 - 3. Parking on both sides of the street: 41 feet.

17.060 Garbage collection area.

All trash and garbage collection areas shall be surrounded on at least three sides by a solid fence not less than five (5) feet in height.

17.070 Fences, landscaping and screening.

Upon a finding by the Planning Commission during the use permit process that a mobile-home park or recreational-vehicle park will have a detrimental impact upon surrounding properties, the Commission may determine that a solid fence of not less than six (6) feet in height shall be placed and maintained on all side and rear property lines to mitigate the impact upon adjoining properties. Alternately, a combination of landscaping, screening or fencing may also be deemed appropriate.

17.080 Access.

All mobile home- and recreational-vehicle park spaces shall be served by internal streets within the development. There shall be no direct access from a mobile home- or recreational-vehicle space to a public street or road. All points of vehicular access to or from a public street or road shall be approved by the Department of Public Works.

17.090 Yards.

- A. Yards from property boundaries.
 - 1. Front yard. A minimum of twenty (20) feet front yard.
 - 2. Rear yard. A minimum of ten (10) feet rear yard.
 - 3. Side yard. A minimum of five (5) feet side yard.
- B. Yards from individual space boundaries.
 - 1. No mobile home shall have a front yard setback of less than ten (10) feet from an interior street.
 - 2. No mobile home shall have a side yard of less than five (5) feet along the entire length of the unit, and not less than three (3) feet from any convenience structure or awning.
 - 3. No mobile home shall have a rear yard of less than ten (10) feet.

17.100 Signs.

- A. Not more than one sign shall be permitted at each entrance to a mobile-home park or recreational-vehicle park.
- B. The signs shall not exceed (32) thirty-two square feet in area, and shall not exceed six (6) feet in height.
- C. Signs shall not be blinking, flashing, rotating or animated. Lights used to illuminate on the sign and to minimize glare on any public street or adjacent property.

- D. Each sign shall be placed adjacent to, but not closer than ten feet to, the entrance from any public street or road serving the mobile-home park or recreational-vehicle park.

CHAPTER 18

**DEVELOPMENT STANDARDS—MANUFACTURED
HOUSING SUBDIVISION**

Sections:

18.010	Purpose and intent.
18.020	Designations in which permitted.
18.030	Density.
18.040	Lot area/District area & width.
18.050	Special requirements.
18.060	Lot dimensions.
18.070	Yards.
18.080	Lot coverage.
18.090	Fences, screening and landscaping.
18.100	Access.
18.110	Accessory uses and structures permitted.
18.120	Undergrounding.
18.130	Subdivision of existing mobile-home parks, additional requirements.

18.010 Purpose and intent.

Since, historically, manufactured housing tends to be less expensive than conventional housing, it is the purpose and intent of this chapter to facilitate lower cost housing opportunities by providing affordable housing sites to be utilized exclusively for manufactured housing purposes.

18.020 Designations in which permitted.

Manufactured housing subdivisions may be allowed, subject to a Use Permit, and Tract Map application in the following land use designations: MFR-H, ER and RR.

18.030 Density.

The maximum density permitted in all designations shall not be more than eight (8) manufactured housing lots designed for a single home for each one acre of land. The provisions of Chapter 4.3 of the California Government Code, Sections 65915 et seq., are included in this maximum density. The Government Code allows a density bonus of twenty-five percent (i.e., an additional two units per acre) when at least twenty-five percent of the total units of a housing development are constructed for low or moderate income households as defined by Section 50093 of the Health and Safety Code.

18.040 Lot area/District area & width.

The minimum lot area for each manufactured home shall be four thousand (4000) square feet.

The minimum area requirements for a manufactured housing subdivision shall not be less than five acres; minimum lot width for the subdivision shall not be less than two hundred fifty (250) feet.

18.050 Special requirements.

All applications for a building/mobile-home installation permit within a manufactured housing subdivision shall also be accompanied by:

- A. A plot plan showing the proposed access, parking, setback from property lines and location of the unit on the parcel;
- B. Evidence that the manufactured home bears a seal of the U.S. Department of Housing and Urban Development, or the California Department of Housing and Community Development certifying that their manufactured housing construction standards have been met;
- C. Elevations showing roof slopes, roof materials and exterior siding materials;
- D. The wind, seismic and snow loading design;
- E. Responsible entity. As a condition to approval of a manufactured housing subdivision pursuant to this chapter, the subdivider shall establish a legal entity, such as a homeowner's association, which shall have the responsibility and duty to maintain all common areas, including streets, snow removal, greenbelts, landscaping and common facilities such as lights and private water and sewer systems, as set forth in the applicable declaration of covenants, conditions and restrictions.
- F. Open area. Recreation or open space shall be provided for each manufactured housing subdivision, the area of which shall be not less than one thousand (1000) square feet plus an additional one hundred fifty (150) square feet for each manufactured housing lot over eight. This open space may be in more than one location, but no location shall contain less than one thousand (1000) square feet. Each recreational or open space shall be accessible to all of the manufactured housing lots in the facility and shall not be used for any other purpose.

18.060 Lot dimensions.

The minimum lot dimensions for each manufactured home shall be as follows:

- A. Width, fifty (50) feet;
- B. Depth, eighty (80) feet.

18.070 Yards.

- A. Front yards. Each manufactured housing lot shall have a front yard setback of not less than ten (10) feet extending the entire width of the manufactured housing lot. A front yard will be measured from the nearest element of the manufactured housing unit, or any accessory structure, to the closest edge of the interior access drive.
- B. Side yards. Each manufactured housing lot shall have a side yard of not less than five (5) feet in width along the entire length of the manufactured housing unit, and not less than three (3) feet in width from the property line to any convenience structure or awning.

- C. Corner lots. The side yard abutting the street shall be not less than ten (10) feet along the entire length of the manufactured housing unit, and not less than five (5) feet from the property line to any convenience structure or awning.
- D. Rear yards. Each manufactured housing lot shall have a rear yard of not less than ten (10) feet and shall extend across the entire width of the manufactured housing lot.
- E. No manufactured housing unit shall be located closer than twenty (20) feet from any property line which is a public street.

18.080 Lot Coverage.

Not more than seventy-five percent (75%) of the area of a manufactured housing lot shall be covered by the manufactured housing unit, accessory structures, paved drives and parking.

18.090 Fences, screening and landscaping.

A solid fence of not less than six (6) feet in height may be required on all exterior subdivision boundaries. Fences are permitted, but not required for manufactured housing lots, and shall not exceed six (6) feet in height. Where a fence is located in any required front yard, it shall not exceed four (4) feet. Alternately, a combination of landscaping, screening, or fencing may also be deemed appropriate.

18.100 Access.

All manufactured housing lots and recreation facilities shall have access only from a private interior drive. There shall be no direct access from a manufactured housing lot to a public street or road. Private internal drives within a manufactured housing subdivision shall not be less than twenty-five (25) feet in width or thirty (30) feet over 7,000 feet in elevation and shall be paved, improved and maintained according to improvement standards adopted by the County.

18.110 Accessory uses and structures permitted.

The following accessory uses and structures may be permitted in manufactured housing subdivisions, provided that they conform to setback requirements and maximum lot coverage requirements:

- A. Convenience Structures. Awnings; portable, demountable, or permanent cabanas; storage cabinets and buildings; ramadas; windbreaks; carports; garages; porches; greenhouses; bathhouses and other accessory structures;
- B. Recreational Facilities. Parks, playgrounds, riding and hiking trails, golf courses, lakes, stables and riding rings, recreational buildings, clubhouses, community centers, and similar uses and facilities, provided that all such uses and facilities are designed for and limited to use by residents of the manufactured housing subdivision and their guests, and if otherwise permitted by county code.

18.120 Undergrounding.

All sewer and water facilities and electric, gas and telephone, and TV cable distribution systems shall be placed underground.

18.130 Subdivision of existing mobile-home parks, additional requirements.

A mobile-home park may be subdivided in accordance with applicable provisions of the Mono County Code relating to subdivisions and shall also comply with the provisions contained in this chapter, as well as in the provisions of Chapter 17 of the Mono County Code (Subdivision).

CHAPTER 19

DEVELOPMENT STANDARDS-ADULT-ORIENTED BUSINESSES

Sections:

19.010	Findings.
19.020	Legislative purpose.
19.030	Definitions.
19.040	Minimum proximity requirements.
19.050	Permit required.
19.060	Severability.

19.010 Findings.

A. The Board of Supervisors, in adopting this chapter, takes legislative notice of the existence and content of the following studies concerning the adverse secondary effects of Adult-Oriented Businesses in other cities: Garden Grove, California (1991); Tucson, Arizona (1990); Seattle, Washington (1989); Austin, Texas (1986); Oklahoma City, Oklahoma (1986); Indianapolis, Indiana (1984); Houston, Texas (1983); Beaumont, Texas (1982); Minneapolis, Minnesota (1980); Phoenix, Arizona (1979); Whittier, California (1978); Amarillo, Texas (1977); Cleveland, Ohio (1977); Los Angeles, California (1977). The Board of Supervisors finds that these studies are relevant to the problems addressed by the County in enacting this chapter to regulate the adverse secondary effects of Adult-Oriented Businesses, and more specifically finds that these studies provide convincing evidence that:

1. Adult-Oriented Businesses are linked to increases in the crime rates in those areas in which they are located and in surrounding areas.
2. Both the proximity of Adult-Oriented Businesses to sensitive land uses and the concentration of Adult-Oriented Businesses tend to result in blight and deterioration of the areas in which they are located.
3. The proximity and concentration of Adult-Oriented Businesses adjacent to residential, recreational, religious, community or educational uses can have adverse secondary effects on local businesses and residences.
4. There is substantial evidence that an increase in crime tends to accompany, concentrate around, and be aggravated by Adult-Oriented Businesses, including but not limited to an increase in the crimes of narcotics distribution and use, prostitution, pandering, and violence against persons and property. The studies from other cities establish convincing evidence that Adult-Oriented Businesses which are not regulated as to permissible locations often have a deleterious effect on nearby businesses in residential areas, causing, among other adverse secondary effects, an increase in crime and a decrease in property values.

B. Based on the foregoing, the Board of Supervisors of Mono County finds and determines that special regulation of Adult-Oriented Businesses is necessary to ensure that their adverse secondary side effects will not contribute to an increase in crime rates or to the blighting or deterioration of the areas in which they are located or surrounding areas. The need for such special regulations is based upon the recognition that Adult-Oriented Businesses have serious objectionable operational characteristics,

when located in direct proximity to sensitive uses such as dwellings, parks, schools, churches, or public buildings thereby having a deleterious effect upon the adjacent areas. It is the purpose and intent of these special regulations to prevent such adverse secondary effects.

C. Mono County is a rural county that is made up mostly (at least 94%) of public lands over which the County lacks land use authority. Very little private land exists within the County and, of that private land, only a small portion (less than 1%) is available for any type of commercial use. Based on the above, and on a thorough review of decisions of the United States Supreme Court, the United States Court of Appeals for the 9th Circuit and California Courts, the Board finds that the locational requirements established by this chapter do not unreasonably restrict the establishment or operation of constitutionally protected Adult-Oriented Businesses in Mono County, and a sufficient reasonable number of appropriate locations for Adult-Oriented Businesses are provided by this chapter.

D. In developing this chapter, the Board of Supervisors has been mindful of legal principles relating to regulation of Adult-Oriented Businesses and does not intend to suppress or infringe upon any expressive activities protected by the First Amendments of the United States and California Constitutions, but instead desires to enact reasonable time, place, and manner regulations that address the adverse secondary effects of Adult-Oriented Businesses. The Board of Supervisors has considered decisions of the United States Supreme Court regarding local regulation of Adult-Oriented Businesses, including but not limited to: City of Erie v. Pap's A.M., 12 S.Ct. 1382 (2000); Young v. American Mini Theaters, Inc., 427 U.S. 50 (1976) (Reh. denied 429 U.S. 873); Renton v. Playtime Theaters, 475 U.S. 41 (1986) (Reh. denied 475 U.S. 1132); FW/PBS, Inc. v. Dallas, 493 U.S. 215 (1990); Barnes v. Glenn Theater, 501 U.S. 560 (1991); United States Court of Appeals 9th Circuit decisions, including but not limited to: Diamond v. City of Taft, 2000 WL 821287 (9th Cir. (Cal.)); Topanga Press, et al. v. City of Los Angeles, 989 F.2d 1524 (1993); Kev, Inc. v. Kitsap County, 793 F.2d 1053 (9th Cir. 1986); Colacurcio v. City of Kent, 163 F.3d 545 (9th Cir. 1998), pet. For cert. Filed (1999); several California cases including but not limited to: Tily B. v. City of Newport Beach, 69 Cal.App.4th 1 (1998); City of National City v. Wiener, 3 Cal.4th 832 (1993); People v. Superior Court (Lucero) 49 Cal.3d 14 (1989); and City of Vallejo v. Adult Books, et al., 167 Cal.App.3d 1169 (1985); and other federal cases including Lakeland Lounge v. City of Jacksonville (5th Cir. 1992) 973 F.2d 1255, Hang On, Inc. v. Arlington (5th Cir. 1995) 65 F.3d 1248, Mitchell v. Commission on Adult Entertainment (3rd Cir. 1993) 10 F.3d 123, International Eateries v. Broward County (11th Cir. 1991) 941 F.2d 1157, and Star Satellite v. City of Biloxi (5th Cir. 1986) 779 F.2d 1074.

E. Zoning, General Plans, licensing and other police power regulations are legitimate, reasonable means of accountability to help protect the quality of life in Mono County and to help assure that all operators of Adult-Oriented Businesses comply with reasonable regulations and are located in places that minimize the adverse secondary effects which naturally accompany the operation of such businesses.

F. The Board of Supervisors recognizes the possible harmful effects on children and minors exposed to the effects of such Adult-Oriented Businesses and the deterioration of respect for family values, and the need and desire of children and minors to stay away from and avoid such businesses, which causes children to be fearful and cautious when walking through or visiting the immediate neighborhood of such businesses; and the particular need to reduce such effects near schools, where large numbers of children spend much of their time; and the Board of Supervisors desires to minimize and control the adverse secondary side effects associated with the operation of Adult-Oriented Businesses and thereby protect the health, safety, and welfare of the citizens

of Mono County; protect the citizens from increased crime; preserve the quality of life; preserve property values and the character of surrounding neighborhoods and businesses; deter the spread of urban blight and protect against the threat to health from the spread of communicable and sexually transmitted diseases.

G. It is not the intent of the Board of Supervisors in enacting this chapter, or any provision thereof, to condone or legitimize the distribution of obscene material, and the County recognizes that state law prohibits the distribution of the obscene materials and expects and encourages law enforcement officials to enforce state obscenity statutes against such illegal activities in Mono County.

H. Nothing in this chapter is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building, or use which violates any County ordinance or any statute of the State of California regarding public nuisances, unlawful or indecent exposure, sexual conduct, lewdness, obscene or harmful matter or the exhibition or public display thereof.

I. While the Board of Supervisors desires to protect the rights conferred on Adult-Oriented Businesses by the United States Constitution, it does so in a manner that ensures the continued and orderly development of property within the County and diminishes, to the greatest extent feasible, those undesirable secondary effects which the aforementioned studies have shown to be associated with the development and operation of Adult-Oriented Businesses.

19.020 Legislative purpose.

It is the intent of the chapter to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods which can be brought about by the location of Adult-Oriented Businesses in close proximity to incompatible uses such as schools for minors, churches, parks, public buildings and residentially-designated districts or uses. It is the purpose of this chapter to establish reasonable and uniform regulations to prevent the location of Adult-Oriented Businesses in close proximity to incompatible uses, while permitting the location of Adult-Oriented Businesses in certain areas.

19.030 Definitions.

For the purpose of this chapter the words and phrases shall have the same meanings respectively ascribed to them by this section and by Chapter 02 of the Land Development Regulations set forth in Section VI of this General Plan Land Use Element:

“Adult-Oriented Businesses.” The term "Adult-Oriented Businesses" as used in this chapter means any one of the following:

1. Adult Arcade. The term "adult arcade" as used in this chapter means an establishment where, for any form of consideration, one or more still or motion picture projectors, or similar machines, for viewing by five (5) or fewer persons each, are used to show films, computer generated images, motion pictures, video cassettes, slides or other photographic reproductions thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
2. Adult Bookstore. The term "adult bookstore" as used in this chapter means an establishment that has thirty (30) percent or more of its stock in books,

magazines, periodicals or other printed matter, or of photographs, films, motion pictures, video cassettes, slides, tapes, records or other form of visual or audio representations which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities and/or specified anatomical areas.

3. Adult Cabaret. The term "adult cabaret" as used in this chapter means a nightclub, bar, restaurant, or similar business establishment which: (1) regularly features live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities; and/or (2) which regularly features persons who appear semi-nude; and/or (3) shows films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
4. Adult Hotel/Motel. The term "adult hotel/motel" as used in this chapter means a hotel or motel or similar business establishment offering public accommodations for any form of consideration which, (1) provides patrons with closed-circuit television transmissions, films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; and (2) rents, leases, or lets any room for less than a six (6) hour period, or rents, leases, or lets any single room more than twice in a 24-hour period.
5. Adult Motion Picture Theater. The term "adult motion picture theater" as used in this chapter is a business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and thirty (30) percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.
6. Adult Theater. The term "adult theater" as used in this chapter means a theater, concert hall, auditorium, or similar establishment which, for any form of consideration regularly features live performances which are distinguished or characterized by an emphasis on the display of specified anatomical areas or specified sexual activities.
7. Modeling Studio. The term "modeling studio" as used in this chapter means a business which provides, for pecuniary compensation, monetary or other consideration, hire or reward, figure models who, for the purposes of sexual stimulation of patrons, display "specified anatomical areas" to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. "Modeling studio" does not include schools maintained pursuant to standards set by the State Board of Education. "Modeling studio" further does not include a studio or similar facility owned, operated, or maintained by an individual artist or group of artists, and which does not provide, permit, or make available "specified sexual activities."

"Adult-Oriented Business Operator" The term "Adult-Oriented Business Operator" as used in this chapter (hereinafter "operator") means a person who supervises, manages, inspects, directs, organizes, controls or in any other way is responsible for or in charge

of the premises of an Adult-Oriented Business or the conduct or activities occurring on the premises thereof.

“Applicant” The term “applicant” as used in this chapter is a person who is required to file an application for a permit under this chapter, including an individual owner, managing partner, officer of a corporation, or any other operator, manager, employee, or agent of an Adult-Oriented Business.

“Church” The term "church" as used in this chapter is a structure used primarily for religious worship and related religious activities.

“Community Development Director” The term “Community Development Director” as used in this chapter shall mean the Community Development Director of Mono County or the authorized representatives thereof.

“Distinguished Or Characterized By An Emphasis Upon” As used in this chapter, the term "distinguished or characterized by an emphasis upon" shall mean and refer to the dominant or essential theme of the object described by such phrase. For instance, when the phrase refers to films "which are distinguished or characterized by an emphasis upon" the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas. *See Pringle v. City of Covina*, 115 Cal.App.3 151 (1981).

“Establishment Of An Adult-Oriented Business” As used in this chapter, to establish an Adult-Oriented Business shall mean and include any of the following.

1. The opening or commencement of any Adult-Oriented Business as a new business;
2. The conversion of an existing business, whether or not an Adult-Oriented Business, to any Adult-Oriented Businesses defined herein;
3. The addition of any of the Adult-Oriented Businesses defined herein to any other existing Adult-Oriented Business; or
4. The relocation of any such Adult-Oriented Business.

“Figure Model” The term "figure model" as used in this chapter, means any person who, for pecuniary compensation, consideration, hire or reward, poses in a modeling studio to be observed, sketched, painted, drawn, sculptured, photographed or otherwise depicted.

“Health Officer” The term “Health Officer” as used in this chapter means the Mono County Health Officer or his or her duly authorized representative.

“Nudity Or A State Of Nudity” The term "nudity or a state of nudity" as used in this chapter means the showing of the human male or female genitals or pubic area with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple or areola.

“Operate An Adult-Oriented Business” As used in this chapter, "operate an Adult-Oriented Business" means the supervising, managing, inspecting, directing, organizing, controlling or in any way being responsible for or in charge of the conduct of activities of an Adult-Oriented Business or activities within an Adult-Oriented Business.

“Permittee” The term "permittee" as used in this chapter means the person to whom an Adult-Oriented Business Permit is issued.

“Person” The term “person” as used in this chapter means any individual, partnership, co-partnership, firm, association, joint stock company, corporation, or combination of the above in whatever form or character.

“Public Building” The term “public building” as used in this chapter is a building or structure owned or operated by a public entity (including, but not limited to Mono County) which is open to and frequented by members of the general public (e.g., a public library or community center).

“Regularly Features” The term "regularly features" with respect to an adult theater or adult cabaret means a regular and substantial course of conduct. The fact that live performances which are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities occurs on two (2) or more occasions within a thirty (30) day period; three (3) or more occasions within a sixty (60) day period; or four (4) or more occasions within a one hundred and eighty (180) day period, shall to the extent permitted by law be deemed to be a regular and substantial course of conduct.

“School” The term "school" as used in this chapter is any institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education or any child or day care facility. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

“Semi-Nude” The term “semi-nude” as used in this chapter means a state of dress in which clothing covers no more than the genitals, pubic region, buttocks, and nipple and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

“Specified Anatomical Areas” As used in this chapter, the term "specified anatomical areas" shall mean and include any of the following: less than completely and opaquely covered human

1. Genitals or pubic region;
2. Buttocks; and
3. Female breast below a point immediately above the top of the areola.

“Specified Sexual Activities” As used in this chapter, the term "specified sexual activities" shall mean and include any of the following, whether performed directly or indirectly through clothing or other covering:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;
2. Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated;

4. Excretory functions as part of or in connection with any of the other activities described in subdivision (1) through (3) of this subsection.

19.040 Minimum proximity requirements.

Notwithstanding anything to the contrary contained in the Mono County Code or Mono County General Plan, no Adult-Oriented Business shall be established or located on property in the County other than property with the land use designation of Rural Resort (RU), Industrial Park (IP), or Industrial (I), as those designations are defined in the Land Use Element of the Mono County General Plan, or within specified distances of certain land uses as set forth below:

- A. No such business shall be established on or within 500 feet from any property with a residential land use designation (including Rural Residential (RR), Single-Family Residential (SFR), Multi-Family Residential (MFR), Estate Residential (ER) and Rural Mobile Home (RMH) or from a building or structure used as a dwelling, park, church, or public building.
- B. No Adult-Oriented Business shall be established within 3,000 feet from a school.
- C. The distances set forth above shall be measured as a radius from the Adult-Oriented Business to the property line of the residentially designated properties or park, or to the actual structure used as a dwelling, school, church, or public building.

19.050 Permit required.

In addition to complying with the location restrictions set forth above, all Adult-Oriented Businesses shall comply with the permit requirements and other operational standards contained in Chapter 5.45 of the Mono County Code.

19.060 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more of those be declared unconstitutional, or invalid, or ineffective.

CHAPTER 21

DEVELOPMENT STANDARDS—FLOOD PLAIN REGULATIONS

Sections:

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21.010 Intent.

The FP, flood plain combining district is intended to establish special requirements and regulations to be applied to those areas of the County subject to inundation in order to prevent loss of life and property damage.

21.020 Statutory authorization.

The Legislature of the State of California has in Government Code Sections 65302, 65560 and 65800 conferred upon local government units authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

21.030 Findings of fact.

- A. The flood hazard areas of Mono County are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. These flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are

inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

21.040 Statement of purpose.

It is the purpose of this chapter to promote the public health safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard.
- F. To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

21.050 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. Controlling, filling grading, dredging, and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

21.060 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

"Area of Special Flood Hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. (See "Special Flood Hazard Area.")

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year (also called the "100 year flood").

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Breakaway Walls" are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which is not part of the structural support of the building and which is designed to breakaway under abnormally high tides or wave action without causing damage to the structural integrity of the building on which they are used or any building to which they might be carried by flood waters. A breakaway wall shall have a design safe loading resistance of not less than ten and not more than twenty pounds per square foot. Use of breakaway walls must be certified by a registered engineer or architect and shall meet the following conditions:

1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
2. The elevated portion of the building shall not incur any structural damage due to the effects of winds and water loads acting simultaneously during the base (a 100-year event) flood.

"Development" means any man made change to improve or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. The collapse or subsidence of land along undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually highwater level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in definition.

"Flood Boundary/Floodway Map" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the area of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map (FIRM), the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

"Floodplain or Flood Prone Area" means any land area susceptible to being inundated by water from any source (See definition of "Flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Floodplain Management Regulations" means land development regulations, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinances) and other applications of police power. The term describes such state or local regulations in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Floodproofing" means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory floodway."

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Hazard Mitigation Plan" means a plan that incorporates a process, whereby the potential of future loss due to flooding can be minimized by planning and implementing alternatives to floodplain management community-wide.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls or a structure.

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not

considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days.

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

"Mean Sea Level" means, for purposes of the national Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"New Construction" means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of floodplain management regulation adopted by the County of Mono.

"One Hundred Year Flood" or "100-Year Flood" means a flood which has a one percent annual probability of being equaled or exceeded. It is identical to the "base flood," which will be the term used through this chapter.

"Person" means an individual or his agent, firm, partnership, association or corporation, or agent of the aforementioned groups, or this state or its agencies or political subdivisions.

"Remedy A Violation" means to bring the structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this chapter or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Flood Hazard area (SFHA)" means an area having special flood or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, A1-30, AE or A99.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include

the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well a manufactured home.

"Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started, or
2. If the structure has been damaged and is being restored before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or,
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

"Violation" means the failure of a structure or other development to be fully compliant with the County's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided.

21.070 Lands to which this chapter applies.

This chapter shall apply to all areas of special flood hazards within the jurisdiction of Mono County.

21.080 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency or the Federal Insurance Administration in a scientific and engineering report entitled "Flood Insurance Study for the County of Mono," dated August 19, 1985 with an accompanying Flood Insurance Rate Map is hereby adopted by reference and declared to be part of this chapter, and all subsequent amendments and/or revisions. The Flood Insurance Study is on file at Planning Department Bridgeport, California. This Flood Insurance Study is the minimum area of applicability of the chapter and may be supplemented by studies for other areas which allow implementation of this

chapter and which are recommended to the Board of Supervisors by the Floodplain Administrator.

21.090 Compliance.

No structure or land shall hereafter be constructed, located, subdivided, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations. Violations of the provisions of the chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein contained shall prevent the Board of Supervisors from taking such lawful action as is necessary to prevent or remedy any violation.

21.100 Abrogation and greater restrictions.

The chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another chapter and/or ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

21.110 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements:
- B. Liberally construed in favor of the governing body; and,
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

21.120 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Mono County, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decisions they lawfully make thereunder.

21.130 Establishment of development permit.

A development permit shall be obtained before construction or development begins within any area of special flood hazards established in Section 21.080. Application for a Development Permit shall be made on forms furnished by the Floodplain Administrator and may include but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- A. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures and elevation of highest adjacent grade.
- B. Proposed elevation in relation to mean sea level to which any structure will be floodproofed;
- C. All appropriate certifications listed in Section 21.150-D of this chapter; and
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

21.140 Designation of floodplain administrator.

The Director of Public Works is hereby appointed as Floodplain Administrator and authorized to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

21.150 Duties and responsibilities of the floodplain administrator.

The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to:

- A. Review of all development permit applications to determine that:
 - 1. The permit requirements of this chapter have been satisfied;
 - 2. All other required state and federal permits have been obtained;
 - 3. The site is reasonably safe from flooding.
 - 4. The proposed development does not adversely affect the carrying capacity of areas where the base flood elevation have been determined, but a flood way has not been designated. For purposes of this chapter, "adversely affects" means the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point.
- B. Use of Other Base Flood Data
When base flood elevation data has not been provided in accordance with Section 21.080, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Section 21.160. Any such information shall be submitted to the Board of Supervisors for adoption.
- C. Alteration of Watercourses
Whenever a watercourse is to be altered or relocated:
 - 1. Notify adjacent communities and the Department of Water Resources prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;
 - 2. Required that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.
- D. Information to be Obtained and Maintained
Obtain and maintain for public inspection and make available as needed:

1. The certification required in Section 21.160-C-1 (floor elevations);
 2. The certification required in Section 21.160-C-2-c (elevation or floodproofing of nonresidential structures);
 3. The certification required in Section 21.160-C-3-a or 21.160-C-3-b (wet floodproofing standard);
 4. The certification required in Section 21.180-B (subdivision standards);
 5. The certification required in Section 21.200-A (floodway encroachments); and
- E. Interpretation of Flood Insurance Rate Map (FIRM) Boundaries
Make interpretations where needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 21.210.
- F. Remedy Violations
Take necessary action to remedy violations of this chapter as specified in Section 21.090 herein.

21.160 Standards of construction.

In all areas of special flood hazard the following standards are required:

- A. Anchoring
1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movements of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 2. All manufactured homes shall meet the anchoring standards of Section 21.190.
- B. Construction Materials and Methods
1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 3. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- C. Elevations and Floodproofing
1. New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated to or above the base flood elevation (i.e., the depth number specified in feet on the FIRM), or at least two feet above the highest adjacent grade if no depth number is specified.

Nonresidential structures may meet the standards in Section 21.160- C-2. Upon the completion of the structure the elevation of the lowest floor, including basement, shall be certified by a registered professional engineer or surveyor, or verified by the county building inspector to be properly elevated. Such certification or verification shall be provided to the Floodplain Administrator.

2. Nonresidential construction shall either be elevated in conformance with Section 21.160-C-1 together with attendant utility and sanitary facilities:
 - a. Be floodproofed so that, below the base flood level, the structure is watertight with walls substantially impermeable to the passage of water;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the Floodplain Administrator.
3. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - a. Either a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of flood waters; or
 - b. Be certified to comply with a local floodproofing standard approved by the Federal Insurance Administration.
4. Manufactured homes shall also meet the standards in Section 21.190.

21.170 Standards for utilities.

- A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
- B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.

21.180 Standards for subdivisions.

- A. All preliminary subdivision and land division proposals shall identify the flood hazard area and the elevation of the base flood. This shall apply to those divisions greater than 50 lots or 5 acres, whichever is the lesser.

- B. All final subdivision plans will provide the elevations of proposed structure(s) and pads. If the site is filled above the base flood, the final pad elevation shall be certified by a registered professional engineer or surveyor and provided to the Floodplain Administrator.
- C. All subdivision proposals shall be consistent with the need to minimize flood damage.
- D. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- E. All subdivisions shall provide adequate drainage to reduce exposure to flood hazards.

21.190 Standards for manufactured homes.

All new and replacement manufactured homes and additions to manufactured homes shall:

- A. Be elevated so that the lowest floor is at or above the base flood elevation;
- B. Be securely anchored to a permanent foundation system to resist flotation, collapse or lateral movement.

21.200 Floodways.

Located within areas of special flood hazard, established in Section 21.080, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. If Section 21.200-A is satisfied all new construction and substantial improvements shall comply with all other applicable flood hazard reductions provisions of Sections 21.160 through 21.200.

21.210 Variance procedures.

- A. Appeal Board
 - 1. The Mono County Planning Commission shall hear and decide requests for variances from the requirements of this chapter.
 - 2. The Mono County Planning Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Floodplain Administer in the enforcement or administration of this chapter.

3. The Board of Supervisors shall hear appeals of actions of the Planning Commission in the manner set forth in Chapter 47, Appeals.
4. In passing upon such requests or appeals, the Board of Supervisors or Planning Commission shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:
 - a. The danger that materials may be swept onto other lands to the injury of others.
 - b. The danger to life and property due to flooding or erosion damage.
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - d. The importance of the services provided by the proposed facility to the community.
 - e. The necessity to the facility of a waterfront location, where applicable.
 - f. The availability of alternative locations for the proposed uses which are not subject to flooding or erosion damage.
 - g. The compatibility of the proposed use with existing and anticipated development.
 - h. The relationship of the proposed use to this general plan and floodplain management program for that area.
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.
5. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items a through k in Section 21.210 A-4 have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
6. Upon consideration of the factors of Section 21.210 A-4 and the purpose of the chapter, the Board of Supervisors or Planning Commission may attach such conditions to the granting of variances as it deems necessary to further the purpose of this chapter.

7. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

B. Conditions for Variances:

1. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed in the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Section.
2. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
3. Variances shall be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause. Variances issued for economic considerations, aesthetics, or because variances have been used in the past, are not good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of, the public, or conflict with existing local laws or ordinances.
5. Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the provisions of Section 21.210 A-1 through 21.210 A-2 are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
6. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowered floor elevation. A copy of the notice shall be recorded by the Floodplain Administrator in the office of the Mono County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

CHAPTER 22

DEVELOPMENT STANDARDS—FIRE SAFE REGULATIONS

Sections:

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22.050	Inspections.
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22.091	Distance Measurements.
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22.100	Emergency Access/Road Descriptions.
22.110	Signing & Building Numbering.
22.120	Emergency Water Standards.
22.130	Fuel Modification Standards.
22.140	Roof Covering Standards.

22.010 Intent.

These Fire Safe regulations are intended to provide the same practical effect as the State Responsibility Area Fire Safe Regulations, Public Resources Code Section 4290, Title 14 of the California Code of Regulations (CCR) and roofing requirements as specified in Government Code Sections 51178.5 and 51189 and Health and Safety Code Sections 13108.5 and 13132.7. The regulations establish basic wildland fire protection standards in the State Responsibility Areas of Mono County for emergency access; signing and building numbering; private water supply reserves for fire use; roof covering standards; and vegetation modification.

22.020 Scope.

These regulations do not apply to existing structures (except as specified in Section 22.140), roads, streets and private lanes or facilities. These regulations shall apply as appropriate to all construction within State Responsibility Areas approved after October 1, 1991. Affected activities include but are not limited to:

- A. Permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) Section 66412(d),
- B. Application for a building permit for new construction, not relating to an existing structure (except as specified in section 22.140 Roof Covering Standards),
- C. Application for a use permit,
- D. The siting of manufactured homes (manufactured homes are as defined by the National Fire Protection Association, National Fire Code, Section 501A, Standard for Fire Safety Criteria for Manufactured Home installations, Sites and

Communities, Chapter 1, Section 1-2, Definitions, page 4, 1987 edition and Health and Safety Code Sections 18007, 18008, and 19971).

- E. Road construction, including construction of a road that does not currently exist, or extension of an existing road.

Exemption: Roads required as a condition of tentative parcel maps prior to the effective date of these regulations; roads for agricultural or mining use solely on one ownership; and roads used solely for the management and harvesting of wood products.

22.030 Provisions for Application of these Regulations.

This chapter shall be applied as follows:

- A. Mono County shall provide the Director of the Department of Forestry and Fire Protection (CDF) with notice of applications for building permits, tentative parcel maps, and use permits for construction or development within State Responsibility Areas.
- B. The Director of CDF, or his designee, shall review and make fire protection recommendations on applicable construction or development permits or maps provided by Mono County.
- C. The applicable sections of this chapter shall become a condition of approval of any applicable construction or development permit or map. Applicants should also consult with the applicable local fire protection district for possible additional requirements.

22.040 Inspection Authority.

- A. Inspection shall be made pursuant to Section 1270.06 of the California Code of Regulations by the Director of CDF. Applicable fire districts or Mono County departments may provide inspection assistance through the building or development permit process.
- B. Reports of violations shall be provided to the CDF Ranger Unit headquarters that administers State Responsibility Area fire protection for Mono County.

22.050 Inspections.

The inspection authority may inspect for compliance with these regulations. When inspections are conducted, they should occur prior to: the issuance of the use permit; certificate of occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or building permit.

22.060 Exceptions to Standards.

Upon request by the applicant, exceptions to standards within this chapter and mitigated practices may be allowed by the inspection authority, where the exception provides the same overall practical effect as these regulations towards providing defensible space.

22.070 Requests for Exceptions.

Requests for an exception shall be made in writing to the inspection authority by the applicant or the applicant's authorized representative. The request shall state the specific section(s) for which an exceptions is requested, material facts supporting the contention of the applicant, the details of the exception or mitigation measure proposed, and a map showing the proposed location and siting of the exception or mitigation measure.

22.080 Appeals.

Where an exception is not granted by the inspection authority, the applicant may appeal such denial to the Mono County Planning Commission in accordance with Chapter 47, Appeals. Prior to the appeal hearing, the inspection authority shall be consulted and shall provide to the Planning Commission documentation outlining the effects of the requested exception on wildland fire protection.

If an appeal is granted, the Planning Commission shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CDF Ranger unit headquarters that administers State Responsibility Area fire protection in Mono County.

22.090 Definitions.

"Accessory building" means any building used as an accessory to residential, commercial, recreational, industrial, or educational purposes as defined in the California Building Code, 1989 Amendments, Chapter 11, Group M, Division 1, Occupancy that requires a building permit.

"Agriculture" means land used for agricultural purposes as defined in land use designations of the Mono County General Plan Land Use Element.

"Building" means any structure used or intended for supporting or sheltering any use or occupancy that is defined in the California Building Code, 1989 Amendments, Chapter 11, except Group M, Division 1, Occupancy. For the purposes of this chapter, building includes mobile homes and manufactured homes, churches, and day care facilities.

"CDF" means California Department of Forestry and Fire Protection.

"Dead-end road" means a road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

"Defensible space" means the area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification, and fuel modification measures.

"Development" means as defined in Section 66418.1 of the California Government Code.

"Director" means the Director of the Department of Forestry and Fire Protection or his/her designee.

"Driveway" means a vehicular access that serves no more than two buildings, with no more than 3 dwelling units on a single parcel, and any number of accessory buildings.

"Dwelling unit" means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for not more than one family.

"Exception" means an alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions such as recorded historical sites, that provides mitigation of the problem.

"Fire valve" see hydrant.

"Fuel modification area" means an area where the volume of flammable vegetation has been reduced, providing reduces fire intensity and duration.

"Greenbelts" means a facility or land use, designed for other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field

"Hammerhead/T" means a roadway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

"Hydrant" means a valved connection on a water supply/storage system, having at least one 2 1/2 inch outlet, with male American National Fire Hose Screw Threads (NH) used to supply fire apparatus and hoses with water.

"Local Jurisdiction" means a county/town agency or department that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

"Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

"One-way road" means a minimum of one traffic lane width designed for traffic flow in one direction only.

"Roads, streets, private lanes" means vehicular access to more than one parcel; access to any industrial or commercial occupancy; or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

"Roadway" means any surface designed, improved, or ordinarily used for vehicle travel.

"Roadway structures" means bridges, culverts, and other appurtenance structures which supplement the roadway bed or shoulders.

Same Practical Effect" means as used in this chapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

1. Access for emergency wildland fire equipment,
2. Safe civilian evacuation,
3. Signing that avoids delays in emergency equipment response,
4. Available and accessible water to effectively attack wildfire or defend a structure from wildfire, and
5. Fuel modification sufficient for civilian and fire fighter safety.

"Shoulder" means roadbed or surface adjacent to the traffic lane.

"State Board of Forestry (SBOF)" means a nine member board, appointed by the Governor, which is responsible for developing the general forest policy of the state, for determining the guidance policies of the Department of Forestry and Fire Protection, and for representing the state's interest in federal land in California.

"State Responsibility Area (SRA)" means as defined in Public Resources Code Section 4126-4127: and the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Article 1, Sections 1220-1220.5.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

"Subdivision" means as defined in Section 6644424 of the Government Code.

"Traffic lane" means the portion of a roadway that provides a single line of vehicle travel.

"Turnaround" means a roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

"Turnouts" means a widening in a roadway to allow vehicles to pass.

"Vertical clearance" means the minimum specified height of a bridge or overhead projection above the roadway.

"Wildfire" is as defined in Public Resources Code Sections 4103 and 4104.

22.091. Distance Measurements.

All specified or referenced distances are measured along the ground, unless otherwise stated.

22.092. Maintenance of Defensible Space Measures.

To ensure continued maintenance of properties in conformance with these standards and measures and to assure continued availability, access, and utilization of the defensible space provided for in these standards during a wildfire, provisions for annual maintenance shall be included in the development plans and/or shall be provided as a condition of the permit, parcel or map approval.

22.100 Emergency Access.

Road and street networks, whether public or private, unless exempted under Section 22.020(e), shall provide for safe access for emergency wildland fire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with this Section.

A. Road Width.

All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow, unless other standards are provided in this chapter, or additional requirements are mandated by local jurisdictions or county subdivision requirements.

B. Roadway Surface.

The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting a 40,000 pound load.

C. Roadway Grades.

The grade for all roads, streets, private lanes and driveways shall not exceed sixteen percent.

D. Roadway Radius.

1. No roadway shall have a horizontal inside radius of curvature of less than 50 feet and additional surface width of 4 feet shall be added to curves of 50-100 feet radius; 2 feet to those from 100-200 feet.
2. The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than 100 feet.

E. Roadway Turnarounds.

Turnarounds are required on driveways and dead-end roads as specified in this article. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

F. Roadway Turnouts.

Turnouts shall be a minimum of 10 feet wide and 30 feet long with a minimum 25 foot taper on each end.

G. Roadway Structures.

1. All driveway, road, street, and private lane roadway structures shall be constructed to carry at least the maximum load and provide the minimum vertical clearance as required by Vehicle Code Sections 35550, 35750, and 35250.

2. Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single lane conditions, shall reflect the capability of each bridge.
3. A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

H. One-Way Roads.

All one-way roads shall be constructed to provide a minimum of one 10-foot traffic lane. The county/town may approve one-way roads. All one-way roads shall connect to a two-lane roadway at both ends, and shall provide access to an area currently designated for no more than 10 dwelling units. In no case shall it exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

I. Dead-End Roads.

1. The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - a. parcels designated for less than one acre 800 feet
 - b. parcels designated for 1 acre to 4.99 acres 1,320 feet
 - c. parcels designated for 5 acres to 19.99 acres 2,640 feet
 - d. parcels designated for 20 acres or larger 5,280 feet

All lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing parcel sizes, requiring different length limits, the shortest allowable length shall apply.

2. Where parcels are designated 5 acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.
3. Each dead-end road shall have a turnaround constructed at its terminus.

J. Driveways.

All driveways shall provide a minimum 10 foot traffic lane and unobstructed vertical clearance of 15 feet along its entire length.

1. Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
2. A turnaround shall be provided at all building sites on driveways over 300 feet in length, and shall be within 50 feet of the building.

K. Gate Entrances.

1. Gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate.

2. All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.
3. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40 foot turning radius shall be used.

22.110 Signing and Building Numbering.

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads, streets, and buildings shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. This section shall not restrict the size of letters or numbers appearing on street signs for other purposes.

- A. **Size of Letters, Numbers and Symbols for Street and Road Signs**
Size of letters, numbers, and symbols for street and road signs shall be a minimum of 3 inch letter height, 3/8 inch stroke, reflectorized, contrasting with the background color of the sign.
- B. **Visibility and Legibility of Street and Road Signs**
Road, street and private lane signs required by this chapter shall be installed prior to final acceptance by the county/town of road improvements.
- C. **Addresses for Buildings**
All buildings shall be issued an address by the county/town which conforms to that county/town overall address system. Accessory buildings will not be required to have a separate address; however, each dwelling unit within a building shall be separately identified.
- D. **Size of Letters, Numbers and Symbols for Addresses**
Size of letters and symbols for addresses shall be a minimum 3 inch letter height, 3/8 inch stroke, reflectorized, contrasting with the background color of the sign.
- E. **Installation, Location and Visibility of Addresses**
 1. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.
 2. Address signs along one-way roads shall be visible from both the intended direction of travel and opposite direction.
 3. Where multiple addresses are required at a single driveway, they shall be mounted on a single post.
 4. Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest intersection providing access to that site.

22.120 Emergency Water Standards.

Emergency water for wildfire protection shall be available and accessible in quantities and locations specified in the statute and these regulations, in order to attack a wildfire or defend property from a wildfire. Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or manmade containment structure, as long as the specified quantity is immediately available.

A. Application

The provisions of this article shall apply when new parcels are approved by a county/town. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved.

B. General Standards

Water systems that meet or exceed the standards specified in Public Utilities Commission of California (PUC) revised General Order #103, Adopted June 12, 1956 (Corrected September 7, 1983, Decision 83-09-001), Section VIII Fire Protection Standards and other applicable sections relating to fire protection water delivery systems, static water systems equaling or exceeding the National Fire Protection Association (NFPA) Standard 1231, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 1989 Edition, or mobile water systems that meet the Insurance Services Office (ISO) Rural Class 8, 2nd Edition 3-80, standard shall be accepted as meeting the requirements of this article. These documents are available at CDF Ranger Unit Headquarters.

Nothing in this article prohibits the combined storage of emergency wildfire and structural fire fighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

Where freeze protection is required, such protection measures as are necessary shall be provided.

C. Hydrant/Fire Valve

1. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor farther than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway.

The hydrant serving any building shall be:

- a. Not less than 50 feet nor more than 1/2 mile by road from the building it is to serve, and
 - b. Located at a turnout or turnaround, along the driveway to that building or along the road that intersects with that driveway.
2. The hydrant head shall be brass with 2 1/2 inch National Hose male thread with cap for pressure and gravity flow systems and 4 1/2 inch draft systems. Such hydrants shall be wet or dry barrel as required by the delivery system. They shall have suitable crash protection as required by the local jurisdiction.

D. Signing of Water Sources

Each hydrant/fire valve or access to water shall be identified as follows:

1. If located along a driveway, a reflectorized blue marker, with a minimum dimension of 3 inches shall be located on the driveway address sign and mounted on a fire retardant post, or
2. If located along a street or road,
 - a. A reflectorized blue marker, with a minimum dimension of 3 inches, shall be mounted on a fire retardant post. The sign post shall be within 3 feet of said hydrant/fire valve, with the sign no less than 3 feet nor greater than 5 feet above ground, in a horizontal position and visible from the driveway, or
 - b. As specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

22.130 Fuel Modification Standards.**A. Intent**

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide (1) increased safety for emergency fire equipment and evacuating civilians; and (2) a point of attack or defense from a wildfire.

B. Setback for Structure Defensible Space

1. All parcels one acre and larger shall provide a minimum 30 foot setback for buildings and accessory buildings from all property lines and/or the center of a road.
2. Parcels less than one acre shall provide setbacks with the same practical effect

C. Disposal of Flammable Vegetation and Fuels

Disposal, including chipping, burying, burning or removal to a landfill site approved by the county/town, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

D. Greenbelts

Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically, as a separation between wildland fuels and structures. The locations shall be approved by the inspection authority.

22.140 Roof Covering Standards

- A. Class A roof covering(s), as defined in the Uniform Building Code, shall apply in all unrated and Very High Fire Hazard Severity Zones when 50 percent or more of the roof area is reroofed within a one-year period after the issuance of a building permit to every new building(s) and all existing building(s).
 1. The installer of the roof covering shall provide certification of the roof covering classification to the building owner and, when requested, to the Mono County Building Department. The installer shall also install the roof covering in accordance with the manufacturer's listing.

2. The roofing material shall have passed a minimum 10-year accelerated weather test approved by a testing laboratory recognized by the State Fire Marshal.
 3. This section shall not apply to any building or facility designated as an historic building, as defined in Section 18955.
- B. For every new building(s) and all existing building(s), Class B roof covering(s), as defined in the Uniform Building Code, shall apply in all Moderate Fire Hazard Severity Zones when 50 percent or more of the roof area is reroofed within a one-year period after the issuance of a building permit to every new building(s) and all existing building(s).

CHAPTER 30

PROCESSING—GENERAL

Sections:

30.010	Preapplication conference.
30.020	LDTAC review.
30.030	Environmental review.
30.040	Project modifications.

30.010 Preapplication conference.

Prior to submitting an application for a discretionary project, the county encourages applicants to contact the planning department or, in the case of energy-related projects, the energy management department, for a preliminary review of the project concept and an informal identification of probable concerns.

For complex or potentially controversial projects, a prospective applicant should attend a preapplication conference with the Land Development Technical Advisory Committee (LDTAC) to refine the project design in order to avoid anticipated impacts and to ensure compliance with federal, state and local regulations. The preapplication conference also provides an opportunity to discuss the permit process, the environmental review process, and time frames for the project.

For the preapplication conference, the applicant shall provide a project description, a conceptual site plan and any other information that the department deems relevant to the application.

30.020 LDTAC Review.

The Land Development Technical Advisory Committee (LDTAC) consists of the Director of Public Works, the Planning Director and the Health Officer, and any other affected county departments, or their designated representatives. The committee acts in a technical capacity to the Planning Commission by reviewing discretionary projects prior to the initial hearing before the Planning Commission. The purpose of the LDTAC review is to discuss the project and proposed conditions/mitigation measures with the applicant and/or project engineer, to provide solutions for potential concerns, and to ensure that the project complies with federal, state and local regulations.

In addition to reviewing discretionary permit applications, the LDTAC approves lot line adjustments and makes written recommendations to the planning commission on subdivisions and land divisions. The LDTAC also participates in preapplication conferences.

30.030 Environmental Review.

Applications for discretionary permits are subject to environmental review and assessment, as provided in the Mono County Environmental Handbook.

30.040 Project modifications.

During preapplication and application processing, County staff and, when applicable, staff from applicable federal, state and local agencies, shall work with projects applicants to ensure that the proposed development is of the highest quality and is consistent with or, when reasonably feasible, exceeds Mono County General Plan policies and the implementing standards in the Land Development Regulations.

Those policies and standards shall be viewed as minimum requirements; development should strive to exceed those minimums whenever reasonably feasible. County staff may require project modifications as necessary to implement this subsection.

CHAPTER 31

PROCESSING-DIRECTOR REVIEW

Sections:

31.010	Director review permit.
31.020	Director review permit with notice.
31.030	Findings.
31.040	Director action.
31.050	Notice of decision.
31.060	Effect of decision.

31.010 Director review permit.

This procedure allows the Director to issue a permit for planning projects without the delay and expense of a public hearing as long as the project is exempt from CEQA, and is not controversial or environmentally sensitive.

When reviewing a request for Director review, the Director may require that the applicant submit in such form and type as the Director may specify, additional information as may be deemed relevant to the application.

If the Director determines during the application review that the project is controversial, is environmentally sensitive, or is not Categorically Exempt from CEQA then a Use Permit shall be required per Chapter 32.

The director may waive use permit procedures specified in other chapters of the Land Development Regulations when sufficient standards have been adopted, the project is minor in nature, and the project is exempt from CEQA. Sufficient standards may include provisions included in the County Code, applicable general plan documents, Board of Supervisors resolutions, planning and other county department's procedures and standards, or responsible agencies' regulations

31.020 Director review permit with notice.

Unless the matter has been referred to the Planning Commission per the provisions of 31.010, it shall be the responsibility of the Director to determine if the application warrants notice to contiguous property owners (see Noticing Requirements, Chapter 46). Notice shall be given when the application may have an impact upon contiguous property owners and/or public agencies.

The notice shall be given after filing of application and after determination by the Director that the information submitted by the applicant is sufficient to consider the matter. The notice shall include a brief description of the project and specify the duration of the comment and response period.

The notice shall be designed to ensure that affected parties, including the planning commission, are aware of the pending application and are given a chance to comment prior to the Director rendering a decision. Such notice shall also state the procedure to obtain a copy of the Director's decision.

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.
- F. That the project is exempt from CEQA.

31.040 Director action.

The Director, based upon available information, shall in writing, grant, grant in modified form or deny the requested use, or determine that a use permit will be required.

31.050 Notice of decision.

The Director shall give written notice of the decision to the applicant and engineer, Planning Commission and any other person, so requesting in writing, a copy of the notice of decision. The notice of decision shall set forth the procedure for filing appeals, specify any conditions of the permit, and include a summary of the Director's findings.

31.060 Effect of decision.

The Director Review Permit shall become effective fifteen (15) days following the issuance of the Director's decision. During the fifteen day period, an appeal may be filed in accordance with Chapter 47. If an appeal is filed, the permit will not be issued until the appeal is considered and a decision is rendered by the Planning Commission.

CHAPTER 32

PROCESSING–USE PERMIT

Sections:

32.010	Required findings.
32.020	Application.
32.030	Hearing.
32.040	Action.
32.050	Notice of decision.
32.060	Termination.
32.070	Extensions.
32.080	Revocation.

32.010 Required findings.

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

- A. All applicable provisions of the 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.

32.020 Application.

Application for a use permit shall be made to the Planning Department, or the Energy Management Department for energy related use permits, and shall be accompanied by the general application form, environmental documents, plans and elevations necessary to show details of the proposed use and/or structures and shall be accompanied by a fee, no part of which shall be returnable to the applicant. Fees shall not be required for public buildings and uses (see definition 02.940). If a preapplication conference has been determined to be appropriate; minutes from this conference shall accompany the application (see Site Plan Review).

32.030 Hearing.

A public hearing shall be held after filing of application and after determination by the Director that the information submitted by the applicant is sufficient to consider the matter. After making such determination, the Director shall give notice of the time, place and subject matter at a public hearing at least ten (10) days prior to the date set

therefore, as provided in Chapter 46, Noticing Requirements. Errors in the giving of notice or the failure of any person to receive notice shall not invalidate the proceeding.

Any hearing may be continued by a majority of the members of the Planning Commission present or, in the absence of a quorum, shall be continued by the secretary to a time and place certain, which shall be publicly announced, and no further notice shall be required except as may be required by California Government Code Sections 54955 and 54955.1.

32.040 Action.

Upon the close of the public hearing, the failure of the Commission to grant the use permit shall constitute a denial and disapproval of the use permit, unless action on the matter is continued to a later date. Refer to Chapter 47, Appeals, for specific procedures for appealing a denial. The Commission shall take action within one (1) year or the application shall be deemed approved as per Chapter 4.5, Article 5, commencing with Section 65956 of the Government Code.

The Commission may designate such conditions in connection with the granting of the use permit as it deems necessary to secure compliance with the purpose of the Land Use Designations and Land Development Regulations, including street dedication, street and drainage improvements and such guarantees as it deems appropriate in accordance with protection of the public health, safety, and welfare. Whenever performance of any condition or accomplishment of any development is required by the granting of the use permit and the performance or accomplishment is to occur at or after a specified time, the Commission may require the record owner of the land involved to execute a covenant running with the land, in a form approved by the County Counsel, which shall contain the requirements imposed, and it shall be recorded in the office of the County Recorder. The Director shall issue and record releases from such covenants when they are no longer applicable to a property.

32.050 Notice of Decision.

The Director shall give notice of the decision of the Commission relating to use permits. All such notices shall be mailed to the applicant and engineer and any other persons, so requesting in writing within ten (10) days after the decision is made. The notice shall set forth the procedure for filing appeals.

Use permits shall not be issued until after fifteen (15) days have elapsed from the granting thereof, and if an appeal is filed as provided in Chapter 47, Appeals, such permit shall not be issued until the decision is made by the Board of Supervisors on such appeal.

32.060 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 one (1) year 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 use permit.

- B. There is a discontinuance for a continuous period of one (1) year, as determined by the Director, of the exercise of the rights granted.
- C. No extension is granted as provided in Section 32.070.

32.070 Extensions.

If there is a failure to exercise the rights of the use permit within one (1) year of the date of approval, the applicant may apply for an extension for an additional one (1) year. Only one extension may be granted. Any request for extension shall be filed at least sixty (60) days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Department 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 Department 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.

32.080 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 ten 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.

CHAPTER 33

PROCESSING-VARIANCE

Sections:

33.010	Required findings.
33.020	Application.
33.030	Hearing.
33.040	Action.
33.050	Notice of decision.
33.060	Termination.
33.070	Extensions.
33.080	Revocation.

33.010 Required findings.

A variance from the provisions of the land use designations or land development regulations shall be granted only when all of the following findings can be made:

- A. Because of special circumstances (other than monetary hardship) applicable to the property, including its size, shape, topography, location or surroundings, the strict application of the provision of the land use designations or land development regulations deprives such property of privileges (not including the privilege of maintaining a nonconforming use or status) enjoyed by other property in the vicinity and in an identical land use designation; and,
- B. The grant of variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and in the land use designation in which the property is situated; and,
- C. The grant of variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is situated; and,
- D. The grant of variance will not be in conflict with established map and text of the general and specific plans and policies of the County.

33.020 Application.

Application for a variance shall be made to the Planning Department and shall be accompanied by the general application form, environmental documents, plans and elevations necessary to show details of the proposed use and/or structure; and shall be accompanied by a fee, no part of which shall be returnable to the applicant. Fees shall not be required for public buildings and uses (see Definition 02.940).

33.030 Hearing.

A public hearing shall be held after filing of application and after determination by the Planning Director that the information submitted by the applicant is sufficient to consider the matter. After making such determination, the Director shall give notice of the time, place and subject matter of a public hearing at least ten (10) days prior to the date set therefore, as provided in Chapter 46, Noticing Requirements. Errors in the

giving of notice or the failure of any person to receive notice shall not invalidate the proceeding.

Any hearing may be continued by a majority of the members of the Commission present or, in the absence of a quorum, shall be continued by the secretary to a time and place certain, which shall be publicly announced, and no further notice shall be required except as may be required by California Government Code Section 54955 and 54955.1.

33.040 Action.

The action by the Commission on any application for a variance shall be in the manner prescribed below.

Upon close of the public hearing, the failure of the Commission to grant the variance shall constitute a denial and disapproval for the variance, unless action on the matter is continued to a later date. Refer to Chapter 47, Appeals, for specific procedures for appealing a denial. The Commission shall take action within one (1) year or the application shall be deemed approved as per Chapter 4.5, Article 5, commencing with Section 65956, of the Government Code.

The Commission may designate such conditions in connection with the granting of the variance as it deems necessary to secure compliance with the purpose of the land use designations and the land development regulations, including street dedication, street and drainage improvements and such guarantees as it deems appropriate. Whenever performance of any condition or accomplishment of any development is required by the granting of the variance and the performance or accomplishment is to occur at or after a specified time, the Commission may require the record owner of the land involved to execute a covenant running with the land, in a form approved by the County Counsel, which shall contain the requirements imposed, and it shall be recorded in the office of the County Recorder. The Director shall issue and record releases from such covenants when they are no longer applicable to a property.

33.050 Notice of decision.

The Director shall give notice of the decision of the Commission relating to variances. All such notices shall be mailed to the applicant and engineer and any other persons, so requesting in writing within ten (10) days after the decision is made. The notice shall set forth the procedure for filing appeals.

Variances shall not be issued until after fifteen (15) days have elapsed from the granting thereof, and if an appeal is filed as provided in Chapter 47, Appeals, such variance shall not be issued until the decision is made by the Board of Supervisors on such appeal.

33.060 Termination.

A variance shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all of 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 one (1) year 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 variance.

- B. There is a discontinuance for a continuous period of one (1) year, as determined by the Director, of the exercise of the rights granted.
- C. No extension is granted as provided in Section 33.070.

33.070 Extensions.

If there is a failure to exercise the rights of the variance within one (1) year of the date of approval, the applicant may apply for an extension for an additional one (1) year. Only one extension may be granted. Any request for extension shall be filed at least sixty (60) days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Department shall review the application to determine the extent of review necessary and schedule it for public hearing. Conditions of approval for the variance may be modified or expanded, including revision of the proposal, if deemed necessary. The Department may also recommend that the Commission deny the request for extension. Exception to this provision is permitted for those variances 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.

33.080 Revocation.

The Commission may revoke the rights granted by a variance and the property affected thereby shall be subject to all of the provisions and regulations of Land Use Designations and Development Requirements applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the variance or the violation by the owner or tenant of any provision of this general plan pertaining to the premises for which such variance was granted. Before the Commission shall consider revocation of any variance, the Commission shall hold a public hearing thereon after giving written notice thereof to the permittee at least ten days in advance of such hearing. The decision of the Commission may be appealed to the Board of Supervisors in accordance with Section 47, Appeals, and shall be accompanied by the appropriate filing fee.

CHAPTER 34

PROCESSING–NONCONFORMING USES

Sections:

34.010	General provisions.
34.020	Alterations to nonconforming uses, buildings and structures.
34.030	Mergers.

34.010 General provisions.

The lawful uses of land, buildings or structures existing on the effective date of the adoption of this general plan to the subject property, although such use does not conform to the land development regulations, may be continued except as provided in this chapter.

The regulations of this chapter are intended to set standards that will not inhibit the continued and/or expanded or altered use of such properties, provided that the general intent of the provisions of the land use designations and land development standards are met and that wherever practical, deficiencies are mitigated.

34.020 Alterations to nonconforming uses, buildings and structures.

The following criteria shall be considered by the Director during the review of any application to expand/alter a nonconforming use. Any alteration required by governmental or court action shall be exempt from these conditions and restrictions, and conditions affecting a nonconforming use shall apply to the existing use, land and structures and shall not be affected by ownership change.

1. Alterations of the nonconforming use shall not be detrimental to or prevent the attainment of objectives, policies, general land use and programs specified in this General Plan.
2. 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 and district in which the use is located.
3. The alteration shall not change the primary use of the land or increase the intensity of that use.
4. If the proposed alteration could generate public controversy, the Director shall refer the application to the Planning Commission for their consideration.

A. Nonconforming Use of Land.

1. **Expansion.** The use may not be 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 is carried out in conformance with the terms of the Director's review as set forth in Chapter 31, Director Review Processing. Such expansion or alteration shall not prolong the normal life of the nonconforming use.

- 2. Discontinued Use.** If the nonconforming use of the land is discontinued for a period of six months (180) days or more, any subsequent use of the building is to conform to the requirements of the land use regulations and development standards.

B. Nonconforming Uses of Buildings.

- 1. Extension of Use.** The use may be extended throughout the building provided that structural alterations are of a minor nature and are necessary to improve or maintain the health or safety of occupants or are required by law or ordinance.
- 2. Discontinued Use.** If the nonconforming use of the building is discontinued for a period of six months (180 days) or more, any subsequent use of the building is to conform to the requirements of this general plan.

C. Nonconforming Structures

Any structure which does not conform to yard, height, parking or lot coverage requirements of the land use designations may continue to be used as a lawful nonconforming use provided:

- 1. Alterations & Expansions.** This structure may not be altered or expanded except for minor alterations necessary to improve or maintain the health and/or safety of the occupants or if required by law or ordinances unless the expansion will not unduly increase any aspects of nonconformity and is carried out in accordance with the Director's Review Process set forth in Chapter 31.
- 2. Destroyed Structures.** If the nonconforming structure is damaged or destroyed to 50% or more of its value for whatever reason (fire, explosion, act of God), the building and land shall then be subject to all requirements of this general plan.

D. Nonconforming Use - Animals

- 1. Expansion & Replacement - Domestic.** The number of nonconforming domestic animals may not be increased above the number existing on the effective date of application of the land use designation to the subject property. Deceased or relocated nonconforming animals may not be replaced except in conformance with the land use designations and land development regulations.
- 2. Public Nuisance.** Regardless of any other provision of this general plan, the keeping of any nonconforming animals may be declared a public nuisance by the Board of Supervisors upon recommendation of the Planning Department and/or Health Department and abated in accordance with Chapter 7.20, the Health and Welfare Title, Mono County Code, where the use is found to be dangerous or prevents the full use and enjoyment of neighboring properties.

34.030 Mergers.

- A. Two or more contiguous lots, parcels or units of land which were originally created under the provisions of the Subdivision Map Act or prior law regulating division of land or County ordinance enacted pursuant thereto shall not, except as provided below, be deemed merged by virtue of the fact that such contiguous lots, parcels or units of land are held by the same owner, and no further proceedings shall be required for the purpose of sale, lease or financing of such lots, parcels or units of land.

- B. If any one of the contiguous parcels or units of land held by the same owner does not conform to standards for minimum parcel size, under County land use designations, subdivision or other applicable ordinance, the lots shall be merged if all of the following requirements are satisfied:
1. At least one of the affected parcels is undeveloped by any structure for which a building permit was issued or for which a building permit was not required at the time of construction, or is developed only with an accessory structure or accessory structures, or is developed with a single structure, other than an accessory structure, that is also partially sited on a contiguous parcel or unit.
 2. With respect to any affected parcel, one or more of the following conditions exists:
 - a. Comprises less than 5,000 square feet in area at the time of the determination of merger.
 - b. Was not created in compliance with applicable laws and ordinances in effect at the time of its creation.
 - c. Does not meet current standards for sewage disposal and domestic water supply.
 - d. Does not meet slope stability standards.
 - e. Has no legal access which is adequate for vehicular and safety equipment access and maneuverability.
 - f. Its development would create health or safety hazards.
 - g. Is inconsistent with the applicable general plan and any applicable specific plan, other than minimum lot size or density standards.
- C. Whenever real property is to be merged pursuant to this section, the following procedure shall be used:
1. Prior to recording a Notice of Merger, the Commission shall cause to be mailed by certified mail to the then current record owner of the property a Notice of Intention to determine status, notifying the owner that the affected parcels may be merged pursuant to standards specified in Section B, and advising the owner of the opportunity to request a hearing on determination of status and to present evidence at the hearing that the property does not meet the criteria for merger. The Notice of Intention to determine status shall be filed with the County Recorder on the date that notice is mailed to the property owner.
 2. At any time within 30 days after recording of the Notice of Intention to determine status, the owner of the affected property may file with the Planning Department a request for hearing on determination of status.
 3. Upon receiving a request for a hearing on determination of status, the Planning Department shall fix a time, date, and place for a hearing to be conducted and shall so notify the property owner by certified mail. The

hearing shall be conducted not less than thirty (30) days following the Planning Department's receipt of the property owner's request therefore, but may be postponed or continued with the mutual consent of the Planning Commission and the property owner.

4. At the hearing, the property owner shall be given the opportunity to present any evidence that the affected property does not meet the standards for merger specified in Section B.

At the conclusion of the hearing, the Planning Commission shall make a determination that the affected parcels are to be merged or are not to be merged and shall so notify the owner of its determination. A Determination of Merger shall be recorded within thirty (30) days after conclusion of the hearing.

5. If, within the thirty (30) day period specified in Section C-2, the owner does not file a "Request for a Hearing" in accordance with Section C-4, the Commission may, at any time thereafter, make a determination that the affected parcels are to be merged or are not to be merged. A Determination of Merger shall be recorded no later than ninety (90) days following the mailing of notice required by Section C-3.
 6. If in accordance with Section C-4 or C-5, the Commission determines that the subject property shall not be merged, it shall cause to be recorded with the County Clerk Recorder a "Release of the Notice of Intention" to determine status, and shall mail a clearance letter to the then current owner of record.
- D. If the substandard, contiguous lots under common ownership may be merged in more than one way and comply with County General Plan, subdivision and other applicable ordinances, mergers by lot combination shall conform to any configuration which the property owner(s) may request if, and only if, the following requirements can be satisfied:
1. The proposed mergers by lot combinations must be effected by utilization of existing lot lines;
 2. The parcels so created must meet all prescribed minimum standards under applicable land use designation requirements, including but not limited to lot area, lot width and access;
 3. Mergers of such contiguous, substandard lots under common ownership by lot combination may not result in the creation of more than four parcels; and
 4. The property owner shall submit a map specifically delineating the proposed mergers by lot combination on or before fifteen (15) days prior to the noticed hearing before the Commission on the intention to record the Notice of Merger.
- E. If the proposed mergers by lot combination do not meet each and every requirement as specified in subdivision D above, then each of such contiguous, substandard lots under common ownership shall be merged into one parcel which shall not thereafter be subdivided for the purpose of sale, lease or finance

except by parcel or subdivision map pursuant to the Subdivision Map Act and the provisions of the Mono County Code enacted pursuant thereto.

- F. For purposes of determining whether contiguous parcels are held by the same owner, ownership shall be determined as of the date that a "Notice of Intention" to record notice of merger is recorded.

Upon recording of the "Notice of Intention" to record notice of merger, no transfer of any interest in the notice lots, parcels or units of land may occur unless and until the Commission has held the noticed hearing and has rendered its decision.

- G. A merger of parcels becomes effective when the County Recorder causes to be filed for record with the County Clerk, a "Notice of Merger" specifying the names of the record owners and particularly describing the real property. The merged parcel shall not thereafter be subdivided for the purpose of sale, lease or financing except pursuant to the provisions of the Subdivision Map Act and the provisions of this chapter enacted pursuant thereto.
- H. Individual lots, parcels or units of land which are nonconforming, and which are under separate ownership that would preclude merger here under shall be permitted all uses in the district in which same are located; provided, that height, yards, distance between buildings, lot coverage, off-street parking, and other property development requirements shall be applicable.
- I. The provisions of this section are applicable to property designated in the Mono County General Plan for exclusive residential use, including all property designated as follows:
1. Rural Residential (RR);
 2. Estate Residential (ER);
 3. Rural Mobile Home (RMH);
 4. Single-Family Residential (SFR);
 5. Multiple-Family Residential (MFR);
 6. Such other land use designations which may be created to allow exclusive residential use.
- J. This subdivision shall not apply if one of the following conditions exists:
1. On or before July 1, 1981, one or more of the contiguous parcels or units of land is enforceably restricted open-space land pursuant to a contract, agreement, scenic restriction, or open-space easement, as defined and set forth in Section 421 of the Revenue and Taxation Code.
 2. On July 1, 1981, one or more of the contiguous parcels or units of land is timberland as defined in subdivision (f) of Section 51100, or is land devoted to an agricultural use as defined in subdivision (b) of Section 51201.
 3. On July 1, 1981, one or more of the contiguous parcels or units of land is located within 2,000 feet of the site on which an existing commercial mineral resource extraction use is being made, whether or not the extraction is being made pursuant to a use permit issued by the local agency.
 4. On July 1, 1981, one or more of the contiguous parcels or units of land is located within 2,000 feet of a future commercial mineral extraction site as

shown on a plan for which a use permit or other permit authorizing commercial mineral resource extraction has been issued by the local agency. For purposes of paragraphs (3) and (4) of this subdivision, "mineral resource extraction" means gas, oil, hydrocarbon, gravel, or sand extraction, geothermal wells, or other similar commercial mining

CHAPTER 35**PROCESSING–RECLAMATION PLANS****Sections:**

35.010	Purpose and Intent.
35.020	Definitions.
35.030	Reclamation Plan Requirements.
35.040	Amendments.
35.050	Reclamation Standards.
35.060	Vested Surface Mining Operations.
35.070	Idle Mine Status.
35.080	Annual Inspections.
35.090	Administration.
35.100	Surety Required.
35.110	Enforcement.

35.010 Purpose and Intent.

It is the purpose of this chapter to provide standards and procedures for reclamation of resource development activities in Mono County. Specifically, it is the purpose of this chapter to implement the policies of this General Plan pertaining to reclamation of energy-related projects, mining projects, and other resource development activities and to fulfill the legislative mandate contained in the Surface Mining and Reclamation Act (SMARA) and the corresponding sections of the California Code of Regulations. It is the intent of the Board of Supervisors to provide for the reclamation of disturbed lands, and to eliminate hazards to public health, safety, and welfare.

35.020 Definitions.

Definitions and applicable provisions contained in SMARA and in the corresponding sections of the California Code of Regulations are incorporated herein by reference. The following definitions are also applicable to the provisions of this chapter:

"Abandoned or Abandonment" means the cessation of resource development activities prior to completion of required reclamation or to cease resource development activities whether or not actual reclamation has commenced, or both. Mere non-use shall not in and of itself constitute abandonment; provided, however, non-use for more than twelve (12) consecutive months without filing an interim management plan shall create a rebuttable presumption of intent to abandon. Regarding geothermal well abandonment, it is the discontinued, non-operative condition of a well as determined and defined by the California Division of Oil and Gas on non-federal lands and by the Bureau of Land Management on federal lands.

"Expansion of resource development activities" means any substantial increase in the size or scope of a resource development activity. Expansion includes, without limitation, any resource development activities beyond the boundaries defined in an approved reclamation plan.

"Idle" means to curtail for a period of one year or more, surface mining operations by more than 90 percent of the operation's previous maximum annual mineral production, with the written intent to resume those surface mining operations at a future date.

"Mined lands" means the surface, subsurface, and groundwater of an area in which resource development activities will be, are being, or have been conducted, including those private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, resource development activities are situated.

"Minerals" means any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.

"Operator" means any person who is engaged in resource development activities himself, or who contracts with others to conduct operations on his behalf, except a person who is engaged in surface resource development activities as an employee, with wages as his sole compensation.

"Reclamation" means the combined processes of land treatment that minimize water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from resource development activities, including surface effects incidental to underground mines, so that disturbed lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and creates no danger to public health and safety. The process may extend to affected lands surrounding disturbed lands, and may require grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

"Reclamation Plan" means the plan approved by the County for reclaiming the lands disturbed by resource development or exploration activities.

"Resource Development Activities" means projects which propose to utilize or develop natural resources. Resource development activities include, but are not limited to, the following: (a) geothermal exploration and development projects; (b) surface mining operations; (c) hydroelectric, wind or solar power facilities; (d) oil and gas exploration and development projects; and (e) timber production.

"SMARA" means the Surface Mining and Reclamation Act of 1975 as amended (Section 2710 et seq. of the Public Resources Code) and the corresponding sections of the California Code of Regulations, Title 14.

"State Geologist" means the individual holding that office created by Sec. 667, Article 3, Chapter 2 of Division 1 of the Public Resources Code, or his designate.

"Surface Mining Operations": All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incidental to an underground mine. Surface operations shall include, but are not limited to:

1. In place distillation or retorting or leaching.
2. The production and disposal of mining waste.
3. Prospecting and exploratory activities.

In addition, borrow pitting, stream bed skimming, segregation and stockpiling of mined materials (and recovery of same) are also deemed to be surface mining operations unless specifically excluded in conformance with other regulatory provisions.

"Vested Surface Mining Operation" means a person shall be deemed to have obtained "vested" rights when sufficient documentation has been submitted to the Planning Director and County Counsel to indicate that prior to January 1, 1976, he or she has, in good faith and in reliance on a permit or other authorization, if a permit or other authorization was required, diligently commenced surface mining operations and incurred substantial liabilities for work and materials therefore. The operator may also be required to submit documentation indicating that no substantial changes have occurred in the operation since January 1, 1976, except for those changes that were in conformance with applicable regulations in effect at the time of the change. Expenses incurred in obtaining the enactment of an ordinance in relation to a particular operation or the issuance of a permit shall not be deemed liabilities for work and materials.

35.030 Reclamation Plan Requirements.

A. Filing:

1. Submittal: Reclamation plans shall be submitted to the Energy Management Department (for energy-related projects) or to the Planning Department, on forms supplied by the applicable department. Reclamation plan submittals must be complete, containing all information required by the applicable department to justify findings for approval or disapproval, and for surface mining operations, all information required in conformance with applicable provisions of SMARA.
2. Acceptance: Reclamation plan submittals shall not be deemed complete or accepted for filing and processing time limits shall not begin to run until the Energy Management or Planning Director or his delegate accepts the submittal as complete.

B. Procedure:

1. Processing: Within thirty (30) days after receipt of a reclamation plan submittal, the Energy Management or Planning Director or his delegate shall review the submittal and shall notify the applicant or his designated representative, in writing, concerning any deficiencies.
 - a. Reclamation plan submittals shall be deemed complete, unless the applicant or his designated representative has been notified in writing that the submittal is incomplete prior to the expiration of the thirty (30) day review period.
 - b. Complete reclamation plan submittals shall be accepted and processed in accordance with applicable provisions of the County Code, CEQA and when applicable SMARA. Acceptance of a reclamation plan submittal by the Energy Management Department or Planning Department shall not constitute an indication of project approval.
2. Simultaneous Processing: In the event that an application for a use permit and a reclamation plan pertaining to the same project are submitted for approval at the same time, review and processing of the reclamation plan

may occur simultaneously with that of the resource use permit application. The issuance of a use permit shall be predicated on the approval of a reclamation plan in conformance with this chapter.

3. Approval: The Planning Commission may approve or conditionally approve a reclamation plan only when all of the following findings can be made:
 - a. That the reclamation plan complies with the provisions of CEQA;
 - b. That the reclamation plan is consistent with the objectives and policies set forth in this General Plan and any applicable area or specific plans
 - c. That appropriate conditions have been imposed to ensure and verify that the site during and after reclamation will not cause a public hazard, nor be detrimental to the public health, safety, or welfare;
 - d. That an approved end use has been identified and that the reclamation of the site shall be finally completed as soon as is feasible, considering the particular circumstances of the site to be reclaimed, and that the plan provides for concurrent reclamation, where appropriate and feasible;
 - e. That the reclamation plan conforms to minimum verifiable performance standards established in this chapter and, in the case of surface mining operations, meets or exceeds the minimum, verifiable statewide reclamation standards adopted by the State Mining and Geology Board, and in the case of geothermal well abandonment, conforms to the requirements and guidelines of the California Division of Oil and Gas on non-federal lands, and the Bureau of Land Management on federal lands;
 - f. That the estimated cost of the reclamation reasonably approximates the probable cost of performing the reclamation work as proposed in the plan and that adequate surety (consistent with applicable provisions of SMARA for surface mining operations) will be posted to ensure completion of the required reclamation; and
 - g. That the person or entity responsible for reclamation plan compliance has a public liability insurance policy in force for the duration of the reclamation which provides for personal injury and property protection in an amount adequate to compensate all persons injured or for property damaged as a result of the proposed reclamation activities.

35.040 Amendments.

- A. Minor Amendments to an Approved Reclamation Plan:
 1. Minor amendment: Minor changes to an approved reclamation plan may be approved by the Energy Management Director or the Planning Director, using the Director Review with Notice process, in accordance with the following provisions.
 2. Processing: Requests for approval of a minor amendment shall be submitted on forms provided by the Energy Management or Planning Department, along with the applicable fees. Within thirty (30) days of receipt of such a

request, the applicable Director shall determine whether or not the application should be considered a minor amendment. The applicable Director shall approve or deny the request and notify the applicant in writing within ten (10) days of his decision. The decision of the Director as to whether or not the request should be approved or denied shall be final, unless an appeal is filed. If it is determined that the request is not a minor amendment, the request may be processed as a major amendment.

3. Requests for a minor amendment may be approved only if the applicable Director is able to make all of the following findings:
 - a. That the proposed change involves only minor changes in dimensions, volumes or timing of the reclamation plan and will not affect the basic character or implementation of the reclamation plan.
 - b. No substantial adverse environmental damage, either on-site or off-site, will result from the proposed change and the proposed change is consistent with adopted environmental determinations.
 - c. That the proposed change will not be detrimental to the public health, safety and welfare and is compatible with the objectives and policies of this General Plan, applicable area or specific plans or approved end land use of the site.

B. Major Amendments to an Approved Reclamation Plan:

1. Major amendment: Major amendments to approved reclamation plans may be approved by the Planning Commission subject to the following provisions.
2. Processing: Applications for proposed amendments shall be submitted on forms provided by the Energy Management or Planning Department and shall include such data as may be required to complete an environmental assessment. Applications shall include the required filing fee, and shall be noticed and scheduled for public hearing before the Planning Commission in the same manner as the original reclamation plan submittal.
3. Amendments may be approved by the Planning Commission only if all of the following findings can be made:
 - a. The proposed amendments are necessary or desirable to assure a more practical recovery of the resource or to avoid multiple future disturbances of surface land or waters.
 - b. No substantial adverse environmental damage, either on-site or off-site, will result from the proposed change and the proposed change is consistent with adopted environmental determinations.
 - c. The security required to be filed by the applicant with the County is adequate or additional security has been filed to guarantee compliance with the revised reclamation plan.
 - d. The reclamation plan, as amended, will continue to meet the requirements of this chapter and will be conducted in conformity with all applicable laws, ordinances, and regulations of all agencies with jurisdiction over the resource development project.

- e. The approval of the amendment will not be detrimental to the public health, safety, or welfare and is compatible with the objectives and policies of this General Plan, applicable area or specific plans or approved end land use of the site.

35.050 Reclamation Standards.

- A. All reclamation plans must conform with all applicable provisions of the following minimum verifiable standards. The standards shall apply to each project to the extent that they are consistent with required mitigation for the project (as identified in the environmental documents for the project), provided that such mitigation is at least as stringent as the standards, and they are consistent with the approved or actual subsequent use or uses of the reclaimed site.
- B. Where an applicant demonstrates to the satisfaction of the County that an exception to the standards specified in this chapter is necessary based upon the approved end use, the Planning Commission may approve a different standard for inclusion in the approved reclamation plan. Where the County allows such an exception, the approved reclamation plan shall specify verifiable, site-specific standards for reclamation.
- C. When substantial amendments are proposed to reclamation plans which were approved prior to January 1, 1992, the standards set forth in this chapter shall be applied by the County in approving or denying the amended reclamation plan.
- D. The standards in this chapter shall not apply to projects:
 - 1. which completed reclamation prior to January 1, 1992, in conformance with an approved reclamation plan; or
 - 2. for which a reclamation plan has been approved prior to January 1, 1992.
- E. The following definitions, in addition to those in Section 35.020 of this chapter, shall govern the interpretation of these standards:
 - 1. "Arid" means landscapes with an average annual precipitation of five inches or less.
 - 2. "Indigenous Plants" means plants occurring naturally in an area, not introduced.
 - 3. "Native Species" means plant species indigenous to California, using pre-European as the historic time reference.
 - 4. "Vegetative Cover" means the vertical projection of the crown or shoot area of a species to the ground surface expressed as a percentage of the reference area (percentage can be greater than 100 percent).
 - 5. "Vegetative Density" means the number of individuals or stems of each species rooted within the given reference area.

6. "Vegetative Species-richness" means the number of different plant species within the given reference area.
7. "Wetlands" means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of these regulations, wetlands must have one or more of the following attributes: 1) at least periodically, the land supports predominantly hydrophytes; 2) the substrate is predominantly undrained hydric soil; and 3) the substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year.

F. Performance Standards.

Wildlife Habitat.

Wildlife and wildlife habitat shall be protected in accordance with the following standards:

- a. Rare, threatened or endangered species or species of special concern, as defined by the California Department of Fish and Game, U.S. Forest Service, Bureau of Land Management, or the U.S. Fish and Wildlife Service, and their respective habitat shall be conserved as prescribed by the federal Endangered Species Act of 1973, 16 U.S.C. section 1531, and the California Endangered Species Act, Fish and Game Code section 1900, et seq. If avoidance cannot be achieved through the available alternatives, mitigation shall be proposed in accordance with the rules and regulations of the California Department of Fish and Game, U.S. Forest Service, Bureau of Land Management, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and other applicable agencies.
- b. Wildlife habitat shall be established on disturbed lands in a condition similar to or better than that which existed before the lands were disturbed, unless the proposed end use precludes its use as wildlife habitat or the approved reclamation plan establishes a different habitat type than that which existed prior to disturbance.
- c. Wetland habitat shall be avoided. Any wetland habitat impacted as a consequence of resource development activities shall be mitigated at a minimum of a one to one ratio for wetland habitat acreage and wetland habitat value.

Backfilling, Regrading, Slope Stability, and Recontouring.

Backfilling, regrading, slope stabilization, and recontouring shall conform with the following standards:

- a. Where backfilling is proposed for urban uses (e.g., roads, building sites, or other improvements sensitive to settlement), the fill material shall be compacted in accordance with the Uniform Building Code, the Mono County Grading Ordinance, or other methods approved by the County as appropriate for the approved end use.
- b. Where backfilling is required for resource conservation purposes (e.g., agriculture, fish and wildlife habitat, and wild land conservation), fill material shall be backfilled to the standards required for the resource conservation use involved.

- c. Piles or dumps of waste material, such as mining waste, shall be stockpiled in such a manner as to facilitate phased reclamation. They shall be segregated from topsoil and topsoil substitutes or growth media salvaged for use in reclamation.
- d. Final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, shall not exceed 2:1 (horizontal:vertical), except where site-specific geologic and engineering analyses demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the approved end use, and when the proposed final slope can be successfully revegetated.
- e. At closure, all fill slopes, including permanent piles or dumps of mine waste and overburden, shall conform with the surrounding topography and/or approved end use.
- f. Cut slopes, including final high walls and quarry faces, shall have a minimum slope stability factor of safety that is suitable for the proposed end use and that conforms with the surrounding topography and/or approved end use.
- g. Permanent placement of piles or dumps of waste material, such as mining waste and overburden, shall not occur within wetlands unless mitigation accepted by the lead agency has been approved to offset wetland impacts and/or losses.

Revegetation.

Revegetation shall be part of the approved plan, unless it is not consistent with the approved end use.

- a. A vegetative cover suitable for the approved end use and capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer shall be established on disturbed lands unless an artificially maintained landscape is consistent with the approved reclamation plan. Vegetative cover-density and species-richness shall be, where appropriate, sufficient to stabilize the surface against effects of long-term erosion and shall be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover and species-richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of resource development activities.
- b. Test plots conducted simultaneously with resource development activities shall be required to determine the most appropriate planting procedures to be followed to ensure successful implementation of the proposed revegetation plan. The County may waive the requirement to conduct test plots when the success of the proposed revegetation plan can be documented from experience with similar species and conditions or by relying on competent professional advice based on experience with the species to be planted.
- c. Where resource development activities result in compaction of the soil, ripping, disking, or other means shall be used in areas to be revegetated to eliminate compaction and to establish a suitable root zone in preparation for planting.
- d. Prior to closure, all access roads, haul roads, and other traffic routes to be reclaimed shall be stripped of any remaining roadbase materials, prepared in

accordance with section g below, covered with suitable growth media or topsoil, and revegetated.

- e. Soil analysis shall be required to determine the presence or absence of elements essential for plant growth and to determine those soluble elements that may be toxic to plants, if the soil has been chemically altered or if the growth media consists of other than the native topsoil. If soil analysis suggests that fertility levels or soil constituents are inadequate to successfully implement the revegetation program, fertilizer or other soil amendments may be incorporated into the soil. When native plant materials are used, preference shall be given to slow-release fertilizers, including mineral and organic materials that mimic natural sources, and shall be added in amounts similar to those found in reference soils under natural vegetation of the type being reclaimed.
- f. Temporary access for exploration or other short-term uses on arid lands shall not disrupt the soil surface except where necessary to gain safe access. Barriers shall be installed when necessary to prevent unauthorized vehicular traffic from interfering with the reclamation of temporary access routes.
- g. Indigenous plant species shall be used for revegetation, except when introduced species are necessary to meet the end uses specified in the approved reclamation plan. Areas to be developed for industrial, commercial or residential uses shall be revegetated for the interim period, as necessary, to control erosion. In this circumstance, non-indigenous plant species may be used if they are not noxious weeds and if they are species known not to displace indigenous species in the area.
- h. Planting shall be conducted during the most favorable period of the year for plant establishment.
- i. Soil stabilizing practices shall be used where necessary to control erosion and for successful plant establishment. Irrigation may be used when necessary to establish vegetation.
- j. If irrigation is used, the operator must demonstrate that the vegetation has been self-sustaining without irrigation for up to five (5) years prior to release of the financial assurances by the County, unless an artificially maintained landscape is consistent with the end use.
- k. Weeds, as defined by the Soil Conservation Service, or the County Agricultural Commissioner, or the California Native Plant Society, shall be managed: 1) when they threaten the success of the proposed revegetation; and 2) to prevent spreading to nearby areas; and 3) to eliminate fire hazard.
- l. Protection measures, such as fencing of revegetated areas and/or the placement of cages over individual plants, shall be used in areas where grazing, trampling, herbivory, or other causes threaten the success of the proposed revegetation. Fencing shall be maintained until revegetation efforts are successfully completed and the County authorizes removal.
- m. Success of revegetation shall be judged based upon the effectiveness of the vegetation for the approved end use, and by comparing the quantified measures of vegetative cover, density, and species-richness of the reclaimed lands to similar parameters of naturally occurring vegetation in the area. Either baseline

data or data from nearby reference areas may be used as the standard for comparison. Quantitative standards for success and the location(s) of the reference area(s) shall be set forth in the approved reclamation plan. Comparisons shall be made until performance standards are met provided that, during the last two years, there has been no human intervention, including for example, irrigation, fertilization, or weeding. Standards for success shall be based on expected local recovery rates. Valid sampling techniques for measuring success shall be specified in the approved reclamation plan. Sample sizes must be sufficient to produce at least an 80 percent confidence level.

Drainage, Diversion Structures, Waterways, and Erosion Control.

- a. Reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act, Water Code Section 13000 et. seq., and the Federal Clean Water Act, 33 U.S.C. Section 1251 et. seq.
- b. The quality of water, recharge potential, and storage capacity of groundwater aquifers shall not be diminished, except as allowed in the approved reclamation plan.
- c. Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of an operation to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board, the State Water Resources Control Board, and the Mono County Grading Ordinance.
- d. Surface runoff and drainage shall be controlled by berms, silt fences, sediment ponds, revegetation, hay bales, or other erosion control measures, to ensure that surrounding land and water resources are protected from erosion, gulying, sedimentation, and contamination. Erosion control methods shall be designed to handle runoff from not less than the 20 year/1 hour intensity storm event.
- e. Where natural drainages are covered, restricted, rerouted or otherwise impacted, mitigating alternatives shall be proposed and specifically approved in the reclamation plan to assure that runoff shall not cause increased erosion or sedimentation.
- f. When stream diversions are required, they shall be constructed in accordance with:
 1. applicable stream and lake alteration agreements between the operator and the Department of Fish and Game; and
 2. the requirements of the Federal Clean Water Act, Sections 301 (33 U.S.C. Section 1311) and 404 (33 U.S.C. Section 1344) and/or section 10 of the Rivers and Harbors Act.
- g. When no longer needed to achieve the purpose for which they were authorized, all temporary stream channel diversions shall be removed and the affected land reclaimed.

Prime Agricultural Land Reclamation.

In addition to the standards for topsoil salvage, maintenance, and redistribution, the following standards shall apply to operations on prime agricultural lands where the approved end use is agriculture:

- a. Resource development activities which will operate on prime agricultural lands, as defined by the U.S. Soil Conservation Service, shall return all disturbed areas to a fertility level as specified in the approved reclamation plan.
- b. When distinct soil horizons are present, topsoil shall be salvaged and segregated by defined A, B, and C soil horizons. Upon reconstruction of the soil, the sequence of horizons shall have the A atop the B, the B atop the C, and the C atop graded overburden.
- c. Reclamation shall be deemed complete when productive capability of the affected land is equivalent to or exceeds, for two consecutive crop years, that of the pre-disturbance condition or similar crop production in the area. Productivity rates, based on reference areas described in the approved reclamation plan, shall be specified in the approved reclamation plan.
- d. Use of fertilizers or other soil amendments shall not cause contamination of surface or groundwater.

Other Agricultural Land.

The following standards shall apply to agricultural lands, other than prime agricultural lands, when the approved end use is agriculture.

- a. In addition to the standards for topsoil salvage, maintenance, and redistribution, non-prime agricultural lands shall be reclaimed so as to be capable of sustaining economically viable production of crops commonly grown in the surrounding areas.

Building, Structure, and Equipment Removal.

- a. All equipment, supplies, and other materials shall be stored in designated areas (as shown in the approved reclamation plan). All waste shall be disposed of in accordance with state and local health and safety ordinances.
- b. All buildings, structures, and equipment shall be dismantled and removed prior to final site closure except those buildings, structures, and equipment approved in the reclamation plan as necessary for the end use.

Stream Protection, Including Surface and Groundwater.

- a. Surface and groundwater shall be protected from siltation and pollutants which may diminish water quality as required by the Federal Clean Water Act, sections 301 et seq. (33 U.S.C. section 1311), 404 et seq. (33 U.S.C. section 1344), the Porter-Cologne Act, section 13000 et seq., the County Grading Ordinance, the Regional Water Quality Control Board or the State Water Resources Control Board.
- b. In-stream surface mining operations shall be conducted in compliance with Section 1603 of the California Fish and Game Code, section 404 of the Clean Water Act, and section 10 of the Rivers and Harbors Act.
- c. Surface mining activities in stream or river channels shall be regulated to control channel degradation in order to prevent undermining of bridge supports,

exposure of pipelines or other structures buried within the channel, loss of spawning habitat, lowering of groundwater levels, destruction of riparian vegetation, and increased stream bank erosion (exceptions may be specified in the approved reclamation plan). Changes in channel elevations and bank erosion shall be evaluated annually using records of annual extraction quantities and bench marked annual cross sections and/or sequential aerial photographs to determine appropriate extraction locations and rates.

- d. In accordance with requirements of the Department of Fish and Game, in-stream mining activities shall not cause fish to become entrapped in pools or in off-channel pits, nor shall they restrict spawning or migratory activities.

Topsoil Salvage, Maintenance, and Redistribution.

When the approved reclamation plan calls for revegetation or cultivation of disturbed lands, the following performance standards shall apply to topsoil salvage, maintenance, and redistribution activities:

- a. All salvageable topsoil suitable for revegetation shall be removed as a separate layer from areas to be disturbed. Topsoil and vegetation removal shall not precede development activities by more than one year, unless a longer time period is approved by the County.
- b. Topsoil resources shall be mapped prior to stripping and the location of topsoil stockpiles shall be shown on a map in the reclamation plan. If the amount of topsoil needed to cover all surfaces to be revegetated is not available on-site, other suitable material capable of sustaining vegetation (such as subsoil) shall be removed as a separate layer for use as a suitable growth media. Topsoil and suitable growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation purposes.
- c. Soil salvage operations and phases of reclamation shall be carried out in accordance with a schedule that: 1) is set forth in the approved reclamation plan; 2) minimizes the area disturbed; and 3) is designed to achieve maximum revegetation success allowable under the mining plan.
- d. Topsoil and suitable growth media shall be used to phase reclamation as soon as can be accommodated by the operations schedule presented in the approved reclamation plan. Topsoil and suitable growth media that cannot be utilized immediately for reclamation shall be stockpiled in an area where it will not be disturbed until needed for reclamation. Topsoil and suitable growth media stockpiles shall be clearly identified to distinguish them from waste dumps. Topsoil and suitable growth media stockpiles shall be planted with a vegetative cover or shall be protected by other equally effective measures to prevent water and wind erosion and to discourage weeds. Relocation of topsoil or suitable growth media stockpiles for purposes other than reclamation shall require prior written approval from the County.
- e. Topsoil and suitable growth media shall be redistributed in a manner that results in a stable, uniform thickness consistent with the approved end use, site configuration, and drainage patterns.

Tailing and Waste Management.

- a. State Water Resources Control Board mine waste disposal regulations in Article 7 of Chapter 15 of Title 23, California Code of Regulations, shall govern mine waste and tailings, and mine waste disposal units shall be reclaimed in conformance with this article.
- b. Geothermal drilling waste and cuttings shall be disposed of in a manner approved by the Lahontan Regional Water Quality Control Board.

Closure of Surface Openings.

- a. Except those used solely for blasting or those that will be mined through within one year, all drill holes, water wells, and monitoring wells shall be completed or abandoned in accordance with each of the following:
 1. Water Code Sections 13700 et. seq. and 13800 et. seq.;
 2. The applicable local ordinance adopted pursuant to Water Code Section 13803;
 3. The applicable Department of Water Resources report issued pursuant to Water Code Section 13800; and
 4. Subdivisions (1) and (2) of Section 2511 (g) of Chapter 15 of Title 23 regarding discharge of waste to land.
- b. Prior to closure, all portals, shafts, tunnels, or other surface openings to underground workings shall be gated or otherwise protected from public entry in order to eliminate any threat to public safety and to preserve access for wildlife habitat.
- c. All geothermal wells shall be completed or abandoned in accordance with the California Division of Oil and Gas if located on non-federal land or with the Bureau of Land Management if located on federal land.

35.060 Vested Surface Mining Operations.

- A. Reclamation Plan:
 1. Reclamation Plan: The reclamation plan required pursuant to this chapter shall apply to "vested" surface mining operations conducted after January 1, 1976.
 - a. Where a person with a "vested" right has continued surface mining operations in the same area subsequent to January 1, 1976, he shall obtain approval of a reclamation plan, in conformance with applicable provisions of this chapter, covering the mined lands disturbed by such subsequent surface mining operations. In those cases where an overlap exists (in the horizontal or vertical sense) between pre and post January 1, 1976, surface mining operations, the reclamation plan shall call for reclamation proportional to that disturbance caused by the surface mining operation after January 1, 1976.

35.070 Idle Mine Status.

- A. Interim management plan:

1. Filing: Unless specified in the use permit, within 90 days of a surface mining operation becoming idle, the operator shall submit to the Planning Department for review and approval, an "interim management plan." The interim management plan shall describe, in detail, measures the operator will implement to maintain the site in compliance with conditions specified in the use permit and with standards specified in the approved reclamation plan.
2. Term of plan: The interim management plan may remain in effect for a period not to exceed five (5) years, at which time the County shall do one of the following:
 - a. Renew the interim management plan for an additional period not to exceed five (5) years, provided the County finds that the operator has complied fully with the interim management plan; or,
 - b. Require the operator to commence reclamation in accordance with the approved reclamation plan.
3. Financial assurances: Financial assurances required by this chapter shall remain in effect during the period the operation is idle.
4. Interim management plan approval: The receipt of an interim management plan shall be considered and processed as an amendment to the approved reclamation plan in accordance with applicable provisions of this chapter. As specified in SMARA, the review and approval of an interim management plan for a surface mining operation shall not be considered a project under CEQA.
5. The operator of a resource development activity which has been abandoned for a period of more than twelve (12) months shall be subject to revocation of the approved use permit and be required to commence reclamation in accordance with the approved plan.

35.080 Annual Inspections.

A. Inspections:

1. Inspections Required: Resource development activities shall comply with the following inspection and reporting requirements:
 - a. The operator shall file a request for annual inspection with the County Compliance Officer at least once in each calendar year. Requests for annual inspections shall be accompanied by the appropriate filing fee and, for surface mining operations, shall coincide with the dates for annual SMARA inspections. All such requests shall include a written report prepared by a qualified registered professional which identifies to what extent the reclamation at the site conforms or deviates from the approved reclamation plan.
 - b. The Compliance Officer shall inspect or cause to be inspected the site within thirty (30) working days of receipt of the written report, filing fee, and application for inspection. Unless otherwise agreed, failure to inspect within thirty (30) working days shall be deemed acceptance of

the report and a finding that the resource development operation is in compliance with the reclamation plan.

35.090 Administration.

A. Appeals:

Appeals of any decision pertaining to reclamation plans may be made in conformance with the provisions of Chapter 19.42 of the land development regulations.

B. Fees:

Fees required in conjunction with the provisions of this chapter shall be established from time to time by the Board of Supervisors.

C. Public Records and Proprietary Information:

Public record: Reclamation plan submittals, interim management plans and other documents submitted in support of this chapter are public records unless it is demonstrated to the satisfaction of the County that the release of such information, or part thereof, would reveal reserves, production, or rates of depletion entitled to protection as proprietary information. The operator shall identify such proprietary information as a separate part of the application, and such proprietary information shall be made available only to persons authorized in writing by the operator to receive such proprietary information, and for surface mining operations to the State Geologist.

D. Successor in Interest:

Whenever any resource development activity or portion of such an operation is sold, assigned, conveyed, ex-changed, or otherwise transferred, whether voluntarily or by operation of law, the original permittee as well as each successor in interest shall be bound by the provisions of any reclamation plan approved pursuant to the provision of this chapter, provided, however, that the original permittee or any successor in interest may be relieved from all liability for completing the reclamation by action of the Board of Supervisors if, after application to the Board, it is determined that the current owner has posted adequate security to ensure completion of all remaining reclamation.

35.100 Surety Requirements.

A. Surety:

1. Surety Required: The operator or person responsible for the reclamation plan submittal shall be required to execute an agreement and to provide adequate and acceptable surety, made payable to the County and (for surface mining operations) the State Geologist, guaranteeing compliance with the approved reclamation plan. This requirement shall be satisfied prior to commencing any on-site resource development activity and liability shall continue until all reclamation work required by the reclamation plan has been concluded and accepted by the County.
2. Continued liability: In addition, the operator or person responsible for final reclamation shall have a continued liability to guarantee the continued viability of the reclamation effort not to exceed five (5) growing seasons following the conclusion and acceptance of reclamation by the County. This liability shall begin anew whenever reclamation efforts fail to meet the reclamation plan performance standards and additional reclamation is

required. The minimum security to be retained to guarantee the continued viability of the reclamation effort shall be as follows:

- a. If the security guarantees the cost of all reclamation, ten percent (10%) of the aggregate cost of all reclamation; or
 - b. If the security was posted in conformance with a phased reclamation program any other method acceptable to the County that ensures the continued viability of the reclamation effort.
3. Insurance: The operator shall maintain, to the satisfaction of the County and for the life of the reclamation plan, liability insurance of not less than \$500,000 for one person and \$1,000,000 for all persons and \$2,000,000 for property damage, or other amounts adopted by the Board of Supervisors. This requirement would not preclude the operator from being self-insured.
 4. Form of Surety: The security required in conformance with the provisions of this chapter shall be made payable to the County and, in the case of surface mining operations, the State Geologist; shall be subject to review and approval by the County; and shall be in the form of one the following:
 - a. Surety Bonds,
 - b. Irrevocable Letters of Credit,
 - c. Trust Funds,
 - d. For surface mining operations, other forms of financial assurance as may be specified by the State Board of Mines and Geology.
 5. Surety Adjustments: The amount of financial assurances required by this chapter may be adjusted annually by the County in consideration of information provided in the annual report. Adjustments shall take into consideration, but not be limited to, new lands disturbed, inflation, prior compliance, and reclamation accomplished in accordance with the approved plan.
 6. Prior surety approvals: If a surface mining operation and/or reclamation plan has received approval of its financial assurances prior to January 1, 1991, from a public/federal agency other than Mono County, the County shall deem those financial assurances adequate for the purposes of this chapter, or shall credit them toward fulfillment of financial assurances required by this chapter.

B. Release of Surety:

1. Acceptance: The operator shall file a request for final inspection with the County Compliance Officer, accompanied by the appropriate filing fee. No reclamation or phase of reclamation shall be deemed accepted until the work has been inspected and approved and a certificate of acceptance has been executed by the County Compliance Officer and filed with the Board of Supervisors and, for surface mining operations, the State Geologist.
2. Inspection: Within sixty (60) days after the County Compliance Officer has received a request for final inspection for completion of reclamation, or any phase of reclamation; the County Compliance Officer shall inspect, or cause to be inspected, the subject area. The County Compliance Officer shall then

file the certificate of acceptance or shall notify the operator, in writing, of any items that are found to be inconsistent with the approved reclamation plan.

3. Release of Bond: Thirty (30) days after the County Compliance Officer files the certificate of acceptance with the Board of Supervisors, unless otherwise directed by the Board of Supervisors, the County shall release the surety.

35.110 Enforcement.

A. Enforcement:

The provisions of this chapter shall be enforced by the Energy Management Department, the County Planning Department, and/or the County Compliance Officer or such other persons as may be designated by the Board of Supervisors. Enforcement of the provisions contained in this chapter shall be in accordance with applicable provisions of the Mono County Code.

B. Right of Entry:

Whenever it becomes necessary to inspect resource development activities as provided in this chapter or to investigate complaints associated with resource development activities or to monitor conditions of approval as may be imposed on resource development activities, reasonable access to the project site shall be afforded by the operator in conformance with Chapter 1.08 of the Mono County Code. Authorized representatives of the County, upon presentation of appropriate credentials, shall have access to the site without advance notice.

CHAPTER 36

PROCESSING-SPECIFIC PLANS

Sections:

36.010	Intent.
36.020	Definitions.
36.030	Contents.
36.040	Environmental review requirements.
36.050	Land projects.
36.060	Amendments.

36.010 Intent.

Specific plans are intended to function as an implementation device for General Plans, and as a standard-setting mechanism for detailed land use, subdivisions, and use permits. Therefore, when it is determined that a Specific Plan is needed, County action on the Specific Plan will precede land use changes, subdivisions, or other related actions affecting the same property. Once adopted, a Specific Plan can be used to expedite other matters.

36.020 Definition.

A "Specific Plan" shall include "all detailed regulations, conditions, programs and proposed legislation" (Gov. Code Section 65451) regarding:

1. The location of and standards for land uses and facilities;
2. The location of and standards for streets, roads, and transportation facilities;
3. Standards for population density and building intensity and provisions for supporting services;
4. Standards for the conservation, development, and use of natural resources;
5. Provisions for implementing the open space element.

A specific plan must be consistent with this general plan, and once adopted, can be used in lieu of other land development regulations, and shall effect the approval of subdivisions and capital facilities.

While the specific plan is normally optional, the Subdivision Map Act requires the adoption of a specific plan prior to approval of a land project which would place a residential subdivision of a 50 or more parcels in a sparsely populated area (see definition of "Land Project," contained in Title 17, Mono County Code).

36.030 Contents.

A specific plan must contain measures to implement all the policies required in the pertinent general plan, and may contain measures to implement policies in optional elements. It must also show existing and proposed land uses by parcel.

A specific plan includes:

1. A written text describing the proposed project, standards for its development, and an analysis of its relationship to each element of the County General Plan and any area general plan adopted for the area;
2. Mapped information clearly showing the pertinent features of the proposed development, as well as, conditions on and around the site affecting the overall design of the project.

36.040 Environmental review.

Adoption or amendment of a specific plan constitutes a project under the California Environmental Quality Act (CEQA) and the State Environmental Impact Report (EIR) guidelines. If the initial study shows that the proposed or amended specific plan could significantly affect the environment, the jurisdiction must prepare an EIR and submit it in draft form for public review. Although the need for an EIR will be determined on a case-by-case basis, EIRs are usually required because of the detailed development patterns and complex potential effects associated with a specific plan or major amendment.

A specific plan and an EIR on a specific plan overlap extensively; they must address many of the same concerns and the process for preparing them is nearly identical. Thus, environmental assessment should be an integral part of preparing or revising a specific plan.

When residential subdivisions and land use designation changes are consistent with the specific plan, permit processing can be speeded up since another EIR is not necessary as long as the specific plan EIR was certified after January 1, 1980 (Gov. Code Section 65453(b)). It will, however, be necessary to complete a supplemental EIR if, after adoption of the Specific Plan:

1. Substantial changes are proposed in the project;
2. Substantial changes occur in the reasons why a project is being undertaken; or,
3. New information on the project becomes available.

36.050 Land projects.

As described under the specific plan definition, land projects require submittal of a specific plan before approval. Because many land projects are located in remote areas lacking public services, they are often speculative ventures. They may only involve one developer and are intended primarily for residential use. Consequently, particular attention shall be paid to the relationship of the land project to the surrounding area and the need for new community facilities.

A specific plan must include (in addition to those listed under 36.030 "Contents"), that land projects close to one another be considered jointly under a single plan so that cumulative effects can be assessed.

36.060 Amendments.

Amendments to a specific plan can be handled through the Director Review process if no change in density results and no change in conditions are necessary. All other amendments shall follow the procedures in Chapter 48, Amendments.

CHAPTER 38

PROCESSING-DEVELOPMENT AGREEMENTS

Sections:

38.010	Intent.
38.020	Forms and fees.
38.030	Qualification as an applicant.
38.040	Review and application.
38.050	Transmittal to Planning Commission.
38.060	Planning Commission report.
38.070	Decision by Board of Supervisors.
38.080	Approval of development agreements.
38.090	Required notice.
38.100	Irregularity of proceedings.
38.110	Amendment and cancellation of agreement by mutual consent.
38.120	Recordation.
38.130	Periodic review.
38.140	Procedure for periodic review.
38.150	Proceedings upon modification or termination.
38.160	Hearing on modification or termination.

38.010 Intent.

The intent of this chapter is to provide both the applicant, as well as affected public entities, with an alternative mechanism to guarantee required public improvements and/or amenities associated with the approval of any project.

38.020 Forms and fees.

There are no separate application forms for development agreements; the application form used for the project requiring the development agreement will be utilized. There will be an additional fee attached to the processing of development agreements. A current fee schedule is available with the application forms. This fee shall reflect the actual cost of processing such agreement.

Each application shall be accompanied by the form of development agreement proposed by the applicant. The Board of Supervisors may adopt by resolution a standard form of development agreement. The applicant may choose to use the standard form and include specific proposals for changes in or additions to the language of the standard form. The proposed agreement shall contain all the elements required by Government Code Sections 65864 through 65869.5.

38.030 Qualification as an applicant.

Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person who has legal or equitable interest in the real property which is the subject of the development agreement. Applicant includes authorized agent. The Planning Director may require an applicant to submit proof of his interest in the real property and of the authority of the agent to act for the

applicant. Before processing the application, the Planning Director shall obtain the opinion of the County Counsel as to the sufficiency of the applicant's interest in the real property to enter into the agreement.

38.040 Review of application.

The Planning Director shall enter on the application the date it is received. He/she shall review the application and may reject it if it is incomplete or inaccurate for processing. If he/she finds that the application is complete, he/she shall accept it for filing. The Director shall review the application and determine the additional requirements necessary to complete the agreement. After receiving the required information, he/she shall prepare a staff report to the Planning Commission with a recommendation and shall state whether or not the agreement proposed or in an amended form would be consistent with this general plan and any applicable specific plan.

38.050 Transmittal to Planning Commission.

The Director shall transmit the application to the Commission for a public hearing when all the necessary reports and recommendations are completed. Notice of the public hearing shall be given as provided in Chapter 46, Noticing Requirements. The application for a development agreement may be considered concurrently with, but not before, other discretionary permits for the project.

38.060 Planning Commission report.

After a public hearing, the Commission shall consider the application and prepare a report and recommendation for the Board of Supervisors. The report and reasons for the recommendation shall include findings on the matters stated in Section 38.070. This report and the reasons for the recommendation shall be forwarded to the Board Clerk who shall set the matter for public hearing before the Board of Supervisors.

38.070 Decision by Board of Supervisors.

- A. After the Board of Supervisors completes the public hearing, it may approve, modify or disapprove the development agreement. It may refer matters not previously considered by the Commission during its hearing back to the Commission for report and recommendation if new information comes to light at the Board hearing.
- B. Board of Supervisors shall not approve the development agreement unless it finds that the agreement contains all of the following:
 1. Is consistent with the objectives, policies, general land uses and programs specified in this general plan and any applicable specific plan;
 2. Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;
 3. Is in conformity with public convenience, general welfare and good land use practices;
 4. Will not be detrimental to the health, safety and general welfare;

5. Will not adversely affect the orderly development of property or the preservation of property values;
6. Is consistent with the provisions of Government Code Sections 65864 through 65869.5.

38.080 Approval of development agreements.

If the Board of Supervisors approves the development agreement, it shall adopt an ordinance approving the agreement and directing the Board Chairman to execute the agreement on behalf of the County after the effective date of the ordinance.

38.090 Required notice.

- A. Notice of public hearing required by this chapter shall be given as provided in Chapter 46, Noticing Requirements.
- B. The notice requirements referred to in subsection A is declaratory of existing law (Government Code Sections 65867, 65864, 65864.5 and 65856). If state law prescribes a different notice requirement, notice shall be given in that manner.

38.100 Irregularity of proceedings.

No action, inaction or recommendation regarding the proposed development agreement shall be held void or invalid or be set aside by a court by reason of an error, irregularity, informality, neglect or omission as to any matter pertaining to petition, application, notice, finding, record, hearing, report, recommendation, or any matters of procedure whatever unless after an examination of the entire case, including the evidence, the court is of the opinion that the error complained of was prejudicial and that by reason of the error the complaining party sustained and suffered substantial injury, and that a different result would have been probable if the error had not occurred or existed. There is no presumption that error is prejudicial or that injury was done if error is shown.

38.110 Amendment and cancellation of agreement by mutual consent.

Either party may propose an amendment to or cancellation in whole or in part of the development agreement previously entered into. The amendment or cancellation permitted by this section must be by mutual consent of the parties.

The procedure for proposing and adoption of an amendment to, or cancellation in whole or in part, of the development agreement is the same as the procedure for entering into an agreement in the first instance. However, where the County initiates the proposed amendment to or cancellation in whole or in part of the development agreement, it shall first give notice to the property owner of its intention to initiate such proceedings at least thirty (30) days in advance of public notice of the hearing to consider the amendment or cancellation.

38.120 Recordation.

Within ten (10) days after the County enters into the development agreement, the Board Clerk shall have the agreement recorded with the County recorder.

If the parties to the agreement or their successors in interest amend or cancel the agreement as provided in Government Code Section 65868, or if the County terminates or modifies the agreement as provided in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of the agreement, the board clerk shall have notice of such action recorded with the County recorder.

38.130 Periodic review.

- A. The Director shall review the development agreement every twelve (12) months from the date the agreement is entered into.
- B. The time for review may be shortened either by agreement between the parties, or by initiation in one or more of the following ways:
 1. Recommendation of the Director;
 2. Resolution of intention by the Commission;
 3. Resolution of intention of the Board of Supervisors.
- C. The Director shall begin the review proceeding by giving written notice that he/she intends to undertake a periodic review of the development agreement to the property owner. He/she shall give the notice at least ten (10) days in advance of the time at which the matter will be considered by the Department.

38.140 Procedure for periodic review.

- A. The Director, or the Commission if the matter has been referred, shall conduct a public review hearing at which time the property owner must demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue is upon the property owner.
- B. The Director shall determine upon the basis of substantial evidence whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the agreement.
- C. If the Director finds and determines on the basis of substantial evidence that the property owner has complied in good faith with the terms and conditions of the agreement during the period under review, the review for that period is concluded.
- D. If the Director finds and determines on the basis of substantial evidence that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the Director may initiate proceedings to modify or terminate the agreement.

38.150 Proceedings upon modification or termination.

If, upon a finding under Section 38.140(D), the Director determines to proceed with modification or termination of the agreement, the Director shall give notice to the property owner of his/her intention to do so. The notice shall contain:

1. The time and place of the hearing;
2. A statement as to whether or not the Director proposes to terminate or to modify the development agreement;

3. Other information which the Director considers necessary to inform the property owner of the nature of the proceeding.

38.160 Hearing on modification or termination.

At the time and place set for the hearing on modification or termination, the property owner shall be given an opportunity to be heard. The Board of Supervisors may refer the matter back to the Planning Commission for further proceedings or for report and recommendation. The Board of Supervisors may impose those conditions it considers necessary to the action it takes to protect the interests of the Department. The decision of the Board of Supervisors is final.

CHAPTER 39

PROCESSING-TIME-SHARE PROJECTS

Sections:

39.010	Designations in which permitted.
39.020	Application for time-share project approval.
39.030	Time-share conditional use permit.
39.040	Transient occupancy tax applicable.

39.010 Designations in which permitted.

A time-share project shall be permissible, subject to a use permit, only in such land use designations in which commercial transient rental operations would otherwise be permitted. The land use designations in which time-share projects are permissible are the MFR-H and commercial districts. Time-share projects shall also be permitted in the SP district only if such project is shown or described as a time-share on the original approved specific plan.

39.020 Application for time-share project approval.

The applicant for approval of a proposed time-share project shall submit a completed application for a use permit, in addition to any other applications or forms that may be necessary in the particular case. The applicant shall accompany such application with the following documentation and information:

- A. Identification by name of the time-sharing project and street address where the time-share project is situated, including the legal description;
- B. Any restrictions on the use, occupancy, alteration or alienation of time-share estates or uses, contained in conditions, covenants and restrictions or elsewhere;
- C. Any other matters the time-share developer or the County deems reasonably necessary to consider the project, including the required environmental documents.

39.030 Time-share conditional use permit.

In addition to the use permit requirements set forth in Chapter 32 the following shall apply:

- A. In the event an existing condominium project is proposed to be converted to a whole or partial time-share project, evidence must be submitted showing that at least sixty- six and two-thirds percent (66 2/3%) of the current condominium owners consent to the proposed conversion. Also in such instances, there shall be submitted a verified statement of the number and percentage of owners who have received notification, either personally (proof by signature of the recipient or witness) or by receipted certified U.S. Mail, that application to so convert the project would be submitted to the Commission.

- B. The Commission may impose such conditions as it determines are necessary to protect the public safety, health, peace and welfare. Each conditional use permit shall be issued with a condition attached that no time-share rights or entitlements shall be issued by the Department of Real Estate of the State of California. In determining whether, and under what conditions, to issue any such conditional use permit, the Commission, among other things, may consider:
1. The impact of the time-sharing project on transient or permanent rental stock;
 2. The fiscal impact of the time-sharing project upon the entire range of all services provided to the public upon the County, and reasonable conditions to be imposed by the Commission to mitigate same, including but not limited to the payment of mitigation fees;
 3. The fiscal impact of the time-sharing project upon the various departments of County government in respect to staff time, paperwork and related costs created by the time-sharing project, said County departments to include, but not limited to Assessor, Auditor/Controller, Board of Supervisors, Building, Clerk/Recorder, Planning, Public Works, and Treasurer/Tax Collector. There shall be adopted by the Board of Supervisors by resolution on an annual basis the fee schedule to cover the actual costs to the County in respect to said time-sharing projects;
 4. Nonconformity with current land development regulations and this general plan, and reasonable conditions to eliminate same;
 5. Nonconformity with existing uniform building and fire codes and reasonable conditions to eliminate same;
 6. The sign program proposed for the project;
 7. The landscaping proposed for the project;
 8. Traffic circulation and parking;
 9. The applicant's description of the methods proposed to be employed to guarantee the future adequacy, stability and continuity of a satisfactory level of management and maintenance of the time-share project;
 10. The desirability of requiring an office of the managing agent or agency be located locally or on-site, as appropriate;
 11. Consistency with the design standards duly adopted by any design review district under the authority of Chapter 9;
 12. With respect to time-share projects involving time-share estates, the time-share developer shall designate an agent to accept service on behalf of all time-share owners of legal notices and secured real property tax bills;
 13. Any other factors deemed relevant and any other information which the Commission or the applicant considers necessary or desirable to an appropriate and proper consideration of the application.

39.040 Transient occupancy tax applicable.

All time-share projects shall be subject to the provisions of the transient occupancy tax as set forth in Chapter 3.28 of the Mono County Code.

CHAPTER 40

**PROCESSING—CONVERSION OF EXISTING RESIDENTIAL
FACILITIES TO OTHER USES**

Sections:

40.010	Intent.
40.020	Requirements generally.
40.030	Conversion standards.

40.010 Intent.

It is the intent of this chapter to protect the dwindling rental housing and mobile-home space supply by regulating the conversions of existing residential facilities and mobile-home park spaces to other uses including the conversion to no use or cessation of use as residential facilities.

40.020 Requirements generally.

No existing residential facilities, or mobile-home spaces in a mobile-home park, shall be converted to any other use, including no use or cessation of existing use, without first having secured a use permit. This use permit shall be required in addition to any other required permits or approvals including tract map approval.

40.030 Conversion standards.

- A. Application for use permit to convert an existing residential facility or mobile-home park to another use shall be accompanied by a conversion impact report setting forth the impacts of the proposed conversion upon (1) displaced residents of the residential facility or mobile-home park to be converted, (2) preservation of affordable housing, and (3) recommendations of measures to mitigate identified impacts. In determining the impact of the conversion on displaced residents, the report shall address the availability of adequate replacement of rental units or spaces in mobile-home parks.
- B. The applicant proposing such change shall make a copy of the report available to each resident of the existing residential facility or mobile-home park at least fifteen (15) days prior to the hearing on the impact report and use permit by the Commission. Any associated tentative and final tract map will require additional noticing as per the Subdivision Map Act.
- C. The Planning Commission may require, as a condition of such change, the applicant to take steps to mitigate any adverse impacts of the conversion on the ability of displaced residents to find adequate housing or space in a mobile-home park.
- D. Failure of the applicant to mitigate any adverse impacts of the conversion on displaced residents shall be deemed grounds for denial; if adequate mitigation measures are undertaken, the application, as far as the conversion is concerned, shall be approved.

CHAPTER 46

PROCEDURES–NOTICING REQUIREMENTS

Sections:

46.010	Cause for notice.
46.020	Notice requirements.
46.030	Notice contents.
46.040	Notice definitions.

46.010 Cause for notice.

Upon receipt of a request for a land use decision which utilizes a public hearing or director review with notice, the Department shall cause notice to be given.

46.020 Notice requirements.

- A. Notice shall be published once in a newspaper of general circulation for the following land use decisions:
 1. Subdivisions (refer to Title 17, Mono County Code, for specific processing requirements).
 2. Land use designation amendments.
 3. General plan amendments.
 4. Amendments to the text of the General Plan, Area Plans, Land Development Regulations, or Specific Plans.
 5. Use permits.
 6. Variances.
- B. Notice shall be given by first class mail to any person who has filed a written request.
- C. Notice shall be given by first class mail or delivery to all surrounding property owners for land use decisions utilizing Public hearing procedures.
- D. Notice shall be given by first class mail or delivery to all contiguous property owners for land use decisions utilizing Planning Director Review with Notice procedures.
- E. An eighth page advertisement in a newspaper of general circulation may be substituted for individual property owner notice whenever the individual notice would require notification of one thousand (1,000) or more property owners. This alternative is often applicable to large general plan or land use redesignations.

F. Notice shall be given to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected.

G. Notice shall be given in such other manner as is deemed necessary or desirable.

46.030 Notice Contents.

Notice of Public Hearing shall contain the time and place of the hearing, a general description of the request, the location of the site, and any additional information the Director may deem appropriate.

Notice of Director Review shall contain the same information as that for Public Hearing except that the date of the Director decision shall be substituted for time and place of the hearing.

Errors in the giving of notice or of the failure of any person to receive notice shall not invalidate the proceeding.

46.040 Notice Definitions.

- A. "Surrounding property," for the purposes of this general plan, shall be defined as those properties that fall within a 300 foot radius drawn from the nearest limits of the parcel that is subject of the land use application. If a property is located more than three hundred (300) feet from the boundary of the parcel, but will be directly affected by any land use application on the subject parcel, then that property owner should also be noticed. Further, any property owner, regardless of their location or proximity to the parcel subject to a land use application, may receive notice as long as they submit their request in writing to the Planning Department more than ten (10) days in advance of the hearing. Such notice shall be given to those properties at least ten (10) days in advance of the hearing by mail to all persons whose names and addresses appear on the latest adopted tax roll of the County.
- B. "Contiguous property," for the purposes of this general plan, shall be the same as that found in definitions, Chapter 02. Such notice shall be given to these properties at least ten (10) days before the Director decision by mail to all persons whose names and addresses appear on the latest adopted tax roll of the County.

CHAPTER 47**PROCEDURES-APPEALS****Sections:**

47.010	General provisions.
47.020	Procedures & fees.
47.030	Public notice of appeal.
47.040	Appeal hearing.
47.050	Action of appeal.
47.060	Withdrawal of appeal.
47.070	Reinitiation of project.
47.080	Finality of appeal.

47.010 General provisions.

Appeals of any action of the Planning Department or Planning Commission shall be made in accordance with this chapter. The taking of any appeal stays proceedings in the matter appealed until a decision is rendered on the appeal.

47.020 Procedures & fees.

Appeals shall be filed in the manner specified below and shall be accompanied by the appropriate filing fee set by the Board of Supervisors:

- A. **Planning Department Determinations.** Appeals of a Planning Department determination or interpretation of the provisions of this general plan, including consistency with the Land Use Element, shall be made by filing a written notice of appeal with the Secretary of the Planning Commission within fifteen (15) calendar days following the Department's action.
- B. **Planning Commission Determinations.** Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal with the Planning Director within fifteen (15) calendar days following the Commission action. The Director will determine if the notice is timely and if so, will transmit it to the Clerk to the Board of Supervisors to be set for public hearing as specified in Section 47.030.

47.030 Public Notice of appeal.

Within thirty (30) days of the acceptance of a Notice of Appeal, the Planning Director, in the case of appeals of a Planning Department determination, or Clerk to the Board of Supervisors, in the case of a Planning Commission determination, shall set the matter for hearing and shall give notice of the date, time and place of the hearing to the appellant, the applicant, and to any other party who has requested in writing to be so notified. All appeals shall be scheduled for hearing within sixty (60) days of the date of filing the appeal.

47.040 Appeal hearing.

In hearing any such appeal, the appeal body (Planning Commission or Board of Supervisors) may affirm, affirm in part, or reverse the previous determination which 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.

The hearing may be continued from time to time by the appeal body.

47.050 Action on appeal.

Within sixty (60) days of the filing of a notice of appeal, the appeal body shall hear the appeal and render its decision on the matter. Unless continued, failure to render a decision on the matter within sixty (60) days shall be deemed to be a denial of the appeal and an affirmation of the decision from which appealed.

47.060 Withdrawal of appeal.

Any person who files an appeal of any decision rendered under any of the procedures included in the chapter may withdraw that appeal in accordance with the following:

- A. All withdrawals shall be in writing and signed by all persons who signed the appeal.
- B. Any appeal may be withdrawn by the appellant prior to the giving of the Notice of Hearing on appeal with the consent of the Director, who shall have the discretion to withhold such consent if he/she is of the opinion that such withdrawal might act to deprive other interested persons of an opportunity to oppose the action appealed from.

Any withdrawal effectively made pursuant to the above rules shall be an abandonment of the appeal and the decision appealed from shall be reinstated as though no appeal had been made.

47.070 Reinitiation of project.

No matter appealed from and denied/disapproved by the Board of Supervisors or Planning Commission may be reconsidered for a period of one (1) year from the date of final action unless such action was specifically stated to be without prejudice.

47.080 Finality of appeal.

The appeal of any decision of the Board of Supervisors, pursuant to the provisions of this chapter, constitutes the administrative appeal and remedy procedure for all land use decisions of the County. The decision of the appeal body, pursuant to 47.050, shall be final for all purposes unless any interested party commences judicial action of the same within ninety (90) days of the date of the notice of decision and the legislative body is served within one hundred and twenty (120) days after the date of decision. Failure to make timely utilization of the administrative remedies of this chapter and the exhaustion of same shall bar further review.

CHAPTER 48

PROCEDURES-AMENDMENTS

- I. General Plan Map/Land Use Designation
- II. Text Amendments
 - General Policies,
 - Land Development Regulations,
 - Land Use Designations

Sections:

- I. GENERAL PLAN MAP/LAND USE DESIGNATION AMENDMENTS
 - 48.010 Initiation.
 - 48.020 Planning Commission action.
 - 48.030 Board action.
 - 48.040 Covenants.
 - 48.050 Reinitiation.
- II. TEXT AMENDMENTS-GENERAL PLAN POLICIES, LAND DEVELOPMENT REGULATIONS
 - 48.060 Initiation.
 - 48.070 Planning Commission action.
 - 48.080 Board action.
 - 48.090 Reinitiation.

I. GENERAL PLAN MAP/LAND USE DESIGNATION AMENDMENTS

48.010 Initiation.

The provisions of this section, or portion thereof, to the extent that the same may be referred to in any specific procedure, shall govern in the initiation of proceedings. Initiation may be by:

1. The adoption of a resolution of initiation by the Board of Supervisors;
2. The adoption of a resolution of initiation by the Commission;
3. Filing with the Director an application signed by one (1) or more of the record owners of the parcel of property which is the subject of the application or by an agent of the owner, authorized in writing, or by a public utility company or other agency with the powers of eminent domain. In the event that more than one (1) parcel is submitted for district amendment, owners of parcels representing at least sixty percent (60%) of the area involved must sign the application. The names of all record owners of all land involved must be stated. A petition for amendment shall be on a form designated by the Commission, and shall be accompanied by the required application, environmental forms, and fee. In addition, the applicant shall also be assured that the proposed district amendment is consistent with this general plan before his application is deemed accepted.

48.020 Planning Commission action.

Decisions to change the classification of land from one adopted land use designation to another shall be the subject of a public hearing and noticed according to the requirements of Chapter 46, Noticing Requirements. The application shall be heard first before the Commission.

Prior to taking an action to approve or recommend approval of a change in district designation classification, the Commission shall find as follows:

1. The proposed change in land use designation is consistent with the text and maps of this General Plan.
2. The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.
3. The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation.
4. The proposed change in land use designation is reasonable and beneficial at this time.
5. The proposed change in land use designation will not have a substantial adverse effect on surrounding properties.

The Commission recommendation shall then be acted upon by the Board, excepting, however, that a recommendation for denial shall terminate any application for a change in land district classification unless it is appealed in accordance with the provisions of Chapter 47, Appeals. Excepting, however, an application for a change in land use designation, when accompanied by a land use application that requires an action by the Board of Supervisors, shall be referred without appeal to the Board of Supervisors.

48.030 Board action.

The Board of Supervisors shall act on the recommendation for the land use redesignation from the Commission at a public hearing noticed according to the requirements of Chapter 46, Noticing Requirements.

The Board may approve, modify or disapprove the recommendation of the Commission. If new information regarding the application is presented at the Board hearing which may have influenced the Commission recommendation, the Board may refer it back to the Commission for report and recommendation before taking action, but the Commission shall not be required to hold a public hearing thereon.

The action of the Board shall be the final administrative action.

48.040 Covenants.

Whenever performance of any condition or accomplishment of any development is required by the grant of a special permit or in connection with the redesignation of property, and the performance or accomplishment is to occur at or after a specified time, the Director may require the record owner of the land involved to execute a covenant running with the land in a form approved by the County Counsel, which shall contain the requirements imposed and it shall be recorded in the office of the County Recorder. The Director may issue releases from such covenants when they are no

longer applicable (snow storage and joint parking agreements are common applications of this provision).

48.050 Reinitiation.

No matter initiated pursuant to Section 48.010C (Initiation), may be reinitiated for a period of one year from the date of final action denying or disapproving such matter, unless such action was specifically stated to be without prejudice.

II. TEXT AMENDMENTS—GENERAL PLAN POLICIES, LAND DEVELOPMENT REGULATIONS

48.060 Initiation.

1. Amendments to the text of the General Plan or the Land Development Regulations may be initiated by:
 - a. The adoption of a resolution of initiation by the Board of Supervisors;
 - b. The adoption of a resolution of initiation by the Commission.
2. General plan text amendments may be initiated by either a) or b) delineated in 1. above except that the processing of amendments to the text of this general plan are limited by state law to four (4) cycles per year, unless the amendment will qualify as an affordable housing project. There is also a one year moratorium on general plan amendments following the adoption of a newly prepared plan.

48.070 Planning Commission action.

Action to change the text of the Land Development Regulations, or the text of any area plan or countywide general plan element, shall be the subject of a public hearing and noticed according to the requirements of Chapter 46.020, Noticing Requirements.

After the hearing, the Commission shall render its decision in the form of a written recommendation to the Board. If it is a land development regulation amendment, the recommendation for approval shall include a finding that the proposed change to the text is consistent with this General Plan as well as any applicable area plans. Prior to making a recommendation to amend an area plan, the Commission shall find that the proposed adoption or amendment is consistent with the countywide general plan.

A land development text amendment which imposes any regulation listed in Government Code Section 65860 (Adoption of Regulations), not theretofore imposed; or removes or modifies any such regulations theretofore imposed, shall be adopted as provided in this section.

48.080 Board action.

The Board of Supervisors shall act on the recommendation for the text amendment from the Commission at a public hearing and noticed according to the requirements of Chapter 46.020, Noticing Requirements.

The Board may approve, modify or disapprove the recommendation of the Commission. If new information regarding the application is presented at the Board hearing which

may have influenced the Commission recommendation, the Board may refer it back to the Commission for report and recommendation before taking action, but the Commission shall not be required to hold a public hearing thereon.

The action of the Board shall be the final administrative action.

48.090 Reinitiation.

No matter indicated pursuant to Section 48.060(2) can be reinitiated for a period of one (1) year, unless Board action was specifically stated to be without prejudice.

CHAPTER 49

PROCEDURES-ENFORCEMENT

Sections:

49.010	Interpretation-Generally.
49.020	Enforcement-Duties.
49.030	Enforcement procedures.

49.010 Interpretation-Generally.

Except as specifically provided herein, the land use designations and the land development regulations shall not be interpreted to repeal, abrogate, annul or in any way affect any existing provision of law or ordinance, or regulations or permits previously adopted or issued relating to the erection, construction, moving, alteration or the enlargement of any building or improvement. Except that where the Land Use Element of this General Plan imposes greater restrictions than is imposed or required by an existing law, ordinance or regulation; the provisions of this General Plan shall control. Consult Section 04.030 B for "Interpretation of Similar Uses."

The remedies provided for in this chapter shall be in addition to any other remedies or penalties provided in Land Use Element or any other law or ordinance.

49.020 Enforcement-Duties.

- A. Chief Building Inspector: The chief building inspector or his/her authorized representative shall enforce the provisions pertaining to building height and minimum setbacks.
- B. Health Officer: The health officer or his/her authorized representative shall enforce the provisions pertaining to maintenance and use of property, structures and buildings so far as matters of health are concerned on a complaint basis.
- C. Planning Director: The Planning Director or his/her authorized representative shall enforce provisions pertaining to use of land and structures.

49.030 Enforcement procedures.

- A. Any person, company or corporation that causes any use to be established, any structure to be altered, converted, moved or commenced contrary to the provisions of land use designations and the land development regulations shall be notified by the Director of Planning to correct all violations through the issuance of a Notice of Violation.

The notice shall be served upon the owner of the property by registered or certified mail and shall be sent to the persons shown on the latest equalized County tax roll to be the owners of the property.

Such notice shall contain the following information: location of the property, name of the property owner(s), nature of the violation, an order to correct the

violation/completion of abatement within thirty (30) days, and a statement that if the nuisance is not corrected as specified, the violation will be referred immediately to the District Attorney or Director of Public Works for enforcement proceedings.

- B. If, upon the expiration of the period specified in the Notice of Violation, action to abate the nuisance has not been commenced, or, if it has been commenced, it has not been pursued with due diligence nor completed within the time specified, the Director shall effect enforcement by the following:
 - 1. Transmit a copy of the Notice of Violation to the Office of the District Attorney along with notification that the violation has not been corrected. The District Attorney shall commence the necessary action or proceedings for the abatement, removal and enjoinder thereof in the manner prescribed by law, in a court which may have jurisdiction to grant such relief that will accomplish such abatement and restraint; or
 - 2. Transmit the Notice of Violation along with a request to commence nuisance abatement proceedings to the Director of Public Works as permitted in Chapter 7.20 of the Mono County Code.

VII. LAND USE MAPS

This section presents land use maps which were developed by applying the criteria discussed in the land use designation section of this document. Each area was assessed using the following criteria:

- Does the area include natural hazards that limit development, such as flood zones, Alquist-Priolo zones, unstable soils or steep slopes, etc.?
- Does the area include natural resources that limit development; e.g., wetlands, significant habitat, deer migration routes, etc.?
- What are the existing uses in the area?
- Is infrastructure available for development (i.e., sewer, water, roads, fire protection)?
- What is the existing land division pattern in the area and what are the lot sizes?
- Does the area have open space value (e.g., visuals, wildlife habitat, agricultural preservation)?
- What is the community vision for the future of the area?

Three sets of land use maps are presented here. The first set, "Planning Areas," shows the boundaries of the planning areas in the county. The second set, "Countywide Land Use Maps," shows land use designations for all private lands in the county. The third set, "Community Land Use Designation Maps," shows land use designations for each parcel in community areas.

Planning Areas Maps

Planning Area Boundaries
Antelope Valley
Swauger Creek
Bridgeport
Bodie Hills/North
Bodie Hills/West
Bodie Hills/East
Mono Basin/North
Mono Basin/South
June Lake
Mammoth Vicinity/West
Mammoth Vicinity/East
Long Valley
Wheeler Crest
Chalfant Valley
Hammil Valley
Benton Valley
Oasis

Countywide Land Use Maps

Figure #	Location/ Area
	Mono County Map Index
A.	Antelope Valley
B.	Devil's Gate to Swauger Creek
C.	East Walker
D.	Bridgeport
E.	Bodie
F.	Mono Lake
G.	Cowtrack Mountain
H.	Adobe Valley/Benton
I.	June Lake
J.	Long Valley
K.	Hammil Valley
L. & M.	Wheeler/Paradise & Chalfant Valley
N.	Oasis
O. & P.	Sonora Pass & Walker Mountain
Q. & S.	Tioga Pass & Ansel Adams Wilderness
R.	Adobe Hills
T. & W.	Glass Mountain & John Muir Wilderness
U.	Mount Dubois
V.	Mammoth Lakes
X.	White Mountain

Community Land Use Designation Maps

Figure #	Location/ Area
	Antelope Valley
1	Topaz Lake Area
2	Pinky's Point
3	Palmer Subdivision
4	Topaz Southeast
5	Topaz Community Area
6	Topaz Community
7	Northern Antelope Valley
8	Coleville Area
9	Antelope Valley
10	Coleville Area
11	Coleville Community
12	Southern Antelope Valley
13	Eastside Lane Area
14	Walker Area
15	Walker Townsite
	Swauger Creek
16	Sonora Junction
17	Willow Flats
18	Fales Hot Springs
19	Devil's Gate
20	Swauger Creek
	Bridgeport
21	Bridgeport Reservoir
22	Bridgeport Lake Resort Subdivision
23	Bridgeport Community
24	Aurora Canyon
25	Bridgeport Townsite
26	Evans Tract
27	Willow Springs
28	Rancheria
29	Twin Lakes Area
30	Twin Lakes Subdivision
31	Sweetwater Ranch Area
32	Old Ranger Station Area
33	Rancheria Area
34	Hunewill Ranch Area
35	Upper Summers Meadows Area
36	Bridgeport Reservoir North Area
37	Bridgeport Reservoir South Area
38	Big Hot Springs Area
39	Point Ranch Area
40	Lower Summers Meadow Area
41	Masonic Springs Area
42	Bodie Hills Area
43	Clearwater Creek Area
44	Bodie Detail

Mono Basin

- 45 Conway Summit
- 46 Lundy/Mono City Area
- 47 Lundy Canyon Area
- 48 Virginia/Lundy Lake Area
- 49 Virginia Lake Subdivision
- 50 Lundy Lake Resort
- 51 Mono City
- 52 Lundy Lake Subdivision
- 53 Mono Lake North
- 54 Mono Lake South
- 55 Mono Lake Central
- 56 Coyote Springs Area
- 57 Cottonwood Canyon Area
- 58 Waford Springs Area
- 59 Pole Line Area
- 60 Lee Vining Area
- 61 Lee Vining Community

June Lake

- 62 Walker and Parker/June Lake Planning Area
- 63 Rush Creek
- 64 Pine Cliff
- 65 June Lake Village
- 66 West Village/Rodeo Ground
- 67 Down Canyon June Lake
- 68 Silver Lake Meadow

Mammoth Vicinity

- 69 Mammoth Vicinity Area
- 70 Benton Crossing
- 71 Hot Creek Kaolin Mine
- 72 Owens River Ranch & Arcularius Ranch
- 73 Inaja Ranch
- 74 Lower Arcularius Ranch
- 75 Mammoth Lakes Airport Land Use Plan
- 76 Casa Diablo

Long Valley

- 77 Long Valley Area
- 78 Long Valley Community
- 79 McGee Creek Area
- 80 McGee Creek
- 81 Hilton Creek
- 82 Hilton Creek Detail – Pinon Road Drive
- 83 Hilton Creek Detail – Hilton Creek Drive
- 84 Hilton Creek Detail – Shackford Drive
- 85 Hilton Creek Detail – Juniper Drive
- 86 Hilton Creek Detail – Pearson Road
- 87 Hilton Creek Detail – Sierra Springs Drive
- 88 Little Round Valley
- 89 Sunny Slopes
- 90 Sunny Slopes Community

Wheeler Crest/Sierra Paradise

- 91 Wheeler Crest Area
- 92 Hill Top Estates/Pinon Ranch
- 93 Hill Top Estates
- 94 Paradise
- 95 Paradise Transfer

Tri Valley

- 96 Chalfant Valley Area
- 97 Chalfant Community North
- 98 Chalfant Community South
- 99 Millner Fan Area
- 100 Hammil Valley South
- 101 Hammil Valley Central
- 102 Hammil Valley
- 103 Hammil Valley North
- 104 Benton Valley Area
- 105 Benton Community
- 106 Benton Town Site
- 107 Benton Hot Springs