

Mono County Community Development Department

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Planning Division

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NOTICE OF DECISION Director Review 19-013 / Hudson Transient Rental

APPLICANT: Richard Hudson

SUBJECT PROPERTY: 43 Alderman Street,
June Lake, APN 015-072-010

PROPOSAL: To allow the use of a property at 43 Alderman Street as a non-owner occupied Transient Rental (a rental for fewer than 30 consecutive days).

Pursuant to the Mono County General Plan, Chapter 31 Director Review Procedures, and based upon the following findings, you are hereby notified that Director Review 19-001 has been:



	Granted as requested
X	Granted subject to the attached Conditions of Approval
	Denied

BACKGROUND

Director Review 19-013 will allow for the use of an dwelling at APN 015-072-010 as a transient rental (a rental for fewer than 30 consecutive days). The property has a land use designation of Mixed Use (MU) and is approximately 5,484 square feet. The dwelling is 2,722 square feet with four bedrooms and an attached 590 square foot garage. The land uses adjacent to the property are: Commercial Lodging High (CL-H) to the east and Mixed Use (MU) to the north, west, and south. The dwelling unit will be limited to a total maximum occupancy of ten people in the dwelling. Two parking spaces are required, and four spaces total are available on the property: two uncovered parking spaces are available in a paved parking area as well as two additional space in the existing garage will be available for guests. Off-site or on-street parking is prohibited by guests.

It is the responsibility of the Director to determine if the application warrants notice to contiguous property owners. The project has been noticed to the surrounding property owners for a period of 10 calendar days, in accordance with General Plan Ch. 31.020. At this time no comments have been received. The application was accepted by the Land Development Technical Advisory Committee on September 16, 2019.

The MU land use 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.

DIRECTOR REVIEW FINDINGS

Under Mono County General Plan, Chapters 31.030, the Community Development Department director may issue a Director Review permit after making all of the following findings:

1. *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.*

The subject property is developed as a single-family residential use and is designated Mixed Use (MU). The designation has a minimum lot size of 10,000 square feet, maximum lot coverage of 60%, and setbacks of 10' front yard, 5' rear, and 10' side yards.

The existing dwelling meets the front, rear and side yard setbacks; however, the lot size is existing nonconforming to current standards as it is 5,484 sf. The total footprint of the dwelling, garage and paved area is 2,497 sf, totaling 46% lot coverage.

A 24' x 24' uncovered driveway/parking area located on the northwest side of the parcel is adequate in size and shape to accommodate two vehicles in addition to the existing two-car garage. The parking requirement for the residence is a total of two parking spaces as defined in General Plan Chapter 6.

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

2. *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.*

The property is adequately accessed by Alderman Street which is a public road. The proposed use relates to the streets and kind of traffic generated at this location. Approving the application to use the dwelling as a transient rental unit with a maximum occupancy of ten people is not anticipated to generate additional impacts. Off-site or on-street parking by guests is prohibited.

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

The proposed use will have no impacts detrimental to the public welfare, property or improvements in the area. Use of this property as a transient residence is similar to existing uses present surrounding the property. This project will adhere to Chapter 26 of the General Plan to ensure public welfare and safety are maintained.

4. *The proposed use is consistent with the map and text of this General Plan and any applicable area plan.*

The MU designation is intended to provide for a variety of housing and business developments, acting as a transition zone between intensive commercial uses and less intensive residential uses. The application will allow for the use of an existing dwelling to be used for transient rental. The use is similar to and not more obnoxious than other uses permitted in the MU district subject to Director Review, as indicated by Director's Finding 17-01.

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

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

Objective 1E.4 Allow for the integration of small-scale commercial uses with associated residential uses, such as employee housing.

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

This project adheres to the June Lake Area Plan as it provides additional visitor accommodations and commercial operations within the June Lake Village:

June Lake Area Land Use Policies Objective 13.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

June Lake Area Land Use Policies Objective 13.E.1.a: Allow higher densities and provide for mixed uses in areas suitable for commercial and retail development.

June Lake Area Land Use Policies Objective 20.B: Diversify and stabilize the local economy by attracting and retaining tourist- and community-oriented businesses, particularly those that provide new jobs for local residents

5. *The improvements 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.*

The project does not propose any new improvements. Any such plans are required to adhere to the requirements of the Mono County General Plan and Mono County Code.

6. *The project is exempt from the California Environmental Quality Act (CEQA).*

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

Examples include but are not limited to:

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

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

CONDITIONS OF APPROVAL

DR 19-013 is issued with the following conditions:

1. The project shall comply with provisions of Chapter 26 – Transient Rental Standards and Enforcement prior to conducting transient short-term rental.
2. All short-term rental customers must sleep within the dwelling; customers are not allowed to reside in an RV, travel-trailer, or similar mobile-living unit on the property or any neighboring property.
3. Property shall be maintained in a neat and orderly manner.
4. Project shall comply with all Mono County Building Division requirements.
5. Future development shall meet requirements of the Mono County Code, Mono County General Plan, and Mono County Community Development Department.
6. Appeal. The Director Review permit shall become effective 10 days following the issuance of the Director's decision. During the 10-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. (Section.31.060)
7. Termination. A Director Review shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - A. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the Director Review.
 - B. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.
 - C. No extension is granted as provided in Section 31.080.
7. Extension: If there is a failure to exercise the rights of the Director Review within one year of the date of approval, the applicant may apply for an extension for an additional one year. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary. Conditions of Approval for the Director Review may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to this provision is permitted for those Director Reviews 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.
8. Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all of the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the Director Review or the violation by the owner or tenant of any provision pertaining to the premises for which such Director Review was granted. Before revocation of any permit, the commission shall hold a hearing thereon after

giving written notice thereof to the permitted at least 10 days in advance of such hearing. The decision of the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.

This Director Review permit shall become effective 10 days following the issuance of the Director's decision. This decision may be appealed within 10 days by filing a written notice of appeal with the secretary of the Planning Commission. If an appeal is filed, the permit will not be issued until the appeal is considered and the Planning Commission renders a decision.

PREPARED BY: Michael Draper, Assistant Planner DATE OF DECISION: October 10, 2019

SIGNED: _____
Wendy Sugimura, Community Development Director