

# Mono County Community Development Department

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Planning Division

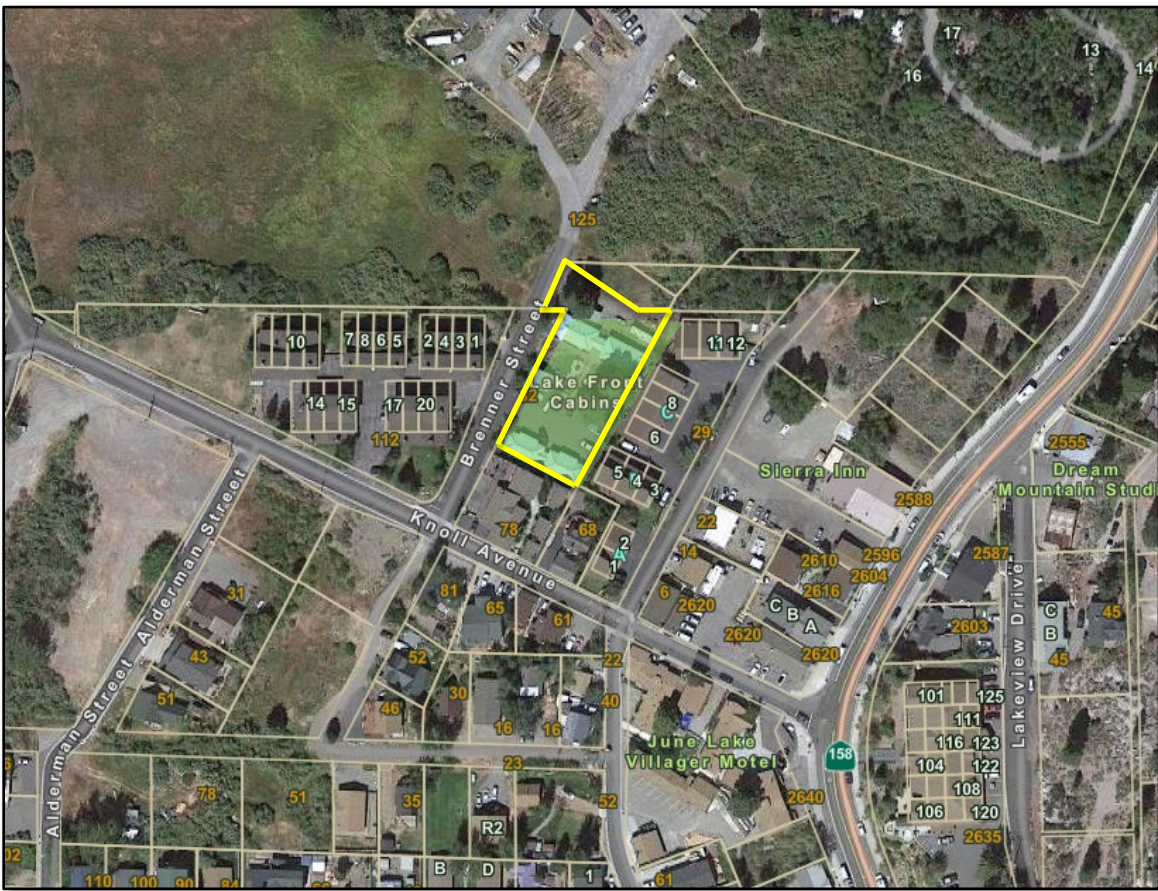
PO Box 8  
Bridgeport, CA 93517  
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## Director Review 20-011 Summit at June Lake LLC/Lake Front Cabins

**APPLICANT:** Kyle Mealey

**SUBJECT PROPERTY:** 32 Brenner Street, June Lake (APN 015-073-028)

**PROPOSAL:** Placement of cargo container on the northeast portion of the property.



*Location of subject property (highlighted in yellow)*

Pursuant to the Mono County General Plan, Chapter 31 Director Review Procedures, based upon the following findings, you are hereby notified that Director Review 20-011 has been:

- Granted as requested.
- Granted subject to the attached Conditions of Approval.
- Denied

## **PROJECT DESCRIPTION**

This project is located at 32 Brenner Street in June Lake, APN 015-073-025, and would allow the current property owner to place a 260-sf cargo container on the property for the purpose of storing materials. The cargo container will be placed not less than five (5) feet from the northern side yard property boundary, a reduction from the required ten (10) feet set back. The container shall not contain electricity, water, or sewer hook-up.

The property is 21,780 sf and designated Multi-Family Residential, High (MFR-H). A commercial lodging business, Lake Front Cabins, was constructed on the property prior to the current owner. The business consists of ten motel units with twelve parking spaces. Existing buildings plus parking account for 52% lot coverage or 11,186 sf. The maximum lot coverage for the MFR-H designation is 60%. The addition of the cargo container will increase total coverage to 11,446 sf or 53%, and not impact existing parking, ingress, or egress.

The cargo container will comply with General Plan regulations including Chapter 20, Cargo Containers, and Chapter 4.120, Yards and Setbacks. Specifically, this permit satisfies requirements of General Plan section 20.050; when on properties smaller than one acre a Director Review permit with notice is required. On October 8, 2020, notice of the project was mailed to all adjacent property owners for an opportunity to comment on the project with a deadline of October 19. No comments were received.

Visual mitigation is required along with a building permit in compliance with Mono County Building Code Occupancy Classification of Group U and Type of Construction to be V-B for a utility structure. Storing hazardous materials is prohibited along with any the prohibition of utility hook ups, not limited to, water, sewer, electricity, gas and fuel oil being permanently supplied or installed within the container.

Visual mitigation requirements will be met by painting the container a solid color, forest green, to blend into the existing landscape. The proposed location will also minimize impact on sightlines from other properties and the road. A building permit shall be obtained for purposes of detailing anchoring requirements pursuant to ASCE 07-05/Chapter 15 for "Non-building structures".

In compliance with Mono County General Plan, Chapter 4, section 4.120, the required minimum side yard of 10 feet will be reduced on the north side property boundary to a minimum of 5 feet. The rear setback will be met at 10'. The owner declared these setback distances, which were not field verified by staff. If the setbacks were questioned in the future, the property lines would need to be strung and measurement would need to be taken in the field to verify setback compliance. The applicant has provided verification that the roof design is oriented so that snow does not shed toward adjacent properties, required parking areas, or other public ways, and written approval of the reduction from the Fire Protection District is provided (see Attachment B).



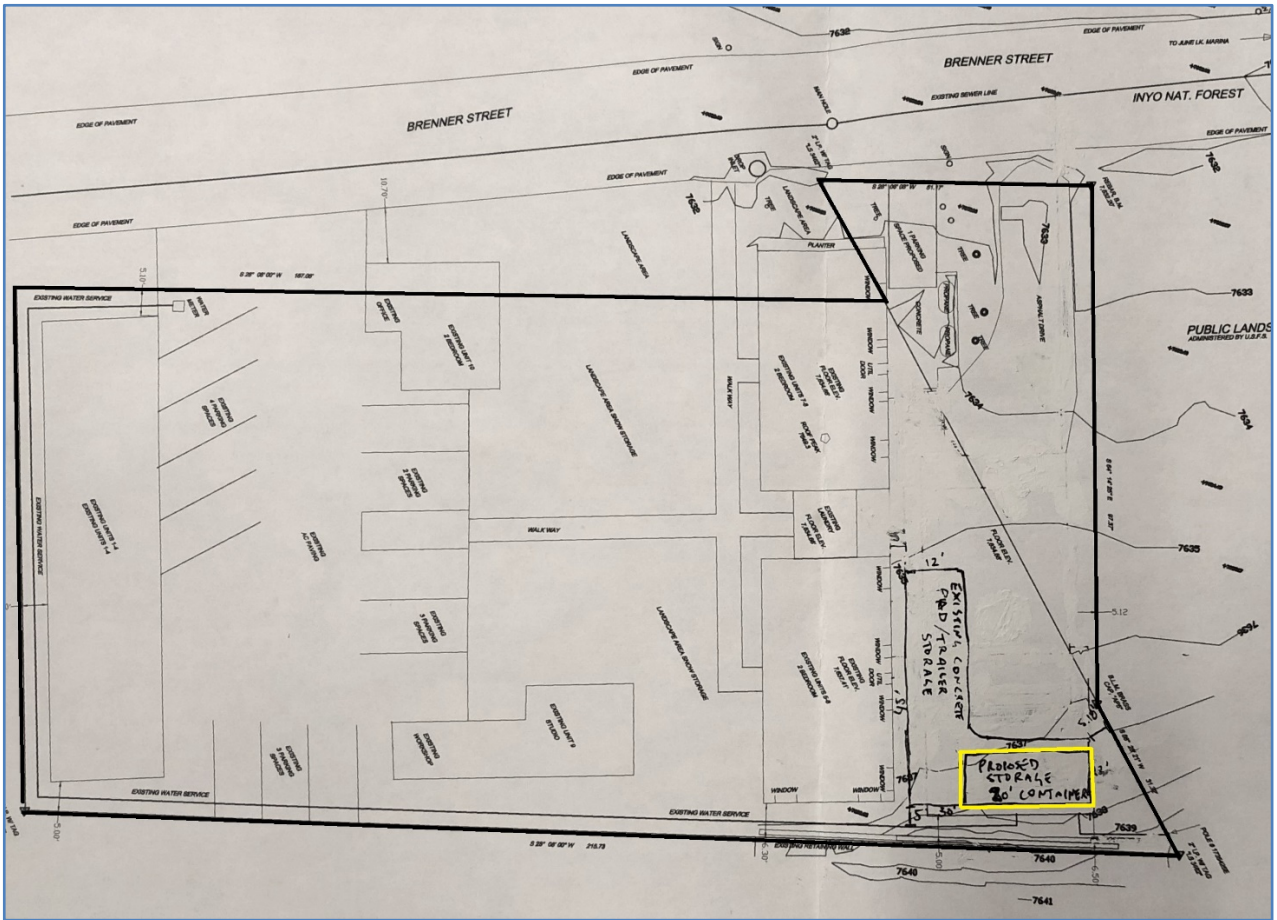


Figure 1. Proposed cargo container location

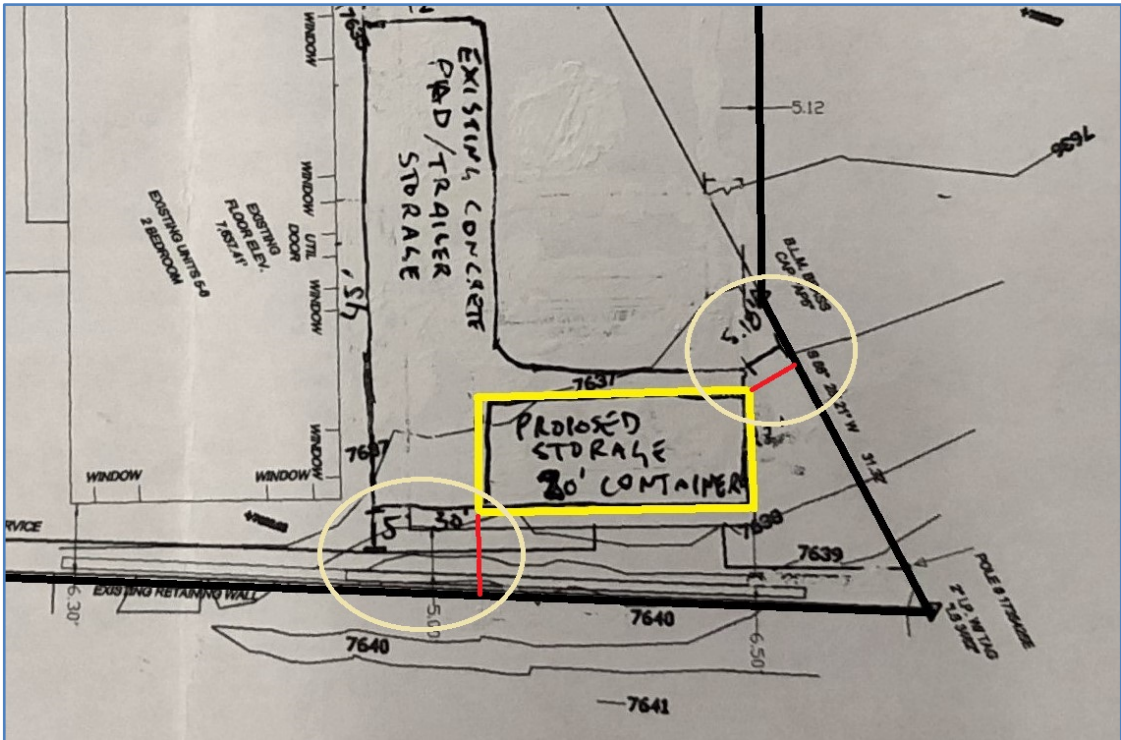


Figure 2. Cargo container location with setbacks circled; 10' from the rear property is required and a reduction to 5' from the side property boundary is granted.

## **BACKGROUND**

In August 2011, Lot Merger 11-003 was approved to merge two parcels (APNs 015-073-025 & -026), both under the same ownership. One of the properties was a small sliver lot acquired in 2003 from the Inyo National Forest to resolve a longstanding boundary conflict. The proposed cargo container would be located on the northeastern side of the merged parcel, where the extinguished property line once existed, and adjacent to the existing Lake Front Cabins (see Figure 1).

## **LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE**

LDTAC met on September 21, 2020, to accept the application for processing. On October 8, 2020, notice of the project was mailed to all adjacent property owners for an opportunity to comment on the project with a deadline of October 19. No comments were received. On November 16, 2020 the LDTAC reviewed the final Conditions of Approval and provided no additional comments.

## **DIRECTOR REVIEW FINDINGS**

Under Mono County General Plan, Land Use Element, Chapter 31.030, the Community Development Department Director may issue a Director Review permit after making all 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 with a commercial lodging business. The placement of a cargo container for storage purposes is permitted in all land use designations, and subject to Director Review with Notice when on properties less than one acre and in accordance with the requirements of General Plan section 20.050. On October 8, 2020, notice of the project was mailed to all adjacent property owners for an opportunity to comment on the project with a deadline of October 19. No comments were received.

The placement of the cargo container will not disrupt existing parking for guests of the business, or contribute to a significant increase in lot coverage. Lot coverage will increase from 52% to 53%; the maximum lot coverage for MFR-H is 60%. Side-yard setback reductions is permitted consistent with General Plan section 4.120.C.1.

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 accessed by Brenner Street. This project will not alter traffic capacity or patterns. The project will not significantly alter the use or visitation to the property. The cargo container will not be open to the public and use of it is limited to the property owner.

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 placement of the cargo container will not be detrimental to the public welfare or injurious to property or improvements in the area. The proposed container will not be obnoxious as it will comply with Chapter 20 requirements and will be mitigated to reduce any visual disturbance. The flat roof of the container will prevent snow-shedding within the property and onto neighboring properties. The nearest neighboring development exists on the eastern side of the container and is the rear property line of the Sierra Suns Townhouses where no walkways or parking exist. The setback reduction has also been approved by the June Lake Fire Protection District.

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

The proposed use supports the existing commercial activity on the property and is consistent with the General Plan and June Lake Community Plan.

### **Mono County General Plan, Countywide Land Use Policies**

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

*Policy 1.E.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.*

The project supports an existing commercial use within an established commercial area.

### **Mono County General Plan, June Lake Community Plan Policies**

*Objective 13.C. Contain growth in and adjacent to existing developed areas, and retain open-space buffers around each area.*

*Policy 13.C.1. Encourage compatible development in existing and adjacent to neighborhood areas.*

*Action 13.C.1.b. Encourage compatible infill development in the Village and Down Canyon areas*

The project supports infill within the property to support the existing commercial lodging business.

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 is consistent with all adopted standards and policies set forth in the Land Development Regulations and the General Plan. The Multi-Family Residential-High designation allows for accessory buildings incidental to any of the permitted uses when located on the same lot and constructed subsequent to the main use. A commercial lodging operation exists on this parcel and the placement of a cargo container will be used similar to an accessory structure relevant to the business.

Use and placement of a cargo container are consistent with the Land Development Regulations specified in Chapter 20, Cargo Containers. The location of the container is permissible via General Plan section 4.120.C, Side-yard Reductions, and meets the requirements set forth. All land development standards have been met for this project.

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

The project qualifies for a categorical exemption under CEQA Guideline 15303, New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

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

The proposed project falls within a Class 3 exemption because the cargo container is similar to an accessory structure, smaller than a typical garage, and the placement is acceptable. The development marginally increases lot coverage, is visually mitigated, and therefore is considered a minor alteration to a private structure.

## **CONDITIONS OF APPROVAL**

DR 20-011 is issued with the following conditions:

1. The project shall comply with Mono County Building Division requirements.
2. The project shall comply with Mono County Planning Division requirements, including Chapter 20, Cargo Containers. No utilities are permitted and no additional cargo containers may be permitted at this property.
3. 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 compliance 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.
4. Extension: If there is a failure to exercise the rights of the Director Review within two years 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.
5. Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all 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 permittee at least 10 days in advance of such hearing. The decision of

the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.

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, Planning Analyst      DATE OF DECISION: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
Wendy Sugimura, Community Development Director

Enclosed:  
Attachment A: June Lake Fire Department approval letter.

# June Lake Fire Protection District

P. O. BOX 144  
JUNE LAKE, CALIFORNIA 93529

TELEPHONE (760) 648-7390

FAX (760) 648-6801

October 13, 2020

Michael Draper  
Mono County Community Development  
P O Box 347  
Mammoth Lakes, CA 93546

Dear Mr. Draper,

The June Lake Fire Protection District has reviewed the proposed plans for the placement of a storage container at 32 Brenner Street (APN 015-073-028) in June Lake, CA. The June Lake Fire Protection District approves the reduced setback from 10' to 5' with the understanding the provisions in the General Plan allowing for reduction of distance when the roof is oriented so that snow does not shed towards adjacent properties. This storage container has a flat roof.

The June Lake Fire Protection District will continue to serve this property in its capacity and that the approval relates to Mono County Directors Review Permit 20-11 only.

Sincerely,



Juli Baldwin  
Chief  
June Lake Fire Protection District