

Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420
www.monocounty.ca.gov

NOTICE OF DECISION Director Review 22-001/Evans

Applicant: Chuck Evans
Subject Property: 2190 Eastside Lane, Coleville, CA
Proposal: Construction of an accessory structure prior to the main use.

Pursuant to the Mono County General Plan, Chapter 31 Director Review Procedures, and Chapter 04.040 and based upon the following findings, you are hereby notified that Director's Review 19-009 has been:

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

Background

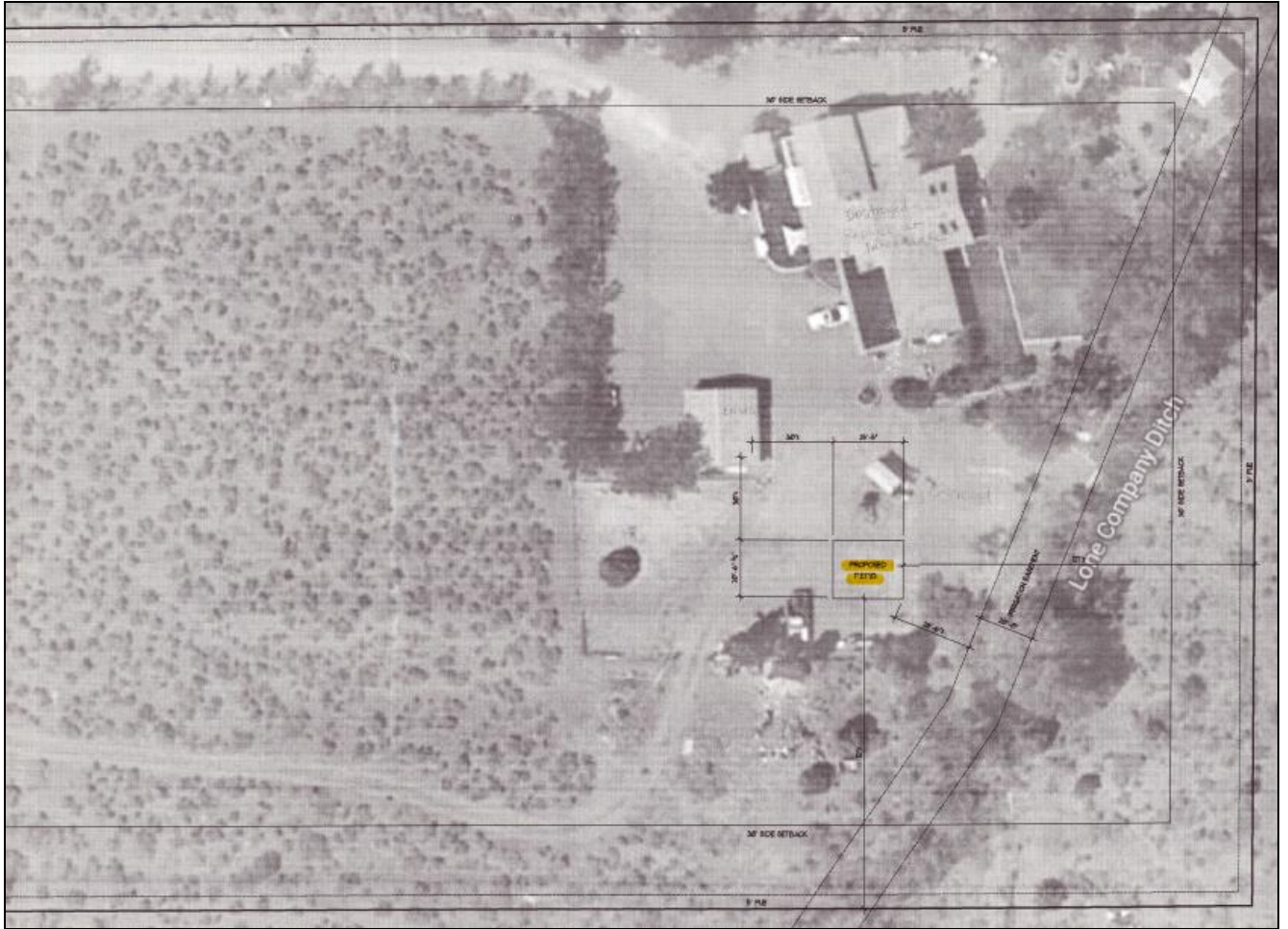
The proposal is to construct a 20'7" x 26'5" prefabricated metal building with a concrete slab floor, electrical outlets, and lights prior to reconstructing the residential dwelling on the property. The project is located at 2190 Eastside Lane, Walker, CA, APN 002-420-006. The property is 6.26 acres and designated Rural Residential (RR).

In November 2020, the Mountain View Fire destroyed structures on the property, including the single-family residence and accessory structures. The applicant is applying to construct this garage for the purpose of storing equipment and materials that will be used to rebuild the single-family residence.

On April 7, 2021, the applicant signed an agreement to receive a Temporary Emergency Dwelling (TED) to live in on the property (Attachment A). The agreement provides the applicant up to three years to submit a complete application for a primary residence. The submittal time may be extended with a written timeline quote from a design professional. Once the building permit is issued, the applicant is allowed three years to complete construction of the permanent residence, which may be extended by the Building Official (Mono County Resolution 20-103).

Construction of an accessory structure prior to the main use on RR land use designations requires a Use Permit, however this permit has been downgraded to a Director Review Permit because a temporary residential structure, approved by the Mono County Community Development Department and the Environmental Health Department, has been approved for the property, and supporting recovery from the Mountain View Fire is a priority.

Site Plan



Director Review Findings

Under MCGP Chapter 31.030, the Community Development Director may issue a Director Review permit after making findings regarding required factors. The following factors and associated findings apply to DR 22-001:

- 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 property is designed Rural Residential and is 6.25 acres. The garage will be approximately 521 square-feet (sf) and 12' 6" tall. The property is currently without permanent structures, and the construction of the garage and a future residence shall not exceed the maximum lot coverage, 40% or 108,900 sf (2.5 acres). The structure is less than the maximum height allowed of 35'. The structure shall be setback 30' from the top-of-bank of the Lone Company Ditch.

Access to the property is taken from Eastside Lane. The dirt driveway is approximately 600' long and 10' wide, and shall provide a turnout near the midpoint and a turnaround within 50' of the garage, compliant with General Plan Chapter 22, Fire Safe Regulations

- 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 existing access and traffic along Eastside Lane will not be impacted by the placement of the garage, as the impacts will be like that of a single-family residence. Traffic generation will be similar to a typical single-family residential property under construction.

- 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 garage is proposed to be placed in the rear of the property setback from front, side, and rear property lines in conformance with RR setback standards. All surrounding properties are designated RR and of similar size. Properties to the north, northeast, and southeast are vacant. The properties to the east, south, southwest, west, and northwest contain residences and similar uses that will not be impacted by this development. Project conditions require a residential dwelling to be constructed within three years, or at the time the existing TED trailer is removed.

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

Within the RR designation, accessory buildings and uses, such as a garage, are permitted when located on the same lot and constructed simultaneously with or subsequent to the main building. The applicant is currently living on-site in a TED trailer-home which is conditioned as a temporary home for survivors of the Mountain View Fire while constructing a new dwelling.

- 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.*

Construction of an accessory building prior to construction of the main building is a use permitted within the RR designation with a Use Permit. However, this project has been downgraded to a Director Review permit because a main use existed on the property prior to the Mountain View Fire, the owners are maintaining a temporary emergency dwelling (TED trailer,) and the property owner intends to apply to construct a permanent dwelling prior to the expiration of the TED agreement.

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

The proposed garage qualifies as a Class 3 exemption from CEQA under Categorical exemption 15303, New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. Examples of this exemption include but are not limited to: Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

CONDITIONS OF APPROVAL

1. The applicant shall obtain a building a permit for the primary building, and any necessary permits, prior to the expiration of use of the TED trailer.
2. The garage shall be setback 30' from the top-of-bank of the Lone Company Ditch and/or easement, whichever is more restrictive.
3. Access to the property shall meet General Plan Chapter 22, Fire Safe Regulations, including but not limited to a 10' width driveway, construction of a turnout at the midpoint of the driveway, and a turnaround within 50' of the garage.
4. All utilities shall be undergrounded unless evidence of former overhead powerlines is provided.
5. The garage shall not be used for human habitation without additional permitting to convert the structure into a dwelling unit.
6. 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.
7. 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 fifteen (15) days following the issuance of the Director's decision. This decision may be appealed within ten (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 a decision is rendered by the Planning Commission.

PREPARED BY: Michael Draper, Mono County Community Development Department

DATE OF DECISION: _____

SIGNED: _____
Wendy Sugimura, Community Development Director

Attachments

Attachment A. Signed Temporary Emergency Dwelling (TED) Standards.