

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

SPECIAL MEETING AGENDA

May 20th, 2021 – 9:00 a.m.

TELECONFERENCE INFORMATION

As authorized by Gov. Newsom’s Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by live cast with Commissioners attending from separate remote locations. There is no physical meeting location. This altered format is in observance of recent recommendations by local officials that certain precautions be taken, including social distancing, to address the threat of COVID-19.

Important Notice to the Public Regarding COVID-19

Based on guidance from the California Department of Public Health and the California Governor’s Office, in order to minimize the spread of the COVID-19 virus, please note the following:

1. Joining via Zoom

There is no physical location of the meeting open to the public. You may participate in the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer

Visit: <https://monocounty.zoom.us/j/96300516754>

Or visit <https://www.zoom.us/> and click on “Join A Meeting.” **Use Zoom Meeting ID:** 963 0051 6754

To provide public comment (at appropriate times) during the meeting, press the “**Raise Hand**” hand button on your screen and wait to be acknowledged by the Chair or staff.

To join the meeting by telephone

Dial (669) 900-6833, then enter **Webinar ID:** 963 0051 6754

To provide public comment (at appropriate times) during the meeting, press ***9** to raise your hand and wait to be acknowledged by the Chair or staff.

2. Viewing the Live Stream

You may also view the live stream of the meeting without the ability to comment **by visiting:**

http://monocounty.granicus.com/MediaPlayer.php?publish_id=bf001635-ea3d-4f82-b0a9-56e6c6506ec3

**Agenda sequence (see note following agenda).*

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Jora Fogg

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

2. **PUBLIC COMMENT:** Opportunity to address the Planning Commission on items not on the agenda. Please refer to the Teleconference information section to determine how to make public comment for this meeting.
3. **MEETING MINUTES**
 - A. Review and adopt minutes of April 15, 2021 (*pg 1*)
4. **PUBLIC HEARING**
 - A. **9:05 a.m. Use Permit/Voss. Short term rental.** *Staff: Michael Draper (pg 4)*
 - B. **9:45 a.m. Martin Variance** *Staff: Michael Draper (pg 5)*
 - C. **10:05 a.m. General Plan Amendment 21-01** *Staff: Kelly Karl and Bentley Regehr (pg 6)*
5. **WORKSHOP**
 - A. **New Fire Safe Standards and Regulations Proposed by the Board of Forestry**
6. **REPORTS**
 - A. **Director**
 - B. **Commissioners**
7. **INFORMATIONAL**
 - A. **No Items**
8. **ADJOURN** to June 17th 2021

NOTE: Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available by request for public review by contacting the Community Development offices in Mammoth Lakes (760-924-1800). Agenda packets are also posted online at [www.monocounty.ca.gov / departments / community development / commissions & committees / planning commission](http://www.monocounty.ca.gov/departments/community-development/commissions-&-committees/planning-commission), on the Mono County calendar, and emailed to the distribution list. For inclusion on the e-mail distribution list, send request to bperatt@mono.ca.gov.

Commissioners participate from a remote location per COVID public health precautions. Interested persons may appear before the Commission at the digital meeting to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing.

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Draft Minutes

April 15, 2021 – 9:00 a.m.

COMMISSIONER: Roberta Lagomarsini, Chris Lizza, Chair-Patricia Robertson

STAFF: Wendy Sugimura, director; Gerry LeFrancois, principal planner; Kelly Karl, planning analyst; Bentley Regehr, planning analyst; Heidi Willson, planning commission clerk, Christian Milovich, county counsel; Michael Draper, planning analyst

PUBLIC: Bill, Heidi, Imolina, Mark, Zenbuilder5

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Patricia Robertson called the meeting to order at 9:01 a.m. in Zoom meeting room. Attendees recited the pledge of allegiance to the flag.

2. **PUBLIC COMMENT:** No public comment.

3. **MEETING MINUTES:**

A. Review and adopt minutes of March 18, 2021.

Motion: Approve the minutes March 18, 2021 as amended.

Lizza motion; Lagomarsini second.

Roll-call vote – Ayes: Lizza, Lagomarsini, Robertson. Absent: Fogg, Bush. Motion passed 3-0 with two absent.

4. **WORKSHOP:**

A. General Plan Amendment 20-01, Updates to Chapter 16, Accessory Dwelling Units (*Bentley Regehr*)

- Bentley presented the amendment and answered the Commissioners' questions.

5. **PUBLIC HEARING:**

A. **9:35 a.m. Use Permit Modification 20-002/Bramlette.** (*Staff: Kelly Karl*)

- Kelly Karl presented project and answered questions from the Commissioners.

Chair Robertson called for public comment at 10:26 a.m.

- Applicant Bob Bramlette addressed the Commission and answered questions.
- No other public comments were made.

Closed public comment at 10:34 a.m.

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COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

Discussion:

- Commissioner Lizza- Can we eliminate condition # 2? Or is there a reason that needs to remain in the conditions?
- Commissioner Lagomarsini: recommends that the language be added “any rentals shall be in compliances with HCD”
- Wendy recommends instead of removing condition #2 we re-word it to state that the project shall comply with any state regulations if applicable.
- Commission discussed applicability of General Plan Land Use Element, Chapter 17 – Mobile Home and Recreational Vehicle Parks

Consensus to amended Condition #2: The applicant should inquire with the relevant state agencies including but not limited HCD and Lahontan state water board for any applicable requirements. If no state agency approval is required, then the tub sites may be rented only in compliance with Mono County’s campground definition.

Motion: 1) Find the project qualifies as a categorical exemption under CEQA §15301. 2) Instruct staff to file a notice of exemption; 3) Make the required finding as contained in the staff report and approve Use Permit Modification 20-002 subject to the conditions of approval with the amended condition of approval #2 as stated on the record previously.

Lagomarsini motion; Lizza second.

Roll-call vote – Ayes: Lizza, Lagomarsini, Robertson. Absent: Fogg and Bush. Motion passed 3-0 with two absent.

6. REPORTS:**A. Director**

- The Director provided a report of current activities, policy issues in development, and upcoming agenda items for the May meeting.

B. Commissioners

- Commissioners were provided an opportunity to report; no reports were given.

7. INFORMATIONAL:

- Wendy will be sending out additional correspondence from the Hemminger project from a member of the public.

8. ADJOURN to May 20, 2021 at 9:00 a.m.

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May 20, 2021

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst

Re: Conditional Use Permit 21-003/Voss

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Receive public comment; and
2. Continue the public hearing for this project to the Planning Commission's meeting on June 17, 2021 at 9:45 am.

DISCUSSION

Due to Chair Robertson's planned absence, the Applicant was offered a choice to proceed with the project public hearing or request it be continued to the June Planning Commission meeting. The Applicant requested the project public hearing be continued.

Per Land Use Element §32.030, "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."

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May 20, 2021

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst

Re: Variance 21-001/Martin

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Receive public comment; and
2. Continue the public hearing for this project to the Planning Commission's meeting on June 17, 2021 at 9:05 am.

DISCUSSION

Due to Chair Robertson's planned absence, the Applicant was offered a choice to proceed with the project public hearing or request it be continued to the June Planning Commission meeting. The Applicant requested the project public hearing be continued.

Per Land Use Element §32.030, "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."

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May 20, 2021

To: Mono County Planning Commission

From: Kelly Karl, Associate Planner
Bentley Regehr, Planning Analyst

Re: General Plan Amendment 21-01: Safety Element, Land Use Element Cleanup & Chapter 16, Accessory Dwelling Units Update

RECOMMENDATION

1. Conduct a public hearing on GPA 21-01, the associated Addendum to the General Plan Environmental Impact Report, and receive any additional public comments;
2. Deliberate the project and additional public comments, and make any desired modifications; and
3. Adopt Resolution R21-01 recommending that the Board of Supervisors certify the Addendum and adopt GPA 21-01 with any desired modifications.

BACKGROUND

General Plan Amendment (GPA) 21-01 consists of three components:

1. A comprehensive update to the Safety Element to be consistent with the recently adopted “Mono County and the Town of Mammoth Lakes Multi-Jurisdictional Hazard Mitigation Plan (including the Mono County Community Wildfire Protection Plan)” (MJHMP), adopted May 21, 2019, and the “2019-2027 Mono County Housing Element,” adopted November 5, 2019;
2. Minor technical corrections and clarifications to the Land Use Element proposed as part of the annual General Plan cleanup; and
3. A comprehensive update to Land Use Element Chapter 16, Accessory Dwelling Units (ADU) to be consistent with recent changes to state law and address the County’s discretion over short-term rentals and height limitations for ADUs.

The proposed amendment was presented to the Regional Planning Advisory Committees, including Antelope Valley, Bridgeport, Mono Basin, June Lake, and Long Valley. Input was received and no opposition was expressed.

Resolution R21-01 with Exhibit A, a redline version of the proposed General Plan amendments, is provided as Attachment 1 and the California Environmental Quality Act (CEQA) Addendum is provided as Attachment 2.

PART 1 - SAFETY ELEMENT DISCUSSION

This amendment proposes to update the existing Safety Element to be consistent with the recently adopted Housing Element & MJHMP (available at <https://monocounty.ca.gov/planning/page/general-plan>). Noteworthy updates to the Safety Element include new goals, policies, and strategies for climate change resiliency and adaptation based on the analysis and recommendations of the 2018 Mono County Vulnerability Assessment

and to be consistent with the MJHMP. Per SB 379, all counties must include climate adaptation and resiliency in the Safety Element of their General Plan upon the next revision beginning January 1, 2017. Updates were made to the flooding and fire sections to coordinate and be consistent with the recently adopted Housing Element and comply with the Board of Forestry and Fire Protection's (BOF) new policy standards and requirements.

Government Code §65302.5 specifies Safety Element review procedures which requires notification be sent to the California Geological Survey of the Department of Conservation, State Board of Forestry and Fire Protection, the Governor's Office of Emergency Services (Cal OES), and every local agency that provides fire protection to territory in the County. Noticing compliance is discussed below in the Public Hearing Notice section.

Prior to submitting a formal review request to the Board of Forestry and Fire Protection, local jurisdictions are encouraged to submit their draft Safety Element to the Office of the State Fire Marshal, Land Use Planning Program for pre-review comments. Mono County's draft Safety Element was submitted to the State Fire Marshal's Land Use Planning Program for two pre-reviews in February 2020 and November 2020 and received completeness checklists with recommended edits/updates (Attachment 3 & 4).

The draft amendment to the Safety Element is required to be submitted to the BOF 90 days prior to planned adoption or amendment, and the BOF is required to review and respond with comments within 60 days. A copy of the Safety Element was submitted to the BOF via mail on February 2, 2021, which initiated a 90-day review period that ended May 10, 2021. The BOF did not send confirmation of receipt or comments for the submitted Safety Element within 60-days. Staff contacted the BOF on April 30 to confirm receipt and inquire about next steps and received a response on May 4 indicating that the Safety Element would be on the June 8, 2021, BOF Agenda.

In addition, a Planning Commission workshop was conducted on August 20, 2020, to receive input from the Commission and all recommended edits have been incorporated into the proposed 2021 Safety Element. Below are the most notable edits requested by the Planning Commission at the workshop:

- Fuel Breaks/Vegetation Clearance:
 - Add new actions related to Fire Safe Councils from the MJHMP and Community Wildfire Protection Plan.
- Mitigate Fire Hazards:
 - Add Public Safety Power Shutoff (PSPS) policies/actions.
 - Add generator policies/actions related to PSPS events.
- Severe Weather Policies:
 - Add information/education policy related to wind events, highway shutdowns, fire spreading, PSPS, and health issues.
 - Add language regarding flash flooding, avalanches, severe snow/rainstorms.
 - Add policy/action related to education/outreach about severe weather hazards and transportation impacts.

PART 2 - LAND USE ELEMENT ANNUAL CLEANUP

The amendment proposes minor technical changes as part of the annual cleanup of the General Plan for Planning Commission consideration. The following is a summary of the proposed technical corrections and clarifications to the Land Use Element proposed as part of this amendment with the full redline text provided in Attachment 1.

Wheeler Crest Area Plan

- Update the language of Action 24.A.3.f. to prohibit “all types” of short-term rentals.

IV. Land Use Designations

- Add “campgrounds” and “glamping” uses to land use designations that currently allow for “Recreational-Vehicle Parks,” including Commercial (C), Commercial Lodging – Medium and High (CL-M &CL-H), Mixed Use (MU), and Rural Resort (RU).
- Add “transient rentals (fewer than 30 consecutive days)” to the list of “Uses Permitted Subject to Director Review” under the Commercial (C) and Mixed Use (MU) land use designations to provide consistency with Director’s Finding 17-02 which determined transient rentals were similar to and not more obnoxious than other uses permitted under the Commercial (C) and Mixed Use (MU) designations.
- Add “caretaker’s units – one per district” to the list of “Permitted Uses” under the Industrial Park (IP) designation.
- Resource Management (RM): Move “Resource exploratory activities that involve excavation, devegetation, or other potentially significant environmental effects” currently listed under “Uses Permitted Subject to Director Review” to “Uses Permitted Subject to Use Permit.”

Chapter 1 – Introductory Provisions

- Add explanation of “Permissive zoning.”

Chapter 2 – Definitions

- Add language clarifying the existing “lot coverage” definition.
- Add language clarifying the existing “campground” definition.
- Add “caretaker’s unit” & “glamping” definitions.

Chapter 4 – General

- Section 04.040 Uses subject to Director Review: Update text to allow for placement of a long-term temporary RV in designated “hazard areas as a primary use” subject to Director Review.
- Section 04.340 Mobile Vendor Standards and Guidelines: Add the Mixed Use (MU) designation to the list of permitted designations.

Chapter 22 – Fire Safe Standards

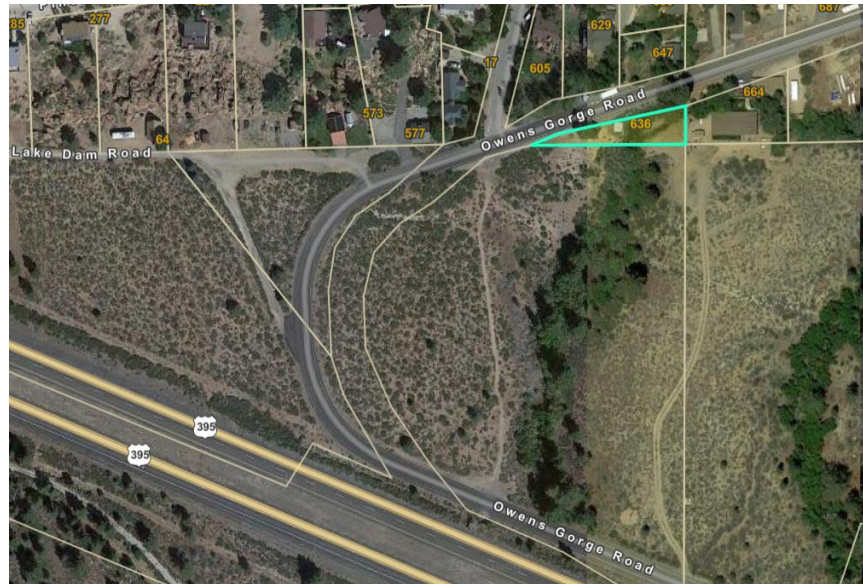
- Section 22.110 Emergency Access: Clarify and differentiate driveway and road surface load requirements. Identify driveway surface load requirement as 36,000 lbs to be consistent with current BOF standards.

Chapter 25 – Short-Term Rentals

- Correct a minor typographical error to the Mono County Code Chapter reference in Section 25.015 from 5.60 to 5.65.

Land Use Designation Changes:

- Sunny Slopes (636 Owens Gorge Road) – APN: 062-070-035 from SFR- ½ to Public Facilities (PF) designation.



- Benton (36 Christie Lane) - APN: 024-131-029 change the housing portion of the parcel from Public Facilities (PF) to Mixed Designation (MD) with Multi-Family Residential (MFR-L) for the western half of the parcel (indicated by the gray polygon) and Public Facilities (PF) for the eastern half of the parcel. The western half currently has housing units which are anticipated to be transferred to the ownership of the Benton Tribe.



PART 3 – LAND USE ELEMENT, CHAPTER 16, ACCESSORY DWELLING UNITS

Introduction

In response to updates to state law, staff has revised General Plan Chapter 16, Accessory Dwelling Units (ADUs) (Attachment 1). The changes are primarily targeted at making regulations less restrictive to allow the construction of more ADUs with less discretionary review. ADUs are often affordable by nature due to their size and compatibility with existing infrastructure and have therefore been a strategic target at both the state and county level.

On August 8, 2020, proposed revisions were presented to the Planning Commission, where staff was directed to take to the Board for input. On November 17, 2021, the Board of Supervisors directed staff to present the amendment to each of the RPACs for input on the changes, specifically on the areas where the County has discretion. The primary discussion topics were whether short term rental prohibitions in ADUs should be extended beyond state requirements to all ADUs and whether there should be a height limitation of 16' for ADUs. Below is a summary of the revisions that were previously presented at the August 20, 2020, and April 15, 2021, Planning Commission meetings, and the comments received during RPAC outreach. Feedback from the Planning Commission and RPACs was presented to the Board on May 11, 2021.

Revisions Required Under State Law

The following section is a summary of revisions required under state law that were previously presented at the Planning Commission and Board of Supervisors. The County does not have discretion to amend these items.

1. Expansion of Ministerial Permitting

Previously, Chapter 16 allowed ADUs with only a building permit (no Use Permit or Director Review) in cases where the unit did not exceed 800 square feet. New state law expands the allowance of ADUs through only a building permit in several additional situations:

- *16.030.* Junior ADUs are permitted in any land use designation where non-Junior ADUs are already permitted. Junior ADUs are defined as a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior ADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure. The junior ADU must contain cooking facilities.
- *16.040A(i).* An attached ADU may expand by up to 150 square feet beyond the existing physical dimensions, if it is accommodating ingress or egress, and has exterior access.
- *16.040A(iii).* Multiple accessory dwelling units within the portions of existing multifamily dwelling structures not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. An existing multifamily unit is allowed at least one accessory dwelling unit or up to, and not exceeding, 25 percent of the existing multifamily dwelling units.

- 16.040A(iv). Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling.

Additionally, the size thresholds for discretionary review have been revised to be consistent with state law. Discretionary review, in this case, refers to the requirement for either a Use Permit or Director Review permit. A comparison of size thresholds for discretionary review for previous and proposed regulations are outlined in the following subsections.

2. Previous Discretionary Size Thresholds

Previously, thresholds were based on a combination of parcel size and proposed ADU floor area, and are summarized here:

- A. On parcels less than 7,500 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 500 sq. ft. in size may be permitted with a building permit.
- B. On parcels of 7,500 sq. ft. up to 10,000 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 640 sq. ft. in size is allowed with a building permit. A detached Accessory Dwelling Unit not exceeding 640 sq. ft. may be permitted by application for a Director Review.
- C. On parcels of 10,000 sq. ft. up to one acre in net area, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit.
- D. On parcels one acre or greater, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit. In this same parcel size range, an Accessory Dwelling Unit exceeding 640 sq. ft. but not exceeding 1,400 sq. ft. in size (attached or detached) may be permitted by application for a Director Review. In this same parcel size range, an Accessory Dwelling Unit exceeding 1,400 sq. ft. may be permitted by application for a use permit.

3. Proposed Changes to Discretionary Size Thresholds, Consistent with New State Law

Revisions to Chapter 16 remove parcel size limits and are based on floor area, dependent on the number of bedrooms. Thresholds are the same for detached and attached units. Updated discretionary thresholds are summarized in Table 1:

Table 1: Updated Discretionary Review Thresholds for ADUs

Required Review	Qualifying Units
Building Permit only (Short-term rentals prohibited by state law)	<ul style="list-style-type: none"> • One-bedroom units less 850 square feet (including jADUs) • Two-bedroom units less than 1,000 square feet • Units associated with a multi-family development, qualifying under 16.040A
Director Review	<ul style="list-style-type: none"> • One-bedroom units between 850 and 1,400 square feet

	<ul style="list-style-type: none"> • Two-bedroom units between 1,000 and 1,400 square feet
Use Permit	<ul style="list-style-type: none"> • Any unit exceeding 1,400 square feet • Any unit associated with a multi-family development, not qualifying under 16.040A

4. Additional revisions

Other revisions to Chapter 16 per state law include:

- Side and rear yard setbacks may be reduced to four feet provided the design demonstrates snow will not shed onto adjacent properties or cause any other public health or safety issues.
- ADUs are exempt from Housing Mitigation Ordinance (HMO) fees. Units shall also be exempt from all other development impact fees if less than 750-square feet.
- Ministerial reviews shall occur within 60 days (previously 120) after receiving an accessory dwelling unit application unless the accessory dwelling unit is built concurrently with the primary unit.
- Short-term rentals are prohibited in units that qualify under 16.040A. The County has the optional authority to ban short-term rentals in all ADUs, if desired, as outlined in the policy discussion questions below.

Policy Discussion Items - Optional Requirements

New state law also grants authority to local jurisdictions to impose additional restrictions. Staff went to the RPACs, Planning Commission, and Board of Supervisors for recommendations on whether to implement the following restrictions:

1. A prohibition of short-term rentals in all ADUs.
2. Imposing a 16’ height limit for units that qualify under 16.040.A (ii) and 16.040.A (iv), as allowed under state law.

Table 2 summarizes feedback from the RPACs:

Table 2: RPAC feedback

June Lake CAC	<ul style="list-style-type: none"> • Regulations should be nuanced and should not be blanket regulations for all neighborhoods. • Two members supported banning all short-term rentals in ADUs. • The fact that prohibiting would simplify the tracking process should not be considered. There needs to be a better reason than county staff time to justify prohibitions above minimum state standards. • Several members acknowledged that they can see both sides – property rights vs long term housing. • No comments on height restriction.
Bridgeport	<ul style="list-style-type: none"> • Support visitor economy by maintaining property rights. • Outright prohibition not supported without more data.

	<ul style="list-style-type: none"> • Tiny homes – how do they fit in? Need to define tiny homes within ADU conversation. • STRs still go through process and that process should be honored. • No comments on height restriction
Antelope Valley	<ul style="list-style-type: none"> • Five members opposed additional restriction for the following reasons: <ul style="list-style-type: none"> - Give owners options - TOT revenue - Regional restriction – only restrict in more urbanized areas? • Two members supported restriction for the following reasons: <ul style="list-style-type: none"> - Concern for long term housing - Concern for lack of housing for displaced residents from the Mountain View Fire. • Did not see reason to have height restriction.
Mono Basin	<ul style="list-style-type: none"> • Allow short-term rentals under current permitting process. No additional prohibitions than those required under state law. • No comments on height restriction.
Long Valley	<ul style="list-style-type: none"> • Unanimous: No additional prohibition – honor permit process already in place. • Height limit for units with reduced setbacks: normal height limit if within the setbacks set forth by the land use designation, but 16’ height limit between 4’ and the standard setback.

Summary of RPAC Outreach

Although the RPACs expressed mixed opinion on potentially prohibiting short-term rentals beyond state requirements, the consensus opinion that emerged was to rely on the County’s current permitting process. Under this scenario, short-term rentals would be prohibited in units qualifying under 16.040A, as required by state law. These units require only a building permit, as outlined in Table 1. Under this framework, however, short-term rentals would be permitted for larger units, subject to a Use Permit (Chapter 25 of the Land Use Element) and a Short-Term Rental Activity Permit (Chapter 5.65 of the Mono County Code). The alternative is to continue with the current practice which prohibits short-term rentals in larger ADUs requiring either a Director Review Permit or Use Permit through a condition of approval. Between this local practice and state law, short-term rentals would effectively be prohibited in all ADU types.

In terms of instituting a 16-foot height limit, the Long Valley RPAC expressed an interest in applying it when a project utilizes a reduced setback (potentially down to a four-foot side and rear setback, if safety standards are met, as permitted by state law). In practice, this would require any ADU that has a side or rear setback between four feet and the standard setback for the land use designation have a height limit of 16 feet. The portion of the ADU structure that meets the setbacks for the land use designation would still be allowed up to 35 feet (the same as a primary residence). The idea of reducing the height limit for units that utilize reduced setbacks did not come up until the final RPAC presentation (Long Valley), so the other RPACs did not have a chance to discuss this particular proposal. However, staff supports the idea to help balance the scale of buildings that are constructed closer to an adjacent property line than standard setbacks allow. Language for this provision is found in the redline version under 16.050I.

Planning Commission and Board of Supervisors Direction

At the April 15, 2021, meeting, the Planning Commission concurred with RPAC consensus on short-term rentals, supporting the idea to rely on existing short-term rental policy used for primary residences in cases where state law does not prohibit short-term rentals in ADUs. The Planning Commission also supported the Long Valley RPAC's suggestion for height reductions when a reduced setback is utilized.

A workshop was also conducted at the Board of Supervisors on May 11 to present the RPAC and Planning Commission recommendations. The Board supported a prohibition of all short-term rentals in ADUs to encourage long-term rental use, and no additional height limit to remove regulatory barriers to construction of ADUs.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)

A workshop on GPA 21-01 was conducted at the May 17, 2021, LDTAC meeting to review and discuss the proposed changes to the Safety Element and Land Use Element. Staff will provide a verbal update to the Commission summarizing relevant discussion points and any edits requested by the LDTAC at the May 20 Planning Commission meeting.

PUBLIC HEARING NOTICE

As lead agency, the Mono County Community Development Department, mailed notices pursuant to State planning law and Senate Bill 18 (SB 18) which requires cities and counties to contact and consult with California Native American tribes prior to amending or adopting any general plan or specific plan or designating land as open space. Notices were sent to the contacts listed on the County's contact list as well as the list provided by the Native American Heritage Commission. Tribes have 90 days from the date of receipt of this letter to request consultation. Notices were sent twice, the first round were sent in January 2020 and no responses were received. The second round of notices were sent on February 5, 2021, and allowing time for mailing, responses were due no later than May 10, 2021. One response was received from the Chair of the Mono Lake Kutzadika Tribe, indicating receipt of the notice and that the item would be presented at the March Tribal Council meeting (Attachment 5). No additional comments were received when this staff report was drafted.

The Safety Element update also required notices be mailed pursuant to Government Code Section 65302.5 which requires cities and counties to submit a copy of the draft Safety Element to the following agencies: California Geological Survey of the Department of Conservation, the California Governor's Office of Emergency Services (CAL OES), the BOF, and every local agency that provides fire protection in the territory prior to the adoption or amendment of the Safety Element. Notices were sent twice, the first round were sent in January 2020 and three responses were received (Attachment 5). CalOES recommended edits/additions pursuant with AB 2140, Chalfant Valley Community Service Fire District requested a hardcopy of the Safety Element, and a representative from the Office of the State Fire Marshal, Land Use Planning Program recommended submitting the Safety Element for Pre-Review comments prior to requesting formal review from the BOF. GPA 21-01 was delayed due to participation in two Pre-Review processes with the Office of the State Fire Marshal, Land Use Planning Program. The second round of notices were sent on February 5, 2021, after completion of the second Pre-Review process, and responses were due no later than May 10, 2021. One comment was received

from CAL FIRE Battalion Chief of the Owens Valley Conservation Camp #26 confirming receipt and acknowledging that he had no additional edits or modifications for the draft Safety Element (Attachment 5). No additional comments were received when this staff report was drafted.

As noted in Part 1 - Safety Element discussion above, the BOF did not send confirmation of receipt or comments on the submitted Safety Element within 60 days. Staff contacted the BOF on April 30, 2021, to confirm receipt and inquire about next steps and received a response on May 4 indicating that the Safety Element will be on the June 8, 2021, BOF agenda (Attachment 5).

A public hearing notice was published in the May 8, 2021, edition of The Sheet (Attachment 6). No comments were received when this staff report was drafted.

CEQA COMPLIANCE

The proposed project is General Plan Amendment (GPA) 21-02, the adoption of an update to Chapter 16 of the Land Use Element (Accessory Dwelling Units), updates to the Safety Element, and minor technical corrections and clarifications to the Land Use Element. An addendum to the Mono County General Plan Final Environmental Impact Report (SCH# 2014061029) is proposed for this project as allowed by Section 15164 (a) of the CEQA Guidelines:

- "(a) The Lead Agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

Section 15164 (a) of the CEQA Guidelines allows a lead agency to prepare an addendum to an EIR if only minor technical changes or additions are necessary or none of the conditions in Section 15162 calling for the preparation of a subsequent EIR have occurred. Section 15162 of the CEQA Guidelines require the preparation of a subsequent EIR for a project when an EIR has been certified for that project when the lead agency determines, on the basis of substantial evidence in the record, that one or more of the following has occurred:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown

in the previous EIR;

- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The CEQA Guidelines require the preparation of a subsequent EIR if one or more of several conditions are met; an addendum is required if none of the conditions requiring a subsequent EIR has occurred, but minor changes are necessary to the original EIR. The decision not to prepare a subsequent EIR for the adoption of this update was based on an analysis of the conditions requiring a subsequent EIR and the determination that none of those conditions applied to this project (Attachment 2), i.e.:

- (1) There are no substantial changes that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (2) There are no substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (3) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, that shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR; or
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; or
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on the considerations and analyses presented in the Addendum (Attachment 2) and based on the provisions contained in CEQA §15164[a]) as presented in its entirety in the Addendum, it

is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that an Addendum to the adopted 2015 RTP/GPU EIR is the appropriate CEQA document for the proposed General Plan Amendment 21-01.

CEQA §15164(c-e) states that “an Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”

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

ATTACHMENTS

1. Resolution R21-01 recommending the Board of Supervisors adopt GPA 21-01 with Exhibit A: Proposed GPA 21-01 (Redline)
2. GPA 21-01 Addendum
3. February 2020 Safety Element Pre-Review #1 Completeness Checklist
4. November 2020 Safety Element Pre-Review #2 Completeness Checklist
5. GPA 21-01 Comments
6. Notice of Public Hearing

ATTACHMENT 1: RESOLUTION R21-01 RECOMMENDING THE BOARD OF SUPERVISORS ADOPT GPA 21-01 WITH EXHIBIT A: PROPOSED GPA 21-01 (REDLINE)



RESOLUTION R21-01

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
INITIATING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS
ADOPT GENERAL PLAN AMENDMENT (GPA) 21-01 CONSISTING OF THREE PARTS: 1)
SAFETY ELEMENT; 2) ANNUAL CLEANUP; AND 3) CHAPTER 16, ACCESSORY DWELLING
UNITS, IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA)**

WHEREAS, state planning law (Government Code §65302 (g)(1)) requires a Safety Element to provide "...for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, slope instability leading to mud slides and landslides, liquefaction, and other seismic and geologic hazards known to the legislative body, flooding, and wildland and urban fires;" and

WHEREAS, state planning law (Government Code §65302 (g)(2)) requires comprehensive update to the fire section of Safety Elements upon revision of the Housing Element on or after January 1, 2014 (Government Code §65302 (g)(1)); and

WHEREAS, in accordance with the Federal Disaster Mitigation Act of 2000 (Public Law 106-390) revision of a local hazard mitigation plan adopted on or after January 1, 2017 requires the Safey Element to be reviewed and updated to address climate adaptation and resiliency strategies (see Government Code §65302(g)(4); and

WHEREAS, Mono County adopted the “Mono County and the Town of Mammoth Lakes Multi-Jurisdictional Hazard Mitigation Plan (including the Mono County Community Wildfire Protection Plan)” (MJHMP) on May 21, 2019 and the “2019-2027 Mono County Housing Element” on November 5, 2019, which triggered a comprehensive update to the Safety Element; and

WHEREAS, the Planning Commission conducted a workshop on August 20, 2020, to review and make recommendations on the new policies and actions proposed in the draft Safety Element; and

WHEREAS, as an outcome of the annual General Plan review, several adjustments to the Land Use Element of the General Plan are proposed to make technical corrections, minor additions, and respond to changes in State law; and

WHEREAS, recent changes to state law intended to streamline the construction of ADUs to help address the statewide housing crisis by reducing restrictive regulations and lessening the need for discretionary review triggered a comprehensive update to Land Use Element, Chapter 16, ADUs; and

1 **WHEREAS**, workshops on the proposed changes to Chapter 16, ADUs were conducted at the
2 August 8, 2020, Planning Commission meeting and at the November 17, 2021, and May 11, 2021, Board of
3 Supervisors meetings; and

4 **WHEREAS**, the Community Development Department conducted public outreach via the Regional
5 Planning Advisory Committees, including Antelope Valley, Bridgeport Valley, Mono Basin, June Lake,
6 and Long Valley to receive public input and community feedback on all three components of proposed
7 amendment; and

8 **WHEREAS**, in accordance with the California Environmental Quality Act and CEQA Guidelines
9 Section 15164, a 2019 Addendum to the final Environmental Impact Report (EIR) for the 2015 Regional
10 Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance
11 Updates, and Repeal of the Conway Ranch Specific Plan certified December 2015 is proposed; and

12 **WHEREAS**, an Addendum to the 2015 Regional Transportation Plan (RTP)/General Plan Update
13 Environmental Impact Report (EIR) was prepared for GPA 21-01; and

14 **WHEREAS**, on May 20, 2021, the Planning Commission held a duly noticed public hearing
15 regarding GPA 21-01; and

16 **WHEREAS**, having reviewed and considered all the information and evidence presented to it,
17 including public testimony, written comments, staff reports and presentations, the Planning Commission
18 recommends that the Board of Supervisors make required findings and adopt GPA 21-01 amending text in
19 the General Plan Safety Element and Land Use Element.

20 **NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION HEREBY
21 FINDS, RESOLVES, AND RECOMMENDS AS FOLLOWS:**

22 **SECTION ONE:** The Planning Commission initiates GPA 21-01.

23 **SECTION TWO:** The Planning Commission certifies the Addendum for GPA 21-01.

24 **SECTION THREE:** The Planning Commission makes the following findings for General Plan
25 Amendment 21-01:

- 26 1. All text changes to the Safety Element and Land Use Element of the Mono County General
27 Plan, which are attached hereto as Exhibit A and incorporated herein by reference, are
28 consistent with:
 - 29 a. The text and maps of the General Plan;
 - 30 b. The goals and policies contained in applicable area plans;
 - c. The sites of the proposed changes are suitable for any of the land uses permitted
 within that proposed land use designation;
 - d. The proposed changes are reasonable and beneficial at this time; and

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e. The proposed changes will not have a substantial adverse effect on surrounding properties.

SECTION FOUR: The Planning Commission recommends that the Board of Supervisors adopt GPA 21-01 and certify the Addendum.

PASSED AND ADOPTED this 20th day of May 2021, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Patricia Robertson, Chair

Attest:

Approved as to form:

Heidi Willson, Commission Secretary

Christian Milovich, Assistant County Counsel

MONO COUNTY GENERAL PLAN

SAFETY ELEMENT

MONO COUNTY GENERAL PLAN

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I. INTRODUCTION

State Planning law (Government Code § 65302 (g)) requires the Safety Element of a General Plan provide "for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, slope instability leading to mud slides and landslides, liquefaction, and other seismic and geologic hazards known to the legislative body, flooding, and wildland and urban fires." In addition, the General Plan Guidelines state that the aim of the Safety Element is to "reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, earthquakes, landslides and other hazards."

This Element outlines goals, policies and implementation measures designed to reduce the risk from locally significant natural hazards to an acceptable level. Successful implementation of this Element should reduce the loss of life, injuries, major damage to property, and the economic and social dislocation which may result from public safety hazards. Maps of known natural hazard areas are included in the **Master Environmental Assessment (MEA)**, the General Plan map at <https://monomammoth.maps.arcgis.com/home/>, and the Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) at https://www.monocounty.ca.gov/sites/default/files/fileattachments/planning_division/page/9617/mono_county_mjhmp_final_052919_w-appdx.pdf.

RELATIONSHIP TO OTHER ELEMENTS AND PLANS

Issues and policies presented in this Element are closely linked to the Land Use, Conservation and Open Space, Housing, and Circulation elements of the Mono County General Plan.

This Element outlines goals, policies and action items designed to reduce the risk from locally significant hazards to an acceptable level. A number of other planning documents also address hazards in the county. A complete list of those documents is included in the Safety section of the Mono County Master Environmental Assessment.

MONO COUNTY MASTER ENVIRONMENTAL ASSESSMENT (MEA)

The MEA contains background information on hazards in the county including maps of known hazard areas and is complemented by additional information and maps in the 2015 Environmental Impact Report for the General Plan/Regional Transportation Plan Update at (<https://monocounty.ca.gov/planning/page/general-plan-eir>).

CLIMATE CHANGE VULNERABILITY ASSESSMENT

Section 65302 of the California Government Code requires every general plan safety element to include a vulnerability assessment identifying the risks that climate change poses and the geographic areas at risk from climate change impacts. The Mono County Vulnerability Assessment was completed in 2018 and includes the technical basis for informing policies that address changing vulnerabilities as a result of climate change included in this element. **A copy of the assessment is available by request from the Community Development Department.**

MONO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN (MJHMP)

The Mono County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) addresses the unincorporated areas of Mono County as well as the Town of Mammoth Lakes, the county's only incorporated area. It also considers areas outside the county that either may impact areas within the county; e.g., Rock Creek Lake in Inyo County, or that are accessed from the county; e.g., Reds Meadow in Madera County. The MJHMP is a planning document intended to identify

MONO COUNTY GENERAL PLAN

hazards and provide mitigation so impacts to people and property from identified hazards can be minimized. The MJHMP is incorporated by reference and cross-referenced when applicable.

FIRE PLANS

The Mono County California Community Wildfire Protection Plan (CWPP) outlines fire hazards in Mono County, analyzes existing local preparedness and firefighting capabilities, and contains suggested solutions to address identified hazards. In addition, local fire protection districts, in some cases, have local community wildfire protection plans (CWPP) or other fire protection planning documents. The CWPP and local fire district plans are integrated into the Mono County MJHMP.

EMERGENCY OPERATIONS PLAN (EOP)

The Mono County Emergency Operations Plan (EOP) addresses specific emergency procedures for a variety of events, including natural hazard events, terrorism, airplane crashes, bioterrorism, etc. The EOP is available by request from the Mono County Sheriff's office, which is also the Mono County Office of Emergency Services. The Town of Mammoth Lakes also has an Emergency Operations Plan.

MONO COUNTY LAND DEVELOPMENT REGULATIONS

The Mono County Land Development Regulations in the Land Use Element contain regulations that specifically address flood and fire hazards; i.e., Chapter 21, Floodplain Regulations, and Chapter 22, Fire Safe Regulations.

AIRPORT LAND USE COMPATIBILITY PLANS

The Airport Land Use Compatibility Plans for the County airports address safety issues at Bryant Field in Bridgeport and at Lee Vining Airport. Mammoth Yosemite Airport, which is owned and operated by the Town of Mammoth Lakes, also has an Airport Land Use Compatibility Plan. Those plans focus primarily on safety issues related to land use in the area surrounding the airports.

FEDERAL AGENCY DOCUMENTS

The majority of the land in Mono County is public land. The various state and federal agencies responsible for the management of those lands have land management plans and specific hazard management plans such as fire safety plans that address hazard prevention on public lands. In addition, federal agencies responsible for certain hazards, such as the US Geological Survey, have documents that focus on specific hazards in the county such as volcanic hazards.

II. ISSUES/OPPORTUNITIES/CONSTRAINTS

Significant potential hazards to public health and safety exist in Mono County. The Safety Element contains a discussion, goals and policies for hazards that pose the greatest risk including avalanches; floods; fires; geologic hazards such as landslides, mudflows, and seismic hazards; and volcanic eruptions. The following section briefly discusses the constraints to development posed by each of these high-risk hazards. In addition, the County's Multi-Jurisdictional Hazard Mitigation Plan contains additional measures to address these and other hazards that may affect the county's population and assets. Additional hazards addressed by the Multi-Jurisdictional Hazard Mitigation Plan include dam failure, diseases and pests, drought, earthquake, extreme heat, severe wind, hazardous materials, severe winter weather and snow, wildlife collisions, and climate change-related hazardous conditions.

SEISMIC HAZARDS

Earthquakes

Mono County covers an area that is relatively young by geologic standards. It is located at a stress point where the earth's crustal plates are exerting opposite pressures against each other. This combination creates both "tectonic" earthquakes (e.g., land mass movement) and volcanic activity that can trigger earth shaking (e.g., magma chamber movement and lava dyke formations).

Fault Movement

Earthquakes are usually caused by sudden movement along geologic faults. The California Department of Conservation, Division of Mines and Geology (DMG), has evaluated potentially and recently active faults throughout Mono County including most of the community areas. Based upon these DMG studies, fault hazard zones (Alquist-Priolo Special Studies Zones) have been designated for the county (see the **General Plan Map or MJHMP**).

Ground Shaking

The primary seismic hazard in the county is strong to severe ground shaking generated by movement along active faults. The entire county, except for a small portion of the Sierra crest, is in an area where intense ground shaking is possible. This area has been designated as a Seismic Zone D, the zone of greatest hazard defined in the California Building Code. Probabilistic Seismic Hazard Assessment (PSHA) maps prepared by the California Geological Survey (CGS) and the USGS show that the areas with the greatest earthquake shaking hazard in Mono County include the Long Valley Caldera, the western portion of the Mono Basin extending north along the Eastern Sierra escarpment, the western edge of the White Mountains, the southeast corner of the county around Oasis, and the northern tip of the county around Topaz.

The Long Valley-Mammoth Lakes region has experienced numerous earthquakes caused by the movement of magma below the earth's surface. The oval-shaped Long Valley Caldera spans an area approximately 10 by 20 miles, and is among the largest volcanoes in the continental United States. Scientists suspect that the earthquakes are caused by shifts of buried stone slabs that are made unstable as magma moves within the volcano.

Ground Failure

Ground failure induced by ground shaking includes liquefaction, lateral spreading, lurching, and differential settlement, all of which usually occur in soft, fine-grained, water-saturated sediments, typically found in valleys. Areas at high risk are mapped in the **MJHMP**. During the 1980 Mammoth Lakes earthquake sequence, ground failure was prevalent at Little Antelope

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Valley, along margins of the Owens River in upper Long Valley, along the northwest margins of Lake Crowley, and along Hot Creek Meadow.

All of Mono County is situated within Seismic Zone D, and consequently new construction in the county must comply with stringent engineering and construction requirements. Existing buildings that may be subject to seismic hazards must comply with the requirements of the unreinforced masonry building law (Government Code § 8875).

OTHER GEOLOGIC HAZARDS

Rockfall, Mudflow and Landslide Hazards

Rockfalls and landslides are particularly common along the very steep slopes of the eastern scarp of the Sierra Nevada, where talus slopes provide evidence of abundant past rockfalls. During the winter and spring months, rockfalls can be lubricated with snow and ice and can become extremely fast moving and destructive. Landslides in areas of hilly and mountainous terrain can be triggered by ground shaking, heavy rains or human activities such as road cuts, grading, construction removal of vegetation, and changes in drainage.

The state Department of Conservation, Division of Mines and Geology has yet to prepare maps of earthquake-induced landslide hazards for Mono County as required by the Seismic Hazards Mapping Act. However, a landslide susceptibility map is included in the MJHMP based on California Geological Society mapping. Maps of rockfall hazard areas are based upon slope conditions and local and historical knowledge. Community areas in the county affected by rockfall hazards include Lundy Canyon and the June Lake Loop (primarily the Down Canyon area). The remaining rockfall risk areas are outside community areas.

Mud and debris flows involve very rapid downslope movement of saturated soil, sub-soil, and weathered bedrock. Large mud and debris flows, such as the one that occurred in 1989 in the Tri-Valley area, can be destructive, particularly at the mouths of canyons. Previous evidence of extensive mud and debris flows are evident in the large alluvial fans in the Tri-Valley area.

Subsidence

Subsidence in Mono County has been caused primarily by the tectonic movement of the earth and the movement of magma beneath the Long Valley Caldera. During the May 1980 sequence of earthquakes near Mammoth Lakes, the ground surface dropped about four inches at several locations near the Hilton Creek fault, and up to 12 inches of vertical offset occurred along the Mammoth Yosemite Airport fault zone. Magma movement in the Long Valley Caldera has caused bulging of the resurgent dome in the Casa Diablo area by about two and a half feet since 1980.

No subsidence has been observed in the county due to fluid withdrawals, or hydrocompaction of water impoundment. All major groundwater basins (see the **MEA**), however, have been identified by the Division of Mines and Geology as areas where subsidence could occur as a result of excessive groundwater pumping. None of these basins are identified as medium or high priority under the Sustainable Groundwater Management Act (SGMA) except, possibly, the Owens Valley basin in the Tri-Valley, which has been reprioritized from a medium to low basin.

Volcanic Hazards

Evidence of volcanic activity in Mono County extends from Black Point north of Mono Lake to the deposits of Bishop Tuff in southern Mono County. The source of volcanic risk in Mono County is the Inyo-Mono crater chain and the Long Valley Caldera. Vents in the Inyo-Mono crater chain have erupted about every 500 years over the last 2,000 to 3,000 years, with the most recent eruption occurring approximately 500 years ago. Eruptions in the Long Valley Caldera have occurred approximately every 2,000 years over the last 7,000 years. The volcanic hazards

mapped in the **MJHMP** estimate the extent of explosive blasts, hot flowing material, and ash flow.

FLOODING

Flood Hazards

The Federal Emergency Management Agency (FEMA) has prepared Flood Insurance Rate Maps illustrating 100-year flood hazard areas for several streams. Floods in these areas have a 1% probability of occurring in any given year. Such flooding could result in the loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief. Flood losses may be increased by the cumulative effect of obstructions in flood hazard areas that increase flood heights and velocities, and when inadequately anchored, can damage downstream uses.

Flooding is a potential risk to private properties situated in the vicinity of several waterways within the county. The community areas most likely to be impacted by a 100-year flood include properties along the East and West Walker River, Reversed Creek, and Spring Canyon Creek including portions of the Antelope Valley, Bridgeport Valley, the June Lake Loop, and the Tri-Valley area (see **General Plan maps**).

Some FEMA maps lack information regarding the base flood elevation, and are therefore of limited use for local development review and site-specific planning purposes. Some maps lack information concerning local alluvial fan and mudflow hazards. There is a significant need to update the flood hazard maps where these deficiencies exist. The California Department of Water Resources publishes flood-awareness area maps that, while non-regulatory, can provide additional flooding potential information, particularly for areas that remain unmapped by FEMA.

Dam Failure

The Mono County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) indicates that 22 dams are located in Mono County. The Lower and Upper Twin Lakes, Lundy Lake, Long Valley/Crowley Lake, Rush Creek meadows, and Saddlebag dams are identified as presenting some threat to downstream developed areas if dam failure were to occur.

The **MJHMP** illustrates the areas subject to flood hazards and dam failure inundation.

Seiches

Seiches are earthquake-generated waves within enclosed or restricted bodies of water such as lakes and reservoirs. Similar to the sloshing of water in a bowl or a bucket when it is shaken or jarred, seiches can overtop dams and pose a hazard to people and property within their reach. There is no available evidence that seiches have occurred in Mono County lakes and reservoirs.

FIRE

Wildland Fires

The combination of highly flammable fuel, long dry summers and steep slopes creates a significant natural hazard of wildland fire potential in most of Mono County. Wildland fires can result in death, injury, economic loss, and significant public investment in firefighting efforts. Woodlands and other natural vegetation can be destroyed resulting in a loss of timber, wildlife habitat, scenic quality and recreational resources. Soil erosion, sedimentation of fisheries and reservoirs, and downstream flooding can also result.

Fire hazard severity has been mapped by Cal Fire for most of the privately owned land in Mono County. Portions of the Antelope Valley, Sonora Pass (Sonora Junction), Swauger Creek, Lundy

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Canyon (Mono Basin), June Lake, Upper Owens, Mammoth Vicinity, and Long Valley Planning Areas are in the High Fire Hazard Severity Zone. Portions of June Lake and Sonora Junction are in Very High Fire Severity Zones. Most of the Bridgeport Valley, Mono Basin and Tri-Valley Planning Areas are mapped Moderate Hazard Severity Zones.

The Mono County Community Wildfire Protection Plan (CWPP) and the Cal Fire San Bernardino/Inyo/Mono Unit Fire Plan are incorporated by reference into this Safety Element. The CWPP provides community-level data concerning fire hazards in the county, including community fuel reduction treatment areas and fuel breaks and other wildfire mitigation recommendations, particularly in Wildland-Urban Interface areas.

Much of the privately owned land in the county is located outside of fire protection districts, and therefore lacks formal emergency fire protection service. It is difficult for existing fire districts to receive additional property tax revenues for annexation of these unserved areas, or for new fire districts to be formed. Consequently, future development in these areas without adequate fire protection will be limited.

The State of California has adopted wildland protection regulations for future development in the State Responsibility Area (SRA); Mono County has adopted and periodically updates a local ordinance that has the same practical effect as the Cal Fire regulations (Mono County Land Use Element Ch. 22, Fire Safe Regulations).

These fire safe regulations address requirements for adequate clearance of flammable vegetation around individual structures and clusters of structures and construction methods to prevent the spread of fire from the wildland to structures, and from structures to wildlands. Minimum water capacities for fire protection purposes are established in the regulations to ensure the availability of water for fire suppression purposes. Adequate road widths and load capacities are required to ensure ready movement of fire engines, and other heavy firefighting equipment to developed areas of the county; the Mono County Department of Public Works also has established similar road improvement standards for new development.

Structural Fires

The 11 fire protection districts in the county provide fire-prevention services through such activities as education and development review. The districts also provide varying levels of fire suppression and emergency medical response services to community areas. The MJHMP and 2015 General Plan/Regional Transportation Plan Environmental Impact Report provides a summary description of fire district service levels and capabilities, including the general capabilities and availability of local community water service in the county.

AVALANCHE

Avalanche Hazards

Although avalanches in Mono County occur primarily on national forests in the Sierra Nevada backcountry, some avalanche hazards present a significant risk to community areas. Both property damage and loss of life have resulted from avalanches in Mono County. Community areas influenced by avalanche hazards include Twin Lakes (Bridgeport area), Virginia Lakes, Lundy Lake, Mono Basin, June Lake, Long Valley/McGee Creek, Mammoth Vicinity and Wheeler Crest. In addition, roadway sections threatened by potential avalanches include portions of Lower Rock Creek Road; US 395 at Long Valley, Wilson Butte, and just north of Lee Vining; S.R. 158 entering the June Lake Loop; and several County roads entering eastern-slope community areas.

Avalanche Studies and Maps

In accordance with State law, avalanche hazard maps have been developed to illustrate areas of known avalanche occurrences. These maps were prepared by five Board-appointed avalanche advisory committees consisting of local residents and landowners. All pertinent information concerning the work of the five appointed committees and the avalanche policy formulation process – including committee recommendations and position papers – is posted as part of the General Plan maps and on file in the county Planning Division. Other County avalanche hazard studies prepared by avalanche consultants and that project potential avalanche run-out areas, and an archive of photographs documenting evidence of avalanche damage and occurrences are also on file in the Planning Division.

Avalanche Monitoring and Evacuation

A backcountry avalanche monitoring program is operated by the Eastern Sierra Avalanche Center. This monitoring program issues avalanche hazard warnings during periods of high avalanche danger in the backcountry. The county Sheriff's Department keeps in contact with avalanche experts and should a hazardous situation develop, advises those within the hazard-prone area of the critical nature of the hazard.

EVACUATION ROUTES

The Mono County Multi-Jurisdictional Hazard Mitigation Plan indicates that major routes (State and County), immediate access routes to community areas, and internal community street systems could be subject to closure by avalanches, landslides, snow and fog whiteouts, and flooding. In addition, imminent hazards such as high avalanche hazard conditions could prohibit travel even along open access routes. Several community areas have only a single access route, including portions of June Lake, McGee Creek, Crowley Lake, and Chalfant, and the entire community of Swall Meadows. Area Plan policies call for development of additional emergency access routes into these community areas.

The Mono County Multi-Jurisdictional Hazard Mitigation Plan, sets general evacuation procedures and available routes during all seasons for various emergency situations.

III. POLICIES

GOAL 1. Avoid the exposure of people and improvements to unreasonable risks of damage or injury from earthquakes and other geologic hazards.

Objective 1.A.

Direct development to occur in a manner that reduces the risks of damage and injury from seismic and other geologic hazards to acceptable levels.

Policy 1.A.1. In order to mitigate risk from seismic hazards such as surface fault-rupture, and other geologic hazards, regulate development near active faults, seismic hazard zones and other geologic hazards consistent with the provisions of the Alquist-Priolo Special Studies Zone Act and the Seismic Hazard Mapping Act.

Action 1.A.1.a. Applicable development proposals in Alquist-Priolo fault hazard zones, seismic hazard zones, or other known geologic hazard areas, shall provide a geologic or geotechnical report prior to project approval. The report shall:

- a. be funded by the applicant;
- b. be prepared by a registered geologist or certified engineering geologist;
- c. if a fault hazard, locate existing faults, evaluate their historic activity and determine the level of risk they present to the proposed development;
- d. if another geologic hazard, including a seismic hazard other than a fault hazard, locate site-specific geologic/seismic hazards affecting the project, identify areas containing geologic/seismic hazards that could adversely affect the site in the event of an earthquake or other geologic episode, and determine the level of risk they present to the proposed development;
- e. recommend measures to reduce risk to acceptable levels; and
- f. be prepared in sufficient detail to meet the criteria and policies of the State Mining and Geology Board, and to allow for review by the County's consulting geologist (see also Action 1.3).

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

Action 1.A.1.b. Require the scope of investigation for geologic and geotechnical reports to be commensurate with the complexity and exposure to risk of the proposed project. As an example, reports for hospitals, multi-story buildings, and other critical, sensitive, or high-intensity structures should be prepared in greater detail than those for lower-density wood-frame structures.

Action 1.A.1.c. Retain a qualified consulting geologist to review geologic/geotechnical studies prepared in accordance with Action 1.A.1.a. The consulting geologist shall evaluate the adequacy of the report, interpret or set standards where they are unclear, and advise the County of the report's acceptability. Project proponents shall be required to fund the costs associated with the County's consulting geologist's review of project geologic hazard studies. The County's consulting geologist shall be retained in conformance with the Mono County Environmental Handbook.

Action 1.A.1.d. During the initial project review process, encourage applicants to design or redesign their projects as necessary to avoid unreasonable risks from surface fault rupture and other geologic/seismic hazards. Work with the State Geologist to exempt from special geologic study requirements those projects that will clearly not be impacted by fault rupture or other geologic/seismic hazards.

Action 1.A.1.e. Deny applications for planning permits where geologic studies provide substantial evidence that the proposed project will be exposed to unreasonable risks from surface faulting, fault creep or other seismic hazards. Projects that include measures to reduce risks to acceptable levels may be approved. Consistent with Seismic Hazard Mapping Regulations, "acceptable level" means a reasonable assurance of public safety, although structural integrity and continued functionality are not ensured.

Action 1.A.1.f. Work with the State Geologist to address development proposals in areas where recent geologic/seismic episodes have occurred, but where special study zones or seismic zones have yet to be delineated.

Action 1.A.1.g. Require that all applicants for County permits in delineated special study zones or geologic/seismic hazard zones be notified of the area's potential for surface displacement or other seismic/geologic hazards, and that they be referred to this Element, support documents, seismic hazard-zone maps (when available) and the Alquist-Priolo maps on file in the county Planning Division for further information.

Policy 1.A.2. Identify and mitigate seismic/geologic hazards to existing structures, and ensure that new construction is designed to withstand seismic/geologic events.

Action 1.A.2.a. Consider conducting a comprehensive survey of the structural condition of all buildings, and identify potentially hazardous buildings in accordance with the Unreinforced Masonry Building Law (Government Code Section 8875). Input the results into the GIS system and update as needed.

Action 1.A.2.b. Utilizing the structural survey detailed in Action 1.A.2.a., consider developing a mitigation program for potentially unsafe structures in accordance with the Unreinforced Masonry Building Law.

Action 1.A.2.c. Continue to require new construction to comply with the engineering and design requirements of Seismic Design Category D.

Action 1.A.2.d. The County may require geotechnical studies as necessary to comply with the California Building Code.

Policy 1.A.3. Identify areas of seismic and geologic hazards.

Action 1.A.3.a. Utilize historical data and geotechnical studies to designate areas of geologic hazards.

Action 1.A.3.b. Work with the Federal Emergency Management Agency, the State Department of Water Resources, and other appropriate agencies to designate alluvial fans and mudflow areas on Flood Insurance Rate Maps where appropriate.

Action 1.A.3.c. Coordinate with the US Geologic Survey and other research entities in volcanic hazard research and monitoring activities for the Long Valley Caldera and the Inyo-Mono Crater chain.

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Action 1.A.3.d. Request the Division of Mines and Geology to establish Mono County as a priority area for mapping areas of ground shaking, liquefaction, and earthquake-induced landslides in accordance with Seismic Hazard Mapping Regulations.

Policy 1.A.4. Limit the intensity of development in seismic and other geologic hazard areas.

Action 1.A.4.a. Designate known hazardous areas for low-intensity uses in the Land Use Element; assign low-intensity land use designations for such areas.

Action 1.A.4.b. Utilizing the established land ownership adjustment process, facilitate land trades or purchases that result in placing properties subject to major geologic hazards into federal ownership or into the ownership of land conservation organizations.

Action 1.A.4.c. Through the permit process, including site plan review, direct development to avoid locating in hazardous areas.

Policy 1.A.5. Regulate land uses that may increase the potential for natural hazards, such as activities that disturb vegetative cover on steep slopes, or which could divert hazard flows toward down-gradient development.

Action 1.A.5.a. Prior to site development, require geotechnical evaluation of the potential for landslides and mudslides in applicable areas.

GOAL 2. Avoid exposure of people and improvements to unreasonable risks of damage or injury from flood hazards.

Objective 2.A.

Plan for and regulate development in flood hazard areas in a manner that protects people and property from unreasonable risks of damage due to flooding.

Policy 2.A.1. Seek to reduce the number of structures and regulate the placement of new structures and major renovation of existing structures, in the 100-year flood plain.

Action 2.A.1.a. Work with the Federal Emergency Management Agency (FEMA), the State Department of Water Resources, and other appropriate agencies to update flood hazard studies and FEMA National Flood Insurance Program (NFIP) maps for developing areas of the county.

Action 2.A.1.b. Continue to participate in the NFIP by enforcing and updating as necessary the provisions of the Mono County Flood Plain Regulations (Chapter 21 of the Land Development Regulations)

Action 2.A.1.c. In accordance with the stream setback requirements of the Mono County General Plan, require new development to set back adequately from surface waters for flood and habitat protection purposes. Any deviations from the stream setback requirements within the 100-year floodplain should be reviewed by the county Floodplain Administrator prior to permit issuance.

Action 2.A.1.d. Future development projects with the potential to cause substantial flooding, erosion, or siltation shall provide an analysis of the potential impacts prior to project approval. The analysis shall:

- a. be funded by the applicant;

- b. be prepared by a registered geologist or civil engineer;
- c. identify the nature of the hazard, and assess the impacts of the development on downstream development and resources; and
- d. recommend alternatives and/or mitigation measures to mitigate potential impacts to downstream resources to a level of non-significance, unless a statement of overriding considerations is made through the EIR process.

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

Action 2.A.1.e. Limit the intensity of development within the 100-year floodplain in the Land Use Element.

Action 2.A.1.f. Continue to implement Mono County Code Chapter 13.08, Land Clearing, Earthwork and Drainage Facilities, and update as necessary.

Action 2.A.1.g. Continue to address flood management issues during the planning and implementation of stream restoration efforts.

Action 2.A.1.h. Document past flood events and incorporate local data into the County GIS.

Action 2.A.1.i. Update the County GIS as new FEMA Flood Insurance Rate Maps and DWR flood-awareness area maps are made available.

Action 2.A.1.j. Seek priority funding from FEMA and the State Water Resource Control Board (SWRCB) to update the flood hazard maps of community areas where needed, including providing information regarding base-flood elevations, alluvial fans and mudflow hazards.

Action 2.A.1.j. Seek priority funding from FEMA and the SWRCB to establish a program to fund homeowners to lift existing residential structures out of the 100-year floodplain and fund buyouts for repetitive loss structures.

Action 2.A.1.k. Require flood proofing of existing public structures and critical facilities that are in the 100-year flood plain and 500-year floodplain.

Action 2.A.1.l. Regularly update and revise flood risk data and flood maps in coordination with FEMA to reflect the most current scientific data.

Action 2.A.1.m. Develop plans for phased use and adaptation of infrastructure that can be used as floodwater levels rise over time due to climate change.

GOAL 3. Avoid exposure of people and improvements to unreasonable risks of damage or injury from fire hazards.

Objective 3.A.

Plan for and regulate development in a manner that protects people and property by minimizing risks from wildland and structural fire hazards.

Policy 3.A.1. Continue to plan for wildfire protection in Mono County.

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Action 3.A.1.a. The Mono County Community Wildfire Protection Plan (CWPP) Wheeler Crest CWPP, Mammoth Lakes CWPP, and any other CWPPs within Mono County, and the Cal Fire San Bernardino/Inyo/Mono Unit Fire Plan are incorporated by reference into this Safety Element.

Action 3.A.1.b. Ensure that the CWPP and Unit Fire Plan are updated as needed to contain up-to-date evaluations of fire hazards, assessments of assets at risk, prioritization of hazard mitigation actions, and implementation and monitoring elements.

Action 3.A.1.c. Facilitate implementation of development and education measures identified in the CWPP to protect human life and property, critical infrastructure, and natural resources from wildfire.

Action 3.A.1.d. Utilize fire hazard maps to identify and disclose wildland urban interface hazards. Fire hazard maps in the MJHMP and CWPP are incorporated by reference in the Element.

Action 3.A.1.e. Work with Cal Fire to update fire hazard mapping to reflect changing fuels and climate conditions. Upon release of updated hazard severity zones, incorporate revised mapping into the Safety Element and update community fire risk assessments contained in the CWPP.

Action 3.A.1.f. Facilitate distribution of information from the Great Basin Unified Air Pollution Control District to the public on the status of air quality as requested, provide alerts on poor air quality days, and include educational materials on the health effects of air pollution.

Action 3.A.1.g. Encourage local Fire Safe Councils to prepare community and parcel-specific CWPPs and, to the extent feasible, support recommended projects that emerge from these plans, such as activities that educate community members about fire risk and how to prepare and protect their own properties against fire risk.

Policy 3.A.2. Require adequate structural fire protection for new development projects.

Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with California Government Code §66474.02 and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance. Applicants shall provide either a will-serve letter from the applicable fire protection district or a fire protection plan. The fire protection plan shall be part of the development application and shall identify the nature of the local fire hazard, assess the risk of wildland and structural fires presented by the project, and specify measures for detecting and responding to fires on the project site throughout all phases of the proposed development. Project approvals shall include a finding that adequate structural fire protection is or will be available.

Action 3.A.2.b. Require development projects within the sphere of influence of a fire protection district to annex into the district.

Action 3.A.2.c. Require the formation of a fire protection entity for specific plan areas that include significant residential uses, unless the area is within the Sphere of Influence of an existing local fire protection agency

Policy 3.A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.

Action 3.A.3.a. Work with Cal Fire to implement the county's Fire Safe Regulations.

Action 3.A.3.b. Adopt the Wildland Urban Interface Building Codes, established by the Office of the State Fire Marshall.

Action 3.A.3.c. Request the Mono County Fire Services Association, which consists of the 11 fire protection districts in the county, to review and comment on fire protection plans and major development proposals situated outside existing fire district spheres of influence.

Action 3.A.3.d. When the subdivision ordinance is updated, consider a policy stipulating that approval of parcel maps and tentative maps in SRAs or very high fire hazard severity zones is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for ingress, egress, and fire equipment access. (See Government Code §66474.02).

Action 3.A.3.e. Consider programming, as resources allow, emergency access routes identified in the MJHMP.

Action 3.A.3.f. Require development proposals to meet emergency access routes a specified in Chapter 22 of the Land Use Element and Public Resources Code §4290 and §4291.

Action 3.A.3.g. When the subdivision ordinance is updated, consider a requirement to identify fuel breaks in the layout/siting of subdivisions and an ongoing fuel break maintenance plan.

Action 3.A.3.h. Require development projects to provide ongoing maintenance of existing or proposed fuel breaks within the project site.

Policy 3.A.4. Mitigate fire hazards through the environmental and project review process.

Action 3.A.4.a. Consider the severity of natural fire hazards, the potential for damage from wildland and structural fire, the adequacy of fire protection, appropriate project modifications and mitigation measures consistent with this Element in the review of projects.

Action 3.A.4.b. Refer project proposals to local fire protection districts and Cal Fire for review and comment.

Action 3.A.4.c. Require on-site detection and suppression, such as automatic sprinkler systems consistent with the California Building Code.

Action 3.A.4.d. Limit the intensity of development in areas lacking adequate structural fire protection.

Policy 3.A.5. Assist fire protection districts in securing adequate funding for capital facilities and ongoing operations to serve new development.

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Action 3.A.5.a. Assist fire protection districts in the establishment and implementation of appropriate funding sources – such as fees, exactions, charges, and assessments – to enable existing fire districts to annex appropriate areas, and to enable new fire protection districts to be formed.

Policy 3.A.6. Consider mitigating fire hazards in previously developed areas that do not meet current fire safe development standards.

Action 3.A.6.a. Consider identifying and mapping existing housing that does not conform to current fire standards in terms of building materials, access, and vegetative hazards as identified in the CWPP.

Action 3.A.6.b. Consider developing plans to address the substandard housing identified above, including structural rehabilitation, occupancy reduction, fuels hazard reduction projects, community education, and improvements pertaining to access, fire flows, signage, and defensible space.

Policy 3.A.7. Reduce fuel around developed areas throughout the county to minimize wildland fire hazard risks to people and property.

Action 3.A.7.a. Review the County’s land use designation maps to ensure that land uses near high or very-high-hazard fire severity zones are compatible with wildland fire protection and suppression activities.

Action 3.A.7.b. Consider amending the CWPP to establish wildfire defense zones around community areas (e.g., fuel breaks, shelter zones, back fire areas, and staging areas to support fire-suppression activities).

Action 3.A.7.c. Site and design development to minimize the likelihood of a wildfire spreading to structures by minimizing pockets or peninsulas, or islands of flammable vegetation within a development.

Action 3.A.7.d. Coordinate with Public Works, Cal Fire, U.S. Forest Service, local Fire Protection Districts, local Fire Safe Councils, and private property owners to maintain fuel breaks and appropriate flammable vegetation clearance along public and private roads.

Action 3.A.7.e. Support fuel management programs and plans, consistent with state law, that require fuel management/modification within established defensible space boundaries and when strategic fuel modification is necessary outside of defensible space, balance fuel management needs to protect structures with the preservation of native vegetation, wildlife, and sensitive habitats.

Action 3.A.7.f. Support appropriate fuel management projects to remove hazardous fuel loads and improve ecosystem health.

Action 3.A.7.g. Consistent with Senate Bill 1122 (2012) and Senate Bill 859 (2016), facilitate efforts to establish a biomass facility in the County, with the goal of reducing forest fuel loads and wildfire hazard risk.

Action 3.A.7.h. Support efforts by Fire Safe Councils and community groups to promote fire prevention, fuels treatments, invasive species control, and defensible space in the

WUI and assist in identifying and pursuing funding opportunities to complete these activities.

Action 3.A.7.i. Support incentive programs that provide free or affordable residential green waste disposal to encourage vegetation management on private property.

Policy 3.A.8. Mitigate the effects of fire hazards within Mono County.

Action 3.A.8.a. Implement the fire hazard mitigation recommendations contained in the CWPP, which pertain to addressing, public education, local preparedness and firefighting capabilities, home mitigation, and fuels modification projects.

Action 3.A.8.b. Work with other jurisdictions and agencies to prepare for Public Safety Power Shutoffs (PSPS) and support, to the extent feasible, viable plans to provide resources for the community and vulnerable populations during and after PSPS events.

Action 3.A.8.c. Develop community outreach and education programs to facilitate the distribution of information about PSPS events including the current status of outages in Mono County, how to prepare for PSPS events, and information on existing rebate and incentive programs to assist community members in purchasing emergency backup generators.

Action 3.A.8.d. Identify communities most in need of backup generators for continued water supply operation during PSPS and severe weather events. Work with those communities to obtain the appropriate equipment and permits.

Action 3.A.8.e. Consider developing incentive programs to assist private property owners with private wells in purchasing, installing, and maintaining a backup generator for continued access to their water supply during PSPS and severe weather events.

Action 3.A.8.f. Encourage the installation of generators to enable continued operation of community and private water systems during PSPS events or severe weather-related outages.

Action 3.A.8.g. Work with regional partners to identify a technology backup power system and energy resource center to provide alternative telecommunication services.

Policy 3.A.9. Ensure the existing and future transportation system within Mono County adequately supports fire protection and suppression activities.

Action 3.A.9.a. Work with local fire districts, Cal Fire and federal and state land management agencies to prioritize pertinent transportation-related recommendations in the CWPP.

Action 3.A.9.b. Ensure that the Mono County Regional Transportation Plan (RTP) and the Mono County Circulation Element contain adequate policies pertaining to fire infrastructure; e.g., turnouts, helispots, safety zones, and vegetation management programs for state and county streets and highways.

Policy 3.A.10. After a large fire, evaluate the potential to reduce future vulnerabilities to fire hazard risks through site preparation, redevelopment layout (when possible), landscape design, and fire-resistant building materials.

Action 3.A.10.a. Coordinate with appropriate public and private entities to remove debris and promote the sound, equitable, and expedient reconstruction of property

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damaged/destroyed by wildfire and facilitate the upgrading of the built environment as expeditiously as possible.

Action 3.A.10.b. Seek resources to address fire hazard vulnerabilities and bring sub-standard development/subdivisions into compliance with current fire safe standards.

GOAL 4. Avoid exposure of people and improvements to unreasonable risks of damage or injury from avalanche hazards.

Objective 4.A.

Limit development that attracts concentrations of people in historical avalanche paths (Conditional Development Areas) during the avalanche season.

Policy 4.A.1. Prohibit new subdivisions, new winter commercial uses, and multi-family developments in conditional development areas unless proper mitigation is provided. A Conditional Development Area¹ denotes private property that has previously experienced avalanche activity.

Action 4.A.1.a. Prior to approving new development, other than single-family residential, in conditional development areas or within the Twin Lakes Avalanche Influence Area, the Planning Commission or Board of Supervisors shall either find:

- a. On the basis of a site-specific study by a qualified snow scientist, that the site is not within a potential avalanche hazard; or
- b. That the project has been designed by a registered civil engineer to withstand potential avalanche impact, or other appropriate structural mitigation measures have been incorporated into the project.
- c. Unless otherwise mitigated, all building sites created through new subdivisions shall be identified and located outside avalanche areas.

Action 4.A.1.b. Impose subdivision and use restrictions in conditional development areas through future rezoning and Use Permit conditions.

Policy 4.A.2. Promote seasonal rather than year-round land uses in conditional development areas.

Action 4.A.2.a. Require new commercial development projects in conditional development areas to discontinue operations during the avalanche season, unless mitigated as specified in Action 4.A.1.a. The avalanche season is considered to run from November 1 to April 15 of the following calendar year. Upon application, the Board of Supervisors may change the foregoing dates for specific areas if it finds that public health and safety will not be affected.

¹Conditional Development Areas have been identified by local avalanche advisory committees appointed by the Board of Supervisors. In some communities where insufficient historical data exist, the high-hazard zones identified in prior avalanche studies (i.e., Wilson, Beck, or Mears/Whitmore) have supplemented available historical information in defining the Conditional Development Area. The entire parcel shall be considered within the Conditional Development Area if any portion of a lot appears to be within the boundary. It should be noted the Conditional Development Areas are not highly precise and do not necessarily coincide with parcel lines.

Action 4.A.2.b. Encourage the use of seasonal trailers in conditional development areas where such use does not conflict with local land use designations or private restrictive covenants.

Policy 4.A.3. Utilizing the established land ownership adjustment process, facilitate land trades or purchases that result in placing properties, which on the basis of prior studies may be impacted by avalanches, into federal ownership or into the ownership of land conservation groups, for permanent open-space use.

Action 4.A.3.a. Survey landowners who own properties which, on the basis of prior studies, may be impacted by avalanches, for interest in land trades or purchases.

Action 4.A.3.b. Initiate land trade/purchase discussions between landowners and appropriate federal, state, or county agencies, or land conservation groups.

Action 4.A.3.c. Request applicable federal or state agencies to assign high- priority land acquisition status to private lands in areas that, on the basis of prior studies, may be impacted by avalanches.

Policy 4.A.4. Maintain and update historical avalanche data.

Action 4.A.4.a. Appropriate County agencies shall continue to compile avalanche data, including photographing and archiving avalanche damage when it occurs.

Action 4.A.4.b. The historical maps contained in the **MEA** should be revised and updated as necessary to reflect the run-out boundaries of actual avalanches; maps shall be compiled by the Planning Division and approved by the Board of Supervisors.

Action 4.A.4.c. Where the boundary of an actual avalanche area is in question, require site-specific analysis of the historical avalanche impact to the parcel prior to issuance of any County permits, other than building permits for single-family residential development. Such analysis should be conducted by a qualified snow scientist, and the conclusions of the analysis should be incorporated into this Element.

- APN 015-085-010-000 in June Lake: a site-specific avalanche study concluded this parcel is in the White Zone, which is a low-risk zone with an estimated return period of 300 years or impact pressures less than a gale force wind (21 lbs/ft²).²

Objective 4.B.

Inform residents and visitors of the potential avalanche hazards in or near local communities.

Policy 4.B.1. Inform affected persons of potential avalanche hazards in the area during the permit process and during transfer of property ownership.

Action 4.B.1.a. Designate community areas containing private lands influenced by historic avalanche path as "Avalanche Influence Areas" in this Element. The Avalanche Influence Area designation shall define community areas in which residents and visitors should be notified of where potential avalanche hazards exist in the vicinity.

Action 4.B.1.b. Designate historical avalanche paths as "conditional development zones" in this Element.

² Use Permit 18-003/High Sierra Cannabis Retail (DeCoster)

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Action 4.B.1.c. Require that all applicants for County permits in avalanche influence areas be notified of the area's potential avalanche hazards, and require that they be referred to this Element and avalanche documents on file in the county Planning Division for further information.

Action 4.B.1.d. In accordance with State law, sellers of property will notify buyer/transferees of potential avalanche and seismic hazards affecting subject property.

Policy 4.B.2. Inform visitors of potential avalanche hazards by posting notification signs on roadways entering avalanche areas as designated by the Board of Supervisors.

Action 4.B.2.a. Continue to post signs on local roads warning of avalanche potential.

Action 4.B.2.b. Require that new roads constructed in areas which may be impacted by avalanches be properly signed to notify of potential avalanche hazards.

Objective 4.C.

Plan for and provide emergency services in the event of avalanches.

Policy 4.C.1. Initiate avalanche warning procedures during hazard periods in accordance with adopted procedures such as the Mono County Sheriff Code Red Emergency Alert System.

Policy 4.C.2. Provide emergency access to avalanche-influence areas where feasible.

Action 4.C.2.a. Evaluate potential emergency access routes for avalanche influence areas in the county Circulation Element.

Action 4.C.2.b. Seek state or federal funding for emergency access road construction in avalanche-influence areas.

Policy 4.C.3. Provide snow-removal services to County roads only during periods of acceptable avalanche risks.

Action 4.C.3.a. The Director of Public Works will utilize broad discretion in determining when roads should be plowed.

Objective 4.D.

Work cooperatively with the US Forest Service (USFS) and Caltrans in mitigating local avalanche hazards.

Policy 4.D.1. Seek cooperation from the USFS in mitigating avalanche hazards that originate on land managed by the USFS and that threaten private property.

Action 4.D.1.a. Continue to promote and encourage local and/or regional USFS offices to:

- a. Support and expand the backcountry avalanche forecasting program to include threatened community areas;
- b. Structurally mitigate (i.e., environmentally sensitive supporting structures, deflecting berms, retarding mounds, catching dams, snow fences, etc.) avalanche hazards threatening community areas; and
- c. Initiate land exchanges with willing property owners in avalanche hazard areas.

Policy 4.D.2. Seek cooperation from Caltrans in mitigating avalanche hazards to local State highways.

Action 4.D.2.a. Promote and encourage Caltrans' assistance in funding local avalanche forecasting programs.

Action 4.D.2.b. Support Caltrans efforts to expand avalanche mitigation efforts in the June Lake community. Implement pertinent policies of the June Lake Area Plan.

Action 4.D.2.c. Encourage Caltrans to post avalanche warning signs along potential avalanche sections of US 395, such as in the Long Valley area, the Wilson Butte area, and the area north of Lee Vining during the avalanche season.

GOAL 5. Reduce the risks from natural hazards by planning for safe development, increasing public awareness of the natural hazards in Mono County, and providing an integrated multi-agency approach to emergency response.

Objective 5.A.

Identify areas of the county susceptible to hazards.

Policy 5.A.1. The County GIS system should include or integrate all available hazard mapping, including multi-hazard and repetitive-loss properties.

Action 5.A.1.a. Periodically assess the data and mapping products available on the County GIS system to integrate additional hazards information as it becomes available.

Policy 5.A.2. Maintain an inventory of existing assets (structures, infrastructure) in order to understand more fully the areas and types of development most susceptible to identified hazards and to identify more-specific mitigations for each hazard.

Action 5.A.2.a. Complete a detailed inventory of existing assets and enter that inventory into the County GIS. The inventory should include all data required by hazard mitigation planning such as type of structure, occupancy, construction type, size, value, etc.

Policy 5.A.3. Identify areas with the greatest potential for loss from identified hazards.

Action 5.A.3.a. In compliance with FEMA requirements for loss estimation, develop loss-estimation values and corresponding GIS products and update as needed.

Objective 5.B.

Limit development in areas identified as hazardous.

Policy 5.B.1. Restrict development in areas subject to hazards, including but not limited to, fire, flood, geologic, seismic, volcanic, and avalanche.

Action 5.B.1.a. Limit the intensity of development in hazard areas through the assignment of appropriate land use designations.

Action 5.B.1.b. Design public facilities such as power and water distribution pipes and sewer lines to avoid hazard areas and utilize valves and switches to mitigate hazards when no routing alternatives are feasible.

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Action 5.B.1.c. Consistent with government code 66474.2, avoid intensive development outside existing fire protection districts, unless an appropriate fire protection entity is established as a condition of project approval.

Policy 5.B.2. Maintain, update and integrate hazard planning documents.

Action 5.B.2.a. Update and work to integrate the Safety Element, Multi-Jurisdictional Hazard Mitigation Plan, Emergency Operations Plans, Airport Land Use Compatibility Plans, Community Wildfire Protection and other fire plans, and any other safety documents on a regular basis.

Action 5.B.2.b. Work with local fire protection districts, law enforcement, land management agencies, and Cal Fire to pursue funding and update and integrate planning documents.

Policy 5.B.3. Utilize Local Agency Formation Commission (LAFCO) municipal service reviews to evaluate existing emergency service providers and to identify needed improvements.

Action 5.B.3.a. Map existing emergency service facilities and areas lacking service, analyze which areas in identified hazard zones are missing adequate emergency services and integrate into applicable safety plans.

Objective 5.C.

Inform the public as to the nature and extent of natural hazards in Mono County.

Policy 5.C.1. Inform affected persons during the County permit process and during the transfer of property of potential seismic, geologic, volcanic, fire, flood, avalanche, and other natural hazards in the area.

Action 5.C.1.a. Prior to issuing planning or building permits in hazardous areas, refer the applicant to this Element, and support documents and studies on file in the county Planning Division for further information concerning potential hazards. In order to ensure that the applicant has been notified of potential hazards, the applicant may be required to sign a statement recognizing that potential hazards exist in the area.

Action 5.C.1.b. In accordance with State law, sellers of property will notify buyer/transferees of all potential hazards affecting subject property, including but not limited to, geologic, seismic, fire, flood, and avalanche.

Policy 5.C.2. Work cooperatively with other public agencies in the area to develop a public awareness program to inform residents and visitors of natural hazards in the county and emergency response procedures.

Action 5.C.1.a. In accordance with procedures adopted by the county Office of Emergency Services, provide notification to residents and visitors during emergencies and elevated hazard periods.

Objective 5.D.

Provide for safe ingress and egress of emergency vehicles/equipment and evacuation of populations.

Policy 5.D.1. Assess and pursue primary and secondary access improvements for all community areas for emergency purposes.

Action 5.D.1.a. Review development proposals to ensure the provision of primary and secondary access.

Action 5.D.1.b. Refer applications for planning and building permits to Cal Fire and local fire protection districts for review and comment regarding, emergency-access considerations.

Action 5.D.1.c. The Department of Public Works shall continue to review the adequacy of primary and secondary access for development projects on a case-by-case basis.

Action 5.D.1.d. Delineate community evacuation routes and plans for areas with high or very-high fire hazard residential areas, flood areas, avalanches influence areas, etc.

Action 5.D.1.e. Encourage local and regional partnerships to create evacuation routes and shelter locations to provide safe refuge during emergencies.

Action 5.D.1.f. For communities with only one access route, evaluate options to provide an emergency access route, prioritized based on multi-hazard risk to existing access. Design and create the alternative access route(s) if an option is chosen, and if funding and resources are available.

Action 5.D.1.g. Require individuals, as well as companies, that provide home or accommodation rentals to clearly post available emergency evacuation routes for guests.

Action 5.D.1.h. Encourage the incorporation of backup powered emergency response systems into evacuation centers (locations where visitors and residents can seek refuge during an incident)

Action 5.D.1.e. Work with federal land management agencies to ensure adequate access to high-hazard wildland areas, particularly adjacent to communities, for fire suppression activities and public evacuation.

Policy 5.D.2. All projects using hazardous materials or generating hazardous waste shall conform to the requirements of the county's Integrated Waste Management Plan for transportation, storage, and disposal.

Policy 5.D.3. Transportation, storage, and use of explosive materials shall comply with applicable county, state, and federal permit requirements.

Objective 5.E.

Work with local, state, and federal agencies and organizations to provide an integrated approach to emergency response, including search-and-rescue operations, in Mono County for all hazards.

Policy 5.E.1. Implement and update as needed the Mono County Emergency Operations Plan, Mono County Multi-Jurisdictional Hazard Mitigation Plan, and the Mono County Community Wildfire Preparedness Plan.

Action 5.E.1.a. Periodically review emergency response plans during the General Plan review process.

Policy 5.E.2. Work toward implementing a standardized emergency management system for responding to large-scale situations requiring multi-agency response.

MONO COUNTY GENERAL PLAN

Action 5.E.2.a. Review mutual aid agreements with adjoining emergency service providers to ensure a coordinated approach to emergency services.

Goal 6. Prepare for changing climate conditions in Mono County.³

Objective 6.A. Prepare for changing precipitation levels in the region.

Policy 6.A.1. Plan for reduced levels of precipitation and mitigate the impacts that will occur to water availability.

Action 6.A.1.a. Encourage water conservation regulations and encourage public reporting of violations.

Action 6.A.1.b Protect groundwater resources from contamination and overdraft through methods such as encouraging capture of precipitation in tanks and the use of treated wastewater for groundwater recharge and protecting important groundwater recharge areas.

Objective 6.B. Prepare for an increase in severe weather conditions and storm events.

Policy 6.B.1. Develop procedures and practices to reduce the impacts of more extreme storms, temperatures and their related impacts in Mono County, to help protect residents from the health hazards associated with severe weather.

Action 6.B.1.a. Follow County procedures in the event of severe weather conditions such as extreme heat events and more frequent and severe combined snow and rainstorms, including the deployment of emergency services, opening of additional local heating/cooling shelters, and community notification procedures. Cooling shelters may be of particular importance in the Tri-Valley.

Action 6.B.1.b. Develop and utilize emergency notification and information systems to promote public awareness of severe weather hazards and the impacts to the conditions on local and regional roadways. Expand the use of Spanish translation for information distributed to the public during severe weather or disaster events.

Action 6.B.1.c. Coordinate with health and social service providers from multiple sectors to identify data sources and strategies for community resilience and reaching out to vulnerable populations.

Action 6.B.1.d. Assist with seeking funding to address anticipated additional repairs to damaged infrastructure that will be required due to increased stress from climate effects such as intense snow and rainstorms.

Action 6.B.1.e. Continue to work with state and federal agencies and wireless providers to expand and improve coverage and interoperability of cell and radio service throughout the County.

Action 6.B.1.f. Work with Caltrans to install real-time wind and visibility tracking system for key access road segments and incorporate warnings into online notifications and emergency notification system.

Objective 6.C. Increase the resiliency and adaptability of residents, buildings, infrastructure, the natural environment, and the Mono County economy to climate change hazards.

³ Policies to address climate change related to wildfire and flood are incorporated directly into those goals in the Safety Element.

Action 6.C.1.a. Prepare to address environmental hazards and vulnerabilities that climate change influences currently and in the future.

Action 6.C.1.b During the periodic future updates of the Safety Element, hazards and vulnerabilities shall be reviewed, updated and new policies adopted to reflect the most current information available regarding climate change and strategies to reduce hazard risks compounded by climate change.

Action 6.C.1.c. Identify strategies to foster resiliency to climate change influences in both the built and undeveloped lands based on current and updated science.

Action 6.C.1.d. Identify mitigation measures to reduce climate change causes and adaptation plans to decrease the effects of climate change and protect residents and business from increased risks of natural disasters, such as flooding, drought, severe weather events and wildfire.

Action 6.C.1.e. Work with State agencies on adaptation strategies to address climate change impacts.

Exhibit A: Part 2

MISCELLANEOUS LAND USE ELEMENT UPDATES

1. WHEELER CREST AREA PLAN

Policy 24.A.3. Retain the rural residential character of the entire study area.

Action 24.A.3.f. Prohibit ~~not-owner occupied all types of~~ short-term rentals (see that may be permitted under Chapter 25) in the Wheeler Crest Planning Area.

2. LAND USE DESIGNATION CHAPTERS

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.

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
- All new construction for the purpose of conducting sales, business or services, including any uses listed above.
- All conversions from a prior use when exterior structural alterations or additional parking are required.
- Accessory buildings and uses.
- Transient rentals (fewer than 30 consecutive days)

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Household units; if found compatible with the district, apartments, condominiums, etc.
- Lodging – e.g., hotels, motels, time-share, RV parks, campgrounds, glamping, bed-and-breakfast establishments, etc.

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.

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), campgrounds and glamping
- Projects containing four or more units such as condominiums, cooperatives, townhomes, cluster developments, and/or apartments
- Hotels, motels, lodges, bed-and-breakfast establishments, cabins, and 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 (fewer than 30 consecutive days) in multi-family units under single ownership of four or more dwelling units
- Conversion of five 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

Industrial Park (IP)

INTENT: The “IP” designation is intended to provide for a combination of light- and moderate-intensity industrial uses that do not create environmental nuisances or hazards to a degree that 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
- Caretaker unit – one per district

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 SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Residential uses – e.g., condominiums, townhomes, commercial lodging, cluster developments, and 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., business centers, general advertising, business and management consulting
- Recreational activities – e.g., health clubs, dance studios
- Food service establishments – e.g., restaurants, cafes, delicatessens
- Conversion or expansion of existing operations
- Transient rentals (fewer than 30 consecutive days)

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 Community Development 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), campgrounds and glamping
- Manufactured housing subdivision (see Ch. 18)

- Commercial cannabis activity: Manufacturing Type N, Manufacturing Type P, Distribution, Testing, Retail, and Microbusiness (only individual cannabis activities permitted in this designation shall be permitted in a Microbusiness), conducted in compliance with requirements of Chapter 13 of the Land Development Regulations and with the permit and operation requirements of Chapter 5.60 of the Mono County Code.

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.

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), campgrounds and glamping facilities
- Hotels, motels, bed-and-breakfast establishments, cabins and 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 (fewer than 30 consecutive days)
- Developed campgrounds
- Commercial recreational facilities such as cross country ski facilities, equestrian facilities, golf courses and facilities (if developed in conjunction with lodging facilities), marinas and boathouses
Employee housing, if developed in conjunction with recreational/lodging facilities

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:

- Humboldt-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 Yosemite 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 LADWP (Los Angeles Department of Water and Power) lands throughout the unincorporated area.

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- ~~Resource exploratory activities that involve excavation, devegetation, or other potentially significant environmental effects~~
- None stated

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 by the Commission to be compatible
- Recreation facilities, such as improved bike trails, cross country ski trails, and pedestrian trails requiring modification of the natural landscape, if found by the Commission to be compatible with the natural habitat of the area
- Construction of an accessory building prior to construction of the main building
- Airports, heliports, taxiways, and landing strips for aircraft
- Mining and geothermal exploration projects
- Commercial composting facilities
- Resource exploratory activities that involve excavation, devegetation, or other potentially significant environmental effects

3. CHAPTER 01 – INTRODUCTORY PROVISIONS

01.040 **Permissive Zoning & Interpretation.**

A. Mono County uses permissive zoning where, any use that is not enumerated or listed in the land use designation as permitted is presumed to be prohibited, except for those instances provided for in section 01.040.B. Interpretation.

B. Unless otherwise provided, any ambiguity concerning the content or application of the Land Development Regulations shall be resolved by the Planning Commission (see Section 04.030, Interpretation of "Similar Uses") or, on appeal therefrom, by the Board of Supervisors.

4. CHAPTER 02 – DEFINITIONS

02.730 **Lot coverage.**

"Lot coverage" means the percentage of a lot encumbered by impervious structures and modifications, structures including decks and areas devoted to vehicular traffic or parking. Specified requirements may be modified for substandard lots.

02.230 **Campground.**

"Campground" means any area or tract of land that is used or intended for use, or to be let or rented with one or more spaces available for transient recreational occupancy (less than 30 days) by campers on a temporary basis without provisions for electrical or sanitary hookups at individual campsites upon which individuals may occupy individual campsites overnight. "Campground" does not include "Glamping" as defined in 02.541 or "Recreational-vehicle park" as defined in 02.980.

02.231. **Caretaker's unit.**

"Caretaker's unit" means a dwelling unit that is secondary and accessory to an existing allowed use that is occupied by a person engaged on-site for the purpose of care and protection of the property.

02.541 **Glamping.**

"Glamping" means a form of 'glamorous camping' for a transient occupancy, where guests occupy detached units and/or permanently installed vintage recreational vehicles but which are not conventional hotel, motel, or cabin facilities. Permanent units must comply with the California Building Code. "Glamping" does not include "Campgrounds" as defined in 02.230 or "Recreational-vehicle park" as defined in 02.980.

CHAPTER 04 – GENERAL

04.040 Uses subject to Director Review.

The following uses are permitted subject to Director Review in all districts, in addition to those listed in individual land use designations:

A. Placement and Use of Recreational Vehicles (RVs) on Vacant Property.

2. Long-term temporary use of an RV – not to exceed six months of each year for a five-year period – may be permitted in designated ~~hazard avalanche~~-zones as a primary use subject to Director Review permit.

04.340 Mobile Vendor Standards and Guidelines

The sale of food and other retail items from a motorized vehicle or from a trailer, or from a portable unit, is permitted in Commercial and Mixed Use (MU) land use designations. Temporary uses (i.e., fewer than 180 days) may be permitted through a Director Review or Special Event permit. Longer-term or permanent operations shall be permitted through a use permit. The following standards and guidelines shall apply to all operations:

5. CHAPTER 22 – FIRE SAFE STANDARDS

22.110 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.

J. Driveways.

All driveways shall be constructed to provide a minimum of one 10-foot traffic lane.

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.

3. Driveways shall be designed and maintained to support at least 36,000 pounds.

6. CHAPTER 25 – SHORT-TERM RENTALS

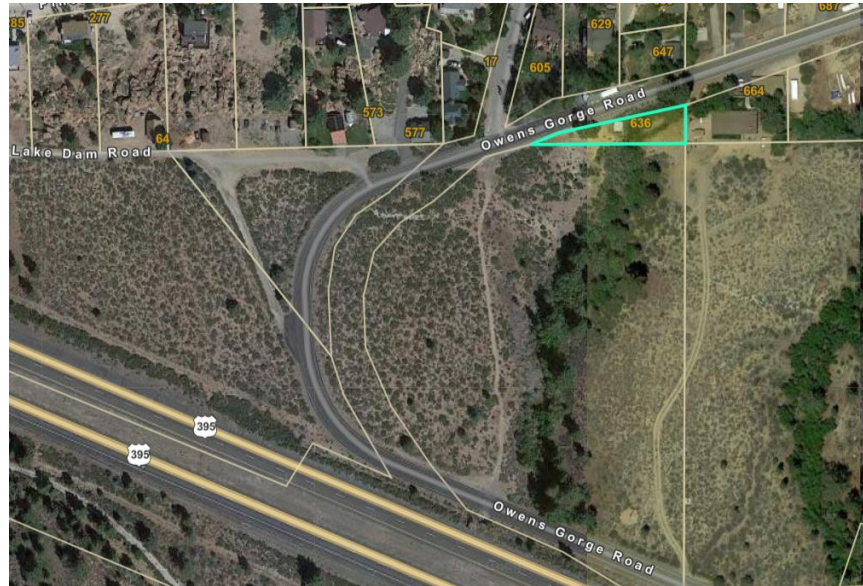
25.015 General Requirements and Applicability.

C. Unless explicitly states otherwise in this Chapter, short-term rentals covered by this Chapter shall operate in compliance with this Chapter, Chapter ~~5-605.65~~ of the Mono County Code, and all applicable Area Plan policies,¹⁴ and must exhibit no reasonable opposition from neighbors within 500 feet of the subject parcel.

D. Pursuant to Chapter ~~5-605.65~~ of the Mono County Code and the required Short-Term Rental Activity Permit, short-term rentals covered by this Chapter shall be specific to the owner and shall terminate upon a change of ownership.

7. LAND USE DESIGNATION CHANGES

- Sunny Slopes (636 Owens Gorge Road) – APN: 062-070-035 from SFR- ½ to Public Facilities (PF) designation.



- Benton (36 Christie Lane) - APN: 024-131-029 change the housing portion of the parcel from Public Facilities (PF) to Mixed Designation (MD). Multi-Family Residential (MFR-L) for the western half of the parcel (indicated by the gray polygon) and Public Facilities (PF) for the eastern half of the parcel.



Exhibit A: Part 3**CHAPTER 16 – ACCESSORY DWELLING UNITS****Sections:**

16.010	Intent.
16.020	Definition.
16.030	Applicable Land Use Designations.
16.040	General Provisions.
16.050	Standards for Accessory Dwelling Units.

16.010 Intent.

The intent of this chapter is to allow for Accessory Dwelling Units in accordance with State law in order to provide additional affordable housing opportunities, including housing for the elderly in Mono County.

16.015 Consistency with State Law

This chapter is consistent with State Law, including AB 881, AB 670, AB 587, AB 671, AB 68, and SB 13.

16.020 Definition.

"Accessory Dwelling Unit" (also referred to as "dependent," "Secondary Housing," or "granny unit") means residential occupancy of a living unit located on the same parcel as the primary residential 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. An Accessory Dwelling Unit shall meet the minimum regulations for an efficiency dwelling unit in the California Building Code.

The Accessory Dwelling Unit can be either attached to or detached from the primary residential unit but in either case shall have similar architectural elements as the primary unit (i.e., materials, textures, colors, etc.; see 16.050 G below). The Accessory Dwelling Unit shall be clearly subordinate to the primary unit.

“Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure. The junior accessory dwelling unit must contain cooking facilities.

Utilities that are installed for future expansion, such as stub outs that would allow a kitchen to be installed at a later date, shall be considered as complete cooking facilities in accessory dwelling units. In units required by deed restriction, complete cooking facilities shall be installed resulting in a usable kitchen at final permit issuance, and interior access between attached units shall be no more than a single personnel door.

16.030 Applicable Land Use Designations.

An Accessory Dwelling Unit and Junior Accessory Dwelling Unit may be permitted in any land use designation that allows single-family residences as a permitted use or as allowed in Specific Plan (SP) areas subject to the General Provisions below.

16.040 General Provisions.

- ~~A. On parcels less than 7,500 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 500 sq. ft. in size may be permitted with a building permit.~~
- ~~B. On parcels of 7,500 sq. ft. up to 10,000 sq. ft. in net area, an attached Accessory Dwelling Unit not exceeding 640 sq. ft. in size is allowed with a building permit. A detached Accessory Dwelling Unit not exceeding 640 sq. ft. may be permitted by application for a Director Review.~~
- ~~C. On parcels of 10,000 sq. ft. up to one acre in net area, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit.~~
- ~~D. On parcels one acre or greater, an Accessory Dwelling Unit not exceeding 640 sq. ft. in size (attached or detached) is allowed with a building permit. In this same parcel size range, an Accessory Dwelling Unit exceeding 640 sq. ft. but not exceeding 1,400 sq. ft. in size (attached or detached) may be permitted by application for a Director Review. In this same parcel size range, an Accessory Dwelling Unit exceeding 1,400 sq. ft. may be permitted by application for a use permit.~~
- A. Accessory Dwelling Units are permitted with a building permit if any of the following instances apply:
- (i) The accessory dwelling unit or junior accessory dwelling unit is located within a single-family dwelling or existing space of a single-family dwelling, whether existing or proposed, or accessory structure and may include an expansion of not more than 150 square feet beyond the physical dimensions of the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress. The space must have exterior access. Side and rear setbacks must meet fire protection standards and prevent snow shedding onto adjacent properties.
 - (ii) One-bedroom detached accessory dwelling units not exceeding 850-square feet and two-bedroom accessory dwelling units not exceeding 1,000-square feet. The unit may not exceed four-foot side and rear yard setbacks and must meet fire and safety standards, including prevention of snow shedding onto adjacent properties.
 - (iii) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. An existing multifamily unit is allowed at least one accessory dwelling unit or up to, and not exceeding, 25 percent of the existing multifamily dwelling units.
 - (iv) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling. Side and rear yard setbacks may be reduced to four feet provided the design demonstrates snow will not shed onto adjacent properties and fire safety standards are met.
- B. The following accessory dwelling units that do not qualify under 16.040A may be permitted through Director Review:
- (i) One-bedroom units between 850 and 1,400-square feet;
 - (ii) Two-bedroom units between 1,000 and 1,400-square.
- C. Accessory dwelling units that do not qualify under 16.040A and exceed 1,400-square feet may be permitted through Use Permit.

- E. Square footage of accessory dwelling units shall be calculated based on the exterior dimensions of the unit. All interior living space shall count toward the total square footage of the unit.
- F. Consistent with Government Code section 65852.2, ministerial reviews shall occur within ~~120~~ 60 days after receiving an accessory dwelling unit application, ~~unless the accessory dwelling unit is built concurrently with the primary unit.~~

16.050 Standards for New Accessory Dwelling Units.

- A. All construction shall conform to the height, setback, lot coverage, fees (including school impact fees and fire district fees), snow storage, and other development requirements applicable to residential construction in the land use designation in which the property is located. ~~Side and rear yard setbacks may be reduced to four feet provided the design demonstrates snow will not shed onto adjacent properties. The unit shall be exempt from development impact fees if less than 750-square feet and all units are exempt from Housing Mitigation Ordinance (HMO) fees.~~
- B. If a well and/or septic system is/are to be utilized, a clearance letter shall be obtained from the Environmental Health director and shall accompany the building permit application (or if applicable, the Director Review or Use Permit application). For Accessory Dwelling Units that are served by a public water and/or sewer system, a letter from the serving entity that indicates adequate service shall be submitted as part of the application.
- C. ~~One of the units on the parcel must be owner occupied if the property contains a junior accessory dwelling unit (either the primary unit or the junior accessory dwelling unit); for detached accessory dwelling units, there is no owner occupancy requirement. For units that do not qualify under 16.040.A, one unit on the property must be owner occupied.~~
- D. ~~If the Accessory Dwelling Unit is 640 sq. ft. or less in size, one off-street parking space must be provided for the Accessory Dwelling Unit in addition to parking required for the primary unit. If the Accessory Dwelling Unit is larger than 640 square feet, two parking spaces must be provided for the Accessory Dwelling Unit in addition to parking required for the primary unit, if it contains two or more bedrooms. Parking shall be in accordance with Chapter 06 of the Mono County Land Use Element, unless the following instances exist, in which case. Required parking shall be one space for a one-bedroom unit and two spaces for units of two or more bedrooms, and is in addition to the required parking for the primary unit. There is no parking requirement for studio units. No parking standards shall be imposed in the following instances:~~
 - (1) The accessory dwelling unit is located within one-half mile of public transit.
 - (2) The accessory dwelling unit is located within an architecturally and historically significant historic district.
 - (3) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
 - (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (5) When there is a car-share vehicle located within one block of the accessory dwelling unit.
- E. Whether attached or detached, the Accessory Dwelling Unit shall be architecturally compatible with the primary residence. The Community Development Department shall determine the architectural compatibility of the structures and shall consider roofing, siding, trim, door and window frame colors ~~and materials; roofing, siding, trim, door, and window materials;~~ roof slope and pitch; and wall articulation, roof line articulation, eaves,

railings, chimneys, porches, and similar features; landscaping should also be considered in helping to make the units compatible. The Accessory Dwelling Unit shall be clearly subordinate to the primary unit in terms of size and placement on the property. If attached, the two units shall have the appearance of a single-family residence; the Accessory Dwelling Unit entrance shall be located on the side or rear of the building.

- F. Pursuant to the California Building Code, accessory dwelling units shall not be required to provide fire sprinklers if they were not required for the primary residence. Accessory dwelling unit utility connections and related fees shall comply with Government Code section 65852.2.
- G. No passageway shall be required in conjunction with the construction of an accessory dwelling unit. No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than ~~five~~ four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage, provided the design demonstrates snow will not shed onto adjacent properties and fire safety standards are met.
- H. Short-term rentals are prohibited in units that qualify under 16.040A; units qualifying under 16.040B and 16.040C are subject to Mono County's short-term rental regulations (see Chapter 25 and Mono County Code Chapter 5.65).
- I. A height limit of 16 feet shall be imposed on units that are between the standard side or rear setback under the land use designation and the minimum allowed reduced setback of four feet under 16.050A.*

*Proposed language

ATTACHMENT 2: GPA 21-01 ADDENDUM

**Modifications to Chapter 16 of the Land Use
Element (Accessory Dwelling Units), Updates
to the Safety Element, and minor technical
corrections and clarifications to the Land Use
Element**

**Environmental Impact Report (EIR)
Addendum**

May 2021

Mono County Community Development Department

I. INTRODUCTION

The proposed project is General Plan Amendment (GPA) 21-01, the adoption of an update to Chapter 16 of the Land Use Element (Accessory Dwelling Units), updates to the Safety Element, and minor technical corrections and clarifications to the Land Use Element. An addendum to the 2015 Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates, and Repeal of the Conway Ranch Specific Plan Environmental Impact Report (2015 RTP/GPU EIR) (SCH# 2014061029) is proposed for this project as allowed by Section 15164 (a) of the CEQA Guidelines:

- "(a) The Lead Agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

Section 15164 (a) of the CEQA Guidelines allows a lead agency to prepare an addendum to an EIR if only minor technical changes or additions are necessary or none of the conditions in Section 15162 calling for the preparation of a subsequent EIR have occurred. Section 15162 of the CEQA Guidelines require the preparation of a subsequent EIR for a project when an EIR has been certified for that project when the lead agency determines, on the basis of substantial evidence in the record, that one or more of the following has occurred:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

II. PROJECT DESCRIPTION

General Plan Amendment (GPA) 21-01 (“Amendment”) consists of three components: (1) A comprehensive update to the Safety Element to be consistent with the recently adopted “Mono County and the Town of Mammoth Lakes Multi-Jurisdictional Hazard Mitigation Plan (including the Mono County Community Wildfire Protection Plan)” (MJHMP) (adopted May 21, 2019) and the “2019-2027 Mono County Housing Element (adopted November 5, 2019); (2) minor technical corrections and clarifications to the Land Use Element proposed as part of the annual General Plan cleanup, and (3) a comprehensive update to Land Use Element Chapter 16, Accessory Dwelling Units (ADU) to be consistent with recent changes to state law aimed at making regulations less restrictive to allow construction of more ADUs with less discretionary review and to address the County’s discretion over short-term rentals and height limitations for ADUs.

1. *Safety Element Updates*

The Amendment proposes to update the Safety Element to be consistent with the recently adopted Housing Element & MJHMP (Attachment 1). Noteworthy updates to the Safety Element include new goals, policies, and strategies for climate change resiliency and adaptation based on the analysis and recommendations of the 2018 Mono County Vulnerability Assessment and to be consistent with the MJHMP. Per SB 379 (2015), all counties must include climate adaptation and resiliency in the Safety Element of their General Plan upon the next revision beginning January 1, 2017. Updates were made to the flooding and fire sections to be coordinated and consistent with the recently adopted Housing Element and comply with the Board of Forestry and Fire Protection’s (BOF) new policy standards and requirements.

Prior to submitting a formal review request to the BOF, local jurisdictions are encouraged to submit their draft Safety Element to the Office of the State Fire Marshal, Land Use Planning Program for pre-review comments. Mono County’s draft Safety Element was submitted to the State Fire Marshal’s Land Use Planning Program for two pre-reviews in February 2020 and June 2020 and received completeness checklists with recommended edits/updates.

Government Code § 65302.5 specifies Safety Element review procedures which requires notification be sent to the California Geological Survey of the Department of Conservation, State Board of Forestry and Fire Protection, the Governor’s Office of Emergency Services (Cal OES), and every local agency that provides fire protection to territory in the County. The draft amendment to the Safety Element is required to be submitted to the BOF 90 days prior to planned adoption or amendment, the BOF will review and respond with comments within 60 days. A copy of the Safety Element was submitted to the BOF via mail on February 2, 2021, which initiated a 90-day review period that would end May 10, 2021. The BOF sent confirmation of receipt of the Safety Element on May 4, 2021 and indicated it would be reviewed and submitted for their approval on the June 8, 2021 BOF agenda.

2. *Minor Corrections to the Land Use Element*

The Amendment proposes minor technical changes as part of the annual cleanup of the General Plan:

Wheeler Crest Area Plan

- Update the language of Action 24.A.3.f. to prohibit “all types” of short-term rentals.

IV. Land Use Designations

- Add “campgrounds” and “glamping” uses to land use designations that currently allow for “Recreational-Vehicle Parks,” including Commercial (C), Commercial Lodging – Medium and High (CL-M &CL-H), Mixed Use (MU), and Rural Resort (RU).
- Add “transient rentals (fewer than 30 consecutive days)” to the list of “Uses Permitted Subject to Director Review” under the Commercial (C) land use designation only. Per Director’s Finding 17-02 which determined transient rentals were similar to and not more obnoxious than other uses permitted under the Commercial (C) designation.
- Add “transient rentals (fewer than 30 consecutive days)” to the list of “Uses Permitted Subject to Director Review” under the Mixed Use (MU) land use designation only. Per Director’s Finding 17-01 which determined transient rentals were similar to and not more obnoxious than other uses permitted under the Mixed Use (MU) designation.
- Add “caretaker’s units – one per district” to the list of “Permitted Uses” under the Industrial Park (IP) designation.
- Resource Management (RM): Move “Resource exploratory activities that involve excavation, de-vegetation, or other potentially significant environmental effects” currently listed under “Uses Permitted Subject to Director Review” to “Uses Permitted Subject to Use Permit.”

Chapter 1 – Introductory Provisions

- Add explanation of “Permissive Zoning.”

Chapter 2 – Definitions

- Add language clarifying the existing “lot coverage” definition.
- Add language clarifying the existing “campground” definition.
- Add “caretaker’s unit” & “glamping” definitions.

Chapter 4 – General

- Section 04.040 Uses subject to Director Review: Update text to allow for placement of a long-term temporary RV in designated “hazard areas as a primary use” subject to Director Review.
- Section 04.340 Mobile Vendor Standards and Guidelines: Add the Mixed Use (MU) designation to the list of permitted designations.

Chapter 22 – Fire Safe Standards

- Section 22.110 Emergency Access: Clarify and differentiate driveway and road surface load requirements. Identify driveway surface load requirement as 36,000 lbs to be consistent with current BOF standards.

Chapter 25 – Short-Term Rentals

- Correct a minor typographical error to the Mono County Code Chapter reference in Section 25.015 from 5.60 to 5.65.

The amendment also includes the following land use designation changes:

- APN: 062-070-035 from SFR- ½ to Public Facilities (PF) designation.

- APN: 024-131-029 to change the housing portion of the parcel from Public Facilities (PF) to Mixed Designation (MD). Multi-Family Residential (MFR-L) for the western half of the parcel and Public Facilities (PF) for the eastern half of the parcel.

3. Updates to Chapter 16, Accessory Dwelling Units (ADUs)

New state law expands the allowance of ADUs through only a building permit in several additional situations:

- *16.030*. Junior ADUs are permitted in any land use designation where non-Junior ADUs are already permitted. Junior ADUs are defined as a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior ADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure. The junior ADU must contain cooking facilities.
- *16.040A(i)*. An attached ADU may expand by up to 150 square feet beyond the existing physical dimensions, if it is accommodating ingress or egress, and has exterior access.
- *16.040A(iii)*. Multiple accessory dwelling units within the portions of existing multifamily dwelling structures not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. An existing multifamily unit is allowed at least one accessory dwelling unit or up to, and not exceeding, 25 percent of the existing multifamily dwelling units.
- *16.040A(iv)*. Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling.

Additionally, the size thresholds for discretionary review have been revised to be consistent with state law. Discretionary review, in this case, refers to the requirement for either a Use Permit or Director Review permit.

Other revisions to Chapter 16 include:

- Side and rear yard setbacks may be reduced to four feet provided the design demonstrates snow will not shed onto adjacent properties or cause any other public health or safety issues.
- ADUs are exempt from Housing Mitigation Ordinance (HMO) fees. Units shall also be exempt from all other development impact fees if less than 750-square feet.
- Ministerial reviews shall occur within 60 days (previously 120) after receiving an accessory dwelling unit application unless the accessory dwelling unit is built concurrently with the primary unit.
- Short-term rentals are prohibited in all ADUs.

III. DECISION NOT TO PREPARE A SUBSEQUENT EIR

The CEQA Guidelines require the preparation of a subsequent EIR if one or more of several conditions are met; an addendum is required if none of the conditions requiring a subsequent EIR has occurred, but minor changes are necessary to the original EIR. The decision not to prepare a subsequent EIR for the adoption of this update was based on an analysis of the conditions requiring a subsequent EIR and the determination that none of those conditions applied to this project, i.e.:

- (1) There are no substantial changes that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The updates to the Safety Element and Land Use Element, including modifications to Chapter 16, do not impose any new significant environmental effects or increase the severity of identified effects.

Although the potential for higher density may be increased through Chapter 16 updates, each individual development application is still subject to the same development standards such as lot coverage, septic and water approvals, fire district service approval, etc. The standards that have been modified (parking and setbacks) do not result in environmental impacts. The reduced parking is occurring in locations in a more “urban” type of setting where multi-modal transportation will be more available and setbacks are subject to public safety requirements, including snow shed and fire response access. The incremental increase to VMT and GHG are not expected to be substantial because the potential for increased density is focused in residential areas of existing communities, potentially creating a better match between jobs and housing to reduce impacts related to Vehicle Miles Traveled (VMT) and Greenhouse Gas Emissions. ADUs will only occur on parcels already designated and found suitable for residential development.

Updates to the Safety Element and Land Use Element are primarily technical changes and do not impose significant impacts. Safety Element changes are targeted at improving education, awareness, and response, and do not propose development that could cause impacts to existing land uses. The addition of campgrounds and glamping to Commercial (C), Commercial Lodging – Medium and High (CL-M & CL-H), Mixed Use (MU), and Rural Resort (RU) is not expected to cause impacts beyond the uses currently allowed, since RV Parks are already allowed in these land use designations. The remainder of the changes to the Land Use Element are clarifying language, including modifications to definitions, and do not change the impacts of potential development.

- (2) There are no substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

No revisions to the EIR are required since the updated policies and language do not create or increase any environmental effects. No substantial changes have occurred with respect to circumstances in Mono County that relate to any of the proposed changes.

- (3) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, that shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR; or
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; or

As discussed previously, the proposed update does not involve changes that would create any new environmental impacts or increase severity. Previously identified impacts are not exacerbated with the updates to the Safety Element and Land Use Element, including Chapter 16.

At the time of adoption in 2015, VMT was not required to be analyzed. Level of Service (LOS) was the standard at the time. However, the proposed changes are not expected to substantially increase VMT. The potential for increased density is focused in residential areas of existing communities, creating a better jobs to housing match.

- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

None of the mitigation measures or alternatives previously found to not be feasible in the 2015 RTP/GPU EIR have been found to be feasible now. None of these mitigation measures or alternatives were related to the proposed modifications, and therefore no mitigation measures related to these changes are feasible.

- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

There are no mitigation measures or alternatives associated with the updated policies and language beyond those analyzed in the 2015 RTP/GPU EIR that would substantially reduce impacts and, as discussed previously, no new impacts have been identified.

IV. CONCLUSION

Based on the considerations and analyses presented above and based on the provisions contained in CEQA §15164(a) as presented in its entirety in this Addendum, it is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that an Addendum to the adopted 2015 RTP/GPU EIR is the appropriate CEQA document for the proposed General Plan Amendment 21-01.

CEQA §15164(c-e) states that “an Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”

ATTACHMENT 3: FEBRUARY 2020 SAFETY ELEMENT PRE-REVIEW #1 COMPLETENESS CHECKLIST

General Plan Safety Element Assessment

Board of Forestry and Fire Protection



October 2019

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Purpose and Background

Upon the next revision of the housing element on or after January 1, 2014, the safety element is required to be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas and land classified as very high fire hazard severity zones. (Gov. Code, § 65302, subd. (g)(3).)

The safety element is required to include:

- Fire hazard severity zone maps available from the Department of Forestry and Fire Protection.
- Any historical data on wildfires available from local agencies or a reference to where the data can be found.
- Information about wildfire hazard areas that may be available from the United States Geological Survey.
- The general location and distribution of existing and planned uses of land in very high fire hazard severity zones (VHFHSZs) and in state responsibility areas (SRAs), including structures, roads, utilities, and essential public facilities. The location and distribution of planned uses of land shall not require defensible space compliance measures required by state law or local ordinance to occur on publicly owned lands or open space designations of homeowner associations.
- The local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services. (Gov. Code, § 65302, subd. (g)(3)(A).)

Based on that information, the safety element shall include goals, policies, and objectives that protect the community from the unreasonable risk of wildfire. (Gov. Code, § 65302, subd. (g)(3)(B).) To carry out those goals, policies, and objectives, feasible implementation measures shall be included in the safety element, which include but are not limited to:

- Avoiding or minimizing the wildfire hazards associated with new uses of land.
- Locating, when feasible, new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in the SRA or VHFHSZ.
- Designing adequate infrastructure if a new development is located in the SRA or VHFHSZ, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.
- Working cooperatively with public agencies with responsibility for fire protection. (Gov. Code, § 65302, subd. (g)(3)(C).)

The safety element shall also attach or reference any fire safety plans or other documents adopted by the city or county that fulfill the goals and objectives or contains the information required above. (Gov. Code, § 65302, subd. (g)(3)(D).) This might include Local Hazard Mitigation Plans, Unit Fire Plans, Community Wildfire Protection Plans, or other plans.

There are several reference documents developed by state agencies to assist local jurisdictions in updating their safety elements to include wildfire safety. The Fire Hazard Planning, General Plan Technical Advice Series from the Governor's Office of Planning and Research (OPR), referenced in Government Code section 65302, subdivision (g)(3) and available at

1400 Tenth Street
Sacramento, CA 95814
Phone: (916) 322-2318

The Technical Advice Series is also available from the OPR website ([Technical Advice Series link](#)).^{*} The Technical Advice Series provides policy guidance, information resources, and fire hazard planning examples from around California that shall be considered by local jurisdictions when reviewing the safety element of its general plan.

The Board of Forestry and Fire Protection (Board) utilizes this Safety Element Assessment in the Board's review of safety elements under Government Code section 65302.5. At least 90 days prior to the adoption or amendment of their safety element, counties that contain SRAs and cities or counties that contain VHFHSZs shall submit their safety element to the Board. (Gov. Code, § 65302.5, subd. (b).) The Board shall review the safety element and respond to the city or county with its findings regarding the uses of land and policies in SRAs or VHFHSZs that will protect life, property, and natural resources from

unreasonable risks associated with wildfires, and the methods and strategies for wildfire risk reduction and prevention within SRAs or VHFHSZs. (Gov. Code, § 65302.5, subd. (b)(3).)

The CAL FIRE Land Use Planning team provides expert fire protection assistance to local jurisdictions statewide. Fire captains are available to work with cities and counties to revise their safety elements and enhance their strategic fire protection planning.

Methodology for Review and Recommendations

Utilizing staff from the CAL FIRE Land Use Planning team, the Board has established a standardized method to review the safety element of general plans. The methodology includes

- 1) reviewing the safety element for the requirements in Government Code section 65302, subdivision (g)(3)(A),
- 2) examining the safety element for goals, policies, objectives, and implementation measures that mitigate the wildfire risk in the planning area (Gov. Code, § 65302, subd. (g)(3)(B) & (C)), and
- 3) making recommendations for methods and strategies that would reduce the risk of wildfires (Gov. Code, § 65302.5, subd. (b)(3)(B)).

The safety element will be evaluated against the attached Assessment, which contains questions to determine if a safety element meets the fire safety planning requirements outlined in Government Code, section 65302. The reviewer will answer whether or not a submitted safety element addresses the required information, and will recommend changes to the safety element that will reduce the wildfire risk in the planning area. These recommended changes may come from the list of sample goals, policies, objectives, and implementation measures that is included in this document after the Assessment, or may be based on the reviewer's knowledge of the jurisdiction in question and their specific wildfire risk. By answering the questions in the Assessment, the reviewer will determine if the jurisdiction's safety element has adequately addressed and mitigated their wildfire risk. If it hasn't, any specific recommendations from the reviewer will assist the jurisdiction in revising the safety element so that it does.

Once completed, the Assessment should provide clear guidance to a city or county regarding any areas of deficiency in the safety element as well as specific goals, policies, objectives, and implementation measures the Board recommends adopting in order to mitigate or reduce the wildfire threat in the planning area.

General Plan Safety Element Assessment

Jurisdiction: Mono County	Notes:	CAL FIRE Unit: San Bernardino	Date Received:
County: Mono County	LUPP Reviewer: Curtis	UNIT CONTACT: Littlefield	Date Reviewed: 02/19/20

BACKGROUND INFORMATION SUMMARY

The safety element must contain specific background information about fire hazards in each jurisdiction.

Instructions for this table: Indicate whether the safety element includes the specified information. If YES, indicate in the comments where that information can be found; if NO, provide recommendations to the jurisdiction regarding how best to include that information in their revised safety element.

Required Information	Yes or No	Comments and Recommendations
Are Fire Hazard Severity Zones Identified? <i>CAL FIRE or Locally Adopted Maps</i>	Yes	Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) Mono County Wildfire Hazard Severity Zones Figure 7.1 Pg. 7-9
Is historical data on wildfires or a reference to where the data can be found, and information about wildfire hazard areas that may be available from the United States Geological Survey, included?	Yes	MJHMP Figure Appendix H-Historic Fire List Fire Regime Condition Class pg. 7-20-21
Has the general location and distribution of existing and planned uses of land in very high fire hazard severity zones (VHFHSZs) and in state responsibility areas (SRAs), including structures, roads, utilities, and essential public facilities, been identified?	Yes	MJHMP Appendix C-Critical Facilities
Have local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services, been identified?	Yes	Safety Element pg.VI-7 The 12 fire protection districts in the county provide fire-prevention services through such activities as education and development review. The districts also provide varying levels of fire suppression and emergency medical response services to community areas.
Are other fire protection plans, such as Community Wildfire Protection Plans, Local Hazard Mitigation Plans, CAL FIRE Unit or Contract County Fire Plans, referenced or incorporated into the Safety Element?	Yes	Safety Element pg.VI-6 The Mono County Community Wildfire Protection Plan (CWPP) and the Cal Fire San Bernardino/Inyo/Mono Unit Fire Plan are incorporated by reference into this Safety Element. The CWPP provides community-level data concerning fire hazards in the county, including community fuel reduction treatment areas and fuel breaks and other wildfire mitigation

Required Information	Yes or No	Comments and Recommendations
		recommendations, particularly in Wildland-Urban Interface areas.

Is there any other information in the Safety Element regarding fire hazards in SRAs or VHFHSZs?
N/A

GOALS, POLICIES, OBJECTIVES, AND FEASIBLE IMPLEMENTATION MEASURES

The safety element must contain a set of goals, policies, and objectives based on the above information to protect the community from unreasonable risk of wildfire and implementation measures to accomplish those stated goals, policies, and objectives.

Instructions for this table: Critically examine the submitted safety element and determine if it is adequate to address the jurisdiction's unique fire hazard. Answer YES or NO appropriately for each question below. If the recommendation is irrelevant or unrelated to the jurisdiction's fire hazard, answer N/A. For NO, provide information in the Comments/Recommendations section to help the jurisdiction incorporate that change into their safety element revision. This information may utilize example recommendations from Sample Safety Element Recommendations and Fire Hazard Planning in Other Elements of the General Plan below, may indicate how high of a priority this recommendation is for a jurisdiction, or may include other jurisdiction-specific information or recommendations.

Section 1 Avoiding or minimizing the wildfire hazards associated with new uses of land

Questions	Yes or No	Comments and Recommendations
Does local ordinance require development standards that meet or exceed title 14, CCR, division 1.5, chapter 7, subchapter 2, articles 1-5 (commencing with section 1270) (SRA Fire Safe Regulations) and title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structures Regulations) for SRAs and/or VHFHSZs?	Yes	The Mono County Land Development Regulations in the Land Use Element contain regulations that specifically address flood and fire hazards; i.e., Chapter 21, Floodplain Regulations, and Chapter 22, Fire Safe Regulations. pg. 316 Mono County has adopted and periodically updates a local ordinance that has the same practical effect as the Cal Fire regulations (Mono County Land Use Element Ch. 22, Fire Safe Regulations)
Are there goals and policies to avoid or minimize new residential development in VHFHSZs?	Yes	Policy 3. A.2. Require adequate structural fire protection for new development projects. Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Has fire safe design been incorporated into future development requirements?	Yes	Policy 3. A.2. Require adequate structural fire protection for new development projects. Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development

Questions	Yes or No	Comments and Recommendations
		Regulations) and consistent with State laws 4290 and 4291.
Are new essential public facilities located outside high fire risk areas, such as VHFHSZs, when feasible?	Yes	Action 3.A.1.c. Facilitate implementation of development and education measures identified in the Mono County Community Wildfire Protection Plan (CWPP) to protect human life and property, critical infrastructure, and natural resources associated with wildfire.
Are there plans or actions identified to mitigate existing non-conforming development to contemporary fire safe standards, in terms of road standards and vegetative hazard?	Yes	Policy 3. A.6. Consider mitigating fire hazards in previously developed areas that do not meet current fire safe development standards. Action 3.A.6.a. Consider identifying and mapping existing housing that does not conform to current fire standards in terms of building materials, access, and vegetative hazards as identified in the CWPP. Action 3.A.6.b. Consider developing plans to address the substandard housing identified above, including structural rehabilitation, occupancy reduction, fuels hazard reduction projects, community education, and improvements pertaining to access, fire flows, signage, and defensible space.
Does the plan include policies to evaluate re-development after a large fire?	No	Recommend a policy addressing re-development after a large fire.
Is fuel modification around homes and subdivisions required for new development in SRAs or VHFHSZs?	Yes	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Are fire protection plans required for new development in VHFHSZs?	Yes	Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with SB 1241 (recommend the reference of the code rather than the bill) (66474.02) and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of

Questions	Yes or No	Comments and Recommendations
		<p>permit issuance. Applicants shall provide either a will-serve letter from the applicable fire protection district or a fire protection plan. The fire protection plan shall be part of the development application and shall identify the nature of the local fire hazard, assess the risk of wildland and structural fires presented by the project, and specify measures for detecting and responding to fires on the project site throughout all phases of the proposed development. Project approvals shall include a finding that adequate structural fire protection is or will be available.</p>
Does the plan address long term maintenance of fire hazard reduction projects, including community fire breaks and private road and public road clearance?	Yes	<p>Policy 3. A.7. Reduce fuel around developed areas throughout the county to minimize wildland fire hazard risks to people and property</p>
Is there adequate access (ingress, egress) to new development in VHFHSZs?	Yes	<p>Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with SB 1241 (recommend the reference of the code rather than the bill) (66474.02) and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance</p>
Are minimum standards for evacuation of residential areas in VHFHSZs defined?	Yes	<p>MJHMP indicates that major routes (State and County), immediate access routes to community areas, and internal community street systems could be subject to closure by avalanches, landslides, snow and fog whiteouts, and flooding.</p> <p>CWPP addresses two concepts of evacuation, Shelter in place and Citizen Safety Zone, the CWPP goes into detail about each community with recommendations for mitigation and evacuations and has developed a goal identified below to address evacuations.</p> <p>Very High Priority: Develop an annual operating plan to coordinate wildfire management. An annual operating plan would be prepared cooperatively with local, state, and federal government agencies to encourage the following: evacuation planning and coordination. Pg.32</p>

Questions	Yes or No	Comments and Recommendations
<p>If areas exist with inadequate access/evacuation routes, are they identified? Are mitigation measures or improvement plans identified?</p>	<p>Yes</p>	<p>Several community areas have only a single access route, including portions of June Lake, McGee Creek, Crowley Lake, and Chalfant, and the entire community of Swall Meadows. Area Plan policies call for development of additional emergency access routes into these community areas. MJHMP sets general evacuation procedures and available routes during all seasons for various emergency situations</p> <p>Action 3.A.6.a. Consider identifying and mapping existing housing that does not conform to current fire standards in terms of building materials, access, and vegetative hazards as identified in the CWPP.</p> <p>Action 3.A.6.b. Consider developing plans to address the substandard housing identified above, including structural rehabilitation, occupancy reduction, fuels hazard reduction projects, community education, and improvements pertaining to access, fire flows, signage, and defensible space.</p>
<p>Are there policies or programs promoting public outreach about defensible space or evacuation routes? Are there specific plans to reach at-risk populations?</p>	<p>Yes</p>	<p>Action 3.A.1.c. Facilitate implementation of development and education measures identified in the Mono County Community Wildfire Protection Plan (CWPP) to protect human life and property, critical infrastructure, and natural resources associated with wildfire.</p> <p>CWPP-Provide information to citizens during emergencies such as wildfire. Use the PIO position to coordinate public information. Use local radio (English and Spanish), reverse 911, internet and local phone trees to provide the public with information. Early notification to residents and visitors to the area will provide the greatest benefit</p> <p>-Educate homeowners about forest health and fire prevention. Programs should provide the public with information about mechanical treatments and the use of prescribed fire for fuels treatments. Workshops should include information on how to create</p>

Questions	Yes or No	Comments and Recommendations
		defensible space and promote the safe use of chainsaws (professional instruction and PPE). -Promote the defensible space and hazard reduction recommendations for each community.
Does the plan identify future water supply for fire suppression needs?	Yes	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291. Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with SB 1241 (recommend the reference of the code rather than the bill) (66474.02) and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance.
Does new development have adequate fire protection?	Yes	Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with SB 1241 (recommend the reference of the code rather than the bill) (66474.02) and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance.

Section 2 Develop adequate infrastructure if a new development is located in SRAs or VHFHSZs.

Does the plan identify adequate infrastructure for new development related to:	Yes or No	Comments and Recommendations
Water supply and fire flow?	Yes	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing

Does the plan identify adequate infrastructure for new development related to:	Yes or No	Comments and Recommendations
		and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Location of anticipated water supply?	Yes	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Maintenance and long-term integrity of water supplies?	Yes	Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with SB 1241 (recommend the reference of the code rather than the bill) (66474.02) and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance.
Evacuation and emergency vehicle access?	No	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291 Recommend a policy addressing evacuation routes.
Fuel modification and defensible space?		Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification,

Does the plan identify adequate infrastructure for new development related to:	Yes or No	Comments and Recommendations
		as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291
Vegetation clearance maintenance on public and private roads?	No	Recommend a policy addressing the maintenance of vegetation clearance on public and private roads
Visible home and street addressing and signage?	Yes	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Community fire breaks? Is there a discussion of how those fire breaks will be maintained?	No	Recommend a policy to Include fuel breaks in the layout/siting of subdivisions and a policy to identify a policy for the ongoing maintenance of existing or proposed fuel breaks.

Section 3 Working cooperatively with public agencies responsible for fire protection.

Question	Yes or No	Comments and Recommendations
Is there a map or description of existing emergency service facilities and areas lacking service, specifically noting any areas in SRAs or VHFHSZs?	No	No maps or description were located within the Safety element but the county has identified an action to do to create one. Action 5.B.3.a. Map existing emergency service facilities and areas lacking service, analyze which areas in identified hazard zones are missing adequate emergency services and integrate into applicable safety plans.
Does the plan include an assessment and projection of future emergency service needs?	No	There is not a document however the county has a policy within the SE to produce one. Policy 5. B.3. Utilize Local Agency Formation Commission (LAFCO) municipal service reviews to evaluate existing emergency service providers and to identify needed improvements.

Question	Yes or No	Comments and Recommendations
Are goals or standards for emergency services training described?	Yes	<p><u>CWPP</u> Develop a Regional Training program to facilitate local training for structural and wildland firefighting. Pg.41 Work with state and federal agencies to conduct basic wildfire suppression and multi-agency ICS training. Pg.41</p> <p><u>MJHMP</u> C.1 Develop a regional training program to facilitate local training for structural and wildland firefighting. Pg. 7-71</p>
Does the plan outline inter-agency preparedness coordination and mutual aid multi-agency agreements?	Yes	<p>Policy 5. E.2. Work toward implementing a standardized emergency management system for responding to large-scale situations requiring multi-agency response.</p> <p>Action 5.E.2.a. Review mutual aid agreements with adjoining emergency service providers to ensure a coordinated approach to emergency services.</p>

Sample Safety Element Recommendations

These are examples of specific policies, objectives, or implementation measures that may be used to meet the intent of Government Code sections 65302, subdivision (g)(3) and 65302.5, subdivision (b). Safety element reviewers may make recommendations that are not included here.

A. MAPS, PLANS AND HISTORICAL INFORMATION

1. Include or reference CAL FIRE Fire Hazard Severity Zone maps or locally adopted wildfire hazard zones.
2. Include or reference the location of historical information on wildfires in the planning area.
3. Include a map or description of the location of existing and planned land uses in SRAs and VHFHSZs, particularly habitable structures, roads, utilities, and essential public facilities.
4. Identify or reference a fire plan that is relevant to the geographic scope of the general plan, including the Unit/Contract County Fire Plan, Local Hazard Mitigation Plan, and any applicable Community Wildfire Protection Plans.
5. Align the goals, policies, objectives, and implementation measures for fire hazard mitigation in the safety element with those in existing fire plans, or make plans to update fire plans to match the safety element.
6. Create a fire plan for the planning area.

B. LAND USE

1. Develop fire safe development codes to use as standards for fire protection for new development in SRAs or VHFHSZs that meet or exceed the statewide minimums in the SRA Fire Safe Regulations.
2. Adopt and have certified by the Board of Forestry and Fire Protection local ordinances which meet or exceed the minimum statewide standards in the SRA Fire Safe Regulations.
3. Identify existing development that do not meet or exceed the SRA Fire Safe Regulations or certified local ordinances.
4. Develop mitigation measures for existing development that does not meet or exceed the SRA Fire Safe Regulations or certified local ordinances or identify a policy to do so.

C. FUEL MODIFICATION

1. Develop a policy to communicate vegetation clearance requirements to seasonal, absent, or vacation rental owners.
2. Identify a policy for the ongoing maintenance of vegetation clearance on public and private roads.
3. Include fuel breaks in the layout/siting of subdivisions.
4. Identify a policy for the ongoing maintenance of existing or proposed fuel breaks.
5. Identify and/or map existing development that does not conform to current state and/or locally adopted fire safety standards for access, water supply and fire flow, signing, and vegetation clearance in SRAs or VHFHSZs.
6. Identify plans and actions for existing non-conforming development to be improved or mitigated to meet current state and/or locally adopted fire safety standards for access, water supply and fire flow, signing, and vegetation clearance.

D. ACCESS

1. Develop a policy that approval of parcel maps and tentative maps in SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for ingress, egress, and fire equipment access. (See Gov. Code, § 66474.02.)
2. Develop a policy that development will be prioritized in areas with an adequate road network and associated infrastructure.
3. Identify multi-family housing, group homes, or other community housing in SRAs or VHFHSZs and develop a policy to create evacuation or shelter in place plans.
4. Include a policy to develop pre-plans for fire risk areas that address civilian evacuation and to effectively communicate those plans.
5. Identify road networks in SRAs or VHFHSZs that do not meet title 14, CCR, division 1.5, chapter 7, subchapter 2, articles 2 and 3 (commencing with section 1273.00) or certified local ordinance and develop a policy to examine possible mitigations.

E. FIRE PROTECTION

1. Develop a policy that development will be prioritized in areas with adequate water supply infrastructure.
2. Plan for the ongoing maintenance and long-term integrity of planned and existing water supply infrastructure.
3. Map existing emergency service facilities and note any areas lacking service, especially in SRAs or VHFHSZs.
4. Project future emergency service needs for the planned land uses.
5. Include information about emergency service trainings or standards and plans to meet or maintain them.
6. Include information about inter-agency preparedness coordination or mutual aid agreements.

Fire Hazard Planning in Other Elements of the General Plan

When updating the General Plan, here are some ways to incorporate fire hazard planning into other elements. Wildfire safety is best accomplished by holistic, strategic fire planning that takes advantage of opportunities to align priorities and implementation measures within and across plans.

LAND USE ELEMENT

Goals and policies include mitigation of fire hazard for future development or limit development in very high fire hazard severity zones.

Disclose wildland urban-interface hazards, including fire hazard severity zones, and/or other vulnerable areas as determined by CAL FIRE or local fire agency.

Design and locate new development to provide adequate infrastructure for the safe ingress of emergency response vehicles and simultaneously allow citizen egress during emergencies.

Describe or map any Firewise Communities or other fire safe communities as determined by the National Fire Protection Association, Fire Safe Council, or other organization.

HOUSING ELEMENT

Incorporation of current fire safe building codes.

Identify and mitigate substandard fire safe housing and neighborhoods relative to fire hazard severity zones.

Consider diverse occupancies and their effects on wildfire protection (group housing, seasonal populations, transit-dependent, etc).

OPEN SPACE AND CONSERVATION ELEMENTS

Identify critical natural resource values relative to fire hazard severity zones.

Include resource management activities to enhance protection of open space and natural resource values.

Integrate open space into fire safety planning and effectiveness.

Mitigation for unique pest, disease and other forest health issues leading to hazardous situations.

CIRCULATION ELEMENT

Provide adequate access to very high fire hazard severity zones.

Develop standards for evacuation of residential areas in very high fire hazard severity zones.

Incorporate a policy that provides for a fuel reduction maintenance program along roadways.

**ATTACHMENT 4: NOVEMBER 2020 SAFETY ELEMENT PRE-REVIEW #2
COMPLETENESS CHECKLIST**

General Plan Safety Element Assessment

Board of Forestry and Fire Protection



June 2020

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Purpose and Background

Upon the next revision of the housing element on or after January 1, 2014, the safety element is required to be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas and land classified as very high fire hazard severity zones. (Gov. Code, § 65302, subd. (g)(3).)

The safety element is required to include:

- Fire hazard severity zone maps available from the Department of Forestry and Fire Protection.
- Any historical data on wildfires available from local agencies or a reference to where the data can be found.
- Information about wildfire hazard areas that may be available from the United States Geological Survey.
- The general location and distribution of existing and planned uses of land in very high fire hazard severity zones (VHFHSZs) and in state responsibility areas (SRAs), including structures, roads, utilities, and essential public facilities. The location and distribution of planned uses of land shall not require defensible space compliance measures required by state law or local ordinance to occur on publicly owned lands or open space designations of homeowner associations.
- The local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services. (Gov. Code, § 65302, subd. (g)(3)(A).)

Based on that information, the safety element shall include goals, policies, and objectives that protect the community from the unreasonable risk of wildfire. (Gov. Code, § 65302, subd. (g)(3)(B).) To carry out those goals, policies, and objectives, feasible implementation measures shall be included in the safety element, which include but are not limited to:

- Avoiding or minimizing the wildfire hazards associated with new uses of land.
- Locating, when feasible, new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in the SRA or VHFHSZ.
- Designing adequate infrastructure if a new development is located in the SRA or VHFHSZ, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.
- Working cooperatively with public agencies with responsibility for fire protection. (Gov. Code, § 65302, subd. (g)(3)(C).)

The safety element shall also attach or reference any fire safety plans or other documents adopted by the city or county that fulfill the goals and objectives or contains the information required above. (Gov. Code, § 65302, subd. (g)(3)(D).) This might include Local Hazard Mitigation Plans, Unit Fire Plans, Community Wildfire Protection Plans, or other plans.

There are several reference documents developed by state agencies to assist local jurisdictions in updating their safety elements to include wildfire safety. The Fire Hazard Planning, General Plan Technical Advice Series from the Governor's Office of Planning and Research (OPR), referenced in Government Code section 65302, subdivision (g)(3) and available at

1400 Tenth Street
Sacramento, CA 95814
Phone: (916) 322-2318

The Technical Advice Series is also available from the OPR website ([Technical Advice Series link](#)).^{*} The Technical Advice Series provides policy guidance, information resources, and fire hazard planning examples from around California that shall be considered by local jurisdictions when reviewing the safety element of its general plan.

The Board of Forestry and Fire Protection (Board) utilizes this Safety Element Assessment in the Board's review of safety elements under Government Code section 65302.5. At least 90 days prior to the adoption or amendment of their safety element, counties that contain SRAs and cities or counties that contain VHFHSZs shall submit their safety element to the Board. (Gov. Code, § 65302.5, subd. (b).) The Board shall review the safety element and respond to the city or county with its findings regarding the uses of land and policies in SRAs or VHFHSZs that will protect life, property, and natural resources from

unreasonable risks associated with wildfires, and the methods and strategies for wildfire risk reduction and prevention within SRAs or VHFHSZs. (Gov. Code, § 65302.5, subd. (b)(3).)

The CAL FIRE Land Use Planning team provides expert fire protection assistance to local jurisdictions statewide. Fire captains are available to work with cities and counties to revise their safety elements and enhance their strategic fire protection planning.

Methodology for Review and Recommendations

Utilizing staff from the CAL FIRE Land Use Planning team, the Board has established a standardized method to review the safety element of general plans. The methodology includes

- 1) reviewing the safety element for the requirements in Government Code section 65302, subdivision (g)(3)(A),
- 2) examining the safety element for goals, policies, objectives, and implementation measures that mitigate the wildfire risk in the planning area (Gov. Code, § 65302, subd. (g)(3)(B) & (C)), and
- 3) making recommendations for methods and strategies that would reduce the risk of wildfires (Gov. Code, § 65302.5, subd. (b)(3)(B)).

The safety element will be evaluated against the attached Assessment, which contains questions to determine if a safety element meets the fire safety planning requirements outlined in Government Code, section 65302. The reviewer will answer whether or not a submitted safety element addresses the required information, and will recommend changes to the safety element that will reduce the wildfire risk in the planning area. These recommended changes may come from the list of sample goals, policies, objectives, and implementation measures that is included in this document after the Assessment, or may be based on the reviewer's knowledge of the jurisdiction in question and their specific wildfire risk. By answering the questions in the Assessment, the reviewer will determine if the jurisdiction's safety element has adequately addressed and mitigated their wildfire risk. If it hasn't, any specific recommendations from the reviewer will assist the jurisdiction in revising the safety element so that it does.

Once completed, the Assessment should provide clear guidance to a city or county regarding any areas of deficiency in the safety element as well as specific goals, policies, objectives, and implementation measures the Board recommends adopting in order to mitigate or reduce the wildfire threat in the planning area.

General Plan Safety Element Assessment

Jurisdiction: Mono Co.	Notes: 2 nd Pre-review	CAL FIRE Unit: BDU	Date Received:
County: Mono	LUPP Reviewer: Curtis	UNIT CONTACT: Janssen	Date Reviewed: 11-24-2020

BACKGROUND INFORMATION SUMMARY

The safety element must contain specific background information about fire hazards in each jurisdiction.

Instructions for this table: Indicate whether the safety element includes the specified information. If YES, indicate in the comments where that information can be found; if NO, provide recommendations to the jurisdiction regarding how best to include that information in their revised safety element.

Required Information	Yes or No	Comments and Recommendations
Are Fire Hazard Severity Zones Identified? <i>CAL FIRE or Locally Adopted Maps</i>	Yes	Multi-Jurisdiction Hazard Mitigation Plan 2019 (MJHMP) Fig 7.1 pg. 7-9
Is historical data on wildfires or a reference to where the data can be found, and information about wildfire hazard areas that may be available from the United States Geological Survey, included?	Yes	MJHMP Hazard History Fig. 7.2 Appendix H
Has the general location and distribution of existing and planned uses of land in very high fire hazard severity zones (VHFHSZs) and in state responsibility areas (SRAs), including structures, roads, utilities, and essential public facilities, been identified?	Yes	MJHMP- Critical Facilities pg. 7-18
Have local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services, been identified?	Yes	Safety Element pg. VI-6
Are other fire protection plans, such as Community Wildfire Protection Plans, Local Hazard Mitigation Plans, CAL FIRE Unit or Contract County Fire Plans, referenced or incorporated into the Safety Element?	Yes	Safety Element pg. VI-6
Are residential developments in hazard areas that do not have at least two emergency evacuation routes identified?	Yes	Safety Element pg. VI-7 MJHMP Fig. 2.8
Have evacuation routes and their capacity, safety, and viability under a range of emergency scenarios been identified?	Yes	MJHMP Chapter 5

Is there any other information in the Safety Element regarding fire hazards in SRAs or VHFHSZs?
No

GOALS, POLICIES, OBJECTIVES, AND FEASIBLE IMPLEMENTATION MEASURES

The safety element must contain a set of goals, policies, and objectives based on the above information to protect the community from unreasonable risk of wildfire and implementation measures to accomplish those stated goals, policies, and objectives.

Instructions for this table: Critically examine the submitted safety element and determine if it is adequate to address the jurisdiction's unique fire hazard. Answer YES or NO appropriately for each question below. If the recommendation is irrelevant or unrelated to the jurisdiction's fire hazard, answer N/A. For NO, provide information in the Comments/Recommendations section to help the jurisdiction incorporate that change into their safety element revision. This information may utilize example recommendations from Sample Safety Element Recommendations and Fire Hazard Planning in Other Elements of the General Plan below, may indicate how high of a priority this recommendation is for a jurisdiction, or may include other jurisdiction-specific information or recommendations.

Section 1 Avoiding or minimizing the wildfire hazards associated with new uses of land

Questions	Yes or No	Comments and Recommendations
Does local ordinance require development standards that meet or exceed title 14, CCR, division 1.5, chapter 7, subchapter 2, articles 1-5 (commencing with section 1270) (SRA Fire Safe Regulations) and title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structures Regulations) for SRAs and/or VHFHSZs?	Yes	The Mono County Land Development Regulations in the Land Use Element contains regulations that specifically address flood and fire hazards. 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
Are there goals and policies to avoid or minimize new residential development in VHFHSZs?	Yes	Policy 3.A.2. Require adequate structural fire protection for new development projects Policy 3.A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Has fire safe design been incorporated into future development requirements?	Yes	Policy 3.A.2. Require adequate structural fire protection for new development projects Policy 3.A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification,

Questions	Yes or No	Comments and Recommendations
		as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Are new essential public facilities located outside high fire risk areas, such as VHFHSZs, when feasible?	Yes	Action 3.A.1.c. Facilitate implementation of development and education measures identified in the Mono County Community Wildfire Protection Plan (CWPP) to protect human life and property, critical infrastructure, and natural resources associated with wildfire.
Are there plans or actions identified to mitigate existing non-conforming development to contemporary fire safe standards, in terms of road standards and vegetative hazard?	Yes	Policy 3.A.6. Consider mitigating fire hazards in previously developed areas that do not meet current fire safe development standards. Action 3.A.6.a. Consider identifying and mapping existing housing that does not conform to current fire standards in terms of building materials, access, and vegetative hazards as identified in the CWPP. Action 3.A.6.b. Consider developing plans to address the substandard housing identified above, including structural rehabilitation, occupancy reduction, fuels hazard reduction projects, community education, and improvements pertaining to access, fire flows, signage, and defensible space.
Does the plan include policies to evaluate re-development after a large fire?	Yes	Policy 3.A.10?
Is fuel modification around homes and subdivisions required for new development in SRAs or VHFHSZs?	Yes	Policy 3.A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Are fire protection plans required for new development in VHFHSZs?	Yes	Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with Government Code 66474.02 and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and

Questions	Yes or No	Comments and Recommendations
		adequate water supply prior to or as a condition of permit issuance.
Does the plan address long term maintenance of fire hazard reduction projects, including community fire breaks and private road and public road clearance?	Yes	Policy 3.A.7. Reduce fuel around developed areas throughout the county to minimize wildland fire hazard risks to people and property.
Is there adequate access (ingress, egress) to new development in VHFHSZs?	Yes	Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with Government Code 66474.02 and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance.
Are minimum standards for evacuation of residential areas in VHFHSZs defined?	Yes	MJHMP pg.2-45 Fig. 2.8 pg. 2-47 CWPP addresses two concepts of evacuation, Shelter in place and Citizen Safety Zone, the CWPP goes into detail about each community with recommendations for mitigation and evacuations and has developed a goal identified to address evacuations.
If areas exist with inadequate access/evacuation routes, are they identified? Are mitigation measures or improvement plans identified?	Yes	Action 3.A.6.a. Consider identifying and mapping existing housing that does not conform to current fire standards in terms of building materials, access, and vegetative hazards as identified in the CWPP. Action 3.A.6.b. Consider developing plans to address the substandard housing identified above, including structural rehabilitation, occupancy reduction, fuels hazard reduction projects, community education, and improvements pertaining to access, fire flows, signage, and defensible space. MJHMP pg. 2-45 CWPP Table 7-10
Are there policies or programs promoting public outreach about defensible space or evacuation routes? Are there specific plans to reach at-risk populations?	Yes	Action 3.A.1.c. Facilitate implementation of development and education measures identified in the Mono County Community Wildfire Protection Plan (CWPP) to protect human life and property, critical infrastructure, and natural resources associated with wildfire.

Questions	Yes or No	Comments and Recommendations
Does the plan identify future water supply for fire suppression needs?	Yes	Policy 3.A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291. Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with Government Code 66474.02 and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance.
Does new development have adequate fire protection?	Yes	Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with Government Code 66474.02 and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance.

Section 2 Develop adequate infrastructure if a new development is located in SRAs or VHFHSZs.

Does the plan identify adequate infrastructure for new development related to:	Yes or No	Comments and Recommendations
Water supply and fire flow?	Yes	Policy 3.A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Location of anticipated water supply?	Yes	Policy 3.A.3. Require new construction in State Responsibility Areas (SRAs) to comply with

Does the plan identify adequate infrastructure for new development related to:	Yes or No	Comments and Recommendations
		minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.
Maintenance and long-term integrity of water supplies?	Yes	Action 3.A.2.a. Development projects including subdivisions shall demonstrate the availability of adequate structural fire protection consistent with Government Code 66474.02 and the California Building Code, including safe access for emergency vehicles, safe egress for residents, and adequate water supply prior to or as a condition of permit issuance
Evacuation and emergency vehicle access?	Yes	Action 3.A.3.d, e, & f. MJHMP Fig. 2.8 pg. 2-45
Fuel modification and defensible space?	Yes	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291. Action 3.A.3.g, h
Vegetation clearance maintenance on public and private roads?	Yes	Action 3.A.3.g, h
Visible home and street addressing and signage?	Yes	Policy 3. A.3. Require new construction in State Responsibility Areas (SRAs) to comply with minimum wildland fire safe standards, including those established for emergency access, signing and building numbering, private water supply reserves for fire use, and vegetation modification, as contained in the county Fire Safe Ordinance (Ch. 22 of the Mono County Land Development Regulations) and consistent with State laws 4290 and 4291.

Does the plan identify adequate infrastructure for new development related to:	Yes or No	Comments and Recommendations
Community fire breaks? Is there a discussion of how those fire breaks will be maintained?	Yes	Action 3.A.3.g, h

Section 3 Working cooperatively with public agencies responsible for fire protection.

Question	Yes or No	Comments and Recommendations
Is there a map or description of existing emergency service facilities and areas lacking service, specifically noting any areas in SRAs or VHFHSZs?	Yes	Policy 5. B.3. Utilize Local Agency Formation Commission (LAFCO) municipal service reviews to evaluate existing emergency service providers and to identify needed improvements. Action 5.B.3.a. Map existing emergency service facilities and areas lacking service, analyze which areas in identified hazard zones are missing adequate emergency services and integrate into applicable safety plans. MJHMP fig. 2.7 Table 2.8
Does the plan include an assessment and projection of future emergency service needs?	Yes	Policy 5. B.3. Utilize Local Agency Formation Commission (LAFCO) municipal service reviews to evaluate existing emergency service providers and to identify needed improvements.
Are goals or standards for emergency services training described?	Yes	CWPP- Develop a Regional Training Program to facilitate local training for structural and wildland firefighting. Pg. 41 Work with state and federal agencies to conduct basic wildfire suppression and multi-agency ICS training. Pg.41
Does the plan outline inter-agency preparedness coordination and mutual aid multi-agency agreements?	Yes	Policy 5. E.2. Work toward implementing a standardized emergency management system for responding to large-scale situations requiring multi-agency response. Action 5.E.2.a. Review mutual aid agreements with adjoining emergency service providers to ensure a coordinated approach to emergency services.

Sample Safety Element Recommendations

These are examples of specific policies, objectives, or implementation measures that may be used to meet the intent of Government Code sections 65302, subdivision (g)(3) and 65302.5, subdivision (b). Safety element reviewers may make recommendations that are not included here.

A. MAPS, PLANS AND HISTORICAL INFORMATION

1. Include or reference CAL FIRE Fire Hazard Severity Zone maps or locally adopted wildfire hazard zones.
2. Include or reference the location of historical information on wildfires in the planning area.
3. Include a map or description of the location of existing and planned land uses in SRAs and VHFHSZs, particularly habitable structures, roads, utilities, and essential public facilities.
4. Identify or reference a fire plan that is relevant to the geographic scope of the general plan, including the Unit/Contract County Fire Plan, Local Hazard Mitigation Plan, and any applicable Community Wildfire Protection Plans.
5. Align the goals, policies, objectives, and implementation measures for fire hazard mitigation in the safety element with those in existing fire plans, or make plans to update fire plans to match the safety element.
6. Create a fire plan for the planning area.

B. LAND USE

1. Develop fire safe development codes to use as standards for fire protection for new development in SRAs or VHFHSZs that meet or exceed the statewide minimums in the SRA Fire Safe Regulations.
2. Adopt and have certified by the Board of Forestry and Fire Protection local ordinances which meet or exceed the minimum statewide standards in the SRA Fire Safe Regulations.
3. Identify existing development that do not meet or exceed the SRA Fire Safe Regulations or certified local ordinances.
4. Develop mitigation measures for existing development that does not meet or exceed the SRA Fire Safe Regulations or certified local ordinances or identify a policy to do so.

C. FUEL MODIFICATION

1. Develop a policy to communicate vegetation clearance requirements to seasonal, absent, or vacation rental owners.
2. Identify a policy for the ongoing maintenance of vegetation clearance on public and private roads.
3. Include fuel breaks in the layout/siting of subdivisions.
4. Identify a policy for the ongoing maintenance of existing or proposed fuel breaks.
5. Identify and/or map existing development that does not conform to current state and/or locally adopted fire safety standards for access, water supply and fire flow, signing, and vegetation clearance in SRAs or VHFHSZs.
6. Identify plans and actions for existing non-conforming development to be improved or mitigated to meet current state and/or locally adopted fire safety standards for access, water supply and fire flow, signing, and vegetation clearance.

D. ACCESS

1. Develop a policy that approval of parcel maps and tentative maps in SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for ingress, egress, and fire equipment access. (See Gov. Code, § 66474.02.)
2. Develop a policy that development will be prioritized in areas with an adequate road network and associated infrastructure.
3. Identify multi-family housing, group homes, or other community housing in SRAs or VHFHSZs and develop a policy to create evacuation or shelter in place plans.
4. Include a policy to develop pre-plans for fire risk areas that address civilian evacuation and to effectively communicate those plans.
5. Identify road networks in SRAs or VHFHSZs that do not meet title 14, CCR, division 1.5, chapter 7, subchapter 2, articles 2 and 3 (commencing with section 1273.00) or certified local ordinance and develop a policy to examine possible mitigations.

E. FIRE PROTECTION

1. Develop a policy that development will be prioritized in areas with adequate water supply infrastructure.
2. Plan for the ongoing maintenance and long-term integrity of planned and existing water supply infrastructure.
3. Map existing emergency service facilities and note any areas lacking service, especially in SRAs or VHFHSZs.
4. Project future emergency service needs for the planned land uses.
5. Include information about emergency service trainings or standards and plans to meet or maintain them.
6. Include information about inter-agency preparedness coordination or mutual aid agreements.

Fire Hazard Planning in Other Elements of the General Plan

When updating the General Plan, here are some ways to incorporate fire hazard planning into other elements. Wildfire safety is best accomplished by holistic, strategic fire planning that takes advantage of opportunities to align priorities and implementation measures within and across plans.

LAND USE ELEMENT

Goals and policies include mitigation of fire hazard for future development or limit development in very high fire hazard severity zones.

Disclose wildland urban-interface hazards, including fire hazard severity zones, and/or other vulnerable areas as determined by CAL FIRE or local fire agency.

Design and locate new development to provide adequate infrastructure for the safe ingress of emergency response vehicles and simultaneously allow citizen egress during emergencies.

Describe or map any Firewise Communities or other fire safe communities as determined by the National Fire Protection Association, Fire Safe Council, or other organization.

HOUSING ELEMENT

Incorporation of current fire safe building codes.

Identify and mitigate substandard fire safe housing and neighborhoods relative to fire hazard severity zones.

Consider diverse occupancies and their effects on wildfire protection (group housing, seasonal populations, transit-dependent, etc).

OPEN SPACE AND CONSERVATION ELEMENTS

Identify critical natural resource values relative to fire hazard severity zones.

Include resource management activities to enhance protection of open space and natural resource values.

Integrate open space into fire safety planning and effectiveness.

Mitigation for unique pest, disease and other forest health issues leading to hazardous situations.

CIRCULATION ELEMENT

Provide adequate access to very high fire hazard severity zones.

Develop standards for evacuation of residential areas in very high fire hazard severity zones.

Incorporate a policy that provides for a fuel reduction maintenance program along roadways.

ATTACHMENT 5: SENATE BILL 18 COMMENT

From: [Charlotte Lange](#)
To: [Kelly Karl](#)
Subject: Re: Mono County General Plan Amendment 21-01
Date: Monday, February 15, 2021 6:49:13 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Karl,
 I will be presenting this information to our Tribal Council Meeting in March.
 Thank you,
 Charlotte Lange, Chair

Sent from my Verizon, Samsung Galaxy smartphone
 Get [Outlook for Android](#)

From: Charlotte Lange <chair@monolaketribе.us>
Sent: Saturday, February 6, 2021 8:58:45 AM
To: Kelly Karl <kkarl@mono.ca.gov>
Subject: Re: Mono County General Plan Amendment 21-01

Mr. Karl,
 Thank you for the information.
 Charlotte Lange

Sent from my Verizon, Samsung Galaxy smartphone
 Get [Outlook for Android](#)

From: Kelly Karl <kkarl@mono.ca.gov>
Sent: Friday, February 5, 2021 2:14:19 PM
To: Charlotte Lange <chair@monolaketribе.us>
Subject: Mono County General Plan Amendment 21-01

Dear Ms. Lange,

The Mono County Community Development Department is currently anticipating an amendment to the General Plan (GPA 21-01) consisting of four components:

1. Safety Element: Revisions to the Safety Element to be consistent with the recently adopted Housing Element & the Mono County and Town of Mammoth Lakes Multi-Jurisdictional Hazard Mitigation Plan.
2. Circulation Element: Revisions to the Circulation Element to incorporate an updated Regional Transportation Plan (RTP) which was adopted by the Local Transportation Commission (LTC) on December 9, 2019.

3. Chapter 16 - Accessory Dwelling Units: Updates to Chapter 16 – Accessory Dwelling Units, reflect changes in state in law through SB 13 (section 3), AB 68 (section 2), AB 881, AB 670, AB 587, and AB 671.
4. Land Use Element: Technical corrections and clarifications as part of the annual cleanup of the General Plan .

Please see attached letter for additional details. All General Plan Amendment 21-01 attachments are available for review at the following link: <https://monocounty.ca.gov/planning/page/general-plan-amendment-21-01>

Please let me know if you have any questions.

Best,
Kelly Karl
Associate Planner
Mono County CDD
760.924.1809 (Office)

ATTACHMENT 5: SAFETY ELEMENT COMMENTS

From: [Curtis, Melissa@CALFIRE](mailto:Curtis_Melissa@CALFIRE)
To: [Kelly Karl](#)
Subject: RE: CALFIRE LUPP Pre-Review
Date: Tuesday, May 4, 2021 1:24:30 PM
Attachments: [image002.png](#)
[image003.png](#)

[EXTERNAL EMAIL]

Good Afternoon Kelly,

I have checked with the Board of Forestry to see if they had received your Safety Element and they have . I will have the document reviewed and submitted for their approval by the 21st of May. The review will be on the Board's agenda on June 8th. Please let me know if you have any further questions.

Melissa Curtis

Fire Captain



Office of the State Fire Marshal

Land Use Planning Program

CSR-R

909-573-7948 Cell

951-320-6117 Office

Melissa.Curtis@fire.ca.gov

From: Kelly Karl <kkarl@mono.ca.gov>
Sent: Friday, April 30, 2021 1:16 PM
To: Curtis, Melissa@CALFIRE <Melissa.Curtis@fire.ca.gov>
Subject: RE: CALFIRE LUPP Pre-Review

Warning: this message is from an external user and should be treated with caution.

Hi Melissa,

Thank you again for help with updated Mono County's Safety Element.

I submitted our Safety Element review request to the Board of Forestry via mail (per the directions in the attachment you provided) back in February. I haven't received a confirmation of receipt or any follow up correspondence since that submittal. I understand the Board is busy with updates to the State Minimum Fire Safe Regulations and there are several more weeks left in the review period, but I wanted to at least confirm that Mono County's request was received. Do you know who the best point of contact would be to check on the status of our Safety Element review?

Thanks for your help!

Best,
Kelly Karl
Associate Planner
Mono County CDD
760.924.1809 (Office)

From: [Ramirez, Arnold@CALFIRE](mailto:Ramirez,Arnold@CALFIRE)
To: [Kelly Karl](#)
Cc: [Edmiston, Matt@CALFIRE](mailto:Edmiston,Matt@CALFIRE)
Subject: Mono Co. Safety Element 2021
Date: Friday, February 12, 2021 10:23:28 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I didn't see anything that stood out regarding change or modifications. If you have any questions, feel free to call me back.

Arnold C. Ramirez, Battalion Chief 3514B

CAL FIRE

San Bernardino Unit

Owens Valley Conservation Camp #26

2781 S. Round Valley Road,

Bishop, CA 93514

Office (760) 387-2565

Work Cell (760) 408-7772

<mailto:arnold.ramirez@fire.ca.gov>

From: [Curtis, Melissa@CALFIRE](mailto:Curtis.Melissa@CALFIRE)
To: [Kelly Karl](#)
Subject: RE: Mono County Draft Safety Element 2020 Update - Request for Review
Date: Thursday, January 30, 2020 10:12:01 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Ms. Karl,

I thank you for your clarifying email. I would like to request a meeting with you and your planning staff to explain the Land Use Planning Program and the services we provide at no cost to the jurisdiction as they are in the process of updating the Safety Element specifically the wildfire portion. We typically work with the jurisdiction before the final submittal to address the requirements in GC 65302(g)(3) so when the element is submitted all recommendations have already been addressed. I have some availability the week of February the 18th or the week of the 25th. Please let me know what your availability is and I look forward to speaking with soon.

Thank you,

Melissa Curtis

Fire Captain



Office of the State Fire Marshal

Land Use Planning Program

CSR-R

909-573-7948 Cell

951-320-6117 Office

Melissa.Curtis@fire.ca.gov

From: [Chalfant Valley Fire Department](#)
To: [Kelly Karl](#)
Subject: Re: Mono County Draft Safety Element 2020 Update - Request for Review
Date: Sunday, January 26, 2020 1:56:17 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Kelly. The Directors have requested a hard copy to review. Could you please send one out to our Department?

Thank you,

Jayne Brown on behalf of



Steve Lindemann
Chief

Chalfant Valley Community Service Fire District
215 Valley Road
Chalfant, CA 93514
51cvfdept@gmail.com
Office 760-873-5402

On Fri, Jan 17, 2020 at 1:28 PM Kelly Karl <kkarl@mono.ca.gov> wrote:

Mr. Lindemann,

The Mono County Community Development Department is currently proposing to update the Safety Element of the Mono County General Plan as part of proposed General Plan Amendment (GPA) 20-01. The Safety Element is being updated to be consistent with the recently adopted Housing Element and the Mono County and Town of Mammoth Lakes Multi-Jurisdictional Hazard Mitigation Plan. Government Code Section 65302.5 requires cities and counties to submit a copy of the draft Safety Element to every local agency that provides fire protection in the territory prior to the adoption or amendment of the Safety Element. The purpose of the attached letter is to invite your agency to review and recommend changes to the draft Safety Element.

Best,

Kelly Karl
Assistant Planner

Mono County CDD

From: [McCready-Hoover, Karen@CalOES](mailto:McCready-Hoover_Karen@CalOES)
To: [Kelly Karl](#)
Subject: Mono County Draft Safety Element 2020 Update
Date: Wednesday, January 22, 2020 10:09:32 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Kelly,

I received a copy of the January 17, 2020 letter addressed to Cal OES Mitigation Planning Division. I am currently the AB 2140 coordinator for Cal OES and I took a look at the draft Safety Element update. The language within the Safety Element meets the requirements. There are a few additional steps the County and Town of Mammoth Lakes must take before it will be compliant. Below are some instructions on becoming AB 2140 compliant:

1. Within the General Plan update adoption resolution, there must be language specific to the safety element, and the resolution must be signed and approved before the LHMP expires. Make sure that the resolution includes both Mono County and Mammoth Lakes within the language.
2. The local agency must include language specific to the LHMP within the Safety Element of their General Plan to provide a cross reference. **(This is met)**
3. The current, approved LHMP must be linked electronically to the General Plan. This can be done by either:
 - Including a link to the LHMP on the General Plan page of the local agency's website. This will allow individuals to quickly and easily access both the General Plan and LHMP. This is the preferred method. Or,
 - Including a link within the Safety Element language. Do not include the date or year of the current LHMP because once the LHMP expires, the County and Town will have to replace it with the new LHMP once it is approved. If the Safety Element has the year of the expired LHMP, it will have to be revised.
4. E-mail the link to the General plan web page along with a signed, stamped adoption resolution to mitigationplanning@caloes.ca.gov with a cc: to me at Karen.McCready-Hoover@caloes.ca.gov

Feel free to contact me with any questions.

Karen McCready-Hoover
Emergency Services Coordinator
Cal OES Mitigation Planning Division
3650 Schriever Avenue

Mather, California 95655
(916) 845-8177 Office
(916) 216-1751 Cell
Karen.McCready-Hoover@caloes.ca.gov

ATTACHMENT 6: NOTICE OF PUBLIC HEARING

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

May 5, 2021

To: The Sheet

From: Heidi Willson

Re: Legal Notice for **May 8** edition

Format: **Please publish this General Plan Amendment as a minimum 1/8-page legal notice**

Invoice: Heidi Willson, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **May 20, 2021**. As authorized by Gov. Newsom's Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by livecast at: <https://zoom.us/join> and by telephone at: 669-900-6833 (Meeting ID# is 963 0051 6754) where members of the public shall have the right to observe and offer public comment, to consider the following: **10:05 a.m. GENERAL PLAN AMENDMENT 21-01**. General Plan Amendment (GPA) 21-01 consists of three components: (1) A comprehensive update to the Safety Element to be consistent with the recently adopted Housing Element and the "Mono County and Town of Mammoth Lakes Multi-Jurisdictional Hazard Mitigation Plan;" (2) technical changes to the Land Use Element proposed as part of the annual General Plan cleanup, notable changes include updates to the Wheeler Crest Area Plan prohibiting all types of short-term rentals, the addition of campground and glamping uses to land use designations that currently allow for RV Parks, the addition of transient rentals to uses permitted subject to director review for Commercial (C) and Mixed Use (MU) designations, the addition of caretaker's unit under uses permitted for the Industrial Park (IP) designation, and upgrading resource exploratory uses to uses permitted subject to use permit for the Resource Management (RM) designation, an explanation of "Permissive Zoning" in Chapter 1, updates to the definitions of lot coverage & campground as well as new definitions for caretaker's unit and glamping in Chapter 2, updates to the mobile food vendor standards and long-term temporary RV placement standards in hazard zones in Chapter 4, parcel land use designation changes for two parcels in Benton and one parcel in Sunny Slopes, and other policy modifications; and (3) a comprehensive update to Land Use Element Chapter 16, Accessory Dwelling Units to be consistent with recent changes to state law and to address short-term rentals and height limitations. In accordance with the California Environmental Quality Act, an Addendum will be filed. Project materials will be available for public review online at <https://monocounty.ca.gov/planning-commission> and hard copies are available for the cost of reproduction by calling 760-924-1800. INTERESTED PERSONS are strongly encouraged to attend the livecast meeting by phone or online, and to submit comments to the Secretary of the Planning Commission, PO Box 347, Mammoth Lakes, CA, 93546, by **8 am on Wednesday, May 19**, to ensure timely receipt, by email at cddcomments@mono.ca.gov, or via the livecast meeting. If you challenge the Board's decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing.

###