



February 20, 2025

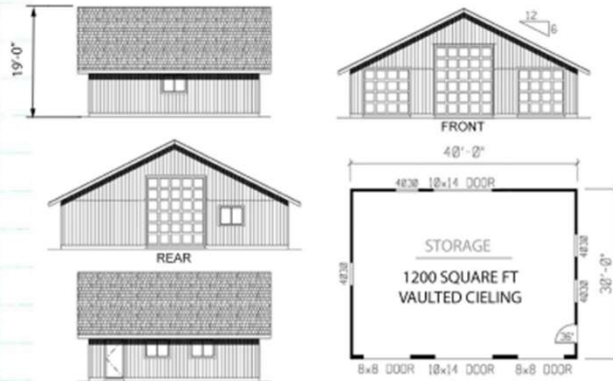
Mono County Planning Commission

UP 24-101/Lehman

Welcome  
**TOIYABE  
MOTEL**  
Breakfast & Dinner  
Rooms & All Amenities  
1000 WEST MAIN STREET  
MONO, CALIF. 93741

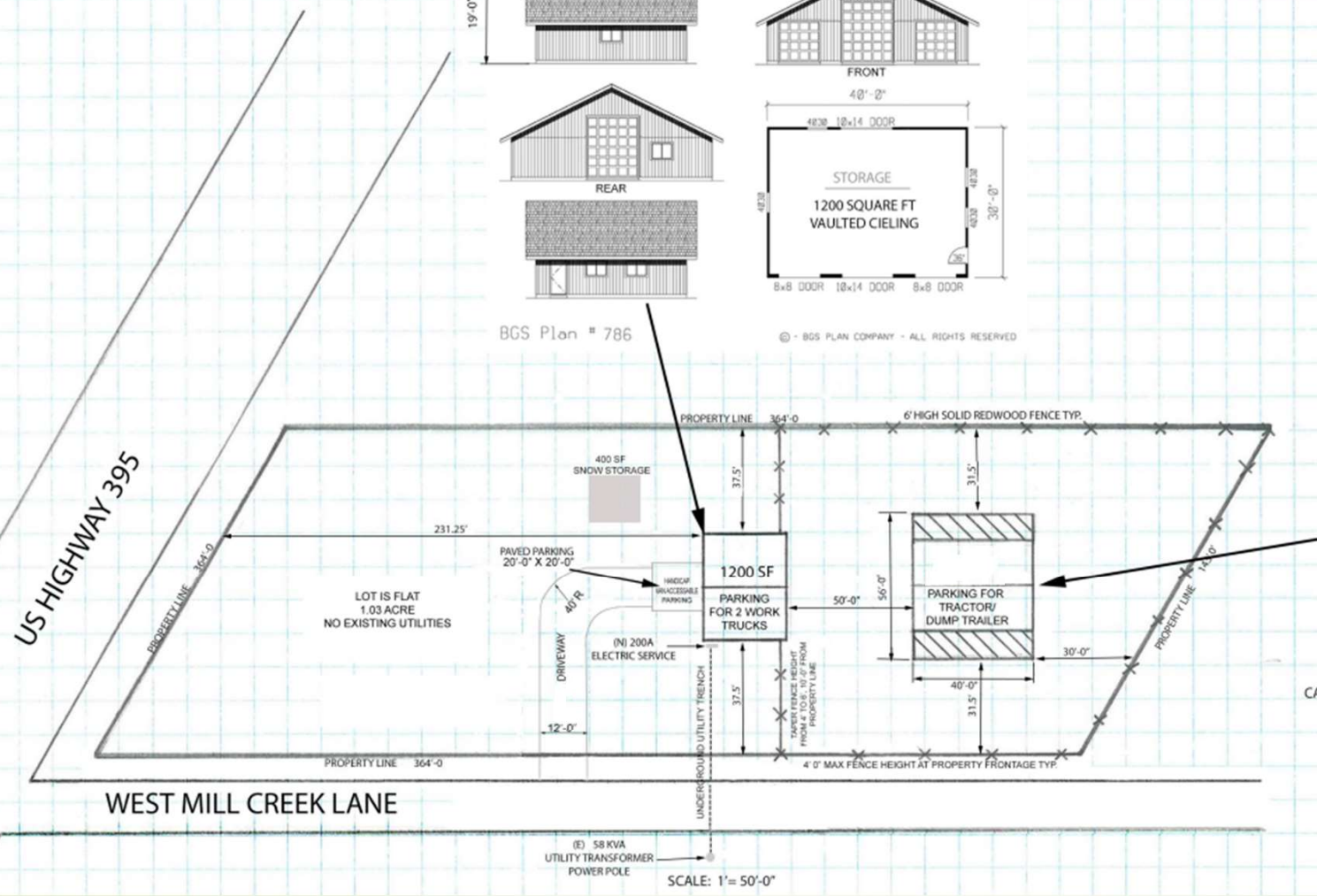


# Site Plan



BGS Plan # 786

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CARGO CONTAINERS WITH ENGINEERED STEEL ROOF  
CARGO CONTAINERS ATTACHED TO CONTINUOUS CONCRETE FOUNDATION

# Proposed Structures



1200 square foot wood frame storage building with vehicle doors on both sides.



Cargo containers with engineered steel roof, attached to a continuous concrete foundation.



## Land Use Designation: Mixed Use

- ▶ Parcels bordering the highway are designated Mixed Use (MU)
- ▶ Intent to encourage economic growth.
- ▶ MU provides a transition between intensive commercial uses and residential uses.
- ▶ MU allows for a wide range of business, professional, and retail uses.
- ▶ Storage of building materials, tools, vehicles, and trailers are not among listed uses.

## Planning Commission Determination

- ▶ 04.030.A. of the LUE recognizes that “Not all uses can be listed nor can future uses be anticipated,” and so the Commission is asked to determine whether the proposed use can be considered **similar to and not more obnoxious or detrimental to the public health, safety, and welfare than** uses listed for the same designation.
- ▶ This application has been determined to require a Use Permit because:
  - ▶ Proposed use is not listed.
  - ▶ History of code violations.
  - ▶ Requires a Commission interpretation.

## Slide 6

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**BC0**

I think this could be simplified, maybe shorten the first bullet, delete the second and shorten the third, but include the fact that the code enforcement case was part of the Use Permit determination.

Brent Calloway, 2025-02-19T22:50:24.756



## Mixed Use—Permitted by Right

Single-Family Dwelling

Manufactured home used as a single-family dwelling

Duplexes and Triplexes

Accessory buildings and uses

Animals and pets

Home occupations

Small scale agriculture

Transitional and Supportive Housing

Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants





## Mixed Use—Subject to Director Review

- Residential uses
- Retail trade
- Social care facilities
- Professional offices
- Business services
- Recreational activities
- Food service establishments
- Conversion or expansion of existing operations
- Transient rentals



## Mixed Use—Subject to Use Permit

All uses subject to Director Review, if determined to be necessary.

Parking lots and parking structures

Religious and cultural activities

Small scale malls, plazas, and parks

Conversion or expansion of existing operations

Mobile-home parks

RV parks, campgrounds and glamping

Manufactured Housing subdivision

Commercial Cannabis Activity



## General Plan Consistency: Countywide Land Use Policies

➤ Cluster new development in existing communities.

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

***Action 1.A.1.a.*** Encourage infill development in existing communities and subdivisions.



## General Plan Consistency: Countywide Land Use Policies

➤ Evaluated during permitting process.

**Policy 1.A.5.** *Avoid the juxtaposition of incompatible land uses.*

**Action 1.A.5.a.** *The compatibility of adjacent land uses (e.g. noise, traffic, type of development) shall be a major factor in determining land use designations for private property.*

## Antelope Valley Area Plan: Issues, Opportunities and Constraints



*“There is an interest in developing a Main Street plan on US 395 for Walker to improve the visitor experience and tourism, provide for enhanced way finding and use of community assets (Park, community center, Mountain Gate, etc.), develop a common theme for main street (street trees, landscaping, town center, common signage for communities, etc.), and improve pedestrian/bicycle facilities.”*

## General Plan Consistency: Antelope Valley Land Use Policies



The area plan favors development along the US 395 corridor:

- ▶ **Objective 4.A.** *Guide future development to occur within the US 395 corridor and existing communities.*
- ▶ **Objective 4.E.** *Promote the economic revitalization of the Walker and Coleville Main Street districts.*
  - ▶ **Action 4.E.2.a.** *In development of a Main Street Program, assess and specify opportunities for business growth, infill and access improvements/connections.*



## General Plan Consistency: Antelope Valley Land Use Policies

- Consider district character and physical appearance of Walker's main street.

**Policy 5.E.2.** *Encourage district infill that improves connections and integration among businesses and improves the physical appearance of Walker and Coleville Main Streets.*

**Action 4.E.2.b.** *Based on the Main Street Program goals, consider adjustments to guidelines and regulations to better preserve district character and promote business sustainability.*

## Cargo Containers



- ▶ Project proposes permanent installation of two cargo containers.
- ▶ Both containers are already on site, in violation of County codes.
- ▶ Parcels bordering the highway and within Walker's main street commercial area merit special attention to aesthetic nuisances.



## Slide 15

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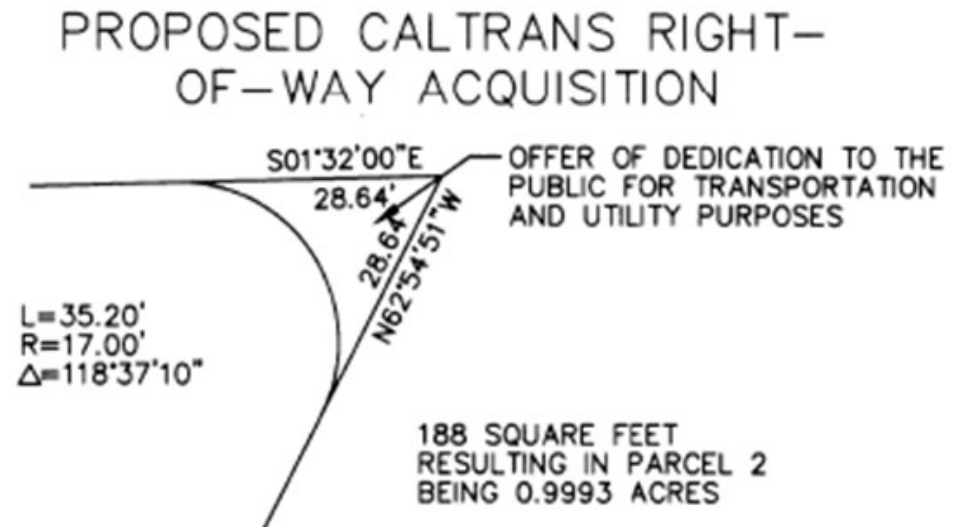
**BC0**

Several of these slides are hard to read with the background "blades of grass" or whatever that is. Maybe use text boxes to make the background solid?

Brent Calloway, 2025-02-19T19:37:43.136

## Cargo Containers

- Cargo containers are permitted based on parcel size.
- One container on parcels of less than one acre.
- Two containers on properties between one and five acres.
- The County Assessor calculates the parcel size as 0.999 acres, reduced from 1.003 by a 188-sf CalTrans right-of-way.



Staff has determined that the acreage is sufficient to allow two cargo containers.

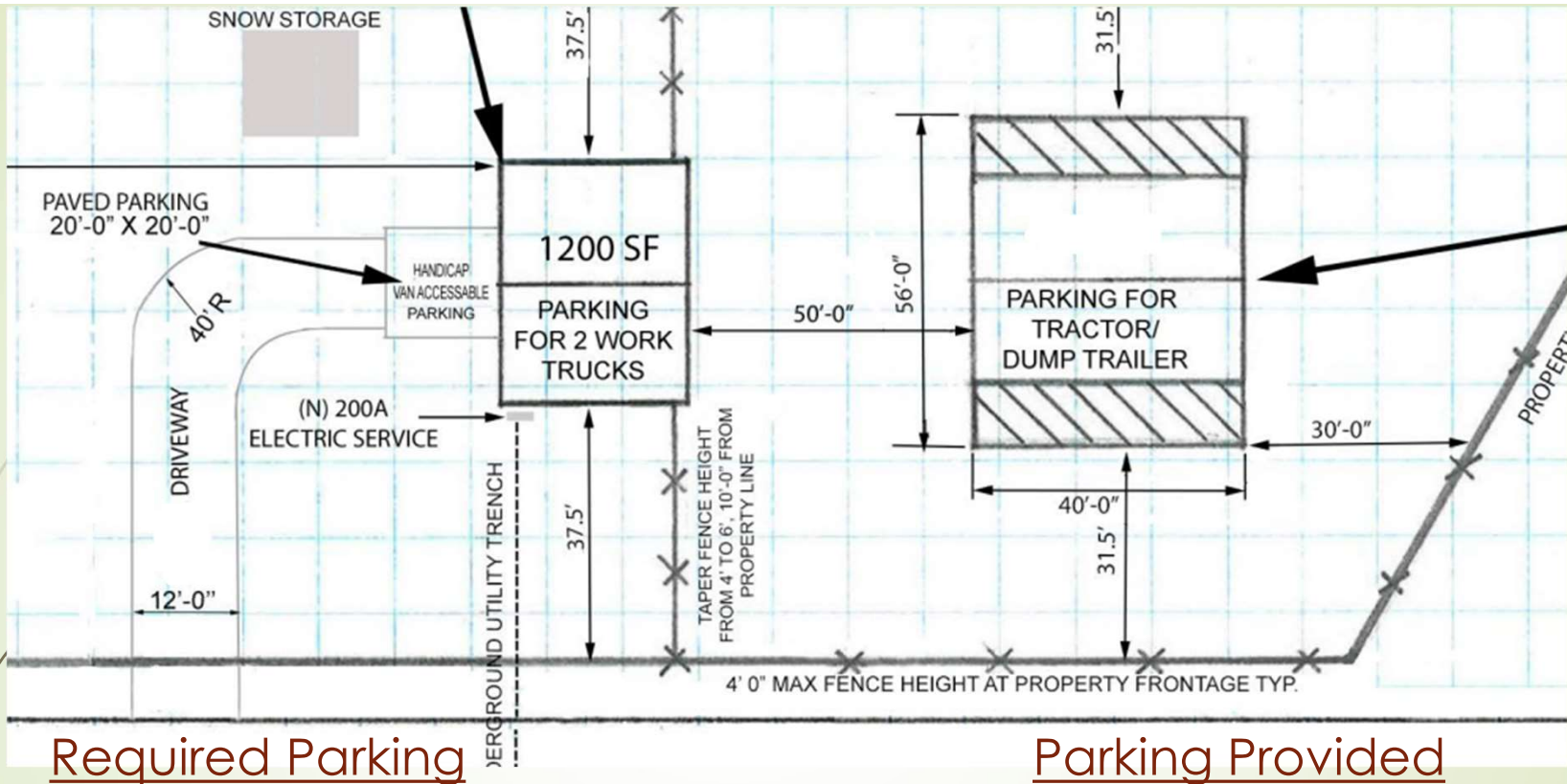
## Slide 16

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**BC0**

I would simplify this slide unless you really want to have that gross vs. net debate. I don't think the commissioners will flinch if you just say the parcel is larger than an acre and thus allow for 2 containers.

Brent Calloway, 2025-02-19T22:47:51.520



### Required Parking

### Parking Provided

- The Planning Commission determines the amount of parking required for any uses not specifically mentioned in the MCGP LUE.
- A contractor's business is not among the listed uses.
- Five spaces (not counting pass-through)
- One space is accessible.
- No storefront or office for receiving clients.

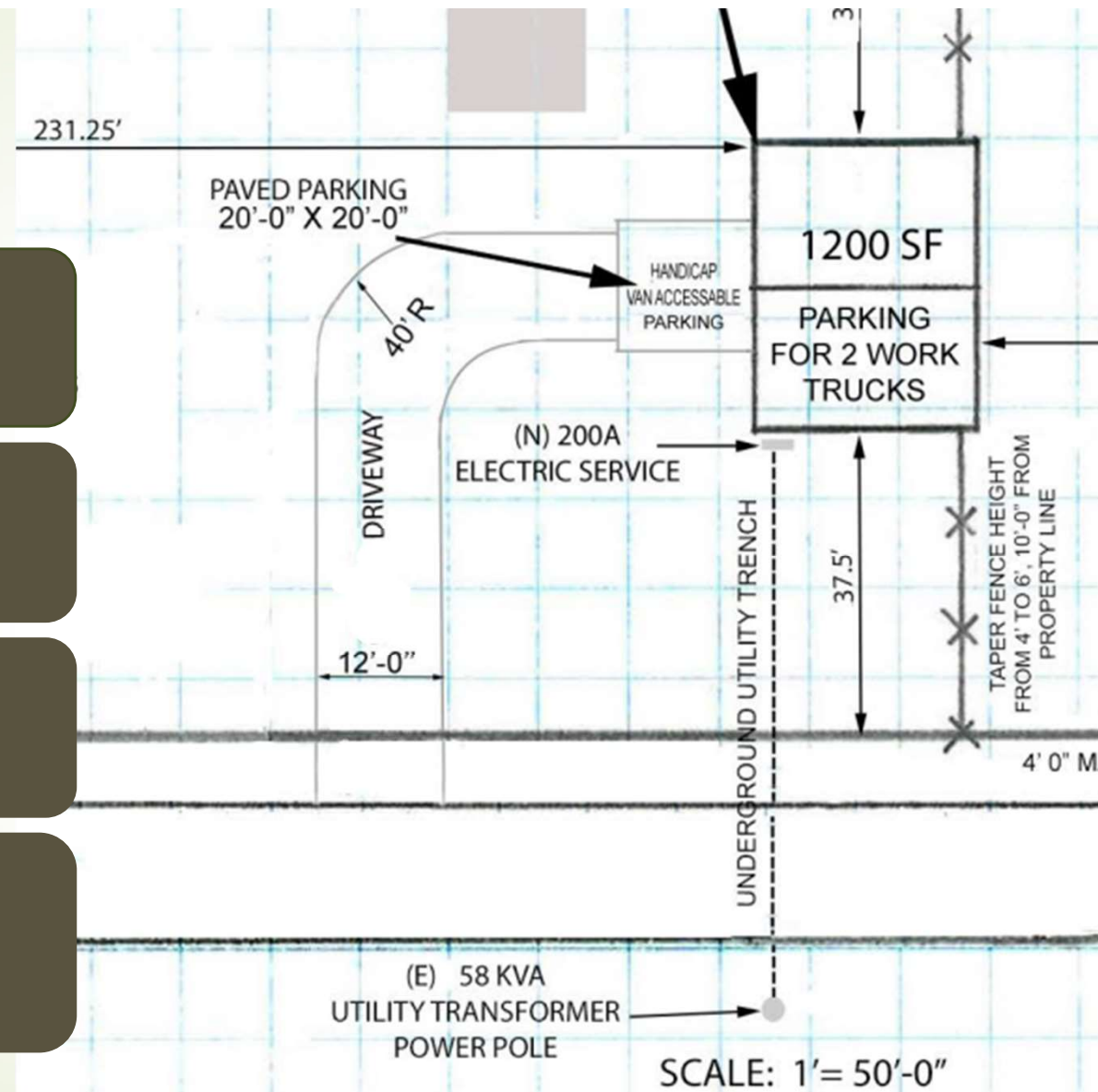
# Paving

On commercial parcels, where the access road is paved the driveway must be paved.

The applicant plans to connect his driveway to West Mill Creek Lane.

West Mill Creek Lane is paved.

The driveway is therefore required to be paved with asphalt or a similar impervious or semi-pervious surface.



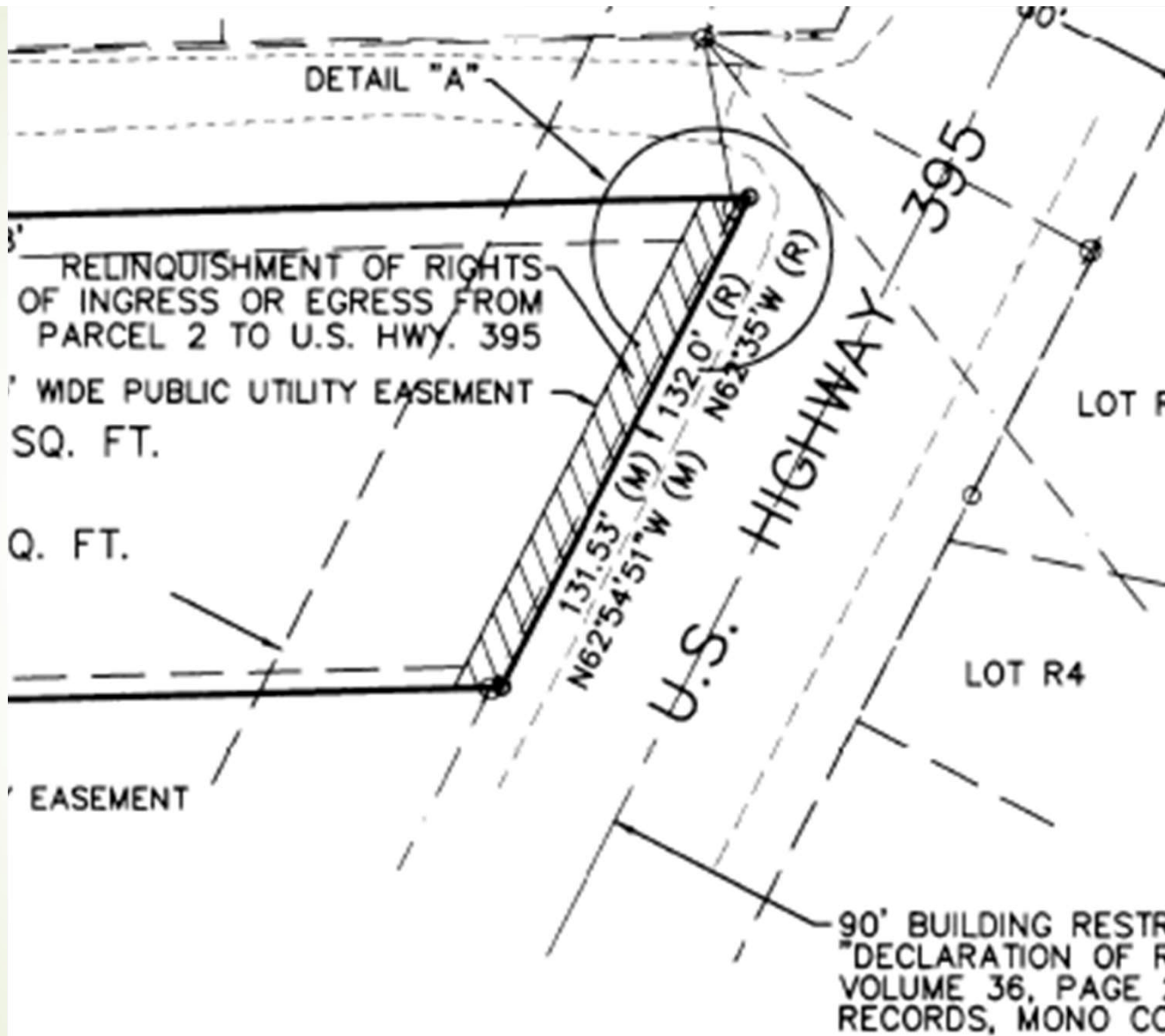
## Yards & Setbacks

The parcel has no right-of-way onto Highway 395.

The parcel's front yard bounds West Mill Creek Lane.

County requires 10' setbacks on all four sides.

Structures meet 30' CalFire setbacks.



## Slide 19

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**BC0** As Calfire setbacks are far more restrictive, I would start with Calfire, and barely mention our setbacks.  
Brent Calloway, 2025-02-19T19:39:50.517

# Fencing



- Applicant proposes to fence the northern half of his property
- Fence will be 6' high around side and rear of property
- Where a fence, hedge, or wall is located in any required front yard, it shall not exceed 4' in height.
- Reduced height of fence will prevent it from screening activities inside from passersby.

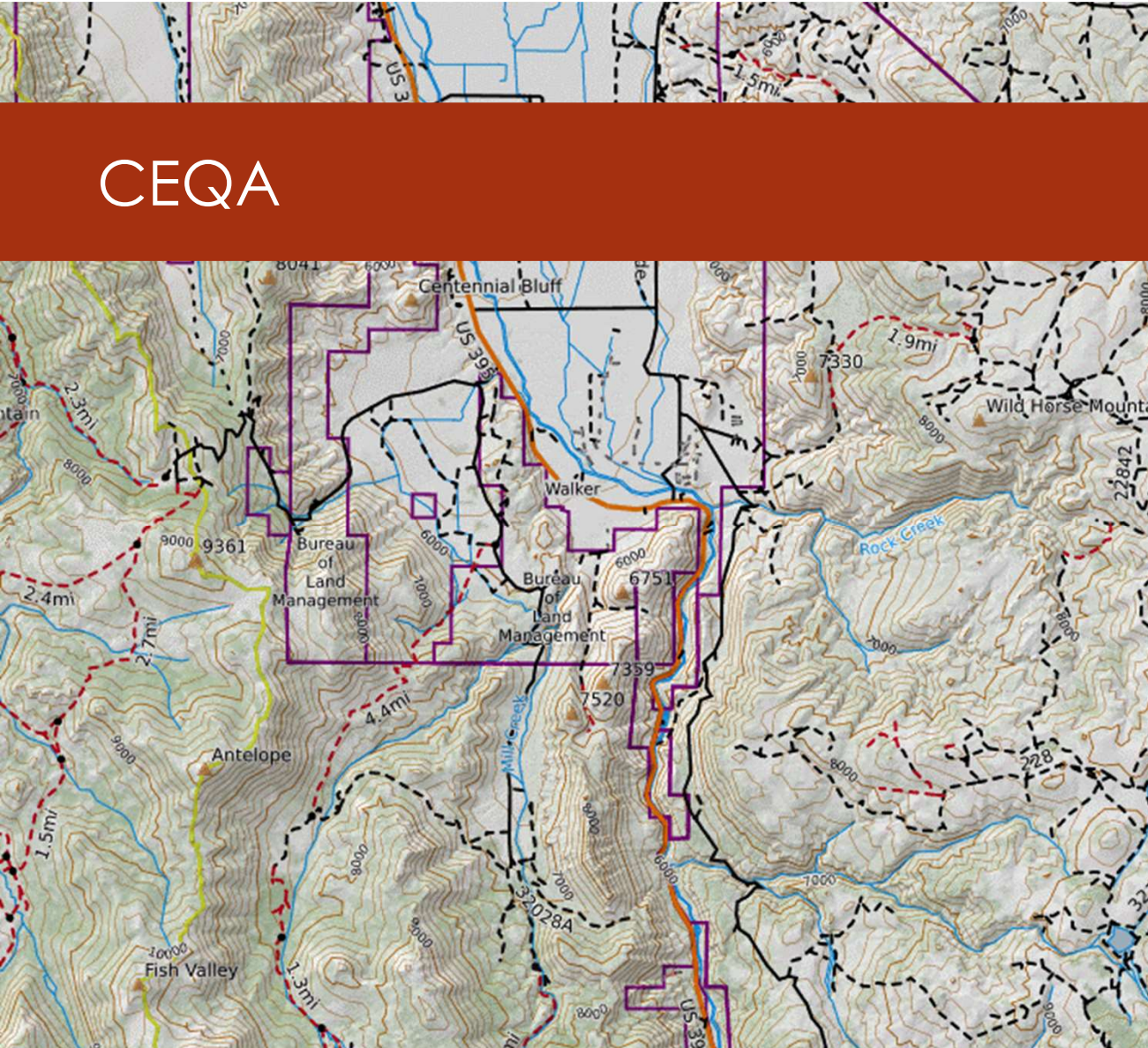


# Permitting History



- Applicant first approached CDD about appropriate uses for his parcel in 2023.
- Initial discussions revolved around by-right uses.
- Applicant's activities expanded beyond by-right uses.
- Residents complained about containers, vehicles, and trailers parked on the lot.
- Code Enforcement issued a Notice of Violation in June of 2024.
- Applicant has since worked to bring his uses into compliance with County regulations.

# CEQA



- ▶ A CEQA 15303 exemption is proposed, for new construction or the conversion of small structures.
- ▶ 15303(a) allows for the construction of a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area.

# Noticing

- Notice sent to neighbors on January 30, 2025
- Notice appeared in *The Sheet* on February 8, 2025

# Public Comment

- One comment received in support.

## Notice of Public Hearing

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on February 20, 2025 in the Board Chambers on the 2nd floor of the County Courthouse at 278 Main Street in Bridgeport, 93517.

The meeting will be accessible remotely by livecast at <https://monocounty.zoom.us/j/88951174507>, or via teleconference at the Dana Room on the 2nd floor of the Mono County Civic Center, 1290 Tavern Road in Mammoth Lakes, 93546, where members of the public shall have the right to observe and offer public comment and to consider the following: No earlier than 9:05 a.m.

Use Permit 24-010/Lehman. The applicant proposes to build several structures necessary to conduct business as a general contractor on 1.03 acres of undeveloped property with no assigned address at the corner of Highway 395 and West Mill Creek Lane in Walker (APN: 002-353-021-000).

The property is designated for Mixed Use.

The project qualifies for an exemption under CEQA §15303, New Construction or Conversion of Small Structures.

Project materials are 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 online or in person to comment, or to submit comments by mail or at the office to the Secretary of the Planning Commission, PO Box 347, 1290 Tavern Road STE 138, Mammoth Lakes, CA, 93546, by 5 p.m. on Wednesday, February 19, 2025, to ensure timely receipt, or by email at [cddcomments@mono.ca.gov](mailto:cddcomments@mono.ca.gov).

If you challenge the proposed action(s) 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 at or prior to the public hearing.

TS #2025-0011

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## Use Permit Finding # 1

- ▶ All applicable provisions of the Land Use Designations and Land Development Regulations are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features.
- Aside from the matters on which the Planning Commission has been asked to make a determination, all provisions of the Land Use Designation and Land Development regulations are complied with.
- Setbacks meet County and CalFire standards, fences and structures abide by height limits, proposed lot coverage is below the maximum, and snow storage is adequate.



## Use Permit Finding #2

► *The site for the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use.*

The proposed vehicles are of a size and type normally found in a rural residential area.



## Use Permit Finding #3

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

Should it be determined that the proposed use is permissible, the addition of a commercial facility within the 395 Corridor suits goals outlined in the Antelope Valley area plan. Conditions of Use will mitigate disruption to the visual character of the neighborhood.



## Use Permit Finding #4

- ▶ *The proposed use is consistent with the map and text of this General Plan and any applicable area plan.*
- Mixed Use is intended for a wide variety of residential and commercial uses, including business, professional, and retail uses.
- Should the Planning Commission determine that the proposed use is compatible with the neighborhood, the Antelope Valley Area Plan encourages commercial development within the 395 Corridor.

## Slide 27

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**BC0**

What about the conditions? You need to highlight the specific conditions, you don't need to worry about the standard conditions. Also, after conditions, I would end on a recommendation slide. That way, someone can easily make a motion by reading your slide.

Brent Calloway, 2025-02-19T19:42:20.380





## Conditions of Approval

1. Future development shall meet all requirements of Mono County including, but not limited to, the General Plan, Mono County Code, and project conditions and site plan.
2. Project is required to comply with any requirements of the Antelope Valley Fire Protection District.
3. Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
4. The project shall be in substantial compliance with the project description and the site plan of the staff report.
5. Camping and residential use, including occupying non-residential structures for overnight use is prohibited.
6. To manage human waste generated onsite, potable water and sewage disposal facilities shall be installed as approved by the Environmental Health Department.
7. The southern half of the property is to remain vacant until the Use Permit is modified or a building permit for a residence is permitted
8. All utilities shall be installed underground.

**Slide 28**

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**BC0** I don't see the new conditions, for waste and no camping?  
Brent Calloway, 2025-02-19T22:51:47.616



## Conditions of Approval

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9. Both cargo containers and the engineered roof between will be painted a non-reflective dark gray.

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10. The 1200-sf structure will be gray with white trim, with a matching, non-reflective dark gray roof.

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11. A redwood-colored, transparent oil stain shall be applied to the redwood fence.

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12. The site shall be kept neat and orderly at all times. All improvements shall be maintained in a condition of good repair and appearance.

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13. The fence shall be maintained in a good condition and appearance, free from damage and disrepair with no broken or missing slats.

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14. The design, color, and materials for all buildings, fences, and accessory structures shall be compatible with the natural setting.

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15. All construction will be designed and constructed to meet WUI standards for fire resistive construction.

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16. Cargo containers will be permanently installed and meet the provisions of the California Building Code.



## Conditions of Approval

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17. Contents to be stored shall be limited to building material supplies, tools, and equipment for a General Contractor's business use, as well as General Contractor's business vehicles and trailers.

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18. No storage of equipment or materials shall be allowed outside of the fenced area.

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19. Land used for parking shall be developed with paving, draining and painting according to the specifications of the county Planning Division and Public Works Department.

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20. Project shall comply with all provisions of MCGP LUE Section 20.050 General Provisions for Permanent Cargo Container Installation

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21. No vehicles shall be stored outside of the garage or roofed container structure.

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22. The driveway shall be paved with asphalt or similar impervious or semi-pervious surface.

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23. The parcel has no access to Highway 395, and none shall be granted.

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24. Construction for the project shall be contained within the boundaries of the parcel.



# Recommendation

It is recommended that the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guidelines §15303, New Construction or Conversion of Small Structures, and instruct staff to file a Notice of Exemption.
2. Make the required findings as contained in the project staff report; and
3. Determine the use is similar to and not more obnoxious than the business, professional and retail uses permissible on parcels designated for Mixed Use.
4. Approve Use Permit 24-010, subject to attached conditions.