



Planning and Economic Development Commission Agenda

Wednesday, October 27, 2021, 2:00 p.m.

437 Old Mammoth Road, Suite Z, Mammoth Lakes

Members of the Planning and Economic Development Commission

Chair Michael Vanderhurst, Vice Chair Jen Burrows, Commissioner Paul Chang,
Commissioner Jessica Kennedy, Commissioner Greg Eckert

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (760) 965-3602. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 13.102-35.104 ADA Title II)

NOTE: Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Town Offices located at 437 Old Mammoth Road, Suite 230 during normal business hours. Such documents are also available on the Town of Mammoth Lakes website at www.townofmammothlakes.ca.gov subject to staff's ability to post the documents before the meeting.

NOTE: All comments will be limited to a speaking time of five minutes.

NOTE: This meeting will be conducted pursuant to the provisions of Assembly Bill 361 which amends certain requirements of the Ralph M. Brown Act. It is strongly encouraged that you watch the Planning and Economic Development Commission meetings on the Town of Mammoth Lakes' website at www.townofmammothlakes.ca.gov or on the local government cable channel 18. Public comments can be submitted to the Town Clerk at clerk@townofmammothlakes.ca.gov before and during the meeting.

ZOOM INFORMATION

Join from a PC, Mac, iPad, iPhone, or Android device:

Please click this URL to join. <https://monocounty.zoom.us/j/94467884456>

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592

*Callers - To Raise your hand press *9, To Unmute/Mute press *6*

Webinar ID: 944 6788 4456

International numbers available: <https://monocounty.zoom.us/j/aeHBYOcpOu>

Public comments can also be given through Zoom by logging in or dialing in and raising your hand.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS

The Public Comment portion of the agenda provides the public with an opportunity to address the Planning and Economic Development Commission on matters not otherwise listed on the agenda. Under California law the Planning and Economic Development Commission is prohibited from generally discussing or taking action on items not included in the agenda; however, the Commission may briefly respond to comments or questions from members of the public. Therefore, the Commission will listen to all public comment, but will not generally discuss the matter or take action on it. Requests for service from the Town may also be made at the Town offices during regular business hours. Members of the public desiring to speak on a matter appearing on the agenda should ask the Chair for the opportunity to be heard when the item comes up for Commission consideration.

4. ASSEMBLY BILL (AB) 361 FINDINGS

- 4.1. Resolution making findings to allow the PEDC to meet virtually during the COVID-19 pandemic declared emergency**

5. PUBLIC HEARINGS

Public Hearing Procedure: The Chair will open the public hearing and then: Statement and presentation by staff. Statement and presentation by property owner or appellant. Questions from the Planning and Economic Development Commission. Call for testimony from those persons wishing to speak. Rebuttal to previous testimony by property owner or appellant. Close the public hearing, terminating public testimony. The Commission will deliberate the matter and arrive at a decision.

- 5.1. Public hearing and consideration of a District Zoning Amendment application (DZA 21-001) to amend the Clearwater Specific Plan (CSP) at 164, 202 and 248 Old Mammoth Road. The application request also includes consideration of an Addendum to the Clearwater Specific Plan Environmental Impact Report (State Clearinghouse No. 2006062154), including the Mitigation Monitoring and Reporting Program, and adopt CEQA findings.**

6. CONSENT AGENDA

- 6.1. Approve the minutes of the regular meeting of September 8, 2021.**
- 6.2. Consider approval of Final Tract Map 19-001 for the construction of a six-unit multi-family residential Planned Unit Development (PUD) located at 125 Lakeview Blvd.**

7. COMMISSIONER REPORTS

Informational reports from Commissioner representatives on committees, commissions, and organizations; general reports on Commission activities. Opportunity to add urgency items pursuant to Government Code Section 54954.2(b)2, if necessary; and to remove items from consent for separate discussion.

Design Committee - Paul Chang and Jennifer Burrows

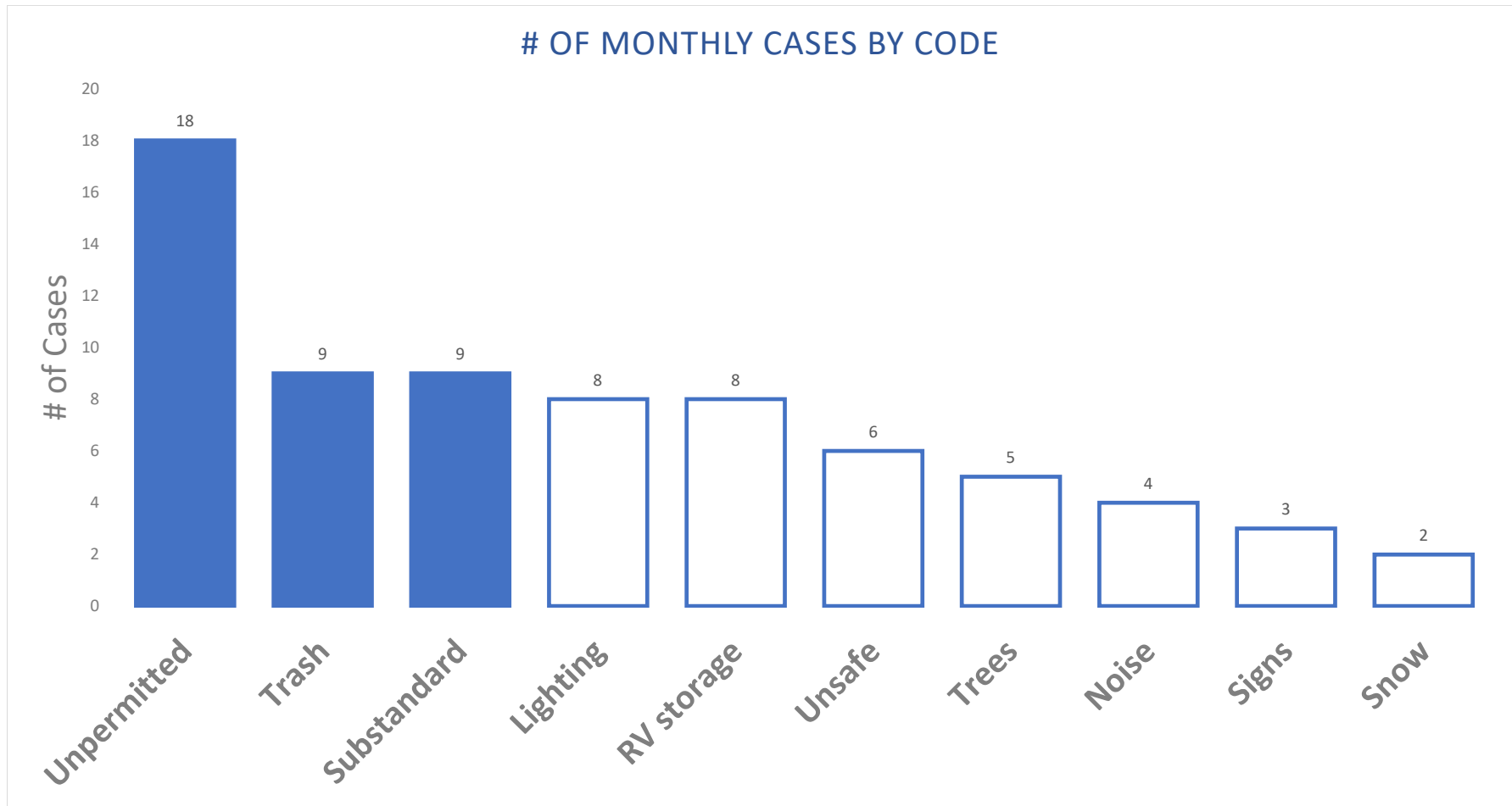
Mobility Committee - Michael Vanderhurst and Jessica Kennedy

8. DIRECTORS REPORT

The Director's Report portion of the agenda provides the Director with an opportunity to address the Planning and Economic Development Commission on Community and Economic Development work items.

9. ADJOURNMENT

The Planning and Economic Development Commission will adjourn to a regular meeting to be held on November 10, 2021.



PLANNING AND ECONOMIC DEVELOPMENT COMMISSION STAFF REPORT

Title: Resolution making findings to allow the PEDC to meet virtually during the COVID-19 pandemic declared emergency

Meeting Date: October 27, 2021

Prepared by: Sandra Moberly, Community and Economic Development Director

RECOMMENDATION:

Adopt the attached resolution making findings to allow the Planning and Economic Development Commission to meet virtually during the COVID-19 pandemic declared emergency.

BACKGROUND:

On September 15, 2021, the Governor signed Assembly Bill (AB) 361, amending the Ralph M. Brown Act to allow local agencies to continue conducting public meetings remotely during a state of emergency, so long as certain requirements are met.

Governor Newsom subsequently signed Executive Order N-15-21, which generally suspends the application of Assembly Bill (“AB”) 361 until October 1, 2021. AB 361 is urgency legislation amending the Brown Act to allow legislative bodies of local agencies to meet remotely with relaxed teleconferencing requirements during declared emergencies under certain conditions. These requirements are similar to the requirements the Town and many other agencies have been operating under during the COVID-19 pandemic, originally provided by Executive Order N-29-20 and extended by Paragraph 42 of Executive Order N-08-21.

ANALYSIS:

WHEN AB 361 APPLIES

Under AB 361, a local agency may utilize the more “relaxed” Brown Act teleconferencing requirements in any of the following circumstances:

- There is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- There is a proclaimed state of emergency, and the local agency’s meeting is for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- There is a proclaimed state of emergency, and the local agency has determined, by majority vote, that as a result of the emergency meeting in person would present an imminent risk to the health or safety of attendees.

AB 361 defines a “state of emergency” as a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act. This includes the current state of emergency proclaimed by the Governor due to the COVID-19 pandemic.

To continue to rely on the relaxed teleconferencing provisions, the Planning and Economic Development Commission must reconsider the circumstances of the state of emergency and make the following findings by majority vote, every 30 days:

- The state of emergency continues to directly impact the ability of the members to meet safely in person; or
- State or local officials continue to impose or recommend measures to promote social distancing.

Bryan Wheeler, Director of Public Health for Mono County, has issued the a letter recommending that physical/social distancing measures continue to be practiced throughout Mono County (See Attachment 1). This includes legislative bodies that are subject to the Brown Act.

VIRTUAL MEETING REQUIREMENTS UNDER AB 361

For all remote meetings held under AB 361, local agencies are required to meet the following public participation and notice requirements. Some of these requirements differ from what had been in place under the Governor’s executive orders:

- Meeting agendas and notices must describe how members of the public may access the meeting and offer public comment and identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.
- The public must have the opportunity to address the legislative body and comment in real time. The local agencies may still allow for the public to submit comments in advance of the meeting, but the local agency must also provide an option for the public to comment in real time.
- If a timed public comment period is provided on an agenda, whether on a specific agenda item or in general, registration and the public comment period cannot close until the time has elapsed. If public comment is taken separately on each agenda item, the legislative body must allow a reasonable amount of time per item to allow members of the public the opportunity to provide public comment, register, or otherwise be recognized for the purpose of providing public comment.
- Local agencies are permitted to use platforms which, incidental to their use and deployment, may require users to register for an account with that platform so long as the platform is not under the control of the local agency.

If there is a disruption in the broadcast of a public meeting using the call-in option or the internet-based option, or there is a disruption within the agency’s control which prevents members of the public from offering comments, the agency must not take any action on items appearing on the agenda until full access is restored. Meeting agendas are not required to be posted at all teleconference locations, and local agencies are not required to

make each teleconference location accessible to the public, as long as members of the public are given the opportunity to provide public comment remotely.

The Planning and Economic Development Commission has expressed an interest in continuing to utilize the virtual meeting process. AB 361 creates statutory exemptions to the Brown Act that extend flexibility for remote public meetings during proclaimed emergencies, through January 1, 2024. Although AB 361 relaxes certain remote meeting requirements relating to member participation, agendas, and public accessibility at remote locations, the underlying aim of the Brown Act is still to ensure meetings of local agencies be open and public.

The current process used for Commission meetings meets the requirements of AB 361. The process does allow for in-person comments at the Council chambers (437 Old Mammoth Road, Suite Z). Public comments generally and on specific items are allowed for in real time including via Zoom which may be accessed through a published link or phone number. The Commission continues to accept public comments in writing, or by email. Email comments are accepted during the Commission meeting as well as prior. The current hybrid process of allowing staff and Commissioners to be in-person may also continue.

RECOMMENDATION

Staff recommends that the Planning and Economic Development Commission adopt the attached resolution making findings to allow the Commission to meet virtually during the COVID-19 pandemic declared emergency. The Commission will need to reconsider the circumstances and need for remote meetings every 30 days so this item will be on the December 8, 2021 meeting for your consideration. This process will continue until the emergency is terminated or the Commission determines it is safe to reconvene in-person meetings and not utilize the flexibility provided under AB 361.

ATTACHMENTS

Attachment 1: Planning and Economic Development Commission Resolution

Attachment 2: Memo from Brian Wheeler, Director of Public Health



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: October 27, 2021

AGENDA TITLE: Resolution making findings to allow the Planning and Economic Development Commission to meet virtually during the COVID-19 pandemic declared emergency.

REQUESTING DEPARTMENT:

Community & Economic Development

Sandra Moberly, Director

OBJECTIVE:

1. Hear Staff presentations
2. Planning & Economic Development Commission (PEDC) discussion
3. PEDC action to:
 - a. Adopt the attached resolution making findings to allow the Planning and Economic Development Commission to meet virtually during the COVID-19 pandemic declared emergency.

I. INTRODUCTION AND BACKGROUND

On September 15, 2021, the Governor signed Assembly Bill (AB) 361, amending the Ralph M. Brown Act to allow local agencies to continue conducting public meetings remotely during a state of emergency, so long as certain requirements are met.

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RECOMMENDATION

Staff recommends that the Planning and Economic Development Commission adopt the attached resolution making findings to allow the Commission to meet virtually during the COVID-19 pandemic declared emergency. The Commission will need to reconsider the circumstances and need for remote meetings every 30 days so this item will be on the December 8, 2021 meeting for your consideration. This process will continue until the emergency is terminated or the Commission determines it is safe to reconvene in-person meetings and not utilize the flexibility provided under AB 361.

Attachments

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RESOLUTION NO. 21-

RESOLUTION OF THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, MAKING FINDINGS TO ALLOW THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION TO MEET VIRTUALLY DURING THE COVID-19 PANDEMIC DECLARED EMERGENCY

WHEREAS, the Town of Mammoth Lakes supports transparency in government, and meetings of the Planning and Economic Development Commission and other legislative bodies of the Town are conducted in compliance with the Brown Act (Government Code Section 54950 et seq), so that members of the public may attend, observe, and participate; and

WHEREAS, Government Code Section 54953(e) is a provision of the Brown Act establishing special rules that apply under specific circumstances to meetings of local government legislative bodies that are conducted remotely via teleconference; and

WHEREAS, using the special rules will facilitate continuing to conduct meetings remotely during the COVID-19 pandemic; and

WHEREAS, the Planning and Economic Development Commission does hereby find that allowing for conducting public meetings virtually will support social distancing and reduce the potential risk to the public, elected officials, and employees to be infected by or to spread COVID-19; and

WHEREAS, a required condition for the use of the Section 54953(e) rules is the existence of a state of emergency declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the State caused by conditions as described in Government Code Section 8558; and

WHEREAS, an additional required condition is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Governor of California declared a Statewide state of emergency due to the COVID-19 virus on Wednesday, March 4; and

WHEREAS, on March 15, 2020, the Mono County Health Officer declared a local health emergency, including finding “that there is an imminent and proximate threat to public health from the introduction of COVID-19 in Mono County;” and

WHEREAS, the Mono County Director of Public Health has recently issued a memorandum recommending that social distancing be used as one means of reducing the spread of COVID-19; and

WHEREAS, the Planning and Economic Development Commission does hereby find that the legislative bodies of the Town of Mammoth Lakes shall

conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953.

NOW, THEREFORE, BE IT RESOLVED that the recitals set forth above are true and correct and are incorporated into this resolution by this reference; and

IT IS FURTHER RESOLVED that the Planning and Economic Development Commission of the Town of Mammoth Lakes hereby declares a State and County emergency exists due to the existence or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the Town of Mammoth Lakes due to the COVID- 19 virus; and

IT IS FURTHER RESOLVED that the Mono County Director of Public Health has issued a memorandum recommending the continued use of social distancing as a means to reduce the spread of COVID-19, and that the COVID-19 state of emergency impacts the ability of the Town Council to safely meet in person; and

IT IS FURTHER RESOLVED that the Mammoth Lakes Planning and Economic Development Commission finds the use of virtual meetings, as provided for under AB 361 as approved by the State Legislature and signed by the Governor, is a prudent and safe means to conduct the Town's business respecting the recommendation to use social distancing as a precaution to reduce the spread of COVID-19; and

IT IS FURTHER RESOLVED that the Town staff and legislative bodies are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act; and

IT IS FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 26, 2021, or such time the Town Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Town of Mammoth Lakes may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

APPROVED AND ADOPTED THIS 27th day of October 2021.

MICHAEL VANDERHURST, Chair

ATTEST:

JAMIE GRAY, Town Clerk



MONO COUNTY HEALTH DEPARTMENT

Public Health

P.O. BOX 476, BRIDGEPORT, CA 93517 PHONE (760) 932-5580 • FAX (760) 932-5284
P.O. BOX 3329, MAMMOTH LAKES, CA 93546 PHONE (760) 924-1830 • FAX (760) 924-1831

To: Board of Supervisors

From: Bryan Wheeler, Director of Public Health

Re: Recommendation regarding Social Distancing and Virtual Meetings

Both Mono County “covering” Health Officer Dr. Rick Johnson and I strongly recommend that physical/social distancing measures continue to be practiced throughout our Mono County communities, including at meetings of the Board of Supervisors and other County-related legislative bodies subject to the Brown Act, to minimize the spread of COVID-19.

Whether vaccinated or not, positive individuals are contracting the Delta variant and infecting others in our communities. Social distancing and masking are crucial mitigation measure to prevent the disease’s spread. Virtual board meetings allow for the participation of the community, county staff, presenters, and board members in a safe environment, with no risk of contagion. It is recommended that legislative bodies in Mono County implement fully-remote meetings to the extent possible.

If you have any questions regarding this recommendation, please do not hesitate to contact me. We will continue to evaluate this recommendation on an ongoing basis and will communicate when there is no longer such a recommendation with respect to meetings for public bodies.

Planning and Economic Development Commission Agenda Action Sheet

Title: Public hearing and consideration of a District Zoning Amendment application (DZA 21-001) to amend the Clearwater Specific Plan (CSP) at 164, 202 and 248 Old Mammoth Road. The application request also includes consideration of an Addendum to the Clearwater

Commission Meeting Date: 10/27/2021

Prepared by: Gina Montecallo, Assistant Planner

Recommended Motion: Recommends to the Town Council adoption of the required Municipal Code findings, approval of District Zoning Amendment (DZA) 21-001, and adoption of the Addendum to the Clearwater Specific Plan Environmental Impact Report (State Clearinghouse No. 2006062154), including the Mitigation Monitoring and Reporting Program, and adopt CEQA findings.

Summary: Public hearing and consideration of the proposed Amended Phase One of the Clearwater Specific Plan. The project is comprised of a 6.09-acre site located within the Clearwater Specific Plan zoning district at 164, 202 and 248 Old Mammoth Road. The project is reviewed under application number DZA 21-001. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the approved Environmental Clearance Documentation adopted for the Clearwater Specific Plan (SCH# 2006062154) has been prepared and concludes that no new or increased significant environmental impacts would result from the proposed project.

The proposed project consists of an amendment to the Clearwater Specific Plan (CSP) to allow for a less intensive interim “Phase One” development to be constructed at the 6.09-acre project site while preserving the existing CSP allowances for future redevelopment. The proposed interim development includes the construction of 30 new “tiny home” style hotel cabin units, improvements to the existing hotel and Rafters restaurant, expanded event/meeting space and a new outdoor park.

ATTACHMENT 1

PEDC Resolution 2021-09

Case No. DZA 21-001

Recording Requested by and)
When Recorded Mail To:)

Town of Mammoth Lakes)
Community & Economic Development Department)
P.O. Box 1609)
Mammoth Lakes, CA 93546)

Recordation fee exempt per Government Code §27383
Space Above for Recorder's Use

RESOLUTION NO. PEDC 2021-09

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND ECONOMIC
DEVELOPMENT COMMISSION RECOMMENDING TO THE TOWN
COUNCIL ADOPTION OF THE ADDENDUM TO THE CLEARWATER
SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT AND APPROVAL OF
DISTRICT ZONING AMENDMENT 21-001 TO ALLOW FOR A PHASE ONE
INTERIM PROJECT FOR PROPERTIES LOCATED AT 164, 202, AND 248 OLD
MAMMOTH ROAD (APN(s): 035-230-005-000; 035-230-006-000; and 035-230-007-
000)**

WHEREAS, a request for consideration of a district zoning amendment was filed by Matthew Mering on behalf of WH SN Mammoth, L.L.C. to amend the Clearwater Specific Plan to allow for an interim "Phase One" development to be constructed at the project site while preserving the existing CSP allowances for future redevelopment, in accordance with Chapter 17.116 (Specific Plans), of the Town of Mammoth Lakes Municipal Code and Section 10.0 of the Clearwater Specific Plan, for property located within the Clearwater Specific Plan Zoning District at 164, 202, and 248 Old Mammoth Road; and

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing on October 27, 2021, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning and Economic Development Commission considered, without limitation:

1. The staff report to the Planning and Economic Development Commission with attachments;
1. The 2007 General Plan, Clearwater Specific Plan and Municipal Code;
2. Oral and written evidence submitted at the hearing;
3. District Zoning Amendment Application DR 21-002 received by the Town of Mammoth Lakes on September 7, 2021.
4. DZA 21-001: Amended Phase One of the Clearwater Specific Plan, consisting of a supplementary document to the Amended 2016 Clearwater Specific Plan, dated October 20, 2021, attached hereto as Exhibit C;
5. Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154), attached hereto as Exhibit A; and

NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS.

1. CEQA.

- a. The Planning and Economic Development Commission considered the Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154) together with the Clearwater Specific Plan EIR, any comments received, pursuant to the CEQA Guidelines, and finds that on the basis of the whole record, there is no substantial evidence that the proposed district zoning amendment will result in any new significant effects or a substantial increase in the severity of previously identified significant effects.
- b. The Planning and Economic Development Commission finds that the Addendum to the Clearwater Specific Plan EIR has been completed in compliance with CEQA and reflects the lead agency's independent judgment and analysis.
- c. An addendum is adequate because the Addendum demonstrates that the environmental analysis and impacts identified in the Clearwater Specific Plan EIR remain substantively unchanged by the proposed district zoning amendment and supports the finding that the proposed district zoning amendment does not result in any new environmental effects and does not exceed the level of impacts identified in the EIR.
- d. The custodian and location of the documents and other material which constitute the record of proceedings upon which this decision is based is the Town Clerk at the Town of Mammoth Lakes Offices, 437 Old Mammoth Road, Suite 230, Mammoth Lakes, California 93546.
- e. The Planning and Economic Development Commission finds that the proposed district zoning amendment will not result in a safety hazard or noise problem for persons using the Mammoth Yosemite Airport or for persons residing or working in the Project area because the Project site is located approximately seven miles from the Mammoth Yosemite Airport.
- f. A program for reporting on or monitoring the required mitigation measures has been adopted and mitigation measures have been slightly modified for clarification for the purpose of the Addendum.
- g. All mitigation measures shall be conditions of Project approval.

FINDINGS FOR DISTRICT ZONING AMENDMENT
(Municipal Code §17.116.070)

- a. *The specific plan is consistent with all applicable sections of the General Plan and Title 17 and is consistent with other adopted goals and policies of the Town.*

The Staff has determined that the Amended Phase One of the Clearwater Specific Plan (CSP) maintains The CSP's consistency with the General Plan and other adopted goals and policies of the Town. The proposed amendment, while reducing the scope of development anticipated for phase one of the CSP, still provides 30 new hotel units as well as enhanced site amenities and public activation along Old Mammoth Road, thereby aligning with several of the General Plan goals and policies used to guide the original CSP and the 2016 CSP Amendment. The following are goals of the 2007 General Plan with which the Amended Phase One of the CSP is consistent:

- i. The intent of the "Main Street, Old Mammoth Road and Shady Rest" character districts is to "invite pedestrian activity and provide gathering places and opportunities for interaction in a vibrant mix of retail, commercial and workforce housing...Commercial corridors should be walkable year-round, vibrant, colorful, and accessible" (D-3). Further, the General Plan portrays the Old Mammoth Road corridor as a "traditional small-scale mixed-use 'Main Street' development pattern" (D-4).

The Amended Phase One of The CSP meets the above intent by allowing for a mixed-use development that includes new, pedestrian scale (1 to 2-story) hotel cabins, landscape improvements, expanded restaurant and event space, and a new park/ public event space along Old Mammoth Road. Along with the proposed Laurel Mountain Road sidewalk improvements, the proposed mix of uses will greatly improve pedestrian activity in the area while also providing new gathering places and opportunities for interaction. The addition of new cabin units, new site amenities and significant public open space along Old Mammoth Road will serve to re-activate the existing lodging and restaurant uses while also allowing for new event programming and a more active pedestrian environment consistent with the General Plan goals for the Old Mammoth Road district.

- ii. "New development should improve connectivity and circulation with bike and pedestrian paths, sidewalks and roads." (D-3).

The Amended Phase One of The CSP invites pedestrian activity into the site by improving the frontage along Old Mammoth Road, adding sidewalks on Laurel Mountain Road and increasing pedestrian connections within the interior of the site. Additionally, the project will provide space for outdoor café seating, planting areas, and other pedestrian-scaled elements to encourage activity throughout the site.

- iii. Policy C.2.A: Create well-designed and significant public spaces in resort/commercial developments to accommodate pedestrians and encourage social interaction and community activity

The Amended Phase One of The CSP is consistent with this policy by creating mixed-use development that includes a variety of public outdoor spaces designed to accommodate a series of public events and uses at different scales. The project calls for a minimum of 73,000 square feet of open space and 2,000 square feet of event space intended to hold a variety of community events. The public space and outdoor food and beverage options are proposed to complement each other to promote community interaction.

- iv. Policy L.3.D: Encourage outdoor dining in resort and commercial districts to increase street level animation.

The Amended Phase One of the CSP accomplishes the policy of encouraging outdoor dining by expanding existing facilities as well as providing new options for dining on site. The project proposes to expand the deck at the existing Rafters restaurant to increase outdoor dining capacity. Additionally, the project provides a landscaped area along the Old Mammoth Road frontage that accommodates a food truck venue along with a food and beverage garden with a variety of seating and dining options (final operating characteristics and event programming will be determined through the Use Permit process).

- v. Policy L.5.A: Encourage and support a range of visitor accommodations that include a variety of services and amenities.

The Amended Phase One of The CSP is consistent with this policy by formulating an interim development phase to allow for an adaptive project that expands upon existing visitor accommodations. Expanded visitor accommodations include the addition of 30 resort cabins, which not only increases the hotel inventory, but the cabins also add new lodging options to the site that are family friendly. In addition, the project proposes several new guest amenities including social gathering areas with fire pits and hammocks, lawn games and hot tubs.

- vi. Policy L.5.D: Encourage rehabilitation and renovation of existing visitor accommodations.

The Amended Phase One of The CSP creates the opportunity for renovating the project site's existing facilities to fall more in line with the vision of the original CSP and the General Plan. The project

accomplishes this policy by improving the hotel's arrival sequence, which entails the proposal of a porte-cochere at the vehicular entrance and an upgraded lobby area. Additional improvements include an upgraded pool area as well as improvements to the existing Rafters restaurant.

Finally, the proposed Amended Phase One of the Clearwater Specific Plan maintains consistency with the intent of the Clearwater Specific Plan land use designation, which is to provide "for a pedestrian-oriented, mixed-use district for residents and visitors within the North Old Mammoth Road area. Permitted uses include hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and a large public plaza intended for use as an event venue. The base density is forty (40) hotel rooms per acre with the potential for up to eighty (80) hotel rooms per acre. Pursuant to the Clearwater Specific Plan, significant community benefits are required to be provided. Workforce housing and commercial uses are exempt from density calculations."

The proposed Amended Phase One achieves many of the goals of the CSP land use designation, including providing new pedestrian-oriented mixed uses, new hotel units, and public benefits in the form of significant public event/ gathering space along Old Mammoth Road. The proposed amendment is within the maximum allowable density and provides 5 units of workforce housing on-site. Importantly, the amendment also maintains the existing allowances of the CSP for future redevelopment, thereby ensuring that any goals not met by the current development will still be met when the site redevelops in the future.

- b. *That the specific plan is consistent with any applicable airport land use plan as required by Government Code Section 65302.3; and*

Not applicable, as there are no applicable airport land use plans that have an impact on the Clearwater Specific Plan.

- c. *That the specific plan is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the approved Environmental Clearance Documentation adopted for the Clearwater Specific Plan (SCH# 2006062154) has been prepared. The addendum describes the proposed changes to the approved project and concludes that no new or increased significant environmental impacts would result from the proposed project. Therefore, the Specific Plan Amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS. The Planning and Economic Development Commission hereby takes the following actions:

1. Recommends to the Town Council adoption of the Addendum to the Clearwater Specific Plan Environmental Impact Report (State Clearinghouse No. 2006062154), including the Mitigation Monitoring and Reporting Program, and adopt CEQA findings;
2. Recommends to the Town Council adoption the required Municipal Code findings; and
3. Recommends to the Town Council approval of District Zoning Amendment (DZA) 21-001.

PASSED AND ADOPTED this 27th day of October 2021, by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

Sandra Moberly,
Community and Economic
Development Director

Michael Vanderhurst,
Chair of the Mammoth Lakes Planning
and Economic Development
Commission

NOTE: This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

EXHIBIT "A"

Addendum to the Clearwater Specific Plan Environmental Impact Report

Case No. DZA 21-001



Sierra Nevada Resort Amendment

ADDENDUM TO THE CLEARWATER SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT

SUBMITTED BY
MICHAEL BAKER INTERNATIONAL

Michael Baker
INTERNATIONAL

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**ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT**

Sierra Nevada Resort Amendment

October 2021



Lead Agency:

Town of Mammoth Lakes

437 Old Mammoth Road, Suite 230

Mammoth Lakes, California 93546

**Contact: Mr. Chandler Van Schaack, AICP
Senior Planner**

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A – VMT Assessment

1.0 INTRODUCTION

The proposed project is located within an area covered by *The Clearwater Specific Plan* (Specific Plan). The Specific Plan was adopted by the Town of Mammoth Lakes (Town) on January 21, 2009, for the development of a new, pedestrian oriented, mixed-use, resort destination development (herein referenced as the “Specific Plan Development Scenario”) located in the North Old Mammoth Road District of the Town. The Town, as the Lead Agency under the California Environmental Quality Act (CEQA), determined that an Environmental Impact Report (EIR) was required for the Specific Plan prior to adoption.

Following approval of the Specific Plan and Specific Plan EIR, a Conditional Use Permit (CUP) was approved by the Town for the project site on March 10, 2010 (2009 Old Mammoth Place CUP). As part of this process, the Town’s Community and Economic Development Department prepared a CEQA Conformance Analysis to confirm if the proposed CUP was consistent with what was analyzed as part of the Specific Plan Final EIR. The 2009 Old Mammoth Place CUP included Use Permit Application (UPA) 09-003 and Vesting Tentative Tract Map (VTTM) 09-003.

In 2016, the Applicant requested approval of modifications to the 2009 Old Mammoth Place CUP (the 2016 Old Mammoth Place CUP Amendment). At that time, a CEQA addendum to the Clearwater Specific Plan (2016 Addendum) was prepared to confirm if the proposed modifications were consistent with what was analyzed as part of the Specific Plan Final EIR. The Old Mammoth Place CUP Addendum was approved in 2016.

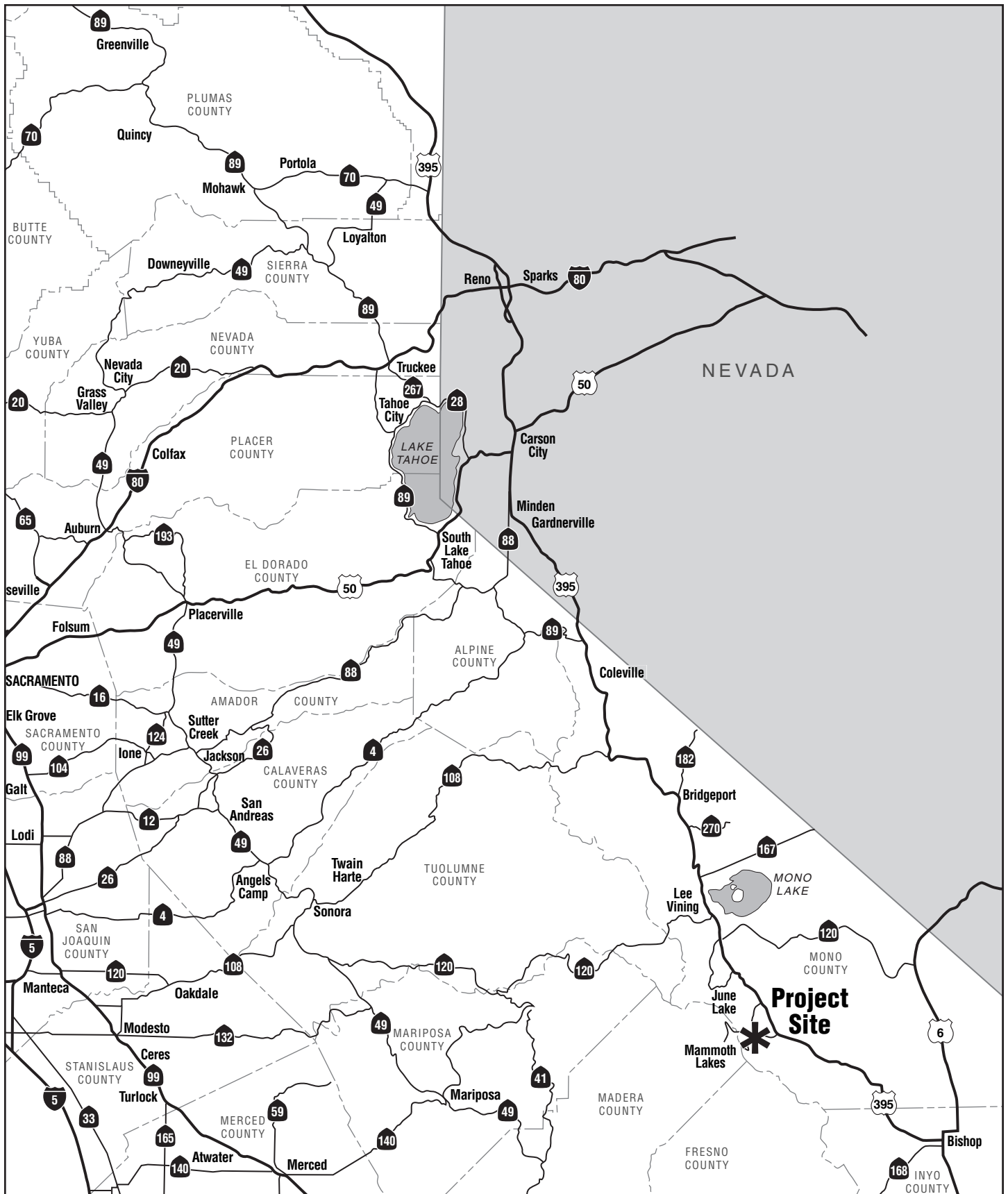
Since that time, development of the project site, as anticipated in the Specific Plan and the 2016 Old Mammoth Place CUP Amendment, has not occurred. At this time, the Applicant is requesting appropriate entitlements to allow for an interim development (“Amended Phase One”) to be constructed at the project site, while preserving the existing Specific Plan allowances for the potential future development per the approved 2016 Old Mammoth Place CUP Amendment. These changes for implementation of an Amended Phase One (referenced as the proposed Sierra Nevada Resort Amendment, or project) are the subject of this 2021 Addendum to The Clearwater Specific Plan EIR.

1.1 PROJECT LOCATION AND EXISTING CONDITIONS

The Town of Mammoth Lakes is located in the eastern portion of the Sierra Nevada Range, within southwestern Mono County, California; refer to Exhibit 1-1, Regional Vicinity. Regional access to the town is provided via U.S. Highway 395, which is approximately three miles east. Mammoth Lakes is served primarily by State Route 203, which acts as a connector to U.S. 395.

The approximate 6.1-acre site is located to the west of Old Mammoth Road and is surrounded on the remaining three sides by Sierra Nevada Road to the south, Laurel Mountain Road to the west, and the Mammoth Mall and Krystal Villa East condominiums to the north; refer to Exhibit 1-2, Site Vicinity. The Specific Plan area consists of three parcels (Accessor Parcel Numbers [APN] 35-230-05, 35-230-06, and 35-230-07).

The site is currently developed with commercial uses, which include the Sierra Nevada Resort and Spa and Frosty’s Miniature Golf (both located at 202 Old Mammoth Road), Rafter’s Restaurant and Lounge (164 Old Mammoth Road), and a second restaurant building occupied by Red Lantern downstairs and Jimmy’s Taverna upstairs (248 Old Mammoth Road).



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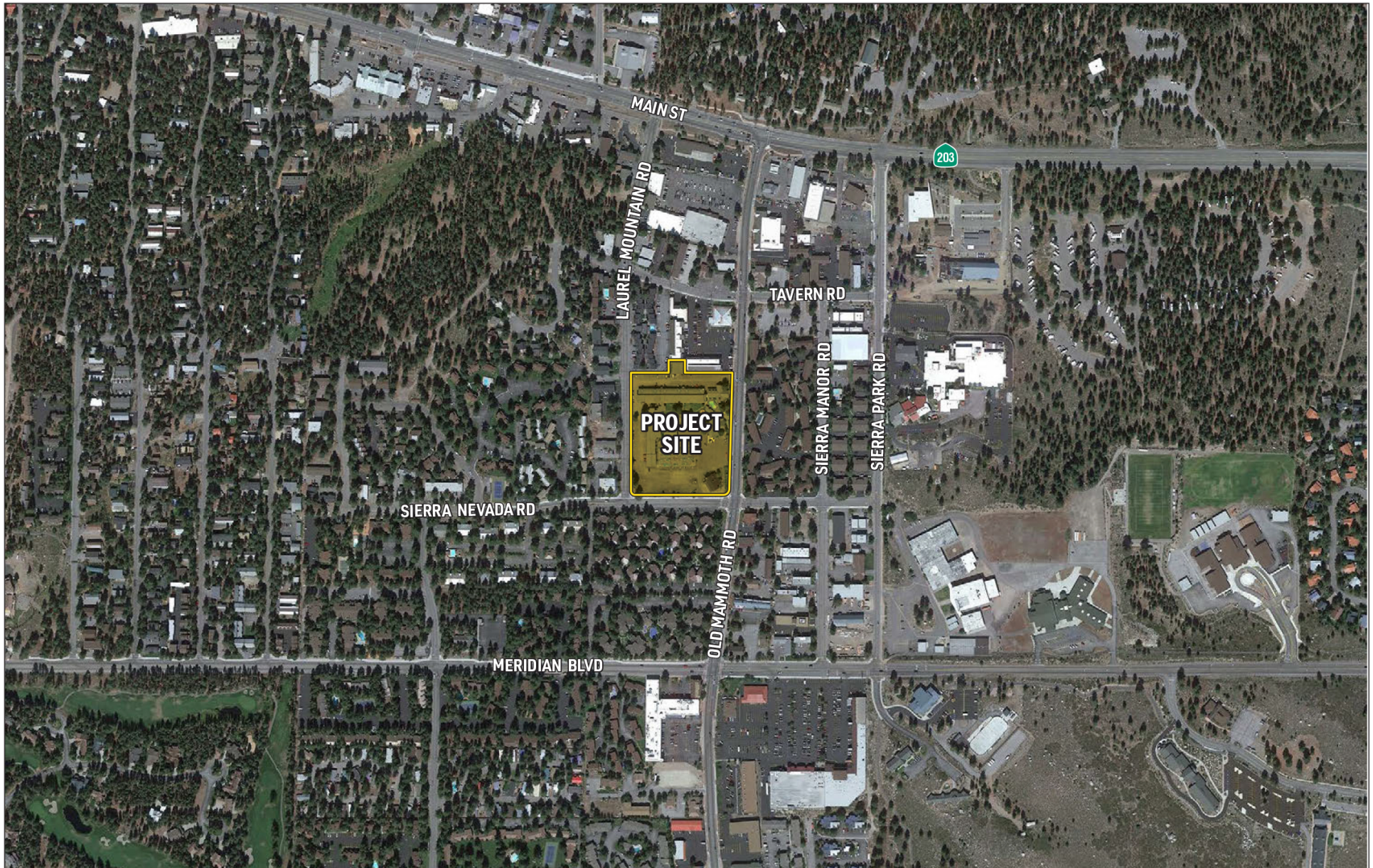
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09/2021 JN186150

SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT
Regional Vicinity

Exhibit 1-1



Source: Google Earth Pro, September 2021

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SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

Site Vicinity

Exhibit 1-2

The Sierra Nevada Resort and Spa is an L-shaped building situated at the north and west sides of the project site. Two detached buildings owned and used by the hotel are located north of Frosty's Miniature Golf, which occupies the center portion of the site. Rafters Restaurant and Lounge is located at the central east side of the site. The two-story wooden restaurant building occupied by Red Lantern (currently closed) and Jimmy's Taverna (currently operating) is located at the southeastern corner of the site. Existing vegetation includes approximately 33 trees and ornamental landscaping around the perimeters of the site and buildings. The remainder of the site consists of a surface parking lot serving the hotel and restaurants.

To the east of the project site, across Old Mammoth Road, is the Sierra Manor condominium project (zoning designation of Old Mammoth Road [OMR]). To the south, across Sierra Nevada Road, is the Sierra Park Villas condominiums (zoning designation of Residential Multi-Family [RMF-2]). Across Laurel Mountain Road to the west is the Laurel Mountain Professional Center, L'Abri residential condos, an unnamed apartment building, and the Sierra Park Apartments (zoning designation of OMR). To the north of the site, are the Krystal Villa East condominiums (zoning designation of OMR) and the Mammoth Mall (zoning designation of Downtown [D]), which houses business offices and retail establishments.

1.2 PREVIOUS ENVIRONMENTAL DOCUMENTS

Clearwater Specific Plan and EIR

The Clearwater Specific Plan was adopted by the Town on January 21, 2009, for the development of a new, pedestrian oriented, mixed-use resort destination development located in the North Old Mammoth Road District of the town. The Town, as the Lead Agency under the CEQA, determined that an EIR was required for the Specific Plan prior to adoption. The EIR was prepared in conformance with CEQA (California Public Resources Code [PRC] Section 21000 et seq.); CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.); and the rules, regulations, and procedures for implementation of CEQA, as adopted by the Town. The purpose of the EIR was to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to reduce potentially significant effects of the Specific Plan.

The Draft Environmental Impact Report (Draft EIR) for the Specific Plan was distributed to responsible and trustee agencies, interested groups, and organizations. The Draft EIR (SCH# 2006062154) was made available for public review and comment for a period of 45 days. The public review period for the Draft EIR established by the CEQA Guidelines commenced on December 15, 2006 and ended January 29, 2007. A public scoping meeting for the Draft EIR was held on January 24, 2007, at the Town Council Chambers, in order to gather information on concerns and issues that the general public may have regarding the Specific Plan and Draft EIR.

The Draft EIR focused primarily on changes in the environment that would result from the Specific Plan. The Draft EIR identified potential impacts that would result from the construction and operation of the Specific Plan and provided measures to mitigate potential significant impacts. Those impacts that cannot be mitigated to less than significant levels were also identified.

After publication of the Draft EIR, the project Applicant submitted minor modifications to the project, which were reflected in the Final EIR for the Specific Plan (Specific Plan Final EIR). The project modifications proposed considered a 308-unit (480 room) condominium hotel with 18,000 square feet of retail and restaurant commercial uses and 11,900 square feet of recreation uses and ranged

in height from 35-65 feet. The condominium hotel also included 32 dwelling units for workforce housing and 8,000 square feet for conference space; refer to Exhibit 1-3, *Approved 2008 EIR CUP*.

Specific Plan Final EIR Section 2.0, *Revisions to Information Presented in the Draft EIR*, documented these project changes prior to certification of the Specific Plan Final EIR. Per this analysis, these revisions did not change the conclusions presented in the December 2006 Draft EIR. The revised Specific Plan Final EIR development scenario was determined to not create any new significant impacts or create the need for additional mitigation. On January 7, 2009, the Town Council adopted the *Final Clearwater Specific Plan* and certified the Specific Plan Final EIR.

2009 Old Mammoth Place CUP and CEQA Conformance Review

Following approval of the *Final Clearwater Specific Plan* and Specific Plan Final EIR, a CUP was approved by the Town on March 10, 2010 (2009 Old Mammoth Place CUP). The 2009 Old Mammoth Place CUP included a 332-unit (488 room) condominium hotel with 36,964 square feet of retail and restaurant commercial uses and 75,425 square feet of recreation uses. The condominium hotel also included 8 dwelling units for workforce housing and 9,582 square feet for conference space; refer to Exhibit 1-4, *Approved 2009 Old Mammoth Place CUP*, which illustrates the proposed development scenario under the 2009 Old Mammoth Place CUP. Prior to approval of the 2009 Old Mammoth Place CUP, the Town underwent a CEQA Conformance Review in February 2010, in order to verify if the proposed CUP was consistent with the analysis presented in the Specific Plan Final EIR, or if additional CEQA Clearance Documentation was necessary.

The 2009 Old Mammoth Place CUP proposed only minor differences compared to the project described in the Specific Plan Final EIR. Further, the proposed amendment to the Specific Plan included minor administrative changes to clarify definitions presented in the Specific Plan. As such, the CEQA Conformance Review determined that the 2009 Old Mammoth Place CUP would result in similar impacts to land use and relevant planning, aesthetics/light and glare, traffic and circulation, air quality, noise, utilities service systems, as well as long-term implications. Mitigation measures recommended within the CEQA Conformance Review are the same as those presented in the Final EIR. Based on the findings presented in the CEQA Conformance Review, it was concluded that the 2009 Old Mammoth Place CUP project would not result in substantial changes compared to the development scenario analyzed in the Specific Plan Final EIR.

2016 Old Mammoth Place CUP Amendment and Addendum to the Clearwater Specific Plan

In 2016, the Applicant requested approval of modifications to the approved CUP (2016 Old Mammoth Place CUP Amendment), which required discretionary action by the Town; Exhibit 1-5, *Approved 2016 Old Mammoth Place CUP Amendment*. Discretionary action included approval of a CEQA addendum to the Specific Plan Final EIR to confirm if the proposed modifications were consistent with what was analyzed as part of the EIR. Proposed changes included amendments to the Specific Plan to increase the allowed building heights and removal of on-site workforce housing. The 2016 Old Mammoth Place CUP Amendment and CEQA Addendum were approved in 2016.



Source: The Landau Partnership; June 20, 2008.

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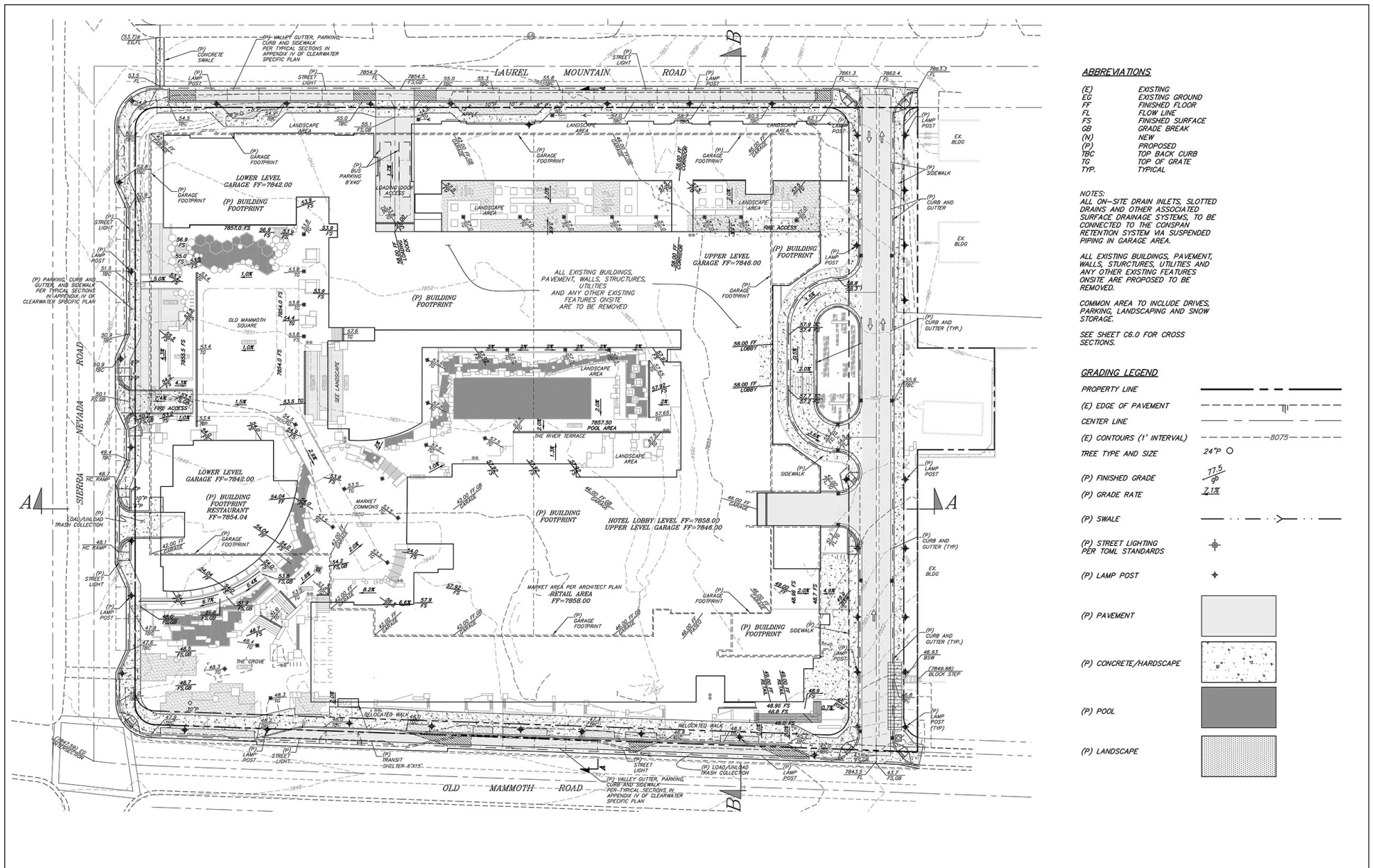
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SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

Approved 2008 EIR CUP



Source: Triad/Holmes Associates, February 2, 2010.

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10/2021 JN186150

SIERRA NEVADA RESORT AMENDMENT
2021 ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT

Approved 2016 Old Mammoth Place CUP Amendment

Sierra Nevada Resort Amendment and 2021 Addendum to the Clearwater Specific Plan

Since that time, development of the project site, as anticipated in the Specific Plan and the 2016 Old Mammoth Place CUP Amendment, has not occurred. At this time, the Applicant is requesting appropriate entitlements to allow for an interim development to be constructed at the project site, while preserving the existing Specific Plan allowances for the potential future development per the approved 2016 Old Mammoth Place CUP Amendment (the proposed Sierra Nevada Resort Amendment, or project). The Town has determined that an addendum to the Specific Plan Final EIR is required to allow for development of the Sierra Nevada Resort Amendment.

For the purpose of the analysis presented in this 2021 Addendum to the Clearwater Specific Plan, the proposed project modifications are compared to the 2016 Old Mammoth Place CUP Amendment development scenario.

2.0 DESCRIPTION OF PROJECT MODIFICATIONS

2.1 ADDENDUM'S PURPOSE AND NEED

When an EIR has been certified or a negative declaration adopted for a project, no subsequent or supplemental environmental review documentation shall be required unless one or more of the following events occurs:

- 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.

When none of the above events has occurred, yet minor technical changes or additions to the previously adopted EIR or negative declaration are necessary, an addendum may be prepared (State CEQA Guidelines Section 15164[b]).

As discussed below, none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of subsequent environmental review has occurred. This Addendum supports the conclusion that the proposed project modifications are minor technical changes that do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, as discussed below, the proposed project modifications would not result in any new or substantially increased significant environmental impacts, new mitigation measures, or new alternatives that would substantially reduce significant impacts. As a result, an addendum is an appropriate CEQA document for analysis and consideration of the proposed project modifications.

Circulation of an addendum for public review is not necessary (State CEQA Guidelines Section 15164, subdivision (c)); however, the addendum must be considered in conjunction with the adopted Specific Plan Final EIR and 2016 Addendum by the decision-making body (State CEQA Guidelines Section 15164, subdivision (d)).

2.2 LOCATION OF PROJECT MODIFICATIONS

The proposed project modifications would apply to the same 6.1-acre project site identified and described in the Specific Plan Final EIR and 2016 Addendum. The project site is comprised of three parcels located at 164, 202, and 248 Old Mammoth Road, at the northwest corner of Old Mammoth Road and Sierra Nevada Road, in Mammoth Lakes, California.

2.3 COMPONENTS OF PROJECT MODIFICATIONS

The Applicant proposes to amend the Specific Plan in order to allow for the interim development (Amended Phase One) of 30 hotel cabins in the southern portion of the project site. Other improvements would include upgrades to the interior and exterior areas of the existing Sierra Nevada Resort and Spa and Rafters Restaurant and Lounge.

The new interim development scenario would include the following components:

- Demolition of the existing restaurant building at the southeast corner of the site and the construction of up to 30 new hotel lodging cabins, to be rented out by the existing hotel. The cabins would be “tiny home-style” cabins, up to 35 feet in height, situated in the central and southern portions of the project site. Specifically, single cabins would be up to 25 feet in height, and duplex, triplex, and four-plex cabins would be up to 35 feet in height.
- Interior and exterior hotel amenity improvements would be constructed. Interior improvements would be made to the existing on-site Sierra Nevada Resort and Spa and Rafters Restaurant and Lounge. Exterior improvements would include a public open space/event area at the southeast corner of the site, relocation of the existing pool to the central portion of the project site, upgrades to amenity areas (including expanded outdoor seating and lawn game areas). Outdoor amenities may include casual gathering spaces

with fixed and/or flexible seating, a terraced lawn, hammocks, firepits, gazebo, volleyball court, cornhole, bocce ball, private pool, and spa amenities, etc. Exterior improvements would also include the creation of a public food garden corridor (dining area) along Old Mammoth Road, which could accommodate one or more food trucks on-site.

- The proposed modifications would eliminate the southernmost driveway along Old Mammoth Road; and relocate the existing driveway along Sierra Nevada Road from its current location to the center of the site. Additionally, it is acknowledged that proposed sidewalk improvements along Laurel Mountain Road allowed per the existing Specific Plan would be required to be constructed as part of this Amended Phase One.

Proposed landscaping would include the preservation of existing trees wherever possible, as well as the planting of new canopy, evergreen, and flowering trees throughout the site. Understory planting would include a mix of native grasses, perennials, and shrubs that would complement the native ecology of the region.

- Create a new public park and, potentially, an events pavilion at the corner of Old Mammoth Road and Sierra Nevada Road to accommodate community festivals and events; and
- The project would also restripe the existing 225-space surface parking lot to accommodate 182 parking spaces total.
- Appropriate utility connections would be installed, connecting the new cabins to water, sewer, electrical, gas, and telecommunications.

It is acknowledged that this analysis assumes that the Amended Phase One development and associated utilities would be demolished prior to developing the full development scenario outlined as part of the 2016 Old Mammoth Place CUP Amendment.

3.0 ENVIRONMENTAL ASSESSMENT

As discussed in Section 1.2, *Previous Environmental Documents*, for the purposes of this analysis, the proposed project modifications are compared to the certified Final EIR development scenario and/or the certified 2016 Old Mammoth Place CUP Amendment development scenario. Potential environmental impacts resulting from the proposed project, as compared to the development scenario presented in the certified Final EIR and Addendum for the Specific Plan, are presented below for each environmental topic area considered in the certified Final EIR. Implementation of the proposed project would not require any new mitigation measures compared to those recommended in the Final EIR and/or Addendum. Mitigation measures recommended within this analysis are the same as those presented in the Final EIR and only include those applicable to the proposed project modifications.

3.1 LAND USE

The Final EIR determined that potential impacts to land use and relevant planning would be significant and unavoidable due to conflict with policies in the *1987 Town of Mammoth Lakes General Plan* related to the obstruction of existing views and exceedance of maximum site coverage. The 2016 Addendum concluded that the requested modifications to the project would not result in substantial changes compared to the development scenario analyzed in the Final EIR.

The project site is designated Clearwater Specific Plan (CSP) under the *Town of Mammoth Lakes General Plan* (General Plan) and zoned Clearwater Specific Plan under the Town's Zoning Map. The revised project proposes an interim development of 30 hotel cabins in the southern portion of the project site and several other site improvements and amenities (Amended Phase One). This analysis assumes that all development associated with Amended Phase One would be demolished prior to developing the full development scenario outlined in the 2016 Old Mammoth Place CUP Amendment. As such, the revised project would require a Specific Plan Amendment to allow the proposed Amended Phase One.

The proposed Specific Plan Amendment includes development standards specific to the Amended Phase One development scenario. As such, Amended Phase One would be required to comply with the proposed standards, including land use type (i.e., hotel cabins), building height, restaurant and event space square footage, minimum setbacks, minimum building separation distance, parking space requirements, minimum snow storage area, and minimum open space/landscaping. Although Amended Phase One would allow for an interim development not previously analyzed in the Final EIR or 2016 Addendum, the revised project would be consistent with the Town's vision and goals for the project site as detailed in the Specific Plan. Specifically, the Amended Phase One would contribute towards creating a pedestrian-oriented mixed-use corridor along Old Mammoth Road, providing a blend of hotel, restaurant/event space, and a venue for a variety of community activities and events (i.e., the proposed public park, food and beverage garden, and food truck venue). The 30 additional hotel cabins would provide places to stay for Town visitors and the site improvements and amenities would revitalize the site's existing character and enhance the Town's overall character as a destination resort community. The Specific Plan would also be amended in various sections to allow the Amended Phase One development scenario. Thus, upon adoption by the Town, the project would be consistent with the Specific Plan, as amended.

Overall, the revised project would not result in any additional land use impacts that were not previously considered and addressed in the Final EIR and 2016 Addendum.

Mitigation Program

No mitigation measures were found to be feasible in the Final EIR or 2016 Addendum for this topic area, and no new measures are feasible.

3.2 AESTHETICS/LIGHT AND GLARE

The certified Final EIR determined that despite the implementation of recommended mitigation measures, the previously analyzed project would result in significant and unavoidable construction impacts as the surrounding residential areas would be exposed to the visually related impacts of construction activities. Additionally, long-term visual/aesthetic impacts due to increased building heights, removed mature vegetation, increased hardscape features, and view obstruction would remain significant and unavoidable following implementation of recommended mitigation measures. Further, the 2016 Addendum concluded that the 2016 Old Mammoth Place CUP Amendment would be similar to those identified in the Final EIR. Similar to the Final EIR, shade/shadow impacts would remain significant and unavoidable. Construction of the project would involve demolition, site preparation, construction, and phasing similar to what was identified in the Final EIR. Thus, short-term construction impacts would not be increased, compared to that analyzed in the Final EIR. The Final EIR Mitigation Measures AES-1 through AES-15 would still be applicable to the 2016 Old Mammoth Place CUP Amendment.

Development of the Amended Phase One would include demolition of the existing restaurant located at the southeast corner of the site and the construction of 30 hotel cabins. The cabins would be “tiny home-style” cabins, up to 35 feet in height, situated in the central and southern portions of the project site. Specifically, single cabins would be up to 25 feet in height, and duplex, triplex, and four-plex cabins would be up to 35 feet in height. Interior and exterior improvements to hotel amenities are also proposed for the existing Sierra Nevada Resort and Spa and Rafter's Restaurant and Lounge. Additionally, construction of an outdoor food garden (dining area) along Old Mammoth Road is proposed, which could accommodate one or more food trucks on-site. The Amended Phase One would create a new public park and, potentially, an events pavilion at the corner of Old Mammoth Road and Sierra Nevada Road to accommodate community festivals and events as well.

The Amended Phase One would appear similar in character to the existing on-site hotel and surrounding community. Proposed cabins would range from 25 to 35 feet in height, similar to existing structures in the area. The 2016 CUP Amendment considered on-site building heights ranging from 35 to 65 feet in height. As such, the Amended Phase One development (up to 35 feet in height) would not result in increased resultant view blockage to the surrounding mountains and hillsides, compared to that analyzed in the certified Final EIR and 2016 Addendum. Resultant shadow patterns would be similar in character to the existing surrounding community. Construction of the project would involve demolition, site preparation, and construction similar to the extent of what was identified in the certified Final EIR and 2016 Addendum. The Amended Phase One development would also include interior and exterior lighting for security, parking, signage, landscaping, street lighting, and interior lighting of the proposed structures, although to a lesser extent than the full development considered as part of the Specific Plan. Implementation of the Final EIR certified Mitigation Measures AES-13 and AES-14 (as amended in the 2016 Addendum) would still be required in order to reduce light and glare impacts. As such, the intensity of operational lighting impacts would be reduced compared to that analyzed in the certified Final EIR and 2016 Addendum.

Overall, the proposed project would result in fewer aesthetic/light and glare impacts, compared to that considered in the certified Final EIR and 2016 Addendum. Notwithstanding, the Amended Phase One would still be required to comply with the certified Mitigation Measures AES-1 through AES-14. With implementation of certified mitigation, the Amended Phase One would not result in any new or potentially adverse aesthetics/light and glare impacts not previously considered and addressed.

Mitigation Program

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce significant and unavoidable impacts associated with the previously approved project to the extent feasible. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

Applicable Mitigation Measures

- AES-1 Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be indicated on Final Development Plans and Grading Plans. *Old Mammoth Place Addendum, 2016.*

- AES-2 A grading plan shall be submitted concurrently with the development plans and shall be approved through the design review process by the Planning & Economic Development Commission. All grading and earthwork activities must be conducted in accordance with an approved construction grading plan and grading permit issued by the Mammoth Lakes Public Works Department. All grading plans must meet Lahontan Regional Water Quality Control Board standards for interim and permanent erosion control measures. *Old Mammoth Place Addendum, 2016.*
- AES-3 The applicant shall prepare and submit a construction hauling plan to be reviewed and approved by the Community & Economic Development Department prior to issuance of grading permit. The plan shall ensure that construction haul routes do not affect sensitive uses in the project vicinity.
- AES-4 All construction-related lighting shall be located and aimed away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the Community & Economic Development Department for review concurrent with grading permit application. *Old Mammoth Place Addendum, 2016.*
- AES-5 The overall color scheme shall be determined by the Town's Design Guidelines and Town of Mammoth Lakes Advisory Design Panel, subject to approval by the ~~Town of Mammoth Lakes Planning & Economic Development~~ Commission. The color of exterior materials, whether applied or innate, shall reflect the appearance of the natural surroundings and not seem synthetic or man-made. Accent colors shall integrate with the overall color scheme and form of the building. *Old Mammoth Place Addendum, 2016.*
- AES-6 All signs shall be in accordance with the general provisions, prohibitions, exemptions, and special purposes delineated in Chapter ~~17.40~~17.48 of the Town's Municipal Code, the Clearwater Specific Plan, and the Clearwater Landscape Design Guidelines as established and adopted hereafter by the ~~Town Planning & Economic Development~~ Commission. *Old Mammoth Place Addendum, 2016.*
- AES-7 Landscape design shall be consistent with ~~TOML~~ Municipal Code Chapter ~~17.20.040~~17.40, California Model Water Efficiency Landscape Ordinance (CA MWELQ), property development standards, and the Clearwater Specific Plan Landscape Design Guidelines. The landscape shall enhance the character of the on-site development and shall be compatible with, and complementary to, the natural environment in Mammoth Lakes and the surrounding region. *Old Mammoth Place Addendum, 2016.*
- AES-8 Flat roofs shall be designed to carry snow accumulations of a minimum of 161 pounds per square feet, and have a minimum slope of 3/12 for adequate drainage. A roof pitch of less than 3/12 is subject to the approval of the Building Official. Roofs shall be designed to not shed ice and snow onto adjacent properties, walkways, plaza, driveways, and decks. *Old Mammoth Place Addendum, 2016 [modified for clarification].*
- AES-9 Roof appurtenances shall be integral parts of the architecture of the structure. Non-functional roof ornamentation shall be avoided. Mechanical, electrical and roof access equipment, vents, and antennas shall be integrated into the roof design to avoid visual

- impact on other properties. Skylights, solar collectors and clerestories shall be designed as masses at angles relating to the primary roof, and building architecture, not applied forms. Exposed chimney flues shall not be permitted. *Old Mammoth Place Addendum, 2016.*
- AES-10 All appurtenances (i.e., meters and electrical equipment, etc.) shall be integrated into the project design to avoid visual impact from pedestrians and other properties. These appurtenances shall be screened or placed in areas that are not highly visible, where possible. *Old Mammoth Place Addendum, 2016.*
- AES-11 Fencing and outdoor enclosures shall be compatible in material, color, and design to adjacent structures, and the neighborhood and regional character. Fences and enclosures shall be designed to withstand heavy snowfall conditions and snow removal operations. Fences, walls, and enclosures shall be no higher than necessary to perform the intended function. Landscape features, fences, and walls in dedicated snow slope areas shall be designed to accommodate snow storage and removal activities. *Old Mammoth Place Addendum, 2016.*
- AES-12 All outdoor furnishings shall complement adjacent building character and scale, and shall be appropriate to the project theme, allow for snow removal operations, and accessibility requirements. ~~The tree~~Tree grates shall be used in areas of high pedestrian activity and traffic. They shall be constructed of cast iron, metal, or concrete. *Old Mammoth Place Addendum, 2016.*
- AES-13 The applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Ordinance (~~Chapter Section 17.34.060~~Section 17.34.030, Exterior Lighting~~Outdoor Lighting Plans~~, of the Municipal Code) to the Community & Economic Development Director that includes a footcandle map illustrating the amount of light from the project site at adjacent light sensitive receptors. *Old Mammoth Place Addendum, 2016.*
- AES-14 Landscape lighting should be designed as an integral part of the project. Lighting levels shall respond to the type, intensity, and location of use. Safety and security for pedestrians and vehicular movements must be anticipated. Lighting fixture locations shall not interfere or impair snow storage or snow removal operations. Light fixtures shall have cut-off shields to prevent light spill and glare into adjacent areas. *Old Mammoth Place Addendum, 2016.*

3.3 TRAFFIC AND CIRCULATION

The certified Final EIR determined that after implementation of recommended mitigation measures, the previously analyzed project would result in less than significant impacts with the implementation of the recommended mitigation measures. Further, the 2016 Addendum found that the Old Mammoth Place CUP Amendment would not result in any new, different, or potentially adverse traffic and circulation impacts not previously considered and addressed.

The Amended Phase One would result in the construction of 30 new hotel cabins and the removal of one on-site restaurant building (Jimmy's Taverna and Red Lantern in the southeast corner). This change in land uses would result in a net decrease in daily trips (approximately 487 fewer daily trips) compared to existing condition. As such, the Amended Phase One would result in fewer traffic impacts, compared to that analyzed for full buildout of the Specific Plan; refer to Appendix A, VMT Assessment.

Transportation Policy Consistency Analysis

The certified Final EIR acknowledged that the Town intends to make improvements of its existing pedestrian facility systems by increasing the connectivity and safety of existing bikeway, trail, and sidewalk networks per the Sidewalk Master Plan. Additionally, the Town of Mammoth Lakes Trail System Master Plan (MLTSMP) provides non-motorized facilities as alternate forms of transportation, including pedestrians, bicyclist, and cross country skiers. The Amended Phase One would initiate construction of a pedestrian walkway along Laurel Mountain Road, which was considered as part of the full buildout of the Specific Plan, in order to increase the pedestrian connectivity to the project site and surrounding area. The new pedestrian walkway would result in a near-term improvement, which would align with Town's goals pursuant to the Sidewalk Master Plan and MLTSMP. As such, the addition of the new pedestrian walkway would not create any new impacts, not considered as part of the certified Final EIR, regarding pedestrian access.

Implementation of the proposed Amended Phase One would not result in any changes/modifications to the existing bicycle or transit system. Less than significant impacts would result in this regard.

Design Safety Hazard Analysis

The Amended Phase One would alter the existing project site access, compared to that considered in the certified Final EIR. Project modifications would eliminate one of the two existing vehicular access driveways along Old Mammoth Road (the southernmost driveway) and move the vehicular access driveway along Sierra Nevada Road (from its current easterly location) to the center of the site. This change in access driveways would not create a design hazard for vehicles or pedestrians and would alleviate ingress/egress to the reconfigured hotel facility. Less than significant impacts would result in this regard.

Vehicle Miles Traveled (VMT) Screening Analysis

The certified Final EIR established 106,600 VMT as the threshold for projects within the Town. The 2016 Addendum determined that long-term operational impacts regarding VMT would result in approximately 6,270 daily trips and would be consistent with anticipated growth in the area. As such, the previously analyzed project would not exceed the Town's VMT limits.

The certified Final EIR and 2016 Addendum did not specifically address VMT (pursuant to Senate Bill [SB] 743), as it was not required in the CEQA Guidelines at the time of certification. As such, a VMT Assessment for the Amended Phase One was prepared to analyze potentially significant transportation impacts based on VMT. The purpose of the VMT Assessment is to determine if the Amended Phase One meets the Town's recently adopted *SB743 Implementation Guidelines* (Implementation Guidelines) screening thresholds for land use projects.

The VMT Assessment (provided as [Appendix A, VMT Assessment](#)) found that the Amended Phase One would meet two of the Town's Screening Criteria for land use projects (Map-Based Screening and Redevelopment Projects). According to these Screening Criteria, the development projects would have less than significant VMT impacts if: 1) a project is located within an area of development allowed by the screening map and would result in an average VMT below the allowed county average maximum value; or 2) would reduce daily VMT compared to existing conditions.

The proposed Amended Phase One is anticipated to result in a net decrease of 8,979 vehicle miles travelled (VMT) per day, based on the project's total VMT of 2,797 and the existing restaurant's total VMT of 11,776 (proposed to be removed). The proposed Amended Phase One would also be located within an area of development allowed by the Town's screening map. As the project site is situated in an area of allowed development and would have net decrease in VMT (which would be below the allowed county average maximum value), the project meets the Town's Map-Based Screening criteria. Additionally, the proposed Amended Phase One would reduce daily VMT compared to existing conditions, meeting the Town's Redevelopment Projects criteria as well.

As such, the Amended Phase One would be exempt from further VMT assessment and would result in a less than significant impact with regard to VMT. The Amended Phase One would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Less than significant impacts would result in this regard.

Conclusion

The Amended Phase One would result in substantially less development intensity than that considered for full buildout of the Specific Plan. This interim development would result in fewer daily trips, compared to the existing condition and buildout of the Specific Plan. As such, the certified Mitigation Measures would not apply to the Amended Phase One and impacts pertaining to transportation would be less than significant. The Amended Phase One would not result in any new or potentially adverse traffic and circulation impacts not previously considered and addressed.

Mitigation Program

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to avoid potential adverse impacts associated with the previously approved project to maintain less than significant levels. However, the certified Mitigation Measures would not apply to the Amended Phase One.

3.4 AIR QUALITY

Air Quality

The certified Final EIR determined upon implementation of recommended mitigation measures, development of the Specific Plan would not result in significant air quality impacts during project construction and operation in regard to project consistency with the *Town of Mammoth Lakes Air Quality Management Plan (AQMP)* or result in significant cumulative air quality impacts along with implementation of other development in the project area. Further, the 2016 Addendum concluded that the air quality impacts resulting from the 2016 Old Mammoth Place CUP Amendment would be similar to those identified for the Specific Plan in the certified Final EIR.

For the proposed Amended Phase One, long-term operational impacts would be consistent with the anticipated growth within the project area, given this use is consistent with the existing land use conditions. The Amended Phase One is anticipated to generate approximately 152 daily trips, which is substantially lower than the number of trips forecast for buildout of the Specific Plan. Further, the proposed Amended Phase One is anticipated to result in a net decrease of 8,979 VMT per day, based on the project's total VMT of 2,797 and the existing restaurant's total VMT of 11,776 (proposed to be removed). Consequently, operational air quality impacts related to

vehicle mileage would be substantially less than what was anticipated for buildout of the Specific Plan. In conclusion, the Amended Phase One would result in substantially fewer operational air quality emissions than those considered for full buildout of the Specific Plan.

During project construction, the Amended Phase One would involve demolition of an existing restaurant at the southeast corner of the site, site preparation, and construction of 30 new cabins. The Amended Phase One would involve operating the new lodging cabins, available for rental through the existing on-site hotel facility. It is acknowledged that both project construction and operation would be significantly smaller in magnitude than what was assumed for full buildout of the Specific Plan. As a result, temporary construction-related air quality impacts resulting from the Amended Phase One would be substantially lower than those identified in the certified Final EIR and 2016 Addendum. Further, the certified Mitigation Measures AQ-1 through AQ-5 would still apply to the Amended Phase One. With implementation of certified mitigation, the Amended Phase One would not result in any new or potentially adverse air quality impacts not previously considered and addressed.

Greenhouse Gas Emissions

The Final EIR for the Specific Plan was certified in 2009, and the 2016 Old Mammoth Place CUP Amendment and associated Addendum were approved in 2016. The 2016 Addendum was prepared to confirm if the proposed modifications were consistent with what was analyzed as part of the certified Final EIR. Section 3.4, *Air Quality*, of the 2016 Addendum concluded that the certified Final EIR already contained mitigation measures to address sources of greenhouse gas (GHG) emissions; certified Mitigation Measures AQ-1 through AQ-5. In addition, the 2016 Old Mammoth Place CUP Amendment was conditioned to achieve a Leadership in Energy and Environmental Design (LEED) Silver or equivalent certification as well as incorporate numerous water and energy efficiency programs during project construction and operation. As such, the 2016 Addendum concluded that GHG emissions resulting from the 2016 Old Mammoth Place CUP Amendment would be reduced with the mitigation measures from the certified Final EIR and the LEED Silver (or equivalent) certification requirements, and there is no evidence that further mitigation is necessary to further demonstrate compliance with the State mandated GHG reduction targets.

During project construction, the proposed Amended Phase One would involve demolition of an existing restaurant at the southeast corner of the site, site preparation, and construction of 30 new cabins. These new lodging cabins would be available for rental through the existing on-site hotel facility. It is acknowledged that both project construction and operation would be significantly smaller in magnitude than that considered for full buildout of the Specific Plan.

Based on the magnitude of the proposed Amended Phase One (as compared to full buildout of the Specific Plan) and implementation of the certified mitigation measures that address sources of GHG emissions, GHG emissions associated with development of the Amended Phase One would be minimized and no further mitigation would be necessary to further demonstrate compliance with State mandated GHG reduction targets. With implementation of certified mitigation, the Amended Phase One would not result in any new or potentially adverse GHG emissions impacts not previously considered and addressed.

Mitigation Program

The Final EIR Mitigation Monitoring and Reporting Program includes measures to reduce potential impacts associated with the previously approved project to less than significant levels.

Subsequently, the 2016 Addendum provided minor, editorial modifications to application measures for the 2016 Old Mammoth Place CUP Amendment. The following measures from the certified Final EIR and/or the 2016 Addendum would be applicable to the proposed Amended Phase One. Any modifications to the original measures are shown in strikethrough for deleted text and underlined for new, inserted text.

Applicable Mitigation Measures

AQ-1 Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that, in compliance with ~~GBUPACD~~ Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 401, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the ~~GBUPACD~~ GBUAPCD Rules and Regulations. In addition, ~~GBUPACD~~ GBUAPCD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered to prevent excessive amounts of dust;
- On-site vehicles' speed shall be limited to 15 miles per hour (mph);
- All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized;
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;
- If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

Old Mammoth Place Addendum, 2016.

AQ-2 Under GBUAPCD Rule 200-A and 200B, the project applicant shall apply for a Permit to Construct prior to construction, which provides an orderly procedure for the review of new and modified sources of air pollution. *Old Mammoth Place Addendum, 2016.*

AQ-3 Under GBUAPCD Rule 216-A (New Source Review Requirement for Determining Impact on Air Quality Secondary Sources), the project applicant shall complete the necessary permitting approvals prior to commencement of construction activities. *Old Mammoth Place Addendum, 2016.*

- AQ-4 Prior to demolition activities, the applicant shall demonstrate to the GBUAPCD that the project is consistent with the Toxic Substance Control Act (TSCA), (15 U.S.C. Section 2601 et. seq.) Title 2 - Asbestos Hazard Emergency Response for handling asbestos. *Old Mammoth Place Addendum, 2016.*
- AQ-5 Prior to approval of building plans, the applicant shall provide confirmation, to the satisfaction of the ~~Town of Mammoth Lakes~~ Town's Community and Economic Development Department, that wood fired stoves or appliances would not be used on-site. *Old Mammoth Place Addendum, 2016.*

3.5 NOISE

The certified Final EIR determined that after implementation of recommended mitigation measures, development of the Specific Plan would result in significant and unavoidable construction noise and cumulative construction noise impacts. The certified Final EIR concluded that implementation of Mitigation Measures N-1 through N-3 would significantly reduce noise impacts during project construction and operation. Despite implementation of the abovementioned mitigation measures, construction-related noise impacts and cumulative construction noise impacts were determined to remain significant and unavoidable due to the proximity of sensitive receptors to the project site. As such, a Statement of Overriding Considerations was adopted by the Town Council when the Final EIR was certified. Subsequently, the 2016 Addendum was prepared to confirm if the proposed modifications of the 2016 Old Mammoth Place CUP Amendment were consistent with what was analyzed as part of the certified Final EIR. Section 3.5, *Noise*, of the 2016 Addendum acknowledged that despite implementation of the Mitigation Measures N-1 through N-3, construction-related noise impacts and cumulative construction noise impacts resulting from the 2016 Old Mammoth Place CUP Amendment were determined to remain significant and unavoidable due to the proximity of sensitive receptors to the project site. As such, the 2016 Addendum concluded that construction-related noise impacts and cumulative construction noise impacts from the 2016 Old Mammoth Place CUP Amendment would remain significant and unavoidable.

The Amended Phase One would involve demolition of an existing restaurant at the southeast corner of the site, site preparation, and construction of 30 new cabins. It is acknowledged that both project construction and operation would be significantly less in magnitude than full development of the Specific Plan. Similar to the Specific Plan and the 2016 Old Mammoth Place CUP Amendment (which proposed outdoor recreation uses at the pedestrian plaza/outdoor recreation areas), the proposed Amended Phase One would include outdoor recreational uses (although to a lesser extent), including activities at the proposed public open space/event area at the southeast corner of the site, relocated pool, outdoor food garden (dining area) along Old Mammoth Road, and other amenity areas (including expanded outdoor seating and lawn game areas). Outdoor activities potentially generating excessive noise (i.e., music and performances) would be subject to a Use Permit, which would regulate the hours of performances and amplification of equipment.

Implementation of the certified Mitigation Measures N-1 through N-3 would significantly reduce noise impacts during construction and operation of the Amended Phase One. With implementation of certified mitigation, the proposed Amended Phase One would not result in any new, different, or potentially adverse construction-related noise impacts and cumulative construction noise impacts not previously considered and addressed.

Mitigation Program

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce significant and unavoidable impacts associated with the previously approved project to the extent feasible. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

Applicable Mitigation Measures

N-1 Prior to Grading Permit issuance, the project shall demonstrate, to the satisfaction of the ~~Town of Mammoth Lakes~~ Town's Community & Economic Development Department that the project complies with the following:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers;
- Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible;
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers;
- During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors;
- Operate earthmoving equipment on the construction site as far away from vibration sensitive sites as possible; and
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the Town or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

Old Mammoth Place Addendum, 2016.

N-2 The proposed project shall be required to adhere to ~~Chapter 8.80.090~~ Section 8.16.090 (Prohibited Acts) of the *Municipal Code*, which prohibits loading activities between the hours of 10:00 p.m. and 7:00 a.m. *Old Mammoth Place Addendum, 2016.*

N-3 Mechanical equipment shall be placed as far as practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design. *Old Mammoth Place Addendum, 2016.*

3.6 UTILITIES AND SERVICE SYSTEMS

The certified Final EIR determined that development of the Specific Plan would create increased demand on utilities and service systems serving the project area; however, impacts would be less than significant. Further, the 2016 Addendum found that the Old Mammoth Place CUP Amendment would involve similar development and demand for public services and utilities to that identified in the certified Final EIR.

The proposed Amended Phase One would result in a substantially reduced development, compared to that considered for full development of the Specific Plan. The proposed project would construct 30 hotel cabins. Project modifications would increase demand for public services and utilities compared to existing conditions, but would be less than those considered for the previously analyzed project. The proposed Amended Phase One would increase utility demands as follows:

- Electrical amperage to the property would increase an additional 2055 amps per day.
- Propane delivery to the site would increase by 440 gallons per day.
- Water to the site would increase by 220 gallons per day
- Sewerage from the site would increase 320 gallons per day

The Amended Phase One proposes the installation of new on-site utility connections to serve the new cabins, including water, sewer, electrical, gas, and telecommunications. Electrical, gas (propane), water, and sewer utilities would all see an increase regarding on-site demand. Based on the certified Final EIR, there are no deficiencies in the water delivery system serving the project site. Additionally, the certified Final EIR concluded that there are sufficient existing facilities for water supply and wastewater treatment. Dry utilities would be available to serve the project site upon approval of all necessary permits from the Town and other agencies. As a result, the proposed Amended Phase One's demand for public services and utilities is anticipated to be substantially less than that identified in the certified Final EIR and 2016 Addendum. The proposed Amended Phase One would not result in any new, different or potentially adverse public services and utilities impacts not previously considered and addressed in the certified Final EIR and 2016 Addendum. Furthermore, the proposed project's utilities and service systems would only be temporary, as they would be demolished, and reconstructed appropriately to service construction of full buildout of the Specific Plan.

Mitigation Program

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce potential impacts associated with the previously approved project to less than significant levels. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

Applicable Mitigation Measures

- USS-1 The Applicant shall provide lateral sewer lines to the ~~centerlines~~sewer main of the nearest adjacent roadways. The lateral sewer lines shall be constructed in accordance with Town and ~~MCWD~~Mammoth Community Water District (MCWD) standards and

specifications, to the satisfaction of the Town of Mammoth Lakes. *Old Mammoth Place Addendum, 2016 [modified for clarification]*.

3.7 ENERGY

The Final EIR for the Specific Plan was certified in 2009, and the 2016 Addendum for the 2016 Old Mammoth Place CUP Amendment was approved in 2016. Although not addressed in a standalone section in the EIR, energy considerations were analyzed in Section 6.1, *Irreversible Environmental Changes That Would Be Involved In The Proposed Action Should It Be Implemented*.

The implementation of project design features and mitigation measures related to energy efficiency have also typically been incorporated into a project's air quality and greenhouse gas analyses. As such, the certified Final EIR contained mitigation measures to address energy consumption, despite energy consumption reduction has not been specifically stated as reasoning for implementing these mitigation measures. These mitigation measures include mitigation of traffic and air quality impacts of the proposed development under the Specific Plan.

Both construction and operation of Amended Phase One would be substantially less in magnitude compared to full buildout of the Specific Plan. Based on the magnitude of the Amended Phase One and implementation of the certified mitigation measures that address energy consumption, the Amended Phase One would not result in any new or potentially adverse energy impacts not previously considered and addressed.

Mitigation Program

The Final EIR Mitigation Program, as amended by the 2016 Addendum, includes measures to reduce potential impacts associated with the previously approved project to less than significant levels. The following measures from the certified Final EIR and 2016 Addendum would also be applicable to the proposed project. Any modifications to the original measures are shown in strikethrough for deleted text and new, inserted text is underlined.

Applicable Mitigation Measures

Refer to Mitigation Measures AQ-1 through AQ-5 above.

3.8 WILDFIRE

The certified Final EIR determined that the Town and surrounding area have been rated as having a very high fire potential. Further, the certified Final EIR determined the previously analyzed project would be subject to review by the Mammoth Lakes Fire Protection District (MLFPD) to ensure fire regulations are met. MLFPD review would include ensuring adequate clearance of flammable vegetation around individual structures to prevent the spread of fire between wildlands and structures. As such, compliance with applicable provisions and fire codes pertaining to fire control would result in less than significant impacts.

According to the California Department of Forestry and Fire Protection *Mono County Fire Hazard Severity Zones in LRA Map*, the project site is not located within a State Responsibility Area (SRA)

nor is classified as a very high fire hazard severity zone.¹ However, it is acknowledged that the site is situated within a Low fire hazard severity zone. The proposed Amended Phase One would not result in an adverse effect which could impede emergency evacuation routes serving the Town. Further, project modifications would be subject to review by MLFPD to ensure the project complies with fire requirements and emergency vehicle access. The Amended Phase One would also be subject to payment fees that are currently imposed by the Town and used to fund the required fire suppression equipment. Wildfire impacts resulting from the Amended Phase One would be less than those identified in the certified Final EIR and 2016 Addendum. Compliance with fire requirements, emergency vehicle access, and payment of required fees would reduce potential impacts associated with the Amended Phase One to less than significant levels. As such, impacts regarding wildfire would be less than significant.

Mitigation Program

The certified Final EIR and 2016 Addendum determined that potential wildfire impacts associated with the previously approved project were less than significant. As such, no certified mitigation measures apply for wildfire impacts and impacts in this regard would be less than significant.

4.0 DETERMINATION/ADDENDUM CONCLUSION

As detailed in the analysis presented above, this Addendum supports the conclusion that the proposed addition of the Amended Phase One to the Specific Plan would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. No new information has become available and no substantial changes to the circumstances (under which the project was being undertaken) since the certification of the Final EIR and the 2016 Addendum has occurred. There are no new measures required and no new alternatives available that would substantially reduce the environmental effects beyond those previously described in the certified Final EIR and the 2016 Addendum.

5.0 ADDENDUM PREPARATION SOURCES/REFERENCES

California Environmental Quality Act, 1970, as amended, Public Resources Code Sections 21000-21189.

California Department of Forestry and Fire Protection, *Mono County Fire Hazard Severity Zones in LRA Map*, https://osfm.fire.ca.gov/media/6724/fhszl06_1_map26.pdf, September 21, 2007, accessed on October 15, 2021.

Google Earth Maps, <http://maps.google.com>, accessed October 2021.

Michael Baker International, *Old Mammoth Place, Addendum to the Clearwater Specific Plan, Environmental Impact Report*, June 1, 2016.

RBF Consulting, *Final Clearwater Specific Plan Environmental Impact Report*, SCH No. 2006062154, adopted July 2008.

¹ California Department of Forestry and Fire Protection, *Mono County Fire Hazard Severity Zones in LRA Map*, https://osfm.fire.ca.gov/media/6724/fhszl06_1_map26.pdf, September 21, 2007, accessed on October 15, 2021.



RBF Consulting, *Old Mammoth Place, California Environmental Quality Act Conformance Review*, February 2010.

Town of Mammoth Lakes, *Town of Mammoth Lakes Municipal Code*.

Town of Mammoth Lakes, *Town of Mammoth Lakes General Plan 2007*, dated May 2007.

Town of Mammoth Lakes, *General Plan Update Final Program Environmental Impact Report*, SCH No. 2003042155, dated May 2007.

Town of Mammoth Lakes, *The Clearwater Specific Plan*, revised April 21, 2010 (DZA 09-001 and DZA 10-002).



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APPENDIX A

VMT Assessment



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TECHNICAL MEMORANDUM

To: Amy Callanan, Town of Mammoth Lakes

From: Robert Davis, Michael Baker International
Dawn Wilson, Michael Baker International

CC: Kristen Bogue, Michael Baker International

Date: October 20, 2021

Subject: Sierra Nevada Resort Amendment VMT Assessment

Introduction

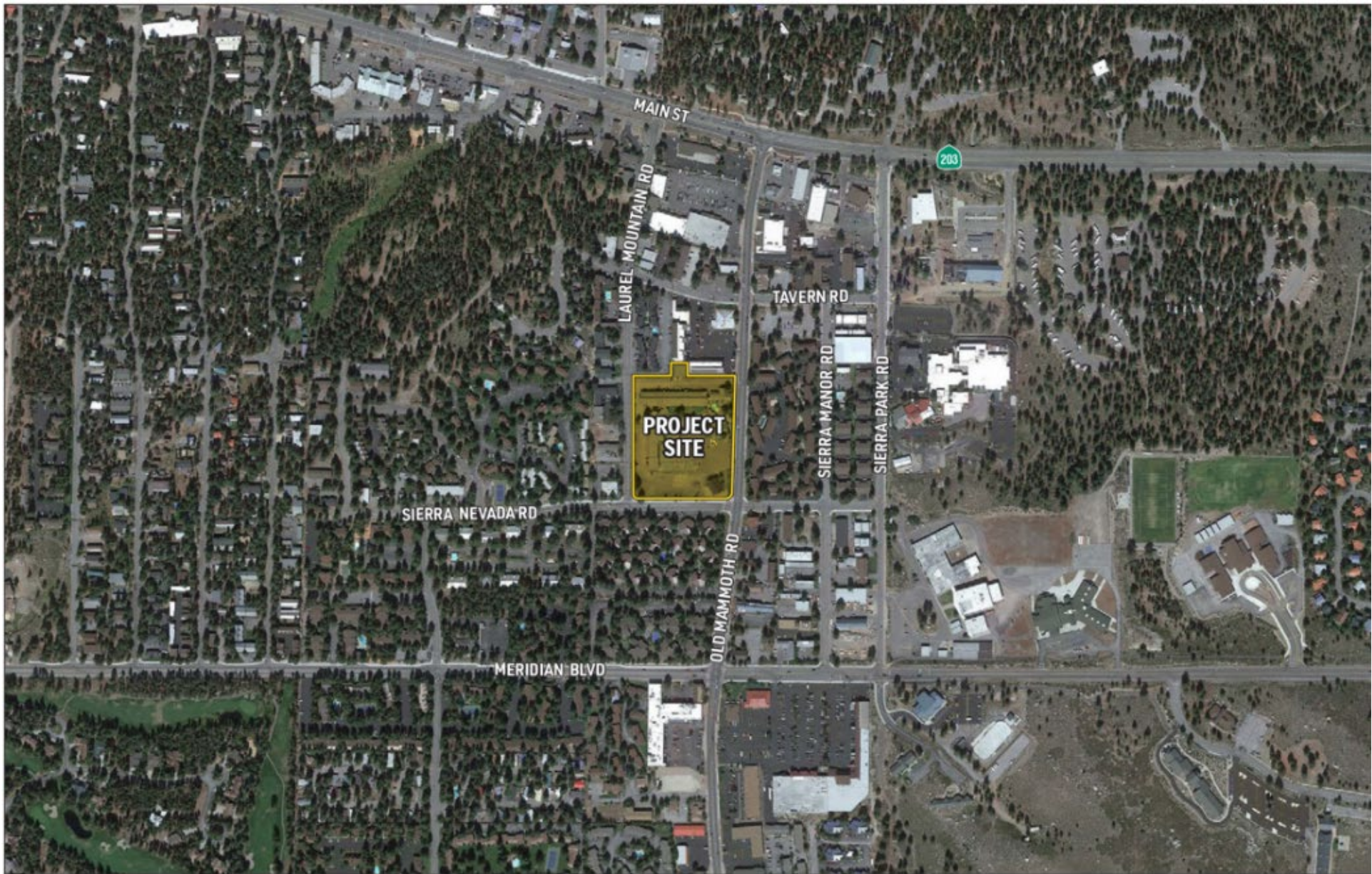
The purpose of this memorandum is to document the VMT assessment for the proposed Sierra Nevada Resort Amendment (Project) located in the Town of Mammoth Lakes, California. This memorandum has been prepared to support the Transportation component of the California Environmental Quality Act (CEQA) process. **Table 1** provides key project information. **Exhibit 1** shows the location of the project.

Table 1: Project Information

Item	Description
Project Title	Sierra Nevada Resort Amendment
Project Location	248 Old Mammoth Road - Situated on the northwest corner of the intersection of Old Mammoth Road and Sierra Nevada Road (Town of Mammoth Lakes, Mono County, CA)
Existing Use	Restaurant building occupied by Red Lantern downstairs and Jimmy's Taverna upstairs. Total existing restaurant floor area is approximately 5,700 square feet.
Proposed Use	30 Hotel Room Units (Cabins)
Area	6.1 acres

The existing restaurant building would be replaced by the proposed 30 hotel units.

Exhibit 1: Project Site Vicinity



Source: Google Earth Pro, September 2021

Analysis Guidelines

Per the direction of Town staff, the Town of Mammoth Lakes *SB743 Implementation Guidelines* November 24, 2020 was utilized as the primary resource in the development of this analysis. *Resolution 20-94* of the Town Council was adopted on December 2, 2020 and establishes the "Vehicle Miles Traveled Thresholds of Significance for Purposes of Analyzing Transportation Impacts under the California Environmental Quality Act."

Project Trip Generation Analysis

The number of Project site trips was estimated using the Institute of Transportation Engineers' (ITE) *Trip Generation Manual* (10th Edition). **Table 2** shows the ITE trip generation rates used for this analysis and **Table 3** shows the estimated trips generated by the Project and by the existing restaurant use that will be replaced (redeveloped) by the Project.

Table 2: Trip Generation Rates

Land Use	ITE Code	Daily Trip Rate	AM Peak Hour			PM Peak Hour		
			Rate	In	Out	Rate	In	Out
High-Turnover (Sit-Down) Restaurant	932	112.18 / KSF ⁽¹⁾	9.94	55%	45%	9.77	62%	38%
All Suites Hotel	311	4.46 / Room	0.34	53%	47%	0.36	48%	52%
Notes:								
1) KSF = Thousand Square Feet								

Table 3: Estimated Project Trips and Existing Restaurant Trips

Land Use	ITE Code	Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
					Trips	In	Out	Trips	In	Out
Existing: High-Turnover (Sit-Down) Restaurant	932	5.7	KSF ⁽¹⁾	639	57	31	26	56	35	21
Proposed: All Suites Hotel	311	30	Rooms	134	10	5	5	11	5	6
Net Difference (Proposed – Existing) ⁽²⁾				-505	-47	-26	-21	-45	-30	-15
Notes:										
1) KSF = Thousand Square Feet										
2) Values may vary slightly due to rounding.										

Screening Criteria

Land use projects that meet the screening thresholds identified in **Table 4** are assumed to result in a less than significant transportation impact under CEQA and do not require a detailed quantitative VMT assessment. **The project meets two of the Screening Criteria for land use projects which would allow a determination of a less than significant impact on VMT, thus a detailed project-specific VMT assessment is not required.** Criteria for both the Map-Based Screening and the Redevelopment Project categories are met by the proposed Project.

Table 4: Screening Criteria for Land Use Projects Presumed to Cause a Less Than Significant Impact

Project Type	Town Recommended Screening Criteria	Project Evaluation	Result
Small Projects	Project generation is less than 110 trips per day per the ITE Manual or other acceptable source determined by Town of Mammoth Lakes. <u>Unless:</u> It is inconsistent with the General Plan as determined by the Town of Mammoth Lakes.	Project is anticipated to generate approximately 134 daily trips, which exceeds the Small Project trip generation threshold.	Does Not Meet Criteria
Local Serving Retail	No single store on-site exceeds 50,000 square feet; and Project is local-serving as determined by the Town of Mammoth Lakes. <u>Unless:</u> The nature of the service is regionally focused as determined by the Town of Mammoth Lakes.	Not applicable since Project is not retail development.	Does Not Meet Criteria
Affordable Housing	A high percentage of affordable housing is provided as determined by the Town of Mammoth Lakes. <u>Unless:</u> The percentage of affordable housing is determined by the Town of Mammoth Lakes to not be high in relation to the residential element of a project.	Not applicable since Project does not contain affordable housing development.	Does Not Meet Criteria
Local Essential Service	Building is less than 50,000 square feet; and Land Use is: <ul style="list-style-type: none"> • Day care center; or • Public K-12 School; or • Police or Fire facility; or • Medical/Dental office building; or • Government offices (in-person services such as post office, library, and utilities) <u>Unless:</u> The nature of the service is regionally focused as determined by the Town of Mammoth Lakes.	Not applicable since Project is not retail or essential services development.	Does Not Meet Criteria
Map-Based Screening	Area of development is under threshold as shown on screening map as allowed by the Town of Mammoth Lakes. Note that screening maps for residential and employment based VMT projects are provided in Appendix B of the Town of Mammoth Lakes SB 743 Implementation Guidelines. <u>Unless:</u> The project represents significant growth as to substantially change regional travel patterns as determined by the Town of Mammoth Lakes.	Project is located Hex ID 588 and this zone is designated as "green" in the Appendix B Screening Maps and having a non-residential average VMT that is 15% or more below the Mono County Average.	Meets Criteria
Redevelopment Projects	Project replaces an existing VMT-generating land use and does not result in a net overall increase in VMT <u>Unless:</u> The project replaces an existing VMT-generating land use and results in a net overall increase in VMT.	The existing restaurant use has a daily VMT of 11,776. The proposed hotel units would have a daily VMT of 2,466 which represents a net reduction in VMT.	Meets Criteria

Redevelopment Project VMT Assessment

The VMT Screening Tool results are shown in **Table 6** and screenshots of the screening tool results are attached to this memo. The Project is estimated to generate a daily total (Production-Attraction, PA) of 134 trips. The average trip length for the Project is 18.4 miles. The resulting Total VMT is 2,466 (134 trips x 18.4 miles per trip). A comparison of the average trip length for the Project (18.4 miles) to the Mono County average trip length (27.4) shows an average trip length that is 32.8% lower than the County's average trip length.

A comparison of the Project total VMT (2,466) to the existing restaurant use total VMT (11,776) shows that the Project is anticipated to result in a net decrease of 9,310 VMT per day. Therefore, **the project is determined to have less than significant impact.**

Table 5: VMT Summary

Category	Project Comparison		
	Mono County	Existing Restaurant	Project
Daily Trips	N.A.	640	134
Average Trip Length (miles)	27.4	18.4	18.4
Total VMT	N.A.	11,776	2,466

Mitigation Measures

Since the project is projected to result in a less than significant impact, mitigation measures are not required.

Conclusions

The Project VMT assessment for the Sierra Nevada Resort Amendment located in the Town of Mammoth Lakes shows that the Project meets two of the Town Screening Criteria and is therefore determined to have a less than significant impact. While a detailed VMT assessment is not required, an evaluation of the Project condition was conducted to demonstrate that redevelopment of the site results in a reduction in trips generated and a greater than 15% reduction in average trip length. As such, the Project results in a net reduction in VMT compared to the existing use. Based on this assessment, **the project is determined to have a less than significant impact and no mitigation is required.**

VTM Calculator Output

VTM CALCULATOR

Version 1.1 Build Date 11_05_20

PROJECT INFORMATION

Project Name	Sierra Nevada Resort Amendment
Address	248 Old Mammoth Road
HEX ID	588
Project Context/Setting	Suburban Center

LAND USE INFORMATION

VTM Land Use Type	Non_Residential
ITE Trip Gen Land Use	311 All Suites Hotel
Room(s)	30
Mixed-Use Adjustment	0%

PRESUMPTIONS OF LESS THAN SIGNIFICANT IMPACT

☐ Affordable Housing
☐ Within a 1/2 mile of Major Transit Stop
☐ Local Retail (<50,000 Sq Ft)
☐ Less than 110 Trips per Day

VTM OUTPUT

PROJECT	
Avg. Trip Length	18.4
Daily Trips	134

Average (Avg. Trip Length)	27.4
Threshold (15% below Average)	23.3
Significant Impact?	No

Avg. Trip Length

Legend: Project (blue), Project with Mitigation (yellow), Threshold (black line)

PROJECT LOCATION

Map shows TAZ centroid location

SEARCH LOCATION RESET

VTM CALCULATOR

Version 1.1 Build Date 11_05_20

PROJECT INFORMATION

Project Name	Sierra Nevada Resort Amendment
Address	248 Old Mammoth Road
HEX ID	588
Project Context/Setting	Suburban Center

LAND USE INFORMATION

VTM Land Use Type	Non_Residential
ITE Trip Gen Land Use	932 High-Turnover (Sit-Down) Restaurant
1,000 Sq Ft	5.7
Mixed-Use Adjustment	0%

PRESUMPTIONS OF LESS THAN SIGNIFICANT IMPACT

☐ Affordable Housing
☐ Within a 1/2 mile of Major Transit Stop
☐ Local Retail (<50,000 Sq Ft)
☐ Less than 110 Trips per Day

VTM OUTPUT

PROJECT	
Avg. Trip Length	18.4
Daily Trips	640

Average (Avg. Trip Length)	27.4
Threshold (15% below Average)	23.3
Significant Impact?	No

Avg. Trip Length

Legend: Project (blue), Project with Mitigation (yellow), Threshold (black line)

PROJECT LOCATION

Map shows TAZ centroid location

SEARCH LOCATION RESET

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 1, Mitigation Monitoring and Reporting Checklist, has been prepared for the Sierra Nevada Resort Amendment (the “project”). Applicable Mitigation Measures for the project are derived from the 2016 Old Mammoth Place CUP Amendment for the existing Specific Plan. These changes for implementation of an Amended Phase One (referenced as the proposed Sierra Nevada Resort Amendment, or project) are the subject of this 2021 Addendum to The Clearwater Specific Plan EIR. This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the Sierra Nevada Resort Amendment file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the Town flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist (Table 1). If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The Town distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Amendment, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the Town as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the Town with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.

- The Town prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the Town. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.6.

Table 1
Mitigation Monitoring and Reporting Checklist

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
AESTHETICS/LIGHT AND GLARE							
AES-1	Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be indicated on Final Development Plans and Grading Plans. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Final Development Plans and Grading Plans; Building and Engineering Inspections	Prior to Construction; Ongoing During Construction	Town Community & Economic Development Department and Public Works Department			
AES-2	A grading plan shall be submitted concurrently with the development plans and shall be approved through the design review process by the Planning & Economic Development Commission. All grading and earthwork activities must be conducted in accordance with an approved construction grading plan and grading permit issued by the Mammoth Lakes Public Works Department. All grading plans must meet Lahontan Regional Water Quality Control Board standards for interim and permanent erosion control measures. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Grading Plan and Development Plans; Building and Engineering Inspections	Prior to Construction; Ongoing During Construction	Town Community & Economic Development Department and Public Works Department			
AES-3	The applicant shall prepare and submit a construction hauling plan to be	Review and Approval of	Prior to Issuance of	Town Community &			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	reviewed and approved by the Community & Economic Development Department prior to issuance of grading permit. The plan shall ensure that construction haul routes do not affect sensitive uses in the project vicinity. <i>Old Mammoth Place Addendum, 2016.</i>	Construction Hauling Plan; Building and Engineering Inspections	Grading Permit; During Construction	Economic Development Department and Public Works Department			
AES-4	All construction-related lighting shall be located and aimed away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the Community & Economic Development Department for review concurrent with Grading Permit application. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of a Construction Safety Lighting Plan; Building and Engineering Inspections	Prior to Issuance of Grading Permit; Ongoing During Construction	Town Community & Economic Development Department and Public Works Department			
AES-5	The overall color scheme shall be determined by the Town Design Guidelines and Town of Mammoth Lakes Advisory Design Panel, subject to approval by the Planning & Economic Development Commission. The color of exterior materials, whether applied or innate, shall reflect the appearance of the natural surroundings and not seem synthetic or man-made. Accent colors shall integrate with the overall color scheme and form of the building. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Building Color Scheme	Prior to Approval of Use Permit and Prior to Issuance of Building Permits	Town Community & Economic Development Department			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
AES-6	All signs shall be in accordance with general provisions, prohibitions, exemptions, and special purposes delineated in Chapter 17.48 of the Town's Municipal Code, the Clearwater Specific Plan, and the Clearwater Landscape Design Guidelines as established and adopted hereafter by the Planning & Economic Development Commission. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Development Plans	Prior to Approval of all Sign Permits	Town Community & Economic Development Department			
AES-7	Landscape design shall be consistent with Municipal Code Chapter 17.40, California Model Water Efficiency Landscape Ordinance (CA MWELO), property development standards, and the Clearwater Specific Plan Landscape Design Guidelines. The landscape shall enhance the character of the on-site development and shall be compatible with, and complementary to, the natural environment in Mammoth Lakes and the surrounding region. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Landscape Design Plans	Prior to Issuance of Building Permits	Town Community & Economic Development Department			
AES-8	Flat roofs shall be designed to carry snow accumulations of a minimum of 161 pounds per square foot, and have a minimum slope 3/12 for adequate drainage. <u>A roof pitch of less than 3/12 is subject to the approval of the Building Official.</u> Roofs shall be designed to not shed ice and snow onto adjacent	Review and Approval of Development Plans	Prior to Issuance of Building Permits	Town Community & Economic Development Department			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	properties, walkways, plaza, driveways, and decks. <i>Old Mammoth Place Addendum, 2016 [modified for clarification].</i>						
AES-9	Roof appurtenances shall be integral parts of the architecture of the structure. Non-functional roof ornamentation shall be avoided. Mechanical, electrical and roof access equipments, vents, and antennas shall be integrated into the roof design to avoid visual impact on other properties. Skylights, solar collectors and clerestories shall be designed as masses at angles relating to the primary roof, and building architecture, not applied forms. Exposed chimney flues shall not be permitted. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Development Plans	Prior to Issuance of Building Permits	Town Community & Economic Development Department			
AES-10	All appurtenances (i.e., meters and electrical equipment, etc.) shall be integrated into the project design to avoid visual impact from pedestrians and other properties. These appurtenances shall be screened or places in areas that are not highly visible, where possible. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Project Design	Prior to Issuance of Building Permits	Town Community & Economic Development Department			
AES-11	Fencing and outdoor enclosures shall be compatible in material, color, and design to adjacent structures, and the neighborhood and regional character. Fences and enclosures shall be	Review and Approval of Development Plans	Prior to Issuance of Building Permits	Town Community & Economic Development Department			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	designed to withstand heavy snowfall conditions and snow removal operations. Fences, walls, and enclosures shall be no higher than necessary to perform the intended function. Landscape features, fences, and walls in dedicated snow slope areas shall be designed to accommodate snow storage and removal activities. <i>Old Mammoth Place Addendum, 2016.</i>						
AES-12	All outdoor furnishings shall complement adjacent building character and scale, and shall be appropriate to the project theme, allow for snow removal operations, and accessibility requirements. Tree grates shall be used in areas of high pedestrian activity and traffic. They shall be constructed of cast iron, metal, or concrete. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Development Plans	Prior to Issuance of Grading Permits	Town Community & Economic Development Department and Public Works Department			
AES-13	The Applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Ordinance (Chapter 17.34.030, Exterior Lighting, of the Municipal Code) to the Community & Economic Development Director that includes a footcandle map illustrating the amount of light from the project site at adjacent light sensitive receptors. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Outdoor Lighting Plan	Prior to Issuance of Building Permits	Town Community & Economic Development Department			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
AES-14	Landscape lighting should be designed as an integral part of the project. Lighting levels shall respond to the type, intensity, and location of use. Safety and security for pedestrians and vehicular movements must be anticipated. Lighting fixture locations shall not interfere or impair snow storage or snow removal operations. Light fixtures shall have cut-off shields to prevent light spill and glare into adjacent areas. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Landscaping Plans	Prior to Approval of Development Plans; Prior to Issuance of Grading Permit; Prior to Issuance of Building Permit	Town Community & Economic Development Department and Public Works Department			
AIR QUALITY							
AQ-1	Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that, in compliance with Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 401, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the GBUAPCD Rules and Regulations. In addition, GBUAPCD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term	Review and Approval of Project Plans and Specifications; Building and Engineering Field Inspections	Prior to Issuance of Grading Permit; Ongoing During Construction	Town Public Works Department or Director			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	<p>fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> All active portions of the construction site shall be watered to prevent excessive amounts of dust; On-site vehicles' speed shall be limited to 15 miles per hour (mph); All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized; All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day; If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating 						

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	<p>dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and</p> <ul style="list-style-type: none"> All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. <p><i>Old Mammoth Place Addendum, 2016.</i></p>						
AQ-2	<p>Under GBUAPCD Rule 200-A and 200B, the project applicant shall apply for a Permit to Construct prior to construction, which provides an orderly procedure for the review of new and modified sources of air pollution.</p> <p><i>Old Mammoth Place Addendum, 2016.</i></p>	Review and Approval for Grading Permit	Prior to Issuance of Grading Permit	GBUAPCD; Town Public Works Department			
AQ-3	<p>Under GBUAPCD Rule 216-A (New Source Review Requirement for Determining Impact on Air Quality Secondary Sources), the project applicant shall complete the necessary permitting approvals prior to commencement of construction activities.</p> <p><i>Old Mammoth Place Addendum, 2016.</i></p>	Consistency with GBUAPCD Rule 216-A	Prior to Issuance of Grading Permit	GBUAPCD; Town Public Works Department			
AQ-4	<p>Prior to demolition activities, the applicant shall demonstrate to the GBUAPCD that the project is consistent with the Toxic Substance Control Act</p>	Review and Consistency with the Toxic	Prior to Issuance of Demolition Permit	GBUAPCD; Town Building Official			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	(TSCA), (15 U.S.C. Section 2601 et. seq.) Title 2 - Asbestos Hazard Emergency Response for handling asbestos. <i>Old Mammoth Place Addendum, 2016.</i>	Substance Control Act					
AQ-5	Prior to approval of building plans, the applicant shall provide confirmation, to the satisfaction of the Town's Community and Economic Development Department, that wood fired stoves or appliances would not be used on-site. <i>Old Mammoth Place Addendum, 2016.</i>	Review and Approval of Building Plans	Prior to Issuance of Building Permit	Town Community & Economic Development Department			
NOISE							
N-1	<p>Prior to Grading Permit issuance, the project shall demonstrate, to the satisfaction of the Town's Community & Economic Development Department that the project complies with the following:</p> <ul style="list-style-type: none"> All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers; Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the 	Review and Approval of Construction Equipment; Building and Engineering Inspections	Prior to Issuance of Grading Permit; Ongoing During Construction	Town Public Works Department			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	<p>distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible;</p> <ul style="list-style-type: none"> • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers; • During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors; • Operate earthmoving equipment on the construction site as far away from vibration sensitive sites as possible; and • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and 						

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	residents to contact the job superintendent. If the Town or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. <i>Old Mammoth Place Addendum, 2016.</i>						
N-2	The proposed project shall be required to adhere to Section 8.16.090 (Prohibited Acts) of the <i>Municipal Code</i> , which prohibits loading activities between the hours of 10:00 p.m. and 7:00 a.m. <i>Old Mammoth Place Addendum, 2016.</i>	Building and Engineering Inspections	Ongoing During Construction	Town Community & Economic Development Department; Town Police Department			
N-3	Mechanical equipment shall be placed as far as practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design. <i>Old Mammoth Place Addendum, 2016.</i>	Building and Engineering Inspections	Ongoing During Construction	Town Community & Economic Development Department			
UTILITIES SERVICE SYSTEMS							
USS-1	The Applicant shall provide lateral sewer lines to the centerlines <u>sewer main</u> of the nearest adjacent roadways. The lateral sewer lines shall be	Review and Approval of Sewer Plan	Prior to Issuance of Grading Permit	Town Public Works Department and MCWD			

Table 1, Mitigation Monitoring and Reporting Checklist, continued

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	Verification of Compliance		
					Initials	Date	Remarks
	constructed in accordance with Town and Mammoth Community Water District (MCWD) standards and specifications, to the satisfaction of the Town of Mammoth Lakes. <i>Old Mammoth Place Addendum, 2016 [modified for clarification].</i>						

EXHIBIT "B"

DZA 21-001: Amended Phase One of the Clearwater Specific Plan

Case No. DZA 21-001

DZA 21-001: Amended Phase One of the Clearwater Specific Plan

October 20, 2021

I. Background.

In April 2009, the Town Council adopted the Clearwater Specific Plan ("CSP"). In March 2010, in compliance with CSP, the Planning and Economic Development Commission approved a vesting tentative tract map, conditional use permit, and design review for a mixed-use project called "Old Mammoth Place." The Old Mammoth Place entitlements include up to 340 residential units with up to 488 lodging rooms, eight on-site workforce housing units, multiple outdoor public events plazas, approximately 20,000 square feet of commercial/retail space, approximately 17,000 square feet of restaurant space, 9,500 square feet of conference space, a 4,500 square-foot spa and wellness center, an ice rink, a pool, and an underground parking garage covering the entire site.

Throughout the first six years after the approval of Old Mammoth Place, there proved to be no financing available to construct the project and no market for the sale of condominium hotel rooms. In August 2016, in order to improve the economic viability and marketability of the project, the owner obtained approval of amendments to the CSP and the Old Mammoth Place entitlements, which included a 10-foot increase in building height, an increase in net residential square footage, and the elimination of an on-site workforce housing requirement.

Nonetheless, 12 years since the adoption of the CSP, there is still no indication that a project on the scale of Old Mammoth Place can be financed and developed in the near term. Meanwhile, the current hotel and amenities fall short of meeting the vision and goals of the General Plan and the CSP, and do not meet the needs and standards of Mammoth's target visitors and families. The site includes the original hotel and restaurant buildings, large paved parking areas, a concrete miniature golf course, and limited vegetation.

II. The Goal of this Amendment (DZA 21-001).

The goal of this Amendment is to establish *interim* development standards and project requirements for the site that will: (1) accommodate the interim development of a less tall and less dense expansion and upgrade of the hotel, restaurant, and public spaces than is envisioned by the CSP and Old Mammoth Place (the "Amended Phase One of the CSP"); (2) enhance and expand upon the lodging, food and beverage, and event/meeting space options on the site; (3) provide a new and vibrant outdoor venue and park for community activities and events; (4) animate and activate the Old Mammoth Road streetscape; and (5) allow for and accommodate the future development of the Old Mammoth Place project consistent with the CSP's long-term vision and goals, if and when market conditions allow.

III. Amended Phase One of the CSP Project Description.

The goal of the Amended Phase One of the CSP is to transform the site into a fully upgraded, full-service family hotel and public events venue that will serve to increase hotel occupancies and revitalize the Old Mammoth Road streetscape. The proposed redevelopment of the site would be the first major renovation of a hospitality project in Mammoth in decades, and would make significant strides toward achieving the Town's

vision and goals for the Old Mammoth Road corridor as set forth in the General Plan and the CSP. To that end, the owner will seek the Town's approval to:

- Upgrade and enhance all of the hotel's entryways, lobby areas, public spaces, and accommodations;
- Upgrade and increase the capacity of the event and meeting space at the Rafters Restaurant and Lounge and in the current lobby;
- Upgrade the pool and add hot tubs;
- Create multiple landscaped social and amenity areas to include a gazebo, a volleyball court, lawn games, fire pits, and hammocks;
- Add 30 family-friendly resort cabins to the site and hotel inventory;
- Provide on-site workforce housing for a minimum of five hotel employees;
- Demolish the Jimmy's Taverna and Red Lantern building;
- Demolish the miniature golf course;
- Expand the Rafters deck;
- Create a landscaped food and beverage garden and food truck venue south along Old Mammoth Road from the Rafters deck to a new public park;
- Create a new public park and events pavilion at the corner of Old Mammoth Road and Sierra Nevada Road to accommodate community festivals and events; and
- Provide new public restaurants to support the public's use of the new food and beverage garden and public park.

IV. The Town's Vision and Goals for the Site.

The Town's vision and goals for the site are encompassed in the following quotes from the CSP:

"These guidelines and standards provide a framework for development of a cohesive, mixed-use, pedestrian-oriented ... hotel opportunity that will significantly contribute to the revitalization of the Old Mammoth Road corridor."

"The hotel will provide a contemporary and enjoyable place to stay for Mammoth visitors, central to the multitude of recreational opportunities available in and around the Town of Mammoth Lakes."

"The overall goal of the Specific Plan is to create an attractive, hotel opportunity that shall serve to revitalize the economy of the core of the North Old Mammoth Road District area."

"A project shall provide additional transient occupancy options to the Town of Mammoth Lakes" and shall "contribute to the overall revitalization of the Old Mammoth Road corridor."

"To support the needs of the Town of Mammoth Lakes as a premier destination resort community ... a project shall provide additional 'hot beds' and additional transient occupancy options to the Town."

The proposed Amended Phase One of the CSP will include 30 resort cabins that will provide additional hot beds and amenities, without any condominium component. The resort cabins are designed for families, will add to the lodging options offered within the community, and have the capacity to increase TOT generation through higher occupancies and average daily rates. The expansion of indoor and outdoor event and meeting space,

the creation of a food and beverage garden, and the development of a public park and events pavilion will provide benefits to the community and animate the Old Mammoth Road streetscape.

V. Development Standards.

The following development standards will apply to the Amended Phase One of the CSP:

DEVELOPMENT STANDARD	Proposed
Total Project Site Size:	6.09 acres
Number of existing hotel rooms:	149 rooms
Number of additional resort cabin rooms:	30 rooms
Maximum Building Height – Cabins:	35 feet
Restaurant square feet:	10,000 square feet
Event space square feet:	2,000 square feet
Minimum Building Separation	5 feet
Setbacks - Old Mammoth Road Frontage	5 feet
Setbacks – Sierra Nevada	10 feet
Setbacks – Laurel Mountain	3 feet
Maximum Lot Coverage	70%
Total parking spaces:	182 spaces
Minimum Snow Storage	53,300 square feet
Minimum Open Space/ Landscaped Area	73,000 square feet

VI. Proposed Modifications to CSP Standards.

The following table describes the requested modifications to the 2016 CSP requirements to accommodate the proposed Amended Phase One of the CSP. These standards shall only apply to the Amended Phase One project, and any future redevelopment of the site following completion of the Amended Phase One project shall be subject the standards found in the 2016 Amendment to the Clearwater Specific Plan.

Section	Title	Proposed Changes to the Clearwater Specific Plan
1.0	Introduction	None.
2.0	Existing Setting and Conditions	None.
3.0	Project Description of the Specific Plan	<ul style="list-style-type: none">• The Project Description for the Amended Phase One of the CSP is included under Section III above. The project description for the Old Mammoth Place project as detailed in the 2016 CSP Amendment shall not apply to the Amended Phase One project.
3.1	Conceptual Plan	<ul style="list-style-type: none">• The Conceptual Plan for the Amended Phase One of the CSP is for illustrative purposes only and does not constitute a formal approval of any site or building design. Final site and architectural plans must be approved through the Design Review process.
3.2	Design Objectives	<ul style="list-style-type: none">• The Amended Phase One of the CSP shall not require:<ul style="list-style-type: none">○ the construction of any commercial retail space along Old Mammoth Road;○ improvement of the transit stop or construction of a bus shelter on Old Mammoth Road;○ regular shuttle service to MMSA, the airport, the golf courses, and Vons (shuttle service shall be on-demand); or○ on-site changing rooms and lockers for employees of the resort who choose to walk or bike to work.
3.3	Sustainability Guidelines	<ul style="list-style-type: none">• Improvements constructed for the Amended Phase One of the CSP shall not require LEED certification.
3.4	Operations	<ul style="list-style-type: none">• The Amended Phase One of the CSP shall not include any "condominium hotel" units, any units that "will be sold fully furnished with standardized furniture, fixtures and equipment at the time of initial sale," any "homeowner association," or any "space for a rental management operation."• Although the Amended Phase One of the CSP shall contain event space and meeting space, it need not include conference space.
3.5.1	Traffic Mitigation	<ul style="list-style-type: none">• No offsite traffic improvements shall be required.

3.5.2	Site Access	<ul style="list-style-type: none"> The Amended Phase One of the CSP may be accessed from Sierra Nevada Road even though it will not include underground parking.
3.5.3	Transit Improvements	<ul style="list-style-type: none"> No transit improvements shall be required.
3.5.4	Street Improvements	<ul style="list-style-type: none"> The Amended Phase One of the CSP shall include curb, gutter, and sidewalk improvements along Laurel Mountain Road. The east-west vehicular connector: <ul style="list-style-type: none"> need not have a 40-foot right-of-way offered for dedication to the Town for use as a public road; need not be named; need not be improved with curb and gutter; and need not contain sidewalks or heat tracing. The north-south pedestrian connector in the Amended Phase One of the CSP will provide access from Sierra Nevada Road to the hotel pool complex, but will not connect to the northern property boundary.
3.5.5	Storm Drainage	<ul style="list-style-type: none"> The project will meet Town drainage standards and requirements.
3.5.6	Sewer and Water	<ul style="list-style-type: none"> The project will meet all applicable Mammoth Community Water District standards and requirements as determined through the construction permit process.
3.5.7	Dry Utilities	<ul style="list-style-type: none"> Undergrounding of on-site overhead utilities serving the site shall not be required.
3.5.8	Phasing	<ul style="list-style-type: none"> The Amended Phase One of the CSP shall be constructed in one phase, as determined by the owner after consultation with the Town.
3.5.9	Public Facilities	<ul style="list-style-type: none"> The food and beverage garden along Old Mammoth Road need not be hardscaped.
3.6	Community Benefits	<ul style="list-style-type: none"> The community benefits required by the CSP will not be provided as part of Amended Phase One but may be required upon future redevelopment of the site.
4.1	Consistency with the 2007 General Plan	None.
4.2	Consistency with the NOMR District Study	None.
4.3	Consistency with the Municipal Code	None.
5.1	Land Use Objectives, Policies, and Standards	<ul style="list-style-type: none"> No underground parking is required. No residential units (other than workforce housing) are required. The north-south pedestrian connector need not connect to the northern property boundary.

5.2	Development Standards	<ul style="list-style-type: none"> See the Development Standards Table for Details.
5.2.1	Land Use Designations	<ul style="list-style-type: none"> The location and description of the uses shall not apply to the Amended Phase One of the CSP.
5.2.2	Permitted Uses	<ul style="list-style-type: none"> Permitted uses for hotel operations may include the construction or placement of 30 resort cabins that are affixed to foundations.
5.2.3	Density	None.
5.2.4	Site Coverage	None.
5.2.5	Building Separation	None.
5.2.6	Building Height	<ul style="list-style-type: none"> The maximum building height for resort cabins shall be 35 feet.
5.2.7	Setbacks	<ul style="list-style-type: none"> Setbacks for buildings and vehicles are set forth in the Development Standards table above.
5.2.8	Parking	<ul style="list-style-type: none"> The Amended Phase One of the CSP shall not require: <ul style="list-style-type: none"> Any underground parking; and On-site parking for restaurant, event/meeting space, workforce housing, or buses. Valet parking services or other parking demand measures may be utilized during times of high parking demand to maximize capacity of on-site spaces. A Parking Management Plan will be required as part of the Use Permit process.
5.2.9	Snow Storage and Removal	None.
5.2.10	Signage	None.
5.2.11	Lighting	None.
5.2.12	Public Art	<ul style="list-style-type: none"> No specific requirements for public art
5.2.13	Additional Standards and Requirements	None.
6.0	Design Guidelines	<ul style="list-style-type: none"> Final design of the cabins and site amenities will be determined through the Design Review process.
7.0	Housing	<ul style="list-style-type: none"> The Amended Phase One of the CSP shall provide on-site workforce housing for a minimum of five hotel employees and shall otherwise comply with the Town's Housing Ordinance. No parking shall be required for on-site workforce housing units.
8.1	Recreation	None.
8.2	Conservation and Open Space	None.
8.3	Noise	None.
8.4	Safety	None.
9.1	Maintenance	<ul style="list-style-type: none"> The hotel owner/operator shall maintain the hotel property and improvements.

9.2	Construction and Drainage	<ul style="list-style-type: none"> • No off-site drainage systems shall be required.
9.3	Site Utilities	<ul style="list-style-type: none"> • The project will meet all applicable utility requirements as determined during the construction permit process.
10.0	Administrative Procedures	<ul style="list-style-type: none"> • Use Permit and Design Review approval shall be required prior to construction of the Amended Phase One project.

ATTACHMENT 2

PEDC Staff Report

Case No. DZA 21-001



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: October 27, 2021

AGENDA TITLE: Public hearing and consideration of a District Zoning Amendment application (DZA 21-001) to amend the Clearwater Specific Plan (CSP) at 164, 202 and 248 Old Mammoth Road. The proposed amendment to the CSP would allow for an interim “Phase One” development to be constructed at the project site while preserving the existing CSP allowances for future redevelopment. The proposed interim development standards would allow for the construction of 30 new “tiny home” style hotel cabin units, improvements to the existing hotel and Rafters restaurant, expanded event/meeting space, and enhanced site amenities including a new outdoor park along Old Mammoth Road. The application request also includes consideration of an Addendum to the Clearwater Specific Plan Environmental Impact Report.

Applicant/ Property Owner: WH SN Mammoth, L.L.C.

REQUESTING DEPARTMENT:

Planning & Economic Development

Sandra Moberly, Director

Gina Montecallo, Assistant Planner

OBJECTIVE:

1. Hear Staff and Applicant presentations
2. Hold Public Hearing
3. Planning & Economic Development Commission (PEDC) discussion
4. PEDC action to:
 - a. Adopt the attached Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and recommend to the Town Council approval of District Zoning Amendment 21-001 as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution

SUMMARY:

Proposal:

The proposed project consists of an amendment to the Clearwater Specific Plan (CSP) to allow for an interim “Phase One” development to be constructed at the project site while preserving the existing CSP allowances for future redevelopment. The proposed interim development includes the construction of 30 new “tiny home” style hotel cabin units, improvements to the existing hotel and Rafters restaurant, expanded event/meeting space and a new outdoor park.

Project Name:

Amended Phase One of the Clearwater Specific Plan

Location: 164, 202 and 248 Old Mammoth Road
Size of Property: 6.09 acres
Zoning: Clearwater Specific Plan
General Plan: Clearwater Specific Plan
Environmental Review: Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the approved Environmental Clearance Documentation adopted for the Clearwater Specific Plan (SCH# 2006062154) has been prepared and concludes that no new or increased significant environmental impacts would result from the proposed project.

KEY ISSUES:

1. Can the findings be made for approval of a District Zoning Amendment pursuant to Municipal Code (MC) Chapter 17.116.070?
2. Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

I. INTRODUCTION AND BACKGROUND

The Clearwater Specific Plan (CSP) was adopted by the Town of Mammoth Lakes on January 21, 2009, for the development of a new, pedestrian oriented, mixed-use, resort destination development (herein referenced as the "Specific Plan Development Scenario") located in the North Old Mammoth Road District of the Town.

In March 2010, in compliance with CSP, the Planning and Economic Development Commission approved a vesting tentative tract map, conditional use permit, and design review for a mixed-use project called "Old Mammoth Place." The Old Mammoth Place entitlements include up to 340 residential units with up to 488 lodging rooms, eight on-site workforce housing units, multiple outdoor public events plazas, approximately 20,000 square feet of commercial/retail space, approximately 17,000 square feet of restaurant space, 9,500 square feet of conference space, a 4,500 square-foot spa and wellness center, an ice rink, a pool, and an underground parking garage covering the entire site (the original CSP approval documents can be found at the following link: <https://www.townofmammothlakes.ca.gov/142/Clearwater-Specific-Plan>). Approval of the project entitlements included approval of a Final EIR (SCH# 2006062154).

Throughout the first six years after the approval of Old Mammoth Place, there proved to be no financing available to construct the project and no market for the sale of condominium hotel rooms. In August 2016, in order to improve the economic viability and marketability of the project, the owner obtained approval of amendments to the CSP and the Old Mammoth Place entitlements, which included a 10-foot increase in building height, an increase in net residential square footage, and the elimination of an on-site workforce housing requirement. At this time, a CEQA addendum to the Clearwater Specific Plan (Old Mammoth Place CUP Addendum (SCH# 2006062154) was prepared to confirm that the proposed modifications were consistent with what was analyzed as part of the Specific Plan Final EIR. This Addendum was approved in 2016.

Since that time, development of the project site as anticipated in the CSP and the 2016 Old Mammoth Place CSP Amendment has not occurred. The Applicant is now requesting a new amendment to the CSP to allow for an interim development to be constructed at the project site while preserving the existing Specific Plan allowances for the potential future development per the approved 2016 Old Mammoth Place CUP Amendment.

Project Proposal:

The Amended Phase One of The CSP project consists of a request to amend the Clearwater Specific Plan, which currently applies to the project site, in order to allow for interim development standards to serve as zoning for Phase One of the CSP. The proposed interim development standards would accommodate a less intensive expansion and upgrade of the hotel, restaurant, and public spaces than is envisioned by the CSP/ Old Mammoth Place entitlements while still allowing for the future development of the Old Mammoth Place project consistent with The CSP's long-term vision and goals. Specifically, the Amended Phase One of The CSP enhances and expands upon the existing hotel with the addition of 30 new "tiny home" style hotel cabin units as well as upgrades to the hotel, restaurant and event space. In addition, new outdoor hotel amenities would be permitted that include a volleyball court, outdoor gathering spaces and pool/ spa facilities. Additional site improvements include removal of the existing Jimmy's Tavern building, consolidation of vehicular access points, a new sidewalk along Laurel Mountain Rd, new parking lot landscaping, and a new outdoor park/ event space along the Old Mammoth Rd frontage. Under the proposed development standards, the Amended Phase One project would consist of a total

of 179 hotel units, 10,000 square feet of indoor restaurant space, 2,000 square feet of event space, and a total of 182 parking spaces. See Figure 1 for a conceptual site plan provided by the applicant which shows the development and improvements that the Amended Phase One of the CSP would allow (the site plan is intended for illustrative purposes only and will likely be subject to change during future entitlement processes).



Figure 1: Amended Phase One Conceptual Site Plan

The approved CSP included a broad range of uses including hotel, retail, residential, condominium and restaurant. The Phase One project provides some of the uses, but the project is not required to provide condominium or residential units other than five units within the existing hotel building proposed to be converted to workforce housing. Other components of the original CSP that are not required in the Amended Phase One include understructure parking, a new pedestrian and vehicular mid-block connector, Old Mammoth Road Street improvements, retail, and public art. Please see Table 1 below for the proposed development standards included in the amendment.

Table 1: Development Standards Table

DEVELOPMENT STANDARD	Proposed
Total Project Site Size:	6.09 acres
Number of existing hotel rooms:	149 rooms

Number of additional resort cabin rooms:	30 rooms
Maximum Building Height – Cabins:	35 feet
Maximum Restaurant square feet:	10,000 square feet
Maximum Event space square feet:	2,000 square feet
Minimum Building Separation	5 feet
Minimum Setbacks - Old Mammoth Road Frontage	5 feet
Minimum Setbacks – Sierra Nevada	10 feet
Minimum Setbacks – Laurel Mountain	3 feet
Maximum Lot Coverage	70%
Total parking spaces:	182 spaces
Minimum Snow Storage	53,300 square feet
Minimum Open Space/ Landscaped Area	73,000 square feet

Existing Site and Surrounding Land Uses

The 6.1-acre project site is located in the North Old Mammoth Road district and is bounded by Old Mammoth Road to the east, Laurel Mountain Road to the west, and Sierra Nevada Road to the south, with an alley on the north side of the site. There are currently vehicular access points on all sides of the property. Existing buildings on the property include the Sierra Nevada Lodge, Rafters restaurant, and Red Lantern/Jimmy's restaurants. A large surface parking area and a miniature golf course also exist on site, with minimal landscaping except for a few Jeffery Pine trees on the west side of the building. Although the site appears generally flat, there is a grade change of approximately 19 feet from the northwest to the northeast corner. Please see **Figure 2** below for an aerial view of the existing site.



Figure 2: Aerial Image of Existing Site and Surrounding Area

The project is zoned Clearwater Specific Plan (CSP) and the surrounding land uses include both commercial and residential uses. **Table 2** describes the surrounding land uses and zoning.

Table 2: Surrounding Land Uses and Zoning

Location	Zoning*	Land Use	Special Considerations
North	D; OMR	Mammoth Mall (commercial); Krystal Villa East (residential condos)	Because the site is surrounded by primarily residential uses, noise, traffic safety, visual impacts and operating characteristics are all factors that should be considered. A Use Permit will be required as part of the entitlement package that will ensure each of these issues is addressed.
South	RMF-2	Sierra Park Villas (residential condos)	
East	OMR	Sierra Manor (residential condos)	
West	OMR	Commercial, apartments, L'Abri (residential condos)	

*D = Downtown; OMR = Old Mammoth Road; RMF-2 = Residential Multi-Family 2

Site Zoning

As discussed above, the site is subject to the Clearwater Specific Plan as amended in 2016. The existing zoning was essentially designed to accommodate one specific project consisting of up to 340 residential units with up to 488 lodging rooms, workforce housing that is consistent with the Town's Housing Ordinance, multiple outdoor public events plazas, approximately 20,000 square feet of commercial/retail space, approximately 17,000 square feet of restaurant space, 9,500 square feet of conference space, a 4,500 square-foot spa and wellness center, an ice rink,

a pool, and an underground parking garage covering the entire site (the original CSP approval documents can be found at the following link: <https://www.townofmammothlakes.ca.gov/141/Old-Mammoth-Place-Information>). Approval of the project entitlements included approval of a Final EIR (SCH# 2006062154).

The proposed amendment would modify the zoning allowances to accommodate a new Phase One project that is outside of the scope of the existing zoning while preserving the existing zoning allowances for future redevelopment.

Consistency with existing Specific Plan:

The Amended Phase One of the Clearwater Specific Plan upholds the overall intent and goals of the Clearwater Specific Plan; however, there are differences with the applicable zoning requirements of the Clearwater Specific Plan (CSP) that result in a lower density project that is smaller in scope. Table 3, Existing and Proposed Development Standards Table, compares the proposed standards with the existing CSP standards to highlight the differences between the interim phase development and the full build-out of the CSP.

Table 3: Existing and Proposed Development Standards Table

DEVELOPMENT STANDARD	EXISTING CSP STANDARDS	PROPOSED AMENDED PHASE ONE STANDARDS
Total Project Site Size:	6.09 acres	6.09 acres
Number of existing hotel rooms:	149 rooms	149 rooms
Number of additional resort rooms:	339 hotel rooms	30 cabin hotel rooms
Maximum Building Height:	35-65 ft	35 ft (applicable to cabins only)
Restaurant Square Footage:	16,000 sq ft	10,000 sq ft
Retail Square Footage:	21,000 sq ft	0 sq ft
Residential Square Footage:	308,000 sq ft	0 sq ft
Event Space Square Footage:	14,500 sq ft	2,000 sq ft
Minimum Building Separation	In accordance with the California Building Code	5 ft
Setbacks - Old Mammoth Road Frontage	0 ft from sidewalk	5 ft from sidewalk
Setbacks – Sierra Nevada	10 ft	10 ft
Setbacks – Laurel Mountain	10 ft	3 ft

Setbacks – Other Properties	10 ft	10 ft
Maximum Lot Coverage	70%	70%
Total parking spaces:	597 spaces	182 spaces ¹
Bus Parking	2 spaces	0
Bicycle Parking	187 spaces	10
Guest Parking	24	0
Management Parking	2	0
Retail and Commercial	29	0
Restaurant	54	0
Minimum Snow Storage	Snow Management Plan required.	53,300 sq ft
Minimum Open Space/ Landscaped Area	47,300 sq ft	73,000 sq ft
Old Mammoth Road Street Improvements	Wider sidewalk, new transit shelter, expanded bus pull-out area, mid-block connector.	none
Workforce Housing	Consistent with the Town's Housing Ordinance.	Housing for 5 hotel employees
Public Art	Fee will be paid at building permit issuance.	Not required.

¹ A parking management plan will be required as part of the Use Permit.

General Plan

The site is located within the Clearwater Specific Plan land use designation in the 2007 General Plan. The intent of the CSP designation is to provide “for a pedestrian-oriented, mixed-use district for residents and visitors within the North Old Mammoth Road area. Permitted uses include hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and a large public plaza intended for use as an event venue. The base density is forty (40) hotel rooms per acre with the potential for up to eighty (80) hotel rooms per acre. Pursuant to the Clearwater Specific Plan, significant community benefits are required to be provided. Workforce housing

and commercial uses are exempt from density calculations.” Please see **Key Issue #1** below for staff’s analysis of the project’s consistency with the General Plan.

Public Notice

A Public Notice for the October 27, 2021, Planning and Economic Development Commission hearing and a project description was mailed to 279 property owners within 300 feet of the subject property on October 15, 2021 and was published in The Sheet on October 16, 2021 and October 23, 2021. A future Public Notice will be mailed to the same 279 property owners on November 5, 2021, and will be published in The Sheet on November 6, 2021 and November 13, 2021 for the November 17th, 2021 Town Council hearing.

No public comments were received at the time this staff report was published.

ANALYSIS OF KEY ISSUES:

1. Key Issue #1: Can the findings be made for adoption of a Specific Plan Amendment pursuant to Municipal Code (MC) Chapter 17.116.070?

Pursuant to Section 17.116.070.C.1, “an adopted specific plan may be amended through the same procedure specified by this chapter for the adoption of a specific plan.” Therefore, the proposed amendment to the Clearwater Specific Plan must meet the required findings for adoption of a Specific Plan as set forth in MC Section 17.116.060. Staff has determined that the required findings can be made for approval of a Specific Plan pursuant to Chapter 17.116.060 of the Town of Mammoth Lakes Municipal Code. Specifically, staff finds that by allowing for an amended “phase one” to be constructed on the project site while preserving the existing CSP allowances for future redevelopment, the proposed Amendment maintains consistency with several of the General Plan goals included in the original CSP. In addition, staff finds that by providing an Addendum to the approved Environmental Clearance Documentation adopted for the Clearwater Specific Plan (see **Attachment 1, Exhibit A**), the proposed project is in compliance with the provisions of the California Environmental Quality Act (CEQA). Staff’s analysis of the Specific Plan approval criteria is included below.

Section 17.116.060, Findings and Decision - The Council may adopt a specific plan, with or without conditions, only after all of the following findings are made:

A. That the specific plan is consistent with the General Plan and other adopted goals and policies of the Town;

Staff has determined that the Amended Phase One of the Clearwater Specific Plan (CSP) maintains the CSP’s consistency with the General Plan and other adopted goals and policies of the Town. The proposed amendment, while reducing the scope of development anticipated for phase one of the CSP, still provides 30 new hotel units as well as enhanced site amenities and public activation along Old Mammoth Road, thereby aligning with several of the General Plan goals and policies used to guide the original CSP and the 2016 CSP Amendment. The following are goals of the 2007 General Plan with which the Amended Phase One of the CSP is consistent:

- i. The intent of the “Main Street, Old Mammoth Road and Shady Rest” character districts is to *“invite pedestrian activity and provide gathering places and opportunities for interaction in a vibrant mix of retail, commercial and workforce housing...Commercial corridors should be walkable year-*

round, vibrant, colorful, and accessible” (D-3). Further, the General Plan portrays the Old Mammoth Road corridor as a “traditional small-scale mixed-use ‘Main Street’ development pattern” (D-4).

The Amended Phase One of The CSP meets the above intent by allowing for a mixed-use development that includes new, pedestrian scale (1 to 2-story) hotel cabins, landscape improvements, expanded restaurant and event space, and a new park/ public event space along Old Mammoth Road. Along with the proposed Laurel Mountain Road sidewalk improvements, the proposed mix of uses will greatly improve pedestrian activity in the area while also providing new gathering places and opportunities for interaction. The addition of new cabin units, new site amenities and significant public open space along Old Mammoth Road will serve to re-activate the existing lodging and restaurant uses while also allowing for new event programming and a more active pedestrian environment consistent with the General Plan goals for the Old Mammoth Road district.

- ii. *“New development should improve connectivity and circulation with bike and pedestrian paths, sidewalks and roads.” (D-3).*

The Amended Phase One of The CSP invites pedestrian activity into the site by improving the frontage along Old Mammoth Road, adding sidewalks on Laurel Mountain Road and increasing pedestrian connections within the interior of the site. Additionally, the project will provide space for outdoor café seating, planting areas, and other pedestrian-scaled elements to encourage activity throughout the site.

- iii. *Policy C.2.A: Create well-designed and significant public spaces in resort/commercial developments to accommodate pedestrians and encourage social interaction and community activity*

The Amended Phase One of The CSP is consistent with this policy by creating mixed-use development that includes a variety of public outdoor spaces designed to accommodate a series of public events and uses at different scales. The project calls for a minimum of 73,000 square feet of open space and 2,000 square feet of event space intended to hold a variety of community events. The public space and outdoor food and beverage options are proposed to complement each other to promote community interaction.

- iv. *Policy L.3.D: Encourage outdoor dining in resort and commercial districts to increase street level animation.*

The Amended Phase One of the CSP accomplishes the policy of encouraging outdoor dining by expanding existing facilities as well as providing new options for dining on site. The project proposes to expand the deck at the existing Rafters restaurant to increase outdoor dining capacity. Additionally, the project provides a landscaped area along the Old Mammoth Road frontage that accommodates a food truck venue along with a food and beverage garden with a variety of seating and dining options (final operating characteristics and event programming will be determined through the Use Permit process).

- v. Policy L.5.A: *Encourage and support a range of visitor accommodations that include a variety of services and amenities.*

The Amended Phase One of The CSP is consistent with this policy by formulating an interim development phase to allow for an adaptive project that expands upon existing visitor accommodations. Expanded visitor accommodations include the addition of 30 resort cabins, which not only increases the hotel inventory, but the cabins also add new lodging options to the site that are family friendly. In addition, the project proposes several new guest amenities including social gathering areas with fire pits and hammocks, lawn games and hot tubs.

- vi. Policy L.5.D: *Encourage rehabilitation and renovation of existing visitor accommodations.*

The Amended Phase One of The CSP creates the opportunity for renovating the project site's existing facilities to fall more in line with the vision of the original CSP and the General Plan. The project accomplishes this policy by improving the hotel's arrival sequence, which entails the proposal of a porte-cochere at the vehicular entrance and an upgraded lobby area. Additional improvements include an upgraded pool area as well as improvements to the existing Rafters restaurant.

Finally, the proposed Amended Phase One of the Clearwater Specific Plan maintains consistency with the intent of the Clearwater Specific Plan land use designation, which is to provide "for a pedestrian-oriented, mixed-use district for residents and visitors within the North Old Mammoth Road area. Permitted uses include hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and a large public plaza intended for use as an event venue. The base density is forty (40) hotel rooms per acre with the potential for up to eighty (80) hotel rooms per acre. Pursuant to the Clearwater Specific Plan, significant community benefits are required to be provided. Workforce housing and commercial uses are exempt from density calculations."

The proposed Amended Phase One achieves many of the goals of the CSP land use designation, including providing new pedestrian-oriented mixed uses, new hotel units, and public benefits in the form of significant public event/ gathering space along Old Mammoth Road. The proposed amendment is within the maximum allowable density and provides 5 units of workforce housing on-site. Importantly, the amendment also maintains the existing allowances of the CSP for future redevelopment, thereby ensuring that any goals not met by the current development will still be met when the site redevelops in the future.

B. That the specific plan is consistent with any applicable airport land use plan as required by Government Code Section 65302.3; and

Not applicable, as there are no applicable airport land use plans that have an impact on the Clearwater Specific Plan.

C. That the specific plan is in compliance with the provisions of the California Environmental Quality Act (CEQA).

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the approved Environmental Clearance Documentation adopted for the Clearwater Specific Plan (SCH# 2006062154) has been prepared. The addendum describes the proposed changes to the approved project and concludes that no new or increased significant environmental impacts would result from the

proposed project. Therefore, the Specific Plan Amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

Other Applicable Standards and Requirements:

As mentioned above, following adoption of the proposed District Zoning Amendment, PEDC approval of a Tentative Tract Map, Design Review and Use Permit will be required. In addition, the existing 2016 entitlements, which include a TTM, Design Review and Use Permit for the Old Mammoth Place project, will need to be revoked. The Phase One of The CSP will be required to comply with all applicable Public Works and California Building Code standards.

2. Key Issue #2: Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

Staff determined that an addendum to the Environmental Clearance Documentation adopted for the Clearwater Specific Plan is appropriate because the addendum demonstrates that the environmental analysis and impacts identified in the Environmental Clearance Documentation are applicable to the project and remain substantively unchanged by the proposed District Zoning Amendment application. The Addendum supports the finding that the proposed project does not result in any new environmental effects and does not exceed the level of impacts identified in the Environmental Clearance Documentation. Therefore, the proposed project is in compliance with the provisions of the California Environmental Quality Act (CEQA). The CEQA Addendum is included as (see **Attachment 1, Exhibit A**).

Agency/Public Comments

Staff has been working closely with various local agencies throughout the planning process. The Phase One of The CSP has incorporated comments from local utilities and emergency service providers. The project was routed to Mammoth Community Water District, Mammoth Lakes Fire District, and Amerigas. The Conditions of Approval included with the PEDC Resolution (**Attachment 1**) require compliance with all applicable local agency requirements.

In addition, notice of the public hearing including a project description was mailed to 279 property owners within 300 feet of the subject property and a Public Notice was published in The Sheet on October 16th and October 23rd. No public comments were received at the time this staff report was published.

II. STAFF FINDINGS AND RECOMMENDATION

Staff finds that the proposed project meets the applicable requirements and recommends that the Planning and Economic Development Commission adopt the attached Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and recommend to the Town Council approval of District Zoning Amendment 21-001 as recommended by staff.

Attachments

Attachment 1: Planning and Economic Development Commission Resolution

Exhibit A: Addendum to the Clearwater Specific Plan Environmental Impact Report

Exhibit B: DZA 21-001: Amended Phase One of the Clearwater Specific Plan
Attachment 2: Amended 2016 Clearwater Specific Plan

Amended Phase One of the Clearwater Specific Plan (DZA 21-001)

Planning and Economic Development Commission
October 27, 2020

AGENDA

1. Hear Staff and Applicant presentations
2. Hold Public Hearing
3. Planning & Economic Development Commission (PEDC) discussion
4. PEDC action to:
 - a. Adopt the attached Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and recommend to the Town Council approval of District Zoning Amendment 21-001 as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution

DISTRICT ZONING AMENDMENT (DZA) 21-001

- The purpose is to amend the Clearwater Specific Plan (CSP) to allow for an interim “Phase One” development to be constructed at the project site while preserving the existing CSP allowances for future redevelopment. The proposed phase one development includes the construction of 30 new “tiny home” style hotel cabin units, improvements to the existing hotel and Rafters restaurant, expanded event/meeting space and improved site amenities, including a new outdoor park.

BACKGROUND

- **2009** – The Clearwater Specific Plan (CSP) was adopted for the site to allow for the development of a new, pedestrian oriented, mixed-use, resort destination development
- **2010** – A vesting tentative tract map, use permit, and design review for the mixed-use project known as "Old Mammoth Place" were approved for the site.
- **2016** – Amendments to the CSP and the Old Mammoth Place entitlements, which included a 10-foot increase in building height, an increase in net residential square footage, and the elimination of an on-site workforce housing requirement were approved.
- **2021** – Development of the project site as anticipated in the CSP and the 2016 Old Mammoth Place CSP Amendment has not occurred due to lack of financing. An amendment to the CSP to allow for interim development is proposed.

EXISTING SITE CONDITIONS



PROJECT GOALS

- Create zoning that will accommodate the interim development of a less tall and less dense expansion and upgrade of the hotel, restaurant, and public spaces than is envisioned by the CSP and Old Mammoth Place;
- Enhance and expand upon the lodging, food and beverage, and event/meeting space options on the site;
- Provide a new and vibrant outdoor venue and park for community activities and events;
- Animate and activate the Old Mammoth Road streetscape;
- Allow for the future development of the Old Mammoth Place project consistent with the CSP's long-term vision and goals, if and when market conditions allow.

DZA 21-001 DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	EXISTING CSP STANDARDS	PROPOSED AMENDED PHASE ONE STANDARDS
Total Project Site Size:	6.09 acres	6.09 acres
Number of existing hotel rooms:	149 rooms	149 rooms
Number of additional resort rooms:	339 hotel rooms	30 cabin hotel rooms
Maximum Building Height:	35-65 ft	35 ft (applicable to cabins only)
Restaurant Square Footage:	16,000 sq ft	10,000 sq ft
Retail Square Footage:	21,000 sq ft	0 sq ft
Residential Square Footage:	308,000 sq ft	0 sq ft
Event Space Square Footage:	14,500 sq ft	2,000 sq ft
Minimum Building Separation	In accordance with the California Building Code	5 ft
Setbacks - Old Mammoth Road Frontage	0 ft from sidewalk	5 ft from sidewalk
Setbacks – Sierra Nevada	10 ft	10 ft
Setbacks – Laurel Mountain	10 ft	3 ft

Setbacks – Other Properties	10 ft	10 ft
Maximum Lot Coverage	70%	70%
Total parking spaces:	597 spaces	182 spaces ¹
Bus Parking	2 spaces	0
Bicycle Parking	187 spaces	10
Guest Parking	24	0
Management Parking	2	0
Retail and Commercial	29	0
Restaurant	54	0
Minimum Snow Storage	Snow Management Plan required.	53,300 sq ft
Minimum Open Space/ Landscaped Area	47,300 sq ft	73,000 sq ft
Old Mammoth Road Street Improvements	Wider sidewalk, new transit shelter, expanded bus pull-out area, mid-block connector.	none
Workforce Housing	Consistent with the Town's Housing Ordinance.	Housing for 5 hotel employees
Public Art	Fee will be paid at building permit issuance.	Not required.

¹ A parking management plan will be required as part of the Use Permit.

DZA 21-001 DEVELOPMENT STANDARDS

DEVELOPMENT STANDARD	Proposed
Total Project Site Size:	6.09 acres
Number of existing hotel rooms:	149 rooms
Number of additional resort cabin rooms:	30 rooms
Maximum Building Height – Cabins:	35 feet
Restaurant square feet:	10,000 square feet
Event space square feet:	2,000 square feet
Minimum Building Separation	5 feet
Setbacks - Old Mammoth Road Frontage	5 feet
Setbacks – Sierra Nevada	10 feet
Setbacks – Laurel Mountain	3 feet
Maximum Lot Coverage	70%
Total parking spaces:	182 spaces
Minimum Snow Storage	53,300 square feet
Minimum Open Space/ Landscaped Area	73,000 square feet

CONCEPTUAL SITE PLAN

- Note: The conceptual site plan is for illustration purposes only and will be subject to change during the Design Review process. The purpose of the Specific Plan Amendment is to approve the zoning and development standards for the site rather than a specific project. The proposed development standards would allow for:
 - 30 hotel cabin units
 - Site improvements, including enhanced landscaping, improved outdoor guest amenities and a new outdoor park/ public event space on Old Mammoth Rd.
 - Improved site access
 - New sidewalk improvements on Laurel Mountain Rd.
 - Expanded restaurant and event space



OLD MAMMOTH ROAD ACTIVATION

- Through the Use Permit process, staff will create requirements to ensure animation and event programming. The final Operations and Management Plan will require PEDC approval.



var- South Lake Tahoe, CA



Rayback - Boulder



On Tap



Rivers Place



Page 109 of 177

The Lot



Eddy - Reno, NV



The Eddy



ecamp Hotel - South Lake Tahoe, CA



Basecamp Hotel - South Lake



ecamp Hotel - South Lake Tahoe, CA

PARKING REQUIREMENTS

- Current proposal requests a total of 182 parking spaces for the project and states that “on-site parking for restaurant, event/meeting space, workforce housing, or buses” shall not be required.
- Under the existing CSP parking standards, an additional 66 parking spaces would be required for the proposed restaurant use.
- In order to ensure that the Town has the ability to require ongoing parking management measures, staff recommends that the Development Standards be modified to require the proposed project to comply with the 2016 Clearwater Specific Plan Sparking requirements unless a Parking Reduction is approved pursuant to MC Section 17.44.040 (through the Use Permit process).
- Potential management strategies include but are not limited to: valet parking services, shared parking agreements, and use of public parking facilities.

HOUSING MITIGATION

- The Amended Phase One currently states: *“The Amended Phase One of the CSP shall provide onsite workforce housing for a minimum of five hotel employees and shall otherwise comply with the Town's Housing Ordinance.”*
- MC Section 17.136.090 requires a Rental Regulatory Agreement, which will set forth the requirements for the proposed rental workforce housing units.

SNOW STORAGE

- Amended Phase One currently proposes to provide a minimum of 53,300 square feet of snow storage
- Final snow storage requirements will be determined during Design Review
- Project will be required to meet all applicable Town standards as a condition of approval
- Staff finds current Amendment language to be appropriate

CEQA FINDINGS

- Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the approved Environmental Clearance Documentation adopted for the Clearwater Specific Plan (SCH# 2006062154) has been prepared and **concludes that no new or increased significant environmental impacts would result** from the proposed project.
- An updated Mitigation Monitoring and Reporting Program has been prepared
- Therefore, the project is found to comply with CEQA requirements

KEY ISSUES

1. Can the findings be made for approval of a District Zoning Amendment pursuant to Municipal Code (MC) Chapter 17.116.070?
2. Is the project consistent with the California Environmental Quality Act (CEQA)?

Key Issue # 1: Zoning Code Amendment Findings (MC §17.112.060)

The following are goals of the 2007 General Plan with which the Amended Phase One of the CSP is consistent:

1. *“Invite pedestrian activity and provide gathering places and opportunities for interaction in a vibrant mix of retail, commercial and workforce housing...Commercial corridors should be walkable year-round, vibrant, colorful, and accessible”*
 - The addition of new cabin units, new site amenities and significant public open space along Old Mammoth Road will serve to re-activate the existing lodging and restaurant uses while also allowing for new event programming and a more active pedestrian environment consistent with the General Plan goals for the Old Mammoth Road district.
 - Provide space for outdoor café seating, planting areas, and other pedestrian-scaled elements to encourage activity throughout the site.

Zoning Code Amendment Findings(Continued)

2. *“New development should improve connectivity and circulation with bike and pedestrian paths, sidewalks and roads.”*
 - Invite pedestrian activity into the site by improving the frontage along Old Mammoth Road, adding sidewalks on Laurel Mountain Road and increasing pedestrian connections within the interior of the site.
3. *Policy C.2.A: Create well-designed and significant public spaces in resort/commercial developments to accommodate pedestrians and encourage social interaction and community activity.*
 - Create development that includes a variety of public outdoor spaces designed to accommodate a series of public events and uses at different scales
 - The project calls for a minimum of 73,000 square feet of open space and 2,000 square feet of event space.

Zoning Code Amendment Findings (Continued)

4. *Policy L.3.D: Encourage outdoor dining in resort and commercial districts to increase street level animation.*
 - Old Mammoth Road frontage will accommodate a food truck venue along with a food and beverage garden (final operating characteristics and event programming will be determined through the Use Permit process).
5. *Policy L.5.A: Encourage and support a range of visitor accommodations that include a variety of services and amenities.*
 - The addition of 30 resort cabins add new lodging options to the site that are family friendly. In addition, the project proposes several new guest amenities including social gathering areas with fire pits and hammocks, lawn games and hot tubs.
6. *Policy L.5.D: Encourage rehabilitation and renovation of existing visitor accommodations.*
 - Improve the hotel's arrival sequence, which entails a porte-cochere at the vehicular entrance and an upgraded lobby area. Additional improvements include an upgraded pool area as well as improvements to the existing Rafters restaurant.

Key Issue #2: CEQA Consistency

1. Staff has determined that an addendum to the Environmental Clearance Documentation adopted for the Clearwater Specific Plan is appropriate because the addendum demonstrates that the environmental analysis and impacts identified in the Environmental Clearance Documentation are applicable to the project and remain substantively unchanged by the proposed District Zoning Amendment application. The Addendum supports the finding that the proposed project does not result in any new environmental effects and does not exceed the level of impacts identified in the Environmental Clearance Documentation. Therefore, the proposed project is in compliance with the provisions of the California Environmental Quality Act (CEQA).

PROCESS AND NEXT STEPS

1. **DZA – Town Council, tentative date: November 17, 2021**
2. **Entitlement Package:**
 - **Design Review (for site and building design)**
 - **Use Permit (for Parking Reduction and Operations and Management Plan for outdoor event space)**
 - **Tentative Tract Map**
3. **Revocation of 2016 DR, UP and TTM (to be processed concurrently with entitlement package)**

Staff Findings and Recommendation

Staff finds that the proposed project meets the applicable requirements and recommends that the Planning and Economic Development Commission adopt the attached Planning and Economic Development Commission Resolution (the Resolution) making the required CEQA, and Zoning Code Amendment findings, and recommend to Town Council adoption of DZA 21-001.

Questions/Discussion

Staff Findings and Recommendation

Staff finds that the proposed project meets the applicable requirements and recommends that the Planning and Economic Development Commission adopt the attached Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and recommend to the Town Council approval of District Zoning Amendment 21-001 subject to the following additional modifications as proposed by staff:

1. Amend the Development Standards Table in Section V of the “Amended Phase One of the Clearwater Specific Plan,” included as Attachment A, Exhibit B, to remove reference to 182 parking spaces and state: “Parking shall meet the requirements set forth in the 2016 Clearwater Specific Plan unless a Parking Reduction is approved pursuant to MC Section 17.44.040.”
2. Amend the “Proposed Modifications to CSP Standards” Table in Section VI of the “Amended Phase One of the Clearwater Specific Plan,” included as Attachment A, Exhibit B, to remove the proposed modifications to Section 5.2.8, Parking, and state: “Parking shall meet the requirements set forth in the 2016 Clearwater Specific Plan unless a Parking Reduction is approved pursuant to MC Section 17.44.040. Underground parking shall not be required.”



Investing in U.S. real estate since 1995 – we currently own and manage \$7.6 billion in real estate assets including 22,000+ multifamily units, 657 senior living units and 597 hotel keys

Successfully managing capital over multiple economic cycles

- 25+ years of established relationships and reputation in the marketplace
- Committed to a strategy of investing in older, underutilized hotel assets in outdoor oriented markets to reposition and bring new life into the project and community
- Current projects include a similar asset in Jackson Hole, WY and a project in Oakhurst, CA (Southern Gate of Yosemite)
- Philanthropically minded firm that is dedicated to the communities in which we are present
 - Invest in our communities through Waterton's Donor Advised Fund ("DAF") -- created in 2017, and has since contributed over \$3.4 million across communities and causes
 - Employees encouraged to give back to our communities via service through our Volunteer Time Off ("VTO") program



David Schwartz
CEO, Chairman & Co-Founder



Matt Mering
EVP, Hospitality



John Daley
SVP, Design & Construction



Peg Blackall
VP, Design & Construction



Megan O'Malley Borus
VP, Hospitality Asset Management



FELLOW

Our team has vast experience in positioning, branding and marketing hotels, multi-family, commercial, restaurants and other real estate developments locally and nationally. Our mission for each project is to create a differentiated brand that brings value to stakeholders, guests and ultimately the community.

The Sierra Nevada Resort maintains a sense of nostalgia and wonder—promising discovery for everyone who stays with us. Our mission is to champion the wild spirit of Mammoth Lakes while making The Sierra Nevada Resort a place to unwind, rejuvenate and launch new adventures.



Stephanie Leill
Account Manager



Eric Luoma
Co-Founder & Creative
Lead



Keelan Campbell
Senior Designer



Nicole Knutson
Project Manager



Hilary Lund
Brand Strategist



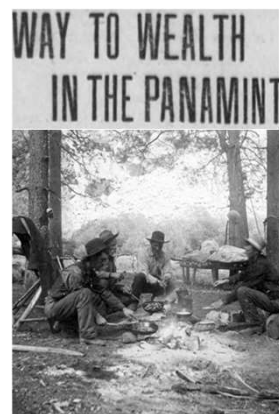
Michael Seitz
Associate Creative
Director



Jack Lewin
Designer



Lindsey Hart
Director of Client Services





Springboard Hospitality is one of the leading independent managers of lifestyle hotel properties.

With a headquarters in Los Angeles and over 36 properties under management, (many of which are located in resort and destination markets), Springboard is both excited and uniquely positioned to manage the new Sierra Nevada Resort.

Warm hospitality, inviting rooms and cabins, signature experiences for guests, and food and beverage venues that draw in locals and visitors alike—these will be some of the hallmarks of the new Sierra Nevada Resort.



Benjamin Rafter
CEO

Former president and CEO of Aqua Hospitality and president of Aston Hotels & Resorts.

Grew Aqua fivefold in under four years, from a small operator to the only manager on all six Hawaii tourism islands.

Executed more than 20 renovations as well as new, ground-up developments.



Sean Williams
Chief Development Officer

Led acquisitions and management of \$750mm of hotels at GreenOak, including three joint ventures with Ben Rafter.

Former Managing Director at Morgan Stanley and co-founder of Panorama Hospitality; led hotel and other acquisition and asset managed of over \$5bn in assets.

Masters of Engineering, University of Tokyo. Bachelor of Science, Hotel Administration, Cornell University

33 YEARS OF HISTORY

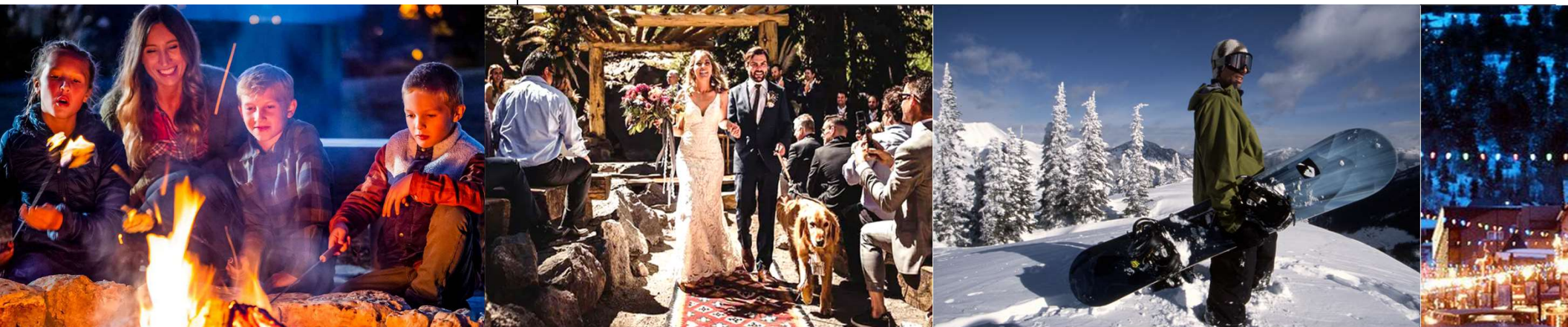
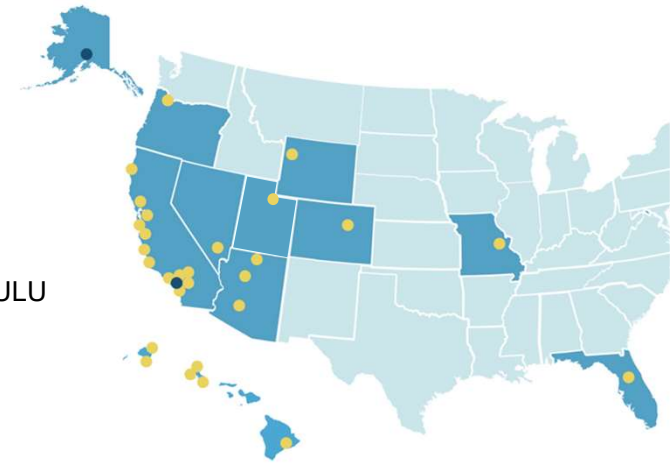
37 PROPERTIES

11 STATES

5 HOTELS IN DEVELOPMENT

1,500+ TEAM MEMBERS

2 HQ'S: LOS ANGELES & HONOLULU



HDLA

HDLA was established in 1985 to provide comprehensive Planning, Landscape Architectural, and Urban Design services. The firm was created to serve a market that demands exceptional care, talent and motivation in the planning and implementation of built works in our environment.

HDLA will work to ensure the character and history of the Sierra Nevada Resort are expressed in the design and detailing of the new amenity areas. Our focus is on the creation of a new chapter to add to the Resorts history, one that ensures the its continued presence and success.



Richie Jones
Partner



DeMera Ollinger
Project Designer



Maggie Paul
Project Designer





Triad/Holmes Associates (THA) is a full-service civil engineering and land surveying firm that has been providing professional services in California for over 30 years with extensive experience in both land development and public works infrastructure projects. THA's services encompass all phases of project development including feasibility studies, civil design, construction support services, and all aspects of surveying and mapping. The firm serves a broad range of private and public sector clients through three offices with a combined staff of over 30 employees. Offices are presently located in the Eastern Sierra and the San Francisco Bay Area.

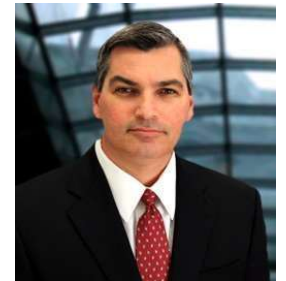
THA has been involved in the entitlement and civil design process on Snowcreek, Limelight Hotel, Sierra Star and YotelPad over the years in the Town of Mammoth Lakes. Our staff has worked closely on Town projects as well including the Lake Mary Bikepath, Main St Sidewalks and Town CRC facility



Tom Platz
Principal Engineer



Marie Pavlovsky
Principal Engineer



Matthew Petroni
Principal Engineer





Grouparchitect designs consist of architectural solutions for all scales of residential projects across the western United States. Our team has extensive experience with modular construction in locations ranging from high elevation to waterfront. We utilize a collaborative approach with owners, designers, shareholders and jurisdictions to bring thoughtful and local architecture to life.

Our vision for the Sierra Nevada Resort includes providing a combination of intimate cabins and outdoor-oriented rentals to complement the existing hotel and promote the outdoor living within the town center of Mammoth Lakes.



Brian Palidar
Principal



R. Scott Labenz
Principal



Emily McNichols
Senior Project Architect



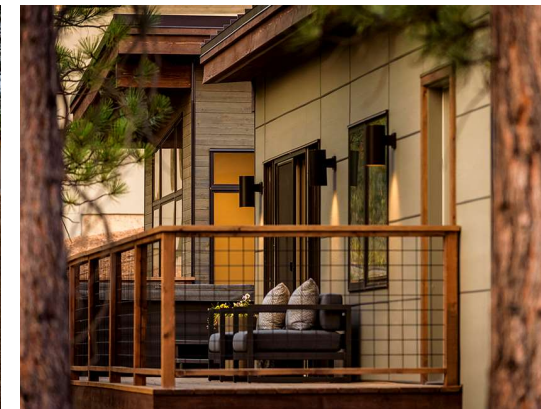
Laura Navarro
Project Designer



You Ree Hong
Project Designer



Julia Atkins
Project Designer





Method Homes is a Seattle-based construction company focused on building precision-engineered, beautiful, healthy, and sustainable prefab homes and commercial structures. Method Homes was founded with a mission of sustainability, taking thoughtful, sustainable design as a core value. Prefabrication allows Method to reduce construction timelines and control costs while building custom projects in a controlled environment, minimizing exposure and waste. As a result, Method can focus on sustainability and cutting-edge design.

Since its inception, Method has launched eight lines of home designs with 5 architect partners, has built numerous custom projects with additional architecture firms and has a built vast portfolio of complex, architectural prefabricated projects throughout the US and Canada, including structures that meet LEED Platinum and other stringent environmental certifications. Method has been recognized as a leader and innovator in the prefab building industry.



Brian Abramson
Founder & CEO



Keith Knutson
M.E.P. Coordinator



Darren Dickinson
Construction Manager



Levi Markowski
Purchasing Manager



Mitch Muscutt
Senior Estimator



Ben Stanton
Project
Manager



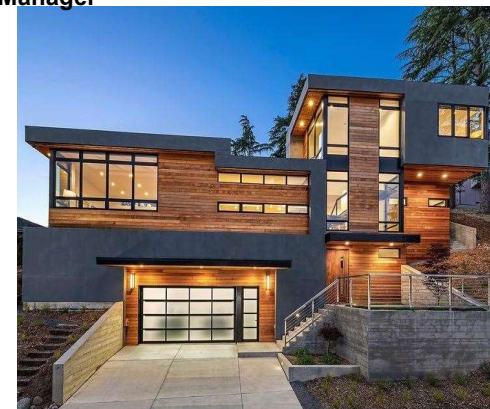
**Michelle
Shelton**
Office Manager



John Bacon
Sales & Design
Manager



Christy Beaver
Interiors & Specification
Manager





We are a global strategy and design studio with a client list that includes renowned hoteliers, entrepreneurs, and signature chefs. As a collaborative team of architects, designers, and culinary strategists, we are united in our passion for creating dynamic design solutions with a strategic edge..

Looking back to the pioneer spirit of Dave McCoy and the origins of alpine recreation in the Sierras, our design concept for the reimagined Sierra Nevada Resort celebrates a new generation of Mammoth dreamers with reverence for the sense of place, and just the right amount of irreverence that Dave McCoy might approve.



Jennifer Johanson
President & CEO



Patrick O'Hare
Vice President



Akiko Hrovat
Design Director



Ray Gonzalez
Project Manager



Anh Vu
Director of Design Strategy



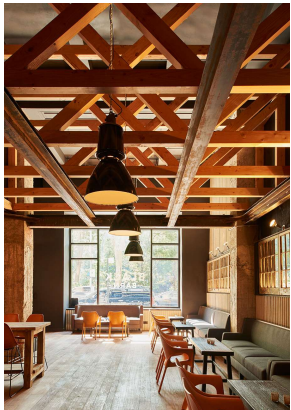
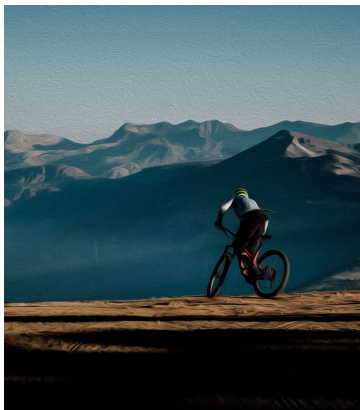
Pieter Stougaard
Director Creative Strategy



Matt Vuolo
Design Manager



Cecily Watson
Design Manager





We practice with the belief that timeless architectural solutions are those that provide memorable, inspiring, and connected spaces for those that use them, and functional value for those that own them.

As experts in hospitality and resort design, we are thrilled for the opportunity to renovate a property with the immense history and iconic location that the Sierra Nevada Resort holds. We believe in the importance of making this planet a thriving place for future generations, and for us there is nothing more sustainable than rehabbing an existing property like the Sierra Nevada Resort to give it a new lease on life.



Rory Carroll
Principal in Charge



Matt Soisson
Project Manager



Ruairi O'Connell
Design Director



Jennifer Fujishima
Job Captain



Katherine Bradley
Job Captain



Farooq Khayyat
Designer





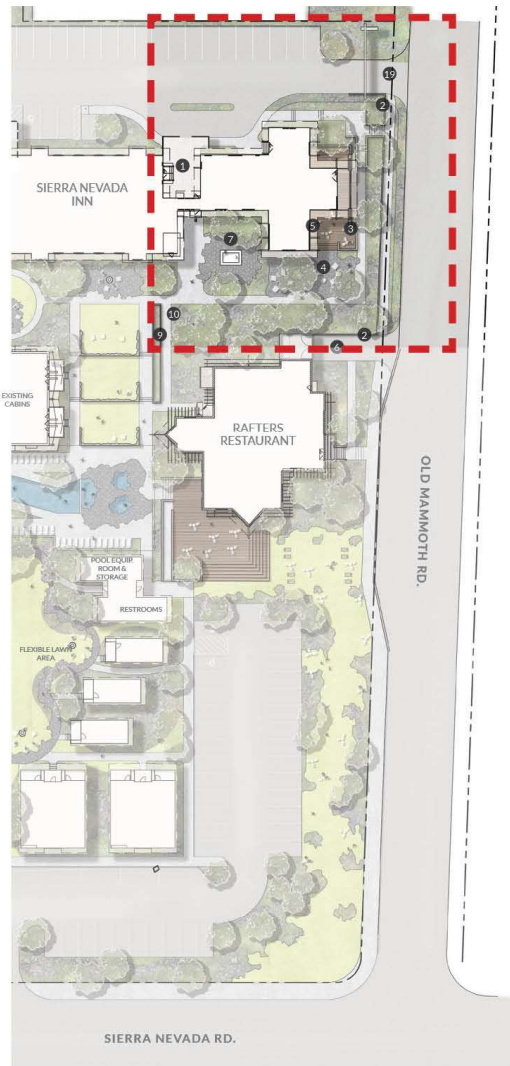
LEGEND

- 1 Porte Cochere Entry
- 2 Retaining Wall
- 3 SNR Patio Deck
- 4 Fire Pit Area with Adirondack Chairs
- 5 Cafe Tables
- 6 Rafter's Trash / Back-of-House Access
- 7 Flagstone Paved, Recessed Fire Pit with Lounge Seating
- 8 Terraced Lawn with Adirondack Chairs
- 9 Raised Planter
- 10 ADA Access Ramp
- 11 Spa Area
- 12 Chaise Loungers
- 13 Pool Fencing
- 14 Meandering Cabin Access Trail
- 15 Rafter's Patio Deck
- 16 String Lighting
- 17 Food Garden
- 18 Food Truck Plaza
- 19 Entry Portal
- 20 Proposed Cabins

Parking Count = 182

SIERRA NEVADA RESORT
SP PRESENTATION - SITE PLAN

0 30 60 HDLA



LEGEND

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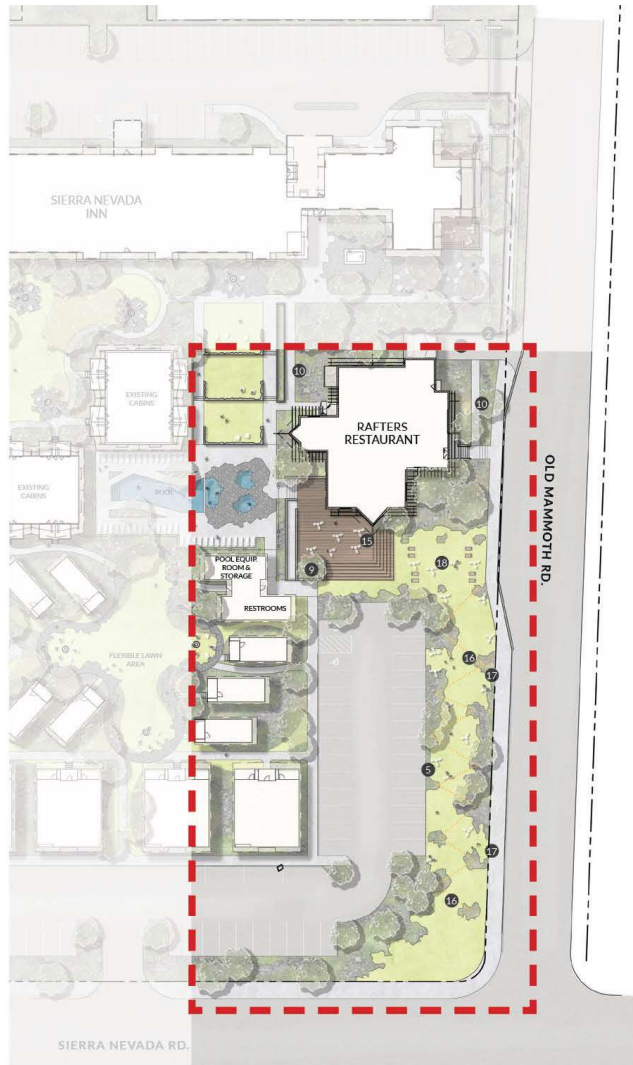
Parking Count = 182

PRECEDENT IMAGERY



SIERRA NEVADA RESORT
SP PRESENTATION - SITE PLAN

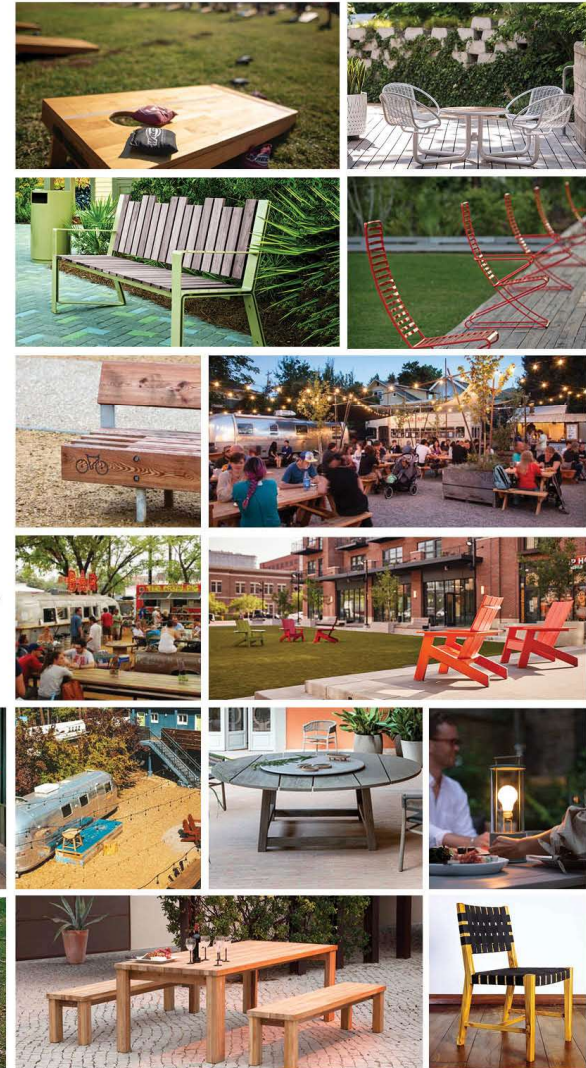
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LEGEND

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- 19 Trellis Structure
- 20 Proposed Cabins

PRECEDENT IMAGERY



SIERRA NEVADA RESORT
SP PRESENTATION - SITE PLAN

0 30 60 HDLA







Town of Mammoth Lakes Planning and Economic Development Commission
Minutes of Regular Meeting

September 8, 2021, 2:00 p.m.
437 Old Mammoth Road, Suite Z, Mammoth Lakes

Members Present: Chair Michael Vanderhurst, Vice Chair Jen Burrows,
Commissioner Paul Chang, Commissioner Jessica Kennedy

Members Absent: Commissioner Greg Eckert

1. CALL TO ORDER

The Chair called the meeting to order at 2:00 p.m. in the Council Chamber, 437 Old Mammoth Road, Suite Z, Mammoth Lakes.

2. PLEDGE OF ALLEGIANCE

Commissioner Kennedy led the flag salute.

3. PUBLIC COMMENTS

There were no public comments given at this time.

4. PRESENTATION

4.1 Update on Digital 395 and Broadband Access

IT Director Nate Greenberg gave a presentation regarding the broadband update. There was discussion among members of the Commission and staff.

4.2 Presentation on Town Code Compliance Efforts

Code Compliance Officers Jena Carter and Rick Bellis gave an update regarding current code compliance activities. There was discussion among members of the Commission and staff.

4.3 Presentation on Capital Improvement Plan (CIP) Projects.

Public Works Director Haislip Hayes gave a presentation regarding the Capital Improvement Plan (CIP). There was discussion among members of the Commission and staff.

Chair Vanderhurst requested that a future event site be added to the CIP.

5. PUBLIC HEARINGS

5.1 Public hearing and consideration of a Tentative Tract Map (TTM), Use Permit (UPA), Design Review (DR), and Adjustment (ADJ), for the Obsidian II Subdivision, a proposed four-unit multi-family residential development located at the north end of Obsidian Place.

This item was taken out of order.

The Chair opened the public hearing at 2:02 p.m.

Associate Planner Kim Cooke gave a presentation outlining the information in the staff report. There was discussion among members of the Commission, staff, and Mark Rafeh, applicant.

PUBLIC COMMENT:

Camille Miller, adjacent property owner, said that she supported the project but outlined her questions and concerns about the proposal. Mr. Rafeh and staff responded to Ms. Miller's questions.

An email from Abe Mascarenas was read into the record outlining his concerns about drainage.

The Chair closed the public hearing at 2:51 p.m.

Moved by Commissioner Paul Chang
Seconded by Vice Chair Jen Burrows

Adopt the Planning and Economic Development Commission Resolution, making the required CEQA, State Subdivision Map Act findings, Municipal Code findings, and approving Tentative Tract Map #21-002, Use Permit #UPA 21-003, Design Review #DR 21-002 and Adjustment #ADJ 21-002

with conditions as recommended by staff, including adopting an Addendum to the Tallus Mitigated Negative Declaration.

For (4): Chair Michael Vanderhurst, Vice Chair Jen Burrows, Commissioner Paul Chang, and Commissioner Jessica Kennedy

Absent (1): Commissioner Greg Eckert

Carried (4 to 0)

6. BUSINESS MATTERS

6.1 Consider Alternative Date for October 2021 PEDC Meeting

Community and Economic Development Director Sandra Moberly outlined the information in the staff report. There was discussion among members of the Commission and staff.

CONSENSUS:

Direct staff to change the next regularly scheduled meeting from October 13 to October 27.

7. CONSENT AGENDA

CONSENSUS:

Approve the Consent Agenda.

7.1 Approve the minutes of the regular meeting of August 11, 2021.

8. COMMISSIONER REPORTS

There were no reports given at this time.

9. DIRECTORS REPORT

Community and Economic Development Director Sandra Moberly reported that the November meeting would be a joint meeting with the Town Council regarding mobility issues. She said that the The Parcel groundbreaking ceremony would occur later in the year. She reported that the Mammoth Main Lodge Redevelopment Group would bring forward their application for Main Lodge redevelopment and another joint meeting with the Town Council would be scheduled when that application is received. Ms. Moberly said that the 60 Joaquin property site plan would go through with the design review. There was discussion among members of the Commission and staff.

Chair Vanderhurst requested updates regarding the toxic bloom in Crowley Lake and the Mammoth Donut project.

10. ADJOURNMENT

The Commission adjourned the meeting at 4:59 p.m.

Jamie Gray, Town Clerk

Planning and Economic Development Commission Agenda Action Sheet

Title: Consider approval of Final Tract Map 19-001 for the construction of a six-unit multi-family residential Planned Unit Development (PUD) located at 125 Lakeview Blvd.

Commission Meeting Date: 10/27/2021

Prepared by: Amy Callanan, PE, Associate Engineer

Recommended Motion: Find Final Tract Map 19-001 to be in accordance with the conditionally approved Tentative Tract Map and approve the Final Tract Map; find that all applicable conditions of approval of the Tentative Tract Map have been satisfied; and authorize recordation of Final Tract Map 19-001: 1. After payment of outstanding fees. 2. No less than ten calendar-days after the approval of the Final Tract Map by the Planning and Economic Development Commission provided no appeal has been filed. The tenth day of appeals shall be a regular business day. The map may then record the next business day provided no appeal has been filed.

Summary: The Lakeview Townhomes project is a six-unit multi-family planned unit development (PUD) currently being constructed on a vacant parcel located in the Specialty Lodging (SL) zone of the North Village Specific Plan area. Prior to issuance of a certificate of occupancy for any of the units, the Final Map, CC&Rs, and a PUD plan will require approval by staff and must be recorded on the property Title.



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: October 27, 2021

AGENDA TITLE: Consider approval of Final Tract Map 19-001 for the construction of a six-unit multi-family residential Planned Unit Development (PUD) located at 125 Lakeview Blvd.

Applicant/ Property Owner: Gray Bear LLC / John Hooper

REQUESTING DEPARTMENT:

Community & Economic Development

Sandra Moberly, Director

Amy Callanan, Associate Engineer

OBJECTIVE:

1. PEDC action to:

- a. Option 1: find Final Tract Map 19-001 to be in accordance with the conditionally approved Tentative Tract Map and approve the Final Tract Map; find that all applicable conditions of approval of the Tentative Tract Map have been satisfied; and authorize recordation of Final Tract Map 19-001:
 1. After payment of outstanding fees.
 2. No less than ten calendar-days after the approval of the Final Tract Map by the Planning and Economic Development Commission provided no appeal has been filed. The tenth day of appeals shall be a regular business day. The map may then record the next business day provided no appeal has been filed.
- b. Option 2: Find that Final Tract Map 19-001 is not in accordance with the conditionally approved Tentative Tract Map and deny the Final Tract Map.

SUMMARY:

Proposal:

The Requested Action will allow for the recordation of the subject Final Map. A final map must be based upon a field survey and it must substantially conform to the approved Tentative Map, the applicable conditions as set forth in the tentative map resolution, and the conditions of all discretionary approvals associated with the project.

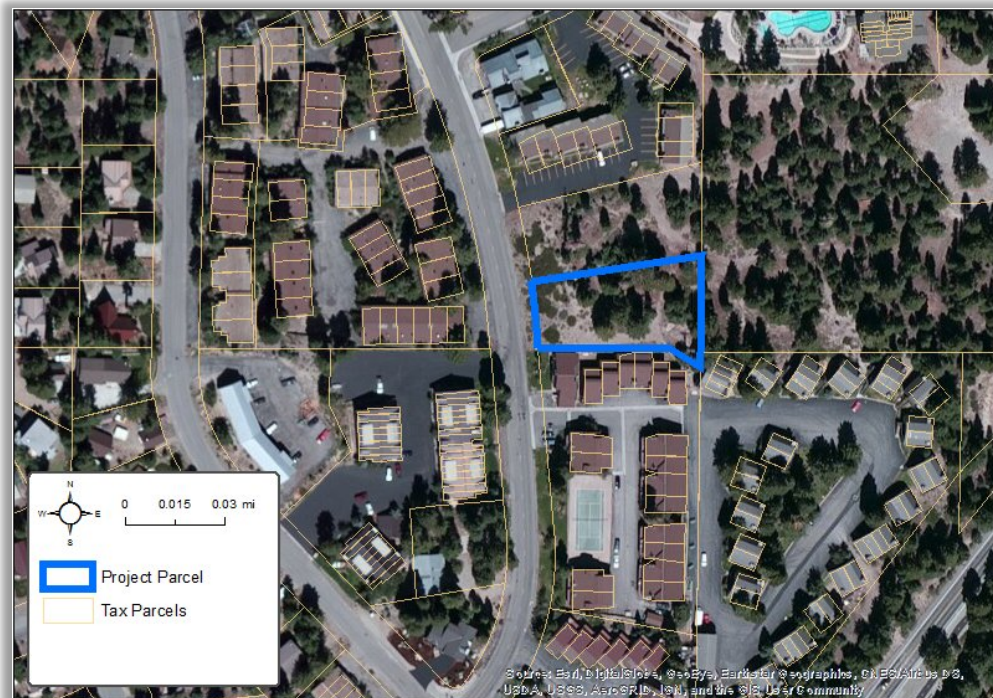
Project Name:

Lakeview Townhomes

Location: 125 Lakeview Boulevard
Size of Property: 0.46 acres (20,220 sq. ft.)
Zoning: Specialty Lodging (SL)
General Plan: North Village Specific Plan (NVSP)

Environmental Review: Pursuant to CEQA Guidelines Section 15268, the approval of final subdivision maps is statutorily exempt from the requirements of CEQA since they are considered to be a ministerial project and no further action under CEQA is required.

Location Map:



KEY ISSUES:

1. Is the Final Tract Map in accordance with the conditionally approved Tentative Tract Map?
2. Have all applicable conditions of approval of the Tentative Tract Map been satisfied?

I. INTRODUCTION AND BACKGROUND

The Lakeview Townhomes project is a six-unit multi-family planned unit development (PUD) currently being constructed on a vacant parcel located in the Specialty Lodging (SL) zone of the North Village Specific Plan area. A Planned Unit Development is a category of common-interest development regulated under the Davis-Stirling Common Interest Development Act (California Civil Code §4000 Common Interest Developments). PUD ownership includes an individual interest in a parcel of land, usually a subdivision lot, and the structural improvements situated on the lot, as well as appurtenant rights to the use and enjoyment of common areas. Prior to issuance of a certificate of occupancy for any of the units, the Final Map, CC&Rs, and a PUD plan will require approval by staff and must be recorded on the property Title.

Pursuant to the North Village Specific Plan requirements, a Use Permit was previously approved for PUD use in conjunction with a Tentative Tract Map, a Major Design Review and a Variance. The Variance was granted to allow a 40% reduction of the rear setback area (6 feet instead of 10 feet) and a 20% reduction of the north side yard setback (8 feet instead of 10 feet).

Project Description:

As described above, the Lakeview Townhomes project is a six-unit multi-family PUD. The six units are arranged in three duplex structures that are located along the north side of the property. A 24-foot-wide driveway provides two-way vehicular access from Lakeview Boulevard and extends through the southern portion of the site. All three duplex structures are three stories in height, and each unit features 3 bedrooms and 3 bathrooms. Units 1 and 2 are approximately 1,420 square feet in size while Units 3 through 6 are approximately 1,500 square feet in size. Each of the six townhome units feature an oversized two-car garage and two unenclosed parking spaces within the driveway area directly in front of the garages, for a total of four parking spaces per unit. The garage units include an area provided for a forced air unit (FAU) and water heater as well as additional storage.

The 40% rear setback reduction that was granted as part of the approval process was based on the anticipated preservation of a large Jeffrey Pine tree. However, during the ongoing course of construction, it was determined that the tree would not be able to be preserved, therefore the Variance for rear setback reduction was not exercised and the project conforms to the standard 10ft rear setback requirement.

Environmental Analysis:

Pursuant to CEQA Guidelines Section 15268, the approval of final subdivision maps is statutorily exempt from the requirements of CEQA since they are considered to be a ministerial project and no further action under CEQA is required.

Staff Findings and Recommendation:

1. Find Final Tract Map 19-001 to be in accordance with the conditionally approved Tentative Tract Map and approve the Final Tract Map;
2. Find that all applicable conditions of approval of the Tentative Tract Map have been satisfied;
3. Authorize recordation of Final Tract Map 19-001:
 - a. After payment of outstanding fees.

- b. No less than ten calendar-days after the approval of the Final Tract Map by the Planning and Economic Development Commission provided no appeal has been filed. The tenth day of appeals shall be a regular business day. The map may then record the next business day provided no appeal has been filed.

Attachments:

Attachment 1: Final Tract Map 19-001

Attachment 2: Planning and Economic Development Commission Resolution 2020-04

Attachment 3: Approved Tentative Tract Map 19-001

OWNERSHIP STATEMENT

We the undersigned, being all parties having any record title interest in the real property being subdivided, do hereby consent to the preparation and recordation of this tract map.

GRAY BEAR, LLC, a Nevada Limited Liability Company

BY: John Hooper, Managing Member

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

State of } ss.
County of }

On before me,
a Notary Public,
personally appeared John Hooper

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand:

Signature

Print Name

A Notary Public in and for said state

Principal place of business is the County of

My commission expires:

Commission No. of Notary:

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

The herein described property lies within the Mammoth Community Water District and is subject to any liens or assessments thereof.

The herein described property lies within the Mammoth School Bond District and is subject to any liens or assessments thereof.

The herein described land lies within the Mammoth Lakes Community Facilities Dist. 2001-1 and is subject to any liens or assessments thereof.

Covenants, Conditions and Restrictions in the Declarations of Restrictions, but "omitting any Covenant or Restrictions, if any, including, but not limited to those based upon race, color, religion, ancestry, national origin, citizenship, immigration status, primary language, disability, handicap, medical condition, genetic information, marital status, familial status, source of income, sex sexual orientation, gender, gender identity, and gender expression. The document was recorded on October 5, 1965 in Book 77, Page 46, of Official Records and modified by the document recorded on November 9, 1965 in Book 77, Page 455 of Official Records.

The fact that said property is also delineated upon Parcel Map No. 36-113 recorded in Book 2, Page 97 of Parcel Maps

Covenants, Conditions and Restrictions in the Declarations of Restrictions, but "omitting any Covenant or Restrictions, if any, including, but not limited to those based upon race, color, religion, ancestry, national origin, citizenship, immigration status, primary language, disability, handicap, medical condition, genetic information, marital status, familial status, source of income, sex sexual orientation, gender, gender identity, and gender expression. The document was recorded on June 20, 1967 in Book 86, Page 500, of Official Records and modified by the document recorded on July 19, 1973 in Book 156, Page 267 of Official Records.

Covenants, Conditions and Restrictions but omitting any covenant or restrictions, if any, including, but not limited to those based upon race, color, religion, sex or sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable laws, as set forth in the document recorded on October 12, 1976, in Book 208, Page 413 of Official Records.

PLANNING COMMISSION'S CERTIFICATE

This final map has been reviewed by the Town of Mammoth Lakes Planning Commission at its meeting of 2021. The Commission found the Final Map to be in substantial conformance with the approved or conditionally approved tentative tract map and any amendments thereto.

Therefore, in accordance with the provisions of the Town of Mammoth Lakes Ordinance 84-10, Section 17.20.170 as amended by Town of Mammoth Lakes Ordinance 97-06, Section 17.20.170, this Tract Map is hereby approved.

BY: Sandra Moberly
Community and Economic Department Director

Date

TAX COLLECTOR'S CERTIFICATE

I hereby certify that, according to the records on file in this office, there are no liens against this subdivision, or any part thereof, for unpaid state, county, municipal, local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable. Taxes or special assessments collected as taxes which are a lien but not yet payable are estimated to be in the amount of \$ for which receipt of good and sufficient security conditioned upon payment of these taxes is hereby acknowledged.

Mono County Tax Collector

Date

By: Deputy Mono County Tax Collector

TOWN ENGINEER'S STATEMENT

This map was examined by me and the subdivision as shown is substantially the same as it appeared on the tentative map and any approved alterations thereof. All provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative tract map have been complied with.

Date

Haislip Hayes P.E. 78268
Mammoth Lakes Town Engineer

TOWN SURVEYOR'S STATEMENT

This final map was examined by me and I am satisfied that this map is technically correct.

Date

Randell Scott West, PLS 8663
Mammoth Lakes Town Surveyor

THIS PROPERTY IS SUBJECT TO THE FOLLOWING: (CONTINUED)

Covenants, Conditions and Restrictions but omitting any covenant or restrictions, if any, including, but not limited to those based upon race, color, religion, sex or sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable laws, as set forth in the document recorded on February 18, 1982, in Book 347, Page 401 of Official Records.

The herein described land lies within the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) Annexation No. 3 and is subject to any liens or assessments thereof.

Matters contained in that certain document Resolution No. PEDC 2020-04. A Resolution of the Mammoth Lakes Planning and Economic Development Commission Approving Tentative Tract Map 19-001, Use Permit 19-002, Design Review 19-005, and Variance 19-001 to allow a Multi-Family Residential Planned Unit Development (PUD) on Six Lots for the Property Located at 125 Lakeview Boulevard (APN 031-110-026-000) recorded on August 7, 2020 as Document No. 2020003368 of Official Records.

The effect of a Covenant and Agreement Regarding Snow Removal and Storage between the Town of Mammoth Lakes and John Hooper, Gray Bear LLC, per the document recorded October 29, 2020 as Document No. 2020005211 of Official Records.

RECORDER'S CERTIFICATE

Filed this day of , 2021 at .M., in Book of Tract Maps at Pages , inclusive, at the request of John Hooper.

Instrument No. Fee:

Shannon Kendall
Mono County Recorder

By: Deputy Mono County Recorder

SURVEYOR'S STATEMENT

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of John W. Hooper in February, 2021. I hereby state that this final map substantially conforms to the approved or conditionally approved tentative tract map. I hereby state that all the monuments are of the character and occupy the positions indicated, and that such monuments are sufficient to enable the survey to be retraced.



Date

Andrew K. Holmes L.S. 4428

SIGNATURE OMISSIONS

The signatures of the following, their successors and assigns, owners of easements as disclosed by the following deeds recorded in the Official Records of Mono County, have been omitted under the provisions of Section 66436 Subsection a-3Ai of the Subdivision Map Act:

California Interstate Telephone Company, for pole lines: 79/391 O.R.

SOILS NOTE

A Preliminary Geotechnical Investigation, Project No. 3.02473 was prepared for this property, by Sierra Geotechnical Services, Inc, Dated November 13, 2019 under the signature of Thomas A Platz, R.C.E. 41039 and Joseph A. Adler, C.E.G. 2198. Said report is on file with the Town of Mammoth Lakes Public Works Department - Engineering Services Division.

C.C.& R.'s NOTE

The declaration of covenants, conditions, restrictions and reservation affecting Lot 1 through 6 and Lot A of this subdivision was recorded on , 2021, as instrument no. 2021- of Official Records of the Mono County Recorder.

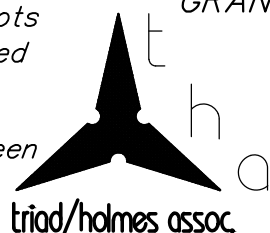
THIS SUBDIVISION IS A PLANNED DEVELOPMENT AS DEFINED IN SECTION 6562 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, CONTAINING A MAXIMUM 18 ROOMS WITHIN 6 RESIDENTIAL UNITS, AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT

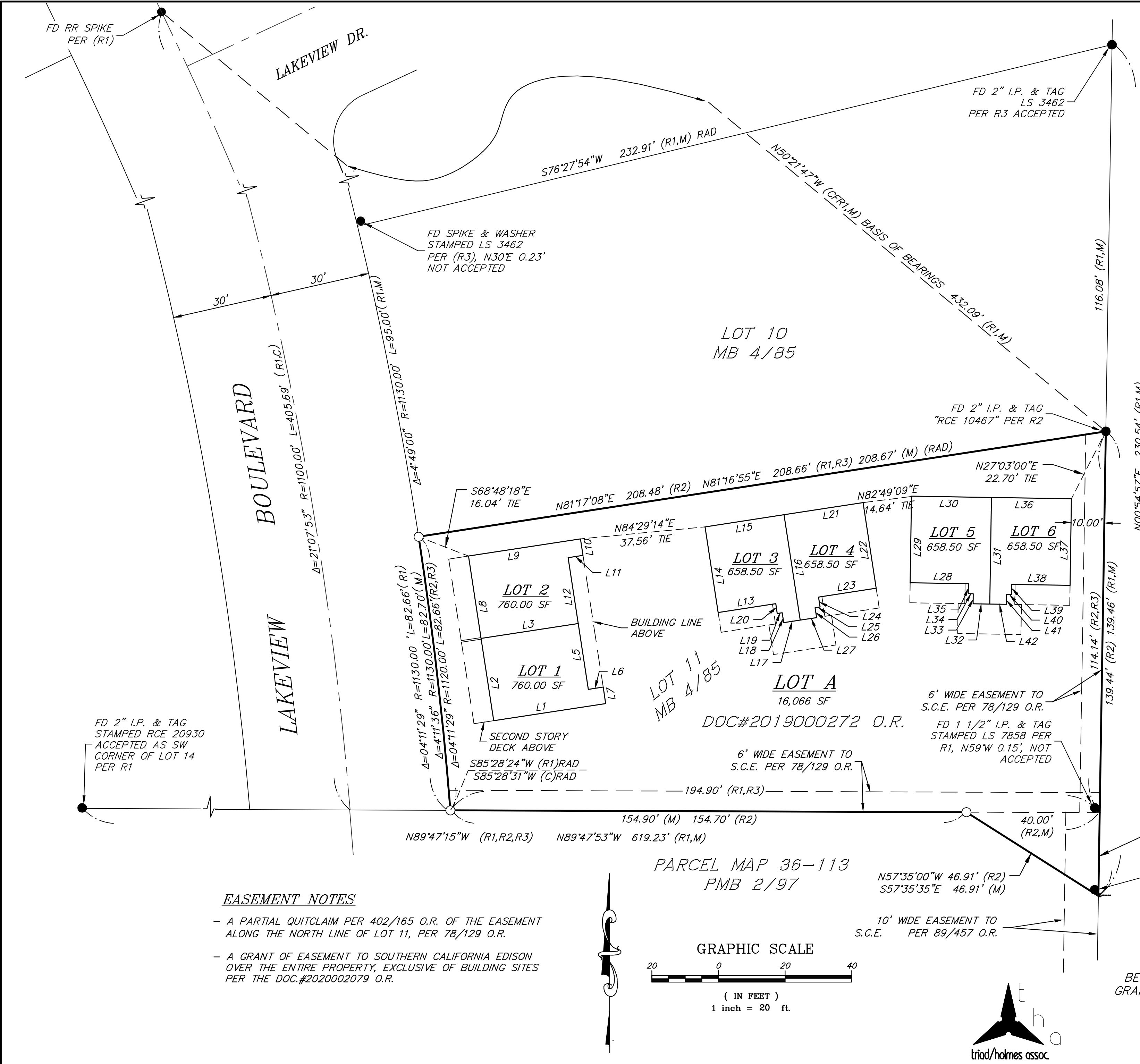
LAKEVIEW

TRACT MAP NO. 19-001

6 SINGLE FAMILY LOTS, IN THE TOWN OF MAMMOTH LAKES,
MONO COUNTY, CALIFORNIA

BEING A SUBDIVISION OF THAT CERTAIN LAND AS DESCRIBED IN THE GRANT DEED RECORDED AS DOCUMENT# 2019000272 IN THE OFFICE OF THE COUNTY RECORDER OF MONO COUNTY.





Line Table		
Line #	Length	Direction
L1	34.00'	S81°16'55"W
L2	25.00'	N8°43'05"W
L3	29.50'	N81°16'55"E
L5	20.00'	S8°43'05"E
L6	4.50'	N81°16'55"E
L7	5.00'	S8°43'05"E
L8	25.00'	N8°43'05"W
L9	34.00'	N81°16'55"E
L10	5.00'	S8°43'05"E
L11	4.50'	S81°16'55"W
L12	20.00'	S8°43'05"E
L13	17.50'	S81°16'55"W
L14	26.00'	N8°43'05"W
L15	24.00'	N81°16'55"E
L16	32.00'	S8°43'05"E
L17	5.00'	S81°16'55"W
L18	3.00'	N8°43'05"W
L19	1.50'	S81°16'55"W
L20	3.00'	N8°43'05"W
L21	24.00'	N81°16'55"E
L22	26.00'	S8°43'05"E

Line Table		
Line #	Length	Direction
L23	17.50'	S81°16'55"W
L24	3.00'	S8°43'05"E
L25	1.50'	S81°16'55"W
L26	3.00'	S8°43'05"E
L27	5.00'	S81°16'55"W
L28	17.50'	N89°05'03"W
L29	26.00'	N0°54'57"E
L30	24.00'	S89°05'03"E
L31	32.00'	S0°54'57"W
L32	5.00'	N89°05'03"W
L33	3.00'	N0°54'57"E
L34	1.50'	N89°05'03"W
L35	3.00'	N0°54'57"E
L36	24.00'	S89°05'03"E
L37	26.00'	S0°54'57"W
L38	17.50'	N89°05'03"W
L39	3.00'	S0°54'57"W
L40	1.50'	N89°05'03"W
L41	3.00'	S0°54'57"W
L42	5.00'	N89°05'03"W

RECORD INFORMATION

(R1) = RECORD INFORMATION FROM MB 4/85
(R2) = RECORD INFORMATION PER MB 2/97
(R3) = RECORD INFORMATION PER MB 9/66

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS MAP IS N50°21'47"W BEING THE BEARING BETWEEN FOUND MONUMENTS AS SHOWN AS THE SPIKE LOCATED 18.00' NORTHERLY OF THE CENTERLINE INTERSECTION OF LAKEVIEW DRIVE AND LAKEVIEW BOULEVARD PER R1 AND THE 2" IRON PIPE LOCATED AT THE NORTHEAST CORNER OF LOT 10 AS SET PER R2.

LEGEND

(M) = MEASURED INFORMATION
(P) = PROPORTIONED
(C) = CALCULATED
I.P. = IRON PIPE
RAD= RADIAL
MB = MAP BOOK
PMB= PARCEL MAP BOOK
O.R.=OFFICIAL RECORDS
MON =MONUMENT
SFN =SEARCHED NOT FOUND

MONUMENT LEGEND

- SET 5/8" REBAR AND PLASTIC CAP, STAMPED "LS 4428" OR AS NOTED
- FOUND MONUMENT AS NOTED

S0°54'57"W
25.00' (R1,R2,M)
FD 2" I.P. "RCE 10467"
PER R2, N30°W 0.22'
NOT ACCEPTED

LAKEVIEW
TRACT MAP NO. 19-001

6 SINGLE FAMILY LOTS, IN THE TOWN OF MAMMOTH LAKES,
MONO COUNTY, CALIFORNIA

BEING A SUBDIVISION OF THAT CERTAIN LAND AS DESCRIBED IN THE
GRANT DEED RECORDED AS DOCUMENT# 2019000272 IN THE OFFICE OF
THE COUNTY RECORDER OF MONO COUNTY.

GROSS AREA: 20,232 S.F.

Recording Requested by and)
When Recorded Mail To:)

Town of Mammoth Lakes)
Community & Economic Development Department)
P.O. Box 1609)
Mammoth Lakes, CA 93546)

Recordation fee exempt per Government Code §27383
Space Above for Recorder's Use

RESOLUTION NO. PEDC 2020-04

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND
ECONOMIC DEVELOPMENT COMMISSION APPROVING
TENTATIVE TRACT MAP 19-001, USE PERMIT 19-002,
DESIGN REVIEW 19-005, AND VARIANCE 19-001
TO ALLOW A MULTI-FAMILY RESIDENTIAL
PLANNED UNIT DEVELOPMENT (PUD) ON SIX LOTS
FOR PROPERTY LOCATED AT 125 LAKEVIEW BOULEVARD
(APN: 031-110-026-000)**

WHEREAS, a request for consideration of a Tentative Tract Map, Use Permit, Design Review, and Variance were filed by the property owner, John Hooper, to allow a multi-family residential planned unit development consisting of six lots (Lakeview Townhomes), in accordance with the North Village Specific Plan and Chapters 17.68 (Use Permits), 17.72 (Variances), and 17.88 (Design Review) of the Town of Mammoth Lakes Municipal Code, for property located within the Specialty Lodging zone of the North Village Specific Plan at 125 Lakeview Boulevard; and

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing on the application request on July 8, 2020, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning and Economic Development Commission considered, without limitation:

1. The staff report to the Planning and Economic Development Commission with exhibits;
2. The General Plan, State Subdivision Map Act, North Village Specific Plan, Municipal Code, Design Review Guidelines, Subdivision Ordinance, and associated Land Use Maps;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing; and
5. Project plans consisting of:
 - a. Tentative Tract Map 19-001 Sheets 1 – 3, dated June 25, 2020;
 - b. Project Plan Sheets A.1 – A.3 and A-2.1 through A-2.4, dated received by the Town of Mammoth Lakes October 30, 2019 and Sheets A2.0 and A2.1, dated received by the Town of Mammoth Lakes June 19, 2020, and Sheets A-05 and A-06 dated received by the Town June 24, 2020;
 - c. Preliminary Landscape Plan, dated June 18, 2020; and

- d. Color and Materials Board, dated received by the Town of Mammoth Lakes June 29, 2020.

NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS.

I. CEQA.

The subject application is categorically exempt pursuant to Section 15332, In-fill Development Projects, of the CEQA Guidelines because the following criteria are met, and none of the exceptions set forth in CEQA Guidelines Section 15300.2 are present. Additionally, none of the criteria in CEQA Guidelines §15162 (Subsequent EIRs and Negative Declarations) apply, and the scope and intensity of the project was fully analyzed in the 1999 SPEIR. Therefore, no new environmental compliance document is required pursuant to CEQA Guidelines §15168[c][2]. The project is conditioned to implement all applicable mitigation measures from the 1999 SPEIR Mitigation Monitoring and Reporting Program (MMRP).

- a. **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.**

The project is consistent with the General Plan Land Use designation because the property is located within the North Village Specific Plan (NVSP) land use designation and is zoned Specialty Lodging (SL), which allows employee housing, affordable housing, apartments, condominiums and other housing types at a density of 48 rooms/acre. The proposed project is a six-unit multi-family residential planned development with a density of 39 rooms/acre.

The project is consistent with the Zoning Code because the project complies with all applicable regulations for the North Village Specific Plan, including but not limited to density, lot coverage, setbacks, building height, parking, solid waste/recycling, and design. The project includes a Variance request for a reduction of the north side yard and rear setbacks, which is allowed pursuant to the North Village Specific Plan and Chapter 17.76 of the Zoning Code. Findings for the Variance are documented in this resolution.

- b. **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The .46-acre project site is within the Town's Urban Growth Boundary (UGB) and is substantially surrounded by urban uses including adjacent multi-family residential condominium developments and a vacant parcel entitled for a hotel development.

- c. **The project site has no value as habitat for endangered, rare, or threatened species.**

The Project site has no value as habitat for endangered, rare, or threatened species since the site is surrounded by existing development and the 1999 North Village Subsequent Program EIR determined that no significant adverse effects to any of the identified wildlife species of concern is expected to occur within the North Village Specific Plan

area due to the absence of suitable habitats as well as the close proximity to human habitation. Mature tree removal and replacement is addressed through the preliminary landscape plan, which provides a tree replacement plan for trees greater than 12 inches DBH on a 1 for 1 basis, where tree removal is required to accommodate structures and site access. Additionally, Condition of Approval #34 is included in the attached Resolution and required completion of a nesting bird survey within three days of initial site disturbance between to avoid disturbance of suitable nesting habitat during the nesting season.

d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Approval of the Project would not result in any significant effects related to traffic, noise, air quality, or water quality because the Project conforms to the maximum allowable density for the site and the project is required to conform to the NVSP and the Mammoth Lakes Municipal Code standards for noise, air quality, and lot coverage. The project conforms or is required to conform to Public Works standards for site grading, stormwater retention, and drainage; and the Project will be required to obtain all necessary permits for construction. Therefore, no significant effects on traffic, noise, air quality, or water quality will result from the proposed development of the site.

e. The site can be adequately served by all required utilities and public services.

The site can be adequately served by all required utilities and public services because all necessary utilities and services are currently provided or can be extended to the site. The Project plans were routed to the Mammoth Community Water District (MCWD) and the Mammoth Lakes Fire Protection District (MLFPD), and all comments received have been incorporated into the Project and/or conditions of approval. Additionally, at the time of building permit issuance, development impact fees (DIF) for police, vehicle circulation, storm drainage, and fire will be paid.

f. None of the exceptions set forth in CEQA Guidelines Section 15300.2 apply because (1) in-fill development projects are classified as Class 32 by the California Secretary for Resources and are not subject to the special circumstances applicable to projects classified as Classes 3, 4, 5, 6, and 11; and (2) the cumulative impact from successive projects over time will not be significant because the proposed use is consistent with the allowed and previously anticipated uses for the SL zone of the North Village Specific Plan and the density of the project complies with the allowable density for the site.

II. MUNICIPAL CODE FINDINGS.

A. FINDINGS FOR USE PERMIT (Municipal Code Section 17.68.050)

1. The proposed use is consistent with all applicable sections of the General Plan and Title 17 and is consistent with the North Village Specific Plan;

The proposed project is consistent with the 2007 General Plan land use designation of North Village Specific Plan (NVSP) for the site because the proposed six-unit multi-family residential planned unit development use is an allowed use within the Specialty Lodging zone and the proposed residential density is within the maximum density permitted for site.

The proposed project is consistent with the land use objectives specified in the NVSP for the SL zone, including providing a transition between North Village's resort orientation and surrounding residential development, providing for special lodging opportunities which may not be available within the commercial orientation of the PR and RG districts in the North Village, encouraging development of employee housing and supporting residential facilities; and lowering development intensities for parcels located away from the Plaza Resort district and avoid future strip commercial development patterns.

The proposed project is classified as a multi-family residential planned unit development use, which is permitted in the Specialty Lodging zone subject to Use Permit and Subdivision map approval (pg. 47 NVSP).

2. **The proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity; and**

The site layout and project design ensures that the multi-family uses and residential density proposed for the site will be occupied and operated in such a way that will not be detrimental to the health and safety of the surrounding community nor injurious to properties or improvements in the vicinity because the proposed density is within the allowable density for the site and adjacent uses include multi-family condominium developments ranging from 18 units to 50 units. The proposed six-unit PUD can be accommodated on the site without eliminating or reducing essential amenities such as enclosed parking, guest parking, private outdoor living space and landscaping. The townhome units will be individually owned and may be occupied on a long-term basis or may be rented on a short-term basis similar to the surrounding multi-family residential condominium developments.

3. **The Commission shall make such other findings as deemed necessary to support approval or denial of the proposed use.**

The proposed project is compatible with the surrounding neighborhood with regards to residential density, building scale, form, materials, and street orientation. Proposed buildings and site improvements combine together in an attractive and visually cohesive manner that promotes compatibility among neighboring uses.

The surrounding neighborhood consists of several multi-family condominium developments and the proposed six-unit planned development is a smaller scale project by comparison and provides a transition between the North Village's resort orientation and surrounding residential developments. The proposed parking layout for the project meets the required amount of parking and ensures that the property will accommodate parking demand on-site.

B. FINDINGS FOR DESIGN REVIEW PERMIT (Municipal Code Section 17.88.060)

1. **The project is consistent with the applicable standards and requirements of the Municipal Code.**

The project is consistent with the applicable standards and requirements of the Mammoth Lakes Zoning Code because the project is located within the Specialty Lodging (SL) zone of the North Village Specific Plan, which allows multi-family residential uses including planned developments and condominiums. The project complies with the development standards applicable to the SL zone including standards

for density, lot coverage, setbacks (with approval of Variance 19-001), building height, parking, and snow storage and management plan.

The project also complies with specific land use regulations identified in Municipal Code §17.52.210 for multi-family residential projects. The project includes a Variance request for a 20% reduction to the north side yard setback to accommodate a 24-foot wide two-way driveway, and a 40% reduction to the rear setback is requested to preserve two significant 46-inch DBH Jeffrey Pine trees. A Variance is allowed when required findings can be made pursuant to Municipal Code Chapter 17.76, and with approval of the requested Variance, the project complies with the development standards of the SL zone.

2. The project is consistent with the General Plan and any applicable specific plan or master plan.

The proposed project is consistent with the 2007 General Plan land use designation for the site, which is designated North Village Specific Plan (NVSP) because the proposed six-unit multi-family residential planned development is consistent with the allowable land uses within the Specialty Lodging zone of the NVSP and the proposed residential density is within the maximum density permitted for sites within the SL zone.

The project is consistent with General Plan goals, policies, and actions, including, but not limited to, C.2.L, C.2.O, C.2.T, C.2.V, C.3.F, C.4.C, E.1.D, L.1.C, L.5.B, and L.5.F. The project is also consistent with the North Village Specific Plan Land Use Objectives identified for the SL zones, as described in the response to Design Review Finding #1 above.

3. The project is consistent with the Town of Mammoth Lakes Design Guidelines.

The project is consistent with the Town's Design Guidelines because the site design works with the natural topography of the site and preserves natural site features and vegetation where possible. Specifically, the project has oriented the structures and development area to retain certain significant trees. The exterior parking areas and driveway access are located to take advantage of southern exposure, which minimizes shading and ice build-up on pavement areas.

Building forms, roofs, and facades provide variation in roof height and visual interest through the provision of building pop-outs, changes in siding material and colors, and through the incorporation of architectural details such as knee braces, exposed rafter tails, trim details, decorative treatments beneath pitched roof areas and layered fascia.

The proposed colors and materials are appropriate in the context of the surrounding neighborhood and consist of varying brown and tan earth tones that provide appropriate contrast between trim, fascia, and the primary siding materials while maintaining a neutral color palate to blend with the natural environment and site surroundings.

4. The project is consistent with the following additional Design Criteria (Zoning Code §17.88.050):

- a. **The site design and building design elements including the architectural style, size, design quality, use of building materials, and similar elements, combine together in an attractive and visually cohesive manner that is compatible with and complements the desired architectural and/or aesthetic character of the area and a mountain resort community, encourages increased pedestrian activity, and promotes compatibility among neighboring land uses.**

The proposed buildings and site improvements combine together in an attractive and visually cohesive manner that is compatible with and complements the character of the surrounding neighborhood and promotes compatibility among neighboring uses. The surrounding neighborhood consists of a mixture of multi-family condominium developments that feature 70's style architecture with angular roof lines, lofts, and predominantly brown and tan color palettes.

In the context of the surrounding developments, the proposed design of the project provides appropriate scale and architectural design including the proposed exterior building materials and color palette.

The proposed building forms, roofs, and facades provide variation and visual interest through the provision of building step backs and uncovered balconies on front facades, second floor pop-outs, and roof elements at different heights. Craftsman-style architectural details include knee braces, exposed rafter tails, decorative treatments beneath pitched roof areas and detailed layering of fascia.

A distinction between stories is provided through the use of natural stone incorporated at the base of structures and a change in paint color used on the first floor and the upper floors. Kootenai real stone veneer is used to establish the building base, and the primary siding material is Hardie lap siding in a wood textured finish. The proposed colors consist of varying brown and tan-tones that provide appropriate contrast between trim, fascia, and the primary siding materials while maintaining a neutral color palate that is compatible with the site surroundings.

The project complies with Municipal Code design requirements for multi-family residential building facades adjacent to streets in that 75% of the building facades adjacent to Lakeview Boulevard are occupied by habitable space with windows and private open space balconies with pedestrian entries.

b. The design of streetscapes of streetscapes, including street trees, lighting, and pedestrian furniture, is consistent with the character of commercial districts and nearby residential neighborhoods

The street network in this area of the NVSP is already established however, the Engineering Division has included Condition of Approval #106 to ensure that a curb and gutter is constructed along Lakeview Boulevard adjacent to the subject property prior to issuance of the first certificate of occupancy for the project. This will bring the streetscape in front of the property into compliance with Town standards and will improve character of the surrounding area.

c. Parking areas are located, designed and developed to foster and implement the planned mobility system for the area; buffer surrounding land uses; minimize visibility; prevent conflicts between vehicles and pedestrians and cyclists; minimize stormwater run-off and the heat-island effect; and achieve a safe, efficient, and harmonious development.

The proposed parking for the residential units consists of enclosed two-car garages with garage door design and color that is compatible with the design of the project. The garage doors are oriented to the interior of the site, which buffers surrounding land uses and minimizes visibility from Lakeview Boulevard. Two exterior parking spaces are provided directly in front of the garage for each unit, providing the required third parking space and one guest parking space for each unit. All site

access and parking areas feature a southern exposure, which helps limit ice build-up on pavement areas.

The proposed 24-foot wide shared driveway will provide adequate maneuvering room for vehicles entering and exiting the property and will help prevent conflicts between vehicles, pedestrians, and cyclists. The proposed parking layout for the project meets the required amount of parking while providing an extra guest parking space for each unit to ensure the property will accommodate parking demand on-site.

- d. Down-directed and shielded lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, minimize light pollution and trespass, and avoid creating glare.**

While the current plan set does not provide detailed lighting specifications, Condition of Approval #18 included in this Resolution requires all exterior lighting to comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, to be verified prior to issuance of a certificate of occupancy. All lighting for the project will therefore be consistent with existing Municipal Code lighting requirements.

- e. Landscaping is designed to conserve water resources, promotes a natural aesthetic, and be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape.**

The proposed project preserves six trees with a diameter at breast height (DBH) of 12 inches or greater and provides a 1 for 1 replacement of trees that are greater than 12 inches DBH, for a total of 18 proposed Ponderosa Pine trees arranged in groupings around the edges of the development. The landscape plan also indicates that 30 other drought tolerant shrubs/bushes will be planted, and shredded bark will be used for mulch to conserve water. Overall, the proposed landscaping promotes a natural aesthetic by utilizing drought tolerant species that are appropriate to this region. Condition of Approval #20 is included to ensure that replacement trees are a minimum 2-inch caliper consistent with NVSP Landscape standards.

- 5. The project is consistent with any approved tentative map, use permit, variance, or other planning or zoning approval that the project required.**

The proposed project is consistent with the associated tentative tract map, use permit and variance, as described in this Resolution and the associated staff report.

C. FINDINGS FOR VARIANCE (Municipal Code Section 17.72.040)

- 1. There are special circumstances applicable to the property , including size, shape, topography, location, or surroundings, so that the strict application of this Zoning Code deprives the property of privileges enjoyed by other property in the vicinity and under the identical zoning district;**

- i. North Side Yard Setback – the property features an upward slope of approximately 26% along the Lakeview Boulevard frontage, resulting in a 10% driveway slope (after site grading) at the entrance to the site. A driveway slope of 10% is the maximum slope allowed pursuant to the NVSP standards where the**

driveway is not covered or heated. To provide safer vehicular access and circulation, the applicant is proposing a 24-foot-wide driveway to accommodate two-way traffic, which will help eliminate vehicle queuing and provide greater maneuvering room in icy conditions, as well as improved emergency vehicle access. To accommodate the wider driveway the applicant is requesting a 20% reduction of the north side yard setback area to allow a two-foot encroachment of the building footprint of Lot 2 within the setback area.

- ii. Rear Setback – The site surroundings include approximately 32 native pine and fir trees and a majority of the existing trees will be removed because they are located within the developable area of the site. Two significant Jeffrey Pine tree specimens are located at the north/east portion of the property and the Variance is requested to allow the applicant to move the building footprint for lots 5 and 6 four feet into the rear setback, providing adequate distance to avoid disturbance and removal of the two 46” inch DBH Jeffrey Pines. The requested Variance would result in preservation of the two largest Jeffrey Pine trees located on the property. Staff visited the site to verify that the trees are significant native trees that should be preserved.

2. The approval of the variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone;

- i. North Side Yard Setback – The north side yard setback would be reduced from 10 feet to 8 feet pursuant to this Variance. The setback reduction is not a grant of special privileges because other developed properties in the vicinity do not feature the same steep topography where access is taken from Lakeview Boulevard. The proposed 24-foot wide driveway width provides safer two-way access to and from the property.
- ii. Rear Yard Setback – The rear setback would be reduced from 10 feet to 6 feet pursuant to this Variance. The subject property features two large 46” DBH Jeffrey Pine trees located at north/east portion of the site. One of the trees is located within the buildable area of the site and the other is within the north side yard setback area. Removal of both trees would be necessary to construct the project entirely within required setbacks. The requested rear setback reduction would not constitute a grant of special privilege because a modification to the rear setback in order to preserve mature trees is consistent the General Plan Community Design Policy C.2.O, which states, “site development adjustments may be considered to preserve significant groups of trees or individual specimens...” Therefore, consideration of the site surroundings and adjustment of building footprints to accommodate significant native trees is consistent with the General Plan and does not constitute a grant special privilege.

3. Granting the variance would not authorize a use or activity which is not otherwise expressly authorized by the zone governing the property for which the application is made;

Granting the variance would not authorize a use or activity which is not otherwise expressly authorized by the Specialty Lodging zone of the North Village Specific Plan because a multi-family residential planned development that allows nightly rentals is permitted within the SL zone with approval of a use permit and subdivision map.

4. Granting the variance would not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located;

- i. North Side Yard Setback – The proposed variance would not be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the vicinity because other multi-family residential properties in the vicinity feature 24 foot-wide driveway widths, and the proposed project would improve the street frontage by constructing curb and gutter where none currently exists. The proposed 24-foot wide driveway access will improve the safety and welfare of occupants of the project by reducing vehicle conflicts and improving emergency access to the site.
- ii. Rear Yard Setback – Granting the rear setback variance would not be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the vicinity because the variance would result in the preservation of two significant Jeffrey Pine tree specimens. The Town’s Tree Removal and Protection Ordinance (MC §17.36.140.A) describes the various benefits of protecting trees as follows: *“the provisions to protect and regulate the removal of certain trees is based on the important environmental, aesthetic and health benefits that trees provide to Mammoth Lakes residents and visitors, and the contribution of such benefits to public health, safety and welfare. These benefits include, but are not limited to, enhancement of the character and beauty of the community as a “Village in the Trees,” protection of property values, provision of wildlife habitat, reduction of soil erosion, and visual screening for development.”*

5. The variance is consistent with the General Plan and the applicable North Village Specific Plan;

The variance is consistent with the General Plan and the North Village Specific Plan because the project complies with General Plan Vision Statement, goals, and policies as described above. Specifically, the project is below the maximum density allowed, provides a high quality townhome product available for nightly rental in an appropriate location, respects the natural environment by preserving as many trees as possible, and the architecture and exterior finishes are appropriate in the context of the surrounding community.

The North Village Specific Plan (Pg.92) states that adjustments and minor modifications to certain requirements of the NVSP may be considered with one additional finding: A strong design rationale, such as enhanced relationship to the street frontage and enhanced tree and landscaping provisions, among others. The variance is consistent with this section of the NVSP because the proposed variance constitutes a minor modification to the applicable development standards and will result in safer vehicular access to and from the site and preservation of mature native trees.

6. The variance is the minimum departure from the requirements of this Zoning Code necessary to grant relief to the applicant, consistent with Subsections A and B, above; and

- i. North Side Yard Setback – The proposed 24 foot-wide driveway width provides safer two-way access to and from the property. Considering the steep slope at the entrance to the property, the request is reasonable is and the minimum departure necessary to grant relief.

- ii. Rear Yard Setback – The Variance request will move the building footprint for lots 5 and 6 four feet into the rear setback area to provide adequate room to avoid disturbance to the critical root zone of two 46” inch DBH Jeffrey Pine trees. Therefore, the request is reasonable and is the minimum departure necessary to grant relief.

7. The approval of the variance is in compliance with the requirements of the California Environmental Quality Act.

The approval of the Variance is in compliance with the requirements of the California Environmental Quality Act (CEQA) because the project was found to be categorically exempt from CEQA pursuant to CEQA guidelines §15332, In-Fill Development Projects.

III. SUBDIVISION MAP ACT FINDINGS. (State Map Act §66474)

a. The proposed map is consistent with applicable general and specific plans.

The proposed map is consistent with the applicable General Plan and North Village Specific Plan because the project is located within the Specialty Lodging (SL) zone of the NVSP, which allows multi-family residential uses including planned developments and condominiums at a density of 48 rooms/acre. The proposed project is a six-unit multi-family residential planned development with a project density of 39 rooms/acre consistent with allowable density within the SL land use designation.

b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The design and improvements of the subdivision are consistent with the applicable General Plan and the North Village Specific Plan because the NVSP establishes minimum parcel size for the creation of new parcels within the NVSP, and allows for alternative parcel sizes to be established for planned unit developments and condominium uses in accordance with the proposed development, subject to the approval of a subdivision map and use permit.

The project complies with the North Village Specific Plan development standards applicable to the Specialty Lodging zone, for new multi-family residential projects, with the approval of the requested Variance (VAR 19-001).

c. The site is physically suitable for the type of development.

The site is physically suitable for this type of development because the property is zoned for multi-family residential uses and the surrounding land uses consist of multi-family residential condominium developments that are developed at similar densities to that proposed for this project. All utilities and required easements are currently in place or can be extended to the property. The project complies with the applicable development standards of the North Village Specific Plan and the Municipal Code and required findings have been made for the requested Variance for a reduction to setbacks as allowed by State law and the Municipal Code.

d. The site is physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development because the density proposed provides 18 rooms total. The proposed density equates to 39 rooms/acre where the maximum density allowed for the site is 48 rooms/acre. A

reduced north side yard setback and rear setback, approved through a Variance, are allowed by State law and the Municipal Code.

- e. **The design of the subdivision or the proposed improvements are not likely to cause substantial environment damage or substantially and avoidably injure fish or wildlife or their habitat.**

The design of the subdivision is not likely to cause substantial environment damage or substantially injure fish or wildlife because the property is not located within an environmentally sensitive area and was found to be categorically exempt from environmental review pursuant to Section 15332, In-Fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines.

- f. **The design of the subdivision and types of improvements is not likely to cause serious health problems.**

The design of the residential subdivision is not likely to cause serious public health problems since no evidence has been submitted during the planning review process to indicate that the development would cause any serious public health problems. All necessary public services are currently provided or can be extended to the site to assure health and safety for those individuals occupying and using the site facilities. Grading and building permits will be obtained to ensure all applicable health and safety requirements are complied with.

- g. **The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

The design of the subdivision will not conflict with easements for access through the property because all easements are shown on the tentative map and none of the proposed site improvements conflict with those easements. The property has direct access to a public street (Lakeview Boulevard) with approved street alignment and widths.

SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS.

The Planning and Economic Development Commission hereby takes the following actions:

1. Finds that this project is categorically exempt pursuant to Section 15332, in-Fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines; and
2. Approves Tentative Tract Map 19-001, Use Permit 19-002, Design Review 19-005, and Variance 19-001 subject to the following conditions:

(SEE EXHIBIT "A"); and

3. Directs staff to file a Notice of Exemption.

PASSED AND ADOPTED this 8th day of July 2020, by the following vote, to wit:

AYES: CHANG, ECKERT, KENNEDY, VANDERHURST

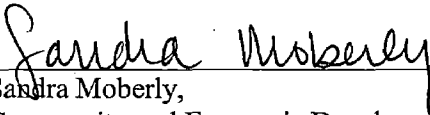
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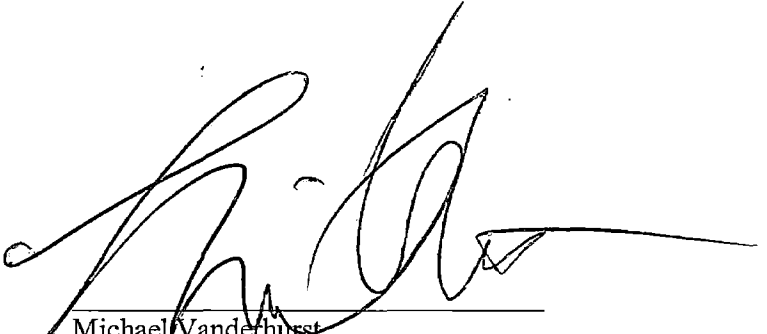
ABSENT: BURROWS

ABSTAIN:

RECUSED:

ATTEST:


Sandra Moberly,
Community and Economic Development
Director



Michael Vanderhurst
Chair of the Mammoth Lakes Planning
and Economic Development
Commission

NOTE: This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

Resolution No. PEDC 2020-04
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OWNER/APPLICANT:

I, John Hooper, Managing Member of Gray Bear, LLC, am the property owner and I do hereby attest that I have read, and agree to, the conditions of approval stipulated within this Resolution.



John Hooper
Managing Member of Gray Bear, LLC
(Notary Required)

Date: 7/29/20

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Mono

On July 29, 2020 before me, M. Forbis, notary public
personally appeared John Hooper
who proved to me on the basis of satisfactory evidence to be the persons whose
name(s) is subscribed to the within instrument and acknowledged to me that he
executed the same in his authorized capacity (ies), and that by his signature(s) on
the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary



EXHIBIT "A"
Resolution No. PEDC 2020-04
Case No. TTM 19-001, UPA 19-002, DR 19-005, VAR 19-001
CONDITIONS OF APPROVAL

STANDARD PLANNING CONDITIONS

1. This approval authorizes the following: A 6-unit multi-family planned unit development (PUD) project located at 125 Lakeview Boulevard. A Use Permit is approved to allow the proposed planned unit development use as required by the North Village Specific Plan, and a Variance is approved for a 20% reduction of the north side yard setback to 8 feet instead of the required 10 feet and a 40% reduction of the rear setback to 6 feet instead of the required 10 feet.
2. The approved site and building plans including : Tentative Tract Map 19-001 Sheets 1 – 3, dated June 25, 2020; Project Plan Sheets A.1 – A.3 and A-2.1 through A-2.4, dated received by the Town of Mammoth Lakes October 30, 2019 and Sheets A2.0 and A2.1, dated received by the Town of Mammoth Lakes June 19, 2020, and Sheets A-05 and A-06 dated received by the Town June 24, 2020; Preliminary Landscape Plan, dated June 18, 2020; and Color and Materials Board, dated received by the Town of Mammoth Lakes June 29, 2020 shall be adhered to and maintained for the duration of the permit.
3. This permit and all rights hereunder shall automatically terminate unless the site preparation or construction has been commenced within two years after the issuance of this permit and such work is diligently carried on until completion, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.
4. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.
5. This resolution of approval, as conditioned herein, shall be recorded for the subject property by the Mono County Recorder's Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.
6. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Outdoor storage of equipment and other materials, except for firewood, is prohibited. Non-operating vehicles, equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.
7. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its

pre-existing condition by the permittee.

8. All conditions of this permit shall be met or secured prior to final occupancy approval of any tenant improvements or new structures.
9. All uses are subject to review by the Building Official of the Town of Mammoth Lakes and must conform to occupancy ratings of the structures to obtain occupancy.
10. Town staff shall have the right to enter the subject property to verify compliance with these conditions. The holder of any permit associated with this project shall make the premises available to Town staff during regular business hours and shall, upon request make records and documents available to Town staff as necessary to evidence compliance with the terms and conditions of the permit.
11. Prior to the issuance of a building permit, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on the project processing account.
12. Where compliance with the conditions of approval or applicant initiated changes to the plans require additional staff review, that review time shall be billed at the Town's established billing rates. Prior to the issuance of a building or grading permit, the applicant shall pay all outstanding costs for the processing of this application.
13. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.
14. Prior to issuance of a grading or building permit, the applicant shall obtain a secondary source permit or letter of exemption from the Great Basin Unified Air Pollution Control District.
15. The applicant shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval. The Town shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense.
16. Pursuant to Government Code Section 66474.9 the subdivider shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Government Code Section 66499.37. The Town shall promptly notify the subdivider of any claim, action, or proceeding and shall cooperate fully in the defense.
17. In consideration of the Town's Vision Statement requiring a de-emphasis of the use of the automobile, occupancy and mode of travel expectations and to mitigate the impacts of the project on air quality as required by CEQA, the applicant and the owners' association shall submit a petition to be annexed into the Transit and Transportation Fee Community Facility District (CFD 2013-03) and pay all fees associated with the annexation process prior to final map approval by staff. CFD 2013-03 shall be referenced in the project CC&Rs, as well as in any disclosure documents required by the California Department of Real Estate for the project.

18. All exterior lighting shall comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, Exterior Lighting. Exterior light fixtures having a total of over 400 lumens of output shall be equipped with shields that extend below the horizontal plane of the light source to direct the light downward onto the structure or surrounding grounds. Accent lighting is permitted as described in Municipal Code Section 17.36.030.F.6. This shall be verified prior to issuance of a certificate of occupancy.
19. All propane tanks serving the property shall be painted tan pursuant to Municipal Code Section 17.36.080.B.
20. The final landscape plan shall be submitted to the Planning Division for approval prior to issuance of a Building Permit and shall substantially conform to the preliminary landscape plan dated June 18, 2020, approved by the Planning and Economic Development Commission. The final landscape plan shall include the planting of a minimum of 18 Ponderosa Pine trees (or other native pine tree variety such as Jeffrey Pine). Trees used for revegetation and landscaping shall be a minimum size of 2-inch caliper. A minimum of 30 drought resistant shrubs including Lilac, Red Dogwood, Red Honeysuckle, Spirea, Ninebark, Currant, and Snowberry are required. Shrubs used for revegetation and landscaping purposes shall be a minimum 2-gallon container size. Completion of all landscape improvements and revegetation of fill slopes and disturbed areas shall occur prior to issuance of the first Certificate of Occupancy.
21. The project shall comply with the Guidelines for Erosion Control in the Mammoth area. This shall include submittal of a Report of Waste Discharge, if applicable.
22. A valid building permit and a permit from the Mammoth Lakes Fire Protection District are required before any building can begin on-site.
23. Proposed water and sewer connections require a Connection Permit from Mammoth Community Water District. Prior to the Town authorizing any construction, the applicant shall obtain water and sewer permits from Mammoth Community Water district and pay applicable fees to the District.
24. New or changed improvements, exterior illumination, elevations, designs, materials, or colors shall conform to the adopted Design Guidelines of the Town of Mammoth Lakes and will require review and approval from the Town of Mammoth Lakes Community and Economic Development Department or Planning and Economic Development Commission pursuant to Municipal Code Chapter 17.88.
25. A certificate of occupancy is required for all future tenant improvements within the subject structures. Tenant improvements shall identify occupancy separation requirements, disabled access requirements and compliance with all applicable building, electrical, plumbing, and fire code requirements.
26. All conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.
27. Developers of residential properties shall include a disclosure statement indicating that Mammoth Lakes is an area of habitat for Mountain Lions, which indicates potential risk, particularly to small children and pets. (General Plan Mitigation Measure 4.3-1)

SPECIAL PLANNING CONDITIONS

28. The Mitigation Monitoring and Reporting Program (MMRP) established by the North Village Specific Plan Subsequent Program Environmental Impact Report for the 1999 North Village Specific Plan Amendment (1999 SPEIR) shall be adhered to in the implementation of the proposed development and is incorporated herein by reference.
29. The Housing Mitigation requirements for this project shall be met through payment of the current applicable housing fee for residential uses in effect at the time of building permit submittal, unless an Alternate Housing Mitigation Plan (AHMP) in accordance with Municipal Code Chapter 17.136 is approved prior to building permit submittal. If an AHMP is proposed, it shall be reviewed by the Community and Economic Development Department prior to consideration of the AHMP by the Planning and Economic Development Commission. If the applicant requests that the AHMP be considered separately from the approval for the associated project, the applicant shall be responsible for payment of staff time at the Town's established billing rates for the review and processing of the AHMP.
30. The applicant shall submit Homeowner's Association CC&Rs for the maintenance and control of common area for review and approval by the Community and Economic Development Director prior to issuance of the first Certificate of Occupancy.
31. All retaining walls visible from off-site shall be made of split face block, faced with rock, or similarly treated to be compatible with the design of the project. (MC Section 17.36.040.C.)
32. Roof vents, exhaust, pipes, and flues shall be combined and/or collected together on slopes of roof out of public view to the greatest extent possible. Faux chimneys shall be incorporated into the roof design to shield the vents pipes to the maximum extent possible and break up the massing of the roof. The design of the faux chimneys shall be reviewed and approved by the Community and Economic Development Department prior to issuance of a building permit.
33. The required trash enclosure shall be improved with a concrete slab and enclosure constructed of materials compatible with that of the buildings. Adequate space for recyclable materials shall be provided within the enclosure. All trash enclosures, and receptacles shall be animal resistant. The enclosure is not required to be gated. The final alignment of the trash enclosure shall be reviewed by Mammoth Disposal, the Public Works Department and the Community and Economic Development Department and shall comply with Municipal Code section 17.36.130. The trash enclosure shall be installed prior to issuance of the final Certificate of Occupancy unless an alternative method of trash collection service is available (e.g. individual trash cart service) and the use of which has been approved by the Town.
34. All tree removal activities shall adhere to the Federal Migratory Bird Treaty Act and California Fish and Wildlife Code Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey, except as otherwise provided by FGC or any regulation made pursuant thereto. Completion of a nesting bird survey by a biologist with relevant qualifications within three days of initiation of site disturbance is recommended for projects that have the potential to disturb suitable nesting habitat, which may include riparian vegetation, mature trees, snags, and structures.

35. The Building Division will require that a string line be run between the property monuments on the west (front property line), the north (north side property line), and the east (rear property line) at the time of foundation inspection to verify the actual field distance from the structure to the property line.
36. No snow shall shed or be deposited onto adjacent properties or Town right-of-way. This shall include snow that is removed from any portion of the property, including, but not limited to, the structure, driveway, and/or common areas. All interim snow storage areas shall be on the subject property. The property owner shall be subject to fines pursuant to Municipal Code §12.16.030 (*Snow Removal – Violation/Penalty*) if found to be in violation of this condition.
37. Snow rails shall be installed along the roof edge of the north side of Lot 2, where the side yard setback is reduced to 8 feet and along the roof edge of lots 5 and 6, where the rear setback is reduced to 6 feet.
38. A key box shall be provided with an individual master key that provides access to each unit. This shall be reviewed and approved by the Mammoth Lakes Fire Protection District prior to building permit issuance.
39. All exterior wood products shall comply with the Wildland Urban Interface (WUI) construction materials requirements certified by the State Fire Marshal's Office and be in compliance with Chapter 7A of the 2016 California Building Code. Plywood or OSB sheeting shall be a minimum of one-half inch thickness with approved siding material placed over top.
40. All eave and crawl space ventilation shall resist the intrusion of flame and burning embers and comply with Chapter 7A of the California Building Code and local modifications.
41. The structure shall comply with NFPA 13R automatic fire sprinkler requirements as required by Section 903.2.8 and 903.3 of the California Fire Code. A deferred submittal for sprinkler plans and calculations will be acceptable.

ENGINEERING DIVISION CONDITIONS

STANDARD CONDITIONS / GENERAL REQUIREMENTS:

42. A final map, consistent with the tentative map and the conditions herein, shall be recorded with the County Recorder of Mono County prior to the expiration of the approved tentative map. The final map shall conform to the Subdivision Map Act and the Subdivision Ordinance for the Town of Mammoth Lakes. The tentative map shall expire 24 months after the approval date. Failure to record the final map prior to the expiration will nullify all approvals, except as such time limitation may be extended by law or by the Planning and Economic Development Commission in accordance with the Subdivision Map Act.
43. Copies of all exceptions, easements, restrictions and encumbrances listed in the preliminary title report together with a copy of the current grant deed and a current title report, a copy of each record map for the subject property shown within the tentative map boundary, and a copy of each and every adjacent map, deed or other document as necessary that establish, or were used for the survey of, and for the retracement of the subdivision boundary shall be submitted with the initial submittal of the final map. A subdivision guarantee shall be issued and dated within 30 days prior to final map approval by the Planning and Economic Development Commission.

44. The maintenance of graded slopes and landscaped areas shall be the responsibility of the developer until the transfer to individual ownership or until the maintenance is officially assumed by an appropriate district or property owners' association.
45. Slope rights adjacent to public rights of way shall be dedicated on the final map where necessary.
46. All new utility lines within, adjacent to, or serving the site shall be placed underground.
47. The site grading design and all building construction shall conform to State and federal disabled access regulations.
48. Paved access is required to a maintained street. Street and traffic signs shall meet the California Manual of Uniform Traffic Control Devices (MUTCD).
49. Landscaping and irrigation systems within the public right of way, adjacent to the project area and within the project shall be maintained by property owner, with the exception of benefit assessment district areas.
50. The applicant shall obtain an easement or letter of permission to grade all areas requiring off-site grading prior to issuance of a grading permit or a building permit. These areas shall be contour graded.
51. The applicant shall submit to the Town an electronic file of the final map in AutoCAD, or other format as may be approved by the Public Works Director, within 30 days of approval of the final map.
52. All easements and dedications shall be in a form and content acceptable to the Public Works Director.
53. Nothing in the approval of this tentative tract map shall be construed to allow for the deviation, adjustment, variance or non-conformance of any Municipal Code or ordinance, or of any local, State or federal standard, policy, regulation or law, unless specifically provided for herein.
54. All grading and public improvements shall be consistent with the Town of Mammoth Lakes Standard Plans for Public Works.
55. Any off-site improvements required, such as installation of roads, sewers, water lines, or drainage improvements, which are of benefit to land other than the land located within the subdivision, shall be subject to an approved agreement between the Town and the subdivider to reimburse him in whole or in part for the use of the improvement by lands other than those developed by the subdivider, pursuant to Section 17.16.190 of the subdivision ordinance.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO APPROVAL BY STAFF OF THE FINAL MAP:

56. The final map shall conform to the requirements of Town of Mammoth Lakes Ordinance 84-10 and all amendments thereto.
57. A preliminary soils report shall be filed with and reviewed by the Public Works Director. The report shall address and make recommendations as to the compacted and un-compacted fills on-site. A note shall be placed on the final map indicating which lots require grading remediation. An "as-graded" soils report shall be provided to the Town upon completion of the grading.
58. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to secure completion of all required grading, street and

drainage improvements in accordance with the Municipal Code and the applicant shall enter into a subdivision improvement agreement for all required public improvements in accordance with the Subdivision Map Act. The agreement shall include provisions for the posting of warranty sureties for the accepted public improvements two weeks prior to Planning and Economic Development Commission approval of the final map. Construction cost estimates for all required sureties shall be prepared and signed by a registered civil engineer. The estimates shall be at prevailing wages and shall include 20% for construction contingencies and 20% for administrative costs. All sureties shall be posted prior to the issuance of a grading permit and prior to approval by staff of the final map.

59. A form of security listed in Government Code Section 66499(a) shall be posted with the Town in a form acceptable to the Town Surveyor for any deferred final monumentation for the final map. The estimated amount of the surety shall be prepared by the licensed land surveyor preparing the final map and shall be approved by the Town Surveyor.
60. Rights of way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing shall be required as necessary.
61. All easements as shown on the tentative map shall be granted on the final map or recorded by separate document prior to or concurrent with recordation of the final map in a form and in content acceptable to the Town. Easements to be recorded by separate document shall be submitted to the Town for review and approval. The fully executed documents shall be submitted to the Public Works Director prior to approval of the final map. Easements shown on the tentative map to be granted or dedicated shall indicate the beneficiary of the easement(s).
62. Easements shown on the tentative map to the benefit of an agency other than the Town or to other parties shall be shown on the final map as "Easements Reserved". The owners statement on the parcel map shall reserve said easements unto themselves, their heirs and assigns.
63. All documents that are required to record prior to or concurrent with the recordation of the final map shall be reviewed and approved by the Town and shall be fully executed, notarized and ready for recordation prior to approval of the final map by town staff. The originals of the executed documents shall be delivered to the Public Works Director together with the final map prior to approval of the final map.
64. Monumentation of the subdivision shall be installed in accordance with the Subdivision Ordinance of the Town, Ordinance 84-10.
65. The CC&Rs shall contain provisions granting rights of access and parking, as necessary, to the owners, tenants, and their guests, of the PUD units.
66. Existing CC&Rs, if any, encumbering the property shall be amended as necessary for the proposed development of this project.
67. The applicant shall submit a request for unit, building and street addressing to the Town. Approval of the addressing shall be completed prior to approval of the final map by staff.
68. For planned development projects the following statement shall appear on the signature sheet of the final map: "THIS SUBDIVISION IS A PLANNED DEVELOPMENT AS DEFINED IN SECTION 6562 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, CONTAINING A MAXIMUM OF 18 ROOMS

WITHIN SIX (6) RESIDENTIAL UNITS AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT.”

69. Prior to approval of the final map by staff, the applicant shall provide evidence to the Town that the property taxes have been pre-paid to Mono County Tax Collector or their payment has been secured by the filing of a surety bond or other cash-equivalent security acceptable to the County.
70. As required by the Town’s Subdivision Ordinance Section 17.08.035 and Council Resolution 14-28, the applicant shall pay a fee for each unit, parcel or lot, including lettered lots and parcels and common area lots or parcels, created to the Community and Economic Development Department for long range planning reimbursement prior to approval by staff of the final map.
71. If the subdivider elects to file multiple final maps, then prior to submittal of the first final map for the project, the applicant shall submit a development schedule of phasing and improvements for review and approval by the engineering and planning divisions of the town. The Town may impose additional conditions relative to phasing and the filing of multiple maps in accordance with Section 66456.1 of the Subdivision Map Act. Phasing may only be permitted if discontinuous right-of-ways and substandard lots are not created by the phasing.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF AN ENCROACHMENT, GRADING, OR IMPROVEMENT PERMIT:

72. Construction of water and sewer improvements shall require water and sewer permits from the Mammoth Community Water District. Grading plans shall be submitted to the Town for review and approval and a grading permit in accordance with the municipal code shall be obtained from the Town and all mitigating measures and best management practices to prevent erosion and to protect existing trees shall be constructed prior to work commencing for any and all water and sewer improvements.
73. An application for an engineered grading permit shall be submitted to the Engineering Services Division of the Public Works Department in accordance Chapter 12.08 of the Municipal Code. No change to the existing conditions of the site, including site grading, drainage interruption, land clearing, etc. shall be commenced until grading and drainage plans have been approved by the Public Works Director.
74. An engineered grading permit for the project shall not be issued unless one of the following has occurred:
 - a. Submission of a complete application for a building permit to the building division of the Community and Economic Development Department. The building official shall make the determination as to whether or not the application is complete; or
 - b. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to secure restoration of the site. Construction cost estimates for all required sureties shall be prepared and signed by a registered civil engineer. The estimates shall be at prevailing wages and shall include 20% for construction contingencies and 20% for administrative costs and shall be reviewed and approved by the Public Works Director or designee prior to execution.

75. An encroachment permit or a letter of exemption shall be obtained from the Engineering Services Division of the Town prior to construction within the public right of way in accordance Chapter 12.04 of the Municipal Code.
76. No work within Town right of way shall be commenced until a traffic control plan has been approved by the engineering services division of the Town.
77. Street and public improvement plans for streets, sidewalks, drainage, and other public/private infrastructure shall be prepared by a registered civil engineer and submitted to the Town for review and approval. Existing topography and proposed grading with sufficient contours intervals (not to exceed two feet) shall be prepared by a registered civil engineer or a licensed land surveyor.
78. Street profile grades shall not be less than 0.5% unless the engineer of work at the time of submittal of the improvement plans provides justification to the satisfaction of the Public Works Director confirming the adequacy of the grade and provided that drainage can be adequately maintained.
79. Final grading and improvement plans and profiles shall indicate the location of any existing utility facility that would affect construction. All existing utilities shall be shown on the improvement plans and relocated as necessary without cost to the Town. Existing overhead utilities requiring relocation shall be converted to underground.
80. Prior to approval of the improvement plans, the applicant shall contract with a soils testing engineer. Any proposed grading within the street right-of-way shall be done under the direction of the soils testing engineer. Compaction tests of embankment construction, trench backfill, and all sub-grades shall be performed at no cost to the Town. Prior to placement of any base materials, and/or paving, a written report shall be submitted by the soils testing engineer to the Public Works Director for review and approval.
81. A geotechnical report is required that confirms that the proposed infiltrator locations will not be subject to groundwater entering the drywell or cause leaching through an adjacent slope face. A sediment and oil water separator shall be installed in conjunction with the infiltrator, substantially in conformance with water quality Phase 2 requirements.
82. Slope stability tests are required for all cuts greater than 2:1 or fills greater than 3:1 (H:V).
83. A thorough evaluation of the structural street section, to include parkway improvements, from a qualified civil and/or geotechnical engineer, shall be submitted to the engineering services division.
84. All driveways shall be constructed in accordance with the driveway standards of the Town.
85. In addition to the drainage, traffic related, or other requirements stated herein, other "on-site" or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to the Public Works Director.
86. Drainage across the property shall be maintained. The design of the grading and drainage facilities shall not create concentrated discharges to adjacent properties and/or public rights of way in excess of historical flows. A registered civil engineer shall investigate existing facilities and design adequate drainage facilities to

intercept and conduct the drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties. The Engineer shall verify that downstream facilities, and drainage channels accepting site flows are not adversely affected by an increase in runoff from this development. If the project does create concentrated or sheet flows off-site that are greater than historical, the applicant shall demonstrate that the downstream facilities can accommodate the increased flows; otherwise, the applicant shall provide on-site detention for excess flows.

87. A final hydrology and hydraulics study is required and shall be submitted with the grading and improvement plans for the project. The study shall be prepared in accordance with the grading chapter of the municipal code and the adopted Storm Drain Master Plan of the Town and shall be prepared by a registered civil engineer. The study shall include runoff from the entire site and shall also include runoff that enters the property from all upstream sources, and shall include all storm drains, drywells, infiltrators and surface flows. The study shall indicate the method of conveying surface and underground runoff and shall address drainage conveyances downstream to the extent they exit to an existing facility or natural drainage course. All existing drainage facilities on-site and tributary to the site shall be identified and shown on the grading plans. The hydraulic calculations shall include all pipe flows, velocities and head loss calculations sufficient to show the adequacy of all conveyance systems. Q100 and V100 and the hydraulic grade line for all public storm drains and all facilities with an equivalent diameter of 18 inches or greater shall be shown on the approved grading and improvement plans. The drainage study for the project and the final design of the storm drain system shall be approved prior to approval by staff of the grading and improvement plans and the final map. Infiltrators and storm water pollution prevention facilities are to be designed to accept the "first flush" levels of runoff. The capacity of these facilities shall not be assumed to reduce storm water flows of other drainage facilities that may be required for the project.
88. Temporary and permanent erosion control plans shall be included with the grading, improvement, and building plans. Continuous water spraying or other approved methods shall be used during grading operations to control fugitive dust. Drop inlet filters and other temporary Best Management Practices shall be employed to filter nuisance water from storm drain inlets affected by construction, on-site and off-site. Groundwater pollution from urban run-off water generated by the project shall be mitigated using best management practices (BMPs), per the requirements of the California Regional Water Quality Control Board, Lahontan District, and as indicated in the "New Development and Redevelopment Guidelines". The applicant shall apply for and obtain all required permits, written clearances or exemptions from the Lahontan District prior to any grading. All BMPs shall be shown on the erosion control plans. If the Town inspector determines that the BMPs in place are not adequate, then additional BMPs shall be installed at the discretion of the Town inspector or a revised erosion control plan shall be prepared for approval by the engineering services division. Gravel bags shall be used in lieu of sand bags. All permanent erosion control measures shall be irrigated for at least one season. Permanent BMPs shall include sediment traps upstream of infiltrators and oil water separators for parking areas consistent with the General Plan.

89. A Construction Staging and Management Plan shall be submitted to and approved by the Public Works Director prior to grading or building permit issuance. Said plan shall include provisions related to the parking of construction worker vehicles, construction equipment, construction materials, and specific limitations restricting access into non-developed portions of the site and the storage of materials within these areas. The staging plan and the final access roadway improvements shall all be approved by the Mammoth Lakes Fire Protection District prior to grading permit issuance. An approved copy of the plan shall be maintained on-site at all times and available to all contractors, subcontractors, their employees and the Town. The staging plan shall address hours of work, and special approval for work outside hours allowed. The plan shall also contain provisions for interrupting utility services to neighboring properties and sufficient noticing to affected residents and property owners.
90. On the cover sheet of the grading plans and in a very conspicuous location place the following note: "The conditions of approval for the approved tentative tract map, TTM 19-001, UPA 19-002, DR 19-005, and VAR 19-001, contained in the resolution recorded at the County Recorder's Office of Mono County as Document No. 2020xxxxx, shall be made a part of these plans and the grading permit and all conditions and requirements therein shall be adhered to by the contractor, his subcontractors and any person performing any work on the project." This note shall also be included within the construction staging and management plan.
91. Prior to combustible materials being placed on-site, an all-weather access road shall be constructed serving all exterior portions of the structure to the satisfaction of MLFPD.
92. Existing Town streets that require construction or reconstruction, shall remain open for traffic at all times, with adequate detours and traffic control, during actual construction. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to cover the cost of grading and paving prior to approval by staff of the map.
93. The grading plan and building permit plans shall indicate all snow storage areas and drainage facilities.
94. All easements shall be shown on the grading and building permit plans.
95. All export shall be taken to, and all import shall be taken from a permitted site, which shall be identified at grading permit issuance. The applicant shall prepare a haul route, subject to the approval of the Public Works Director prior to the import or export of material for the site.
96. A tree removal plan shall be approved prior to any land disturbance and the issuance of a grading or building permit. A pre-construction meeting shall be held on-site prior to any land disturbance to inspect clearing limit fencing. The applicant shall obtain the necessary Timber Harvest Permit prior to any tree removal.
97. The grading plan shall include tree protection measures to address how construction can occur without disturbing the drip-line of retained trees. The drip-line areas shall be "fenced" off with barriers to prevent disturbance during site grading. Additionally, finish grading shall not disturb existing understory vegetation or retained trees. Grading operations shall not commence until all erosion control measures and tree protection measures are in place as shown on the approved plans, and as required by the Town.

**THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF BUILDING PERMITS:**

98. Prior to issuance of a building permit, one of the following shall be completed:
- a. Recordation of the final map. The applicant shall provide evidence to the Town that the map has been recorded prior to issuance of the building permit for the project. Evidence shall consist of the recording information on the final map; or
 - b. If a building permit is issued prior to the recordation of the final map, the project shall be considered an apartment development under one ownership to comply with the State Subdivision Map Act, unless and until the final map is recorded. Under this scenario, no certificate of occupancy may be issued and no sale of the units may be made by the owner until a final map is recorded.
99. A snow removal/storage management plan for the hauling of snow in accordance with Municipal Code Section 17.36.110.B(3)(a) shall be submitted by the applicant and approved by the Community and Economic Development Department and Public Works Department prior to first building permit issuance. The plan shall be in the form of a recorded document mutually agreed to between the property owner and the Town and shall describe features such as, but not limited to, location of snow storage areas, the method of snow hauling, frequency of pick-ups, pick-up areas, haul routes, hours of hauling operations, and snow deposit areas. The plan shall also include methods to address potential cornice and ice falling onto pedestrian and vehicular areas and methods to address hazardous snow and ice build-up on pedestrian pathways and sidewalks. Approved methods to address hazardous snow and ice build-up include plowing, application of cinderling, and potential of heat-traced pavement. This plan and provisions for maintenance of private driveways and drainage facilities shall be included in the CC&Rs prior to final map approval by Town staff.

**PRIOR TO ISSUANCE OF A TEMPORARY, CONDITIONAL, OR FINAL
CERTIFICATE OCCUPANCY, THE FOLLOWING CONDITIONS SHALL BE
COMPLETED:**

100. All required landscaping and irrigation improvements shall be constructed prior to issuance of a temporary, conditional or final certificate of occupancy for the project. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted with the Town to the satisfaction of the Community and Economic Development Department for any required landscaping and irrigation improvements to be deferred and a schedule shall be submitted to the town for the construction of the deferred improvements. Deferral of the construction of any landscaping and irrigation improvements shall be at the sole discretion of the director of the Community and Economic Development Department.
101. Address numbers shall be placed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street, consistent with Municipal Code Chapter 16.32.
102. The final Planned Development (PUD) plans for the project shall be submitted to the Town for review for conformance with the approved development plan, tentative map, and CC&Rs. The PUD plans shall conform to the conditions of approval with respect to ownership of required appurtenant use areas. Issuance of a

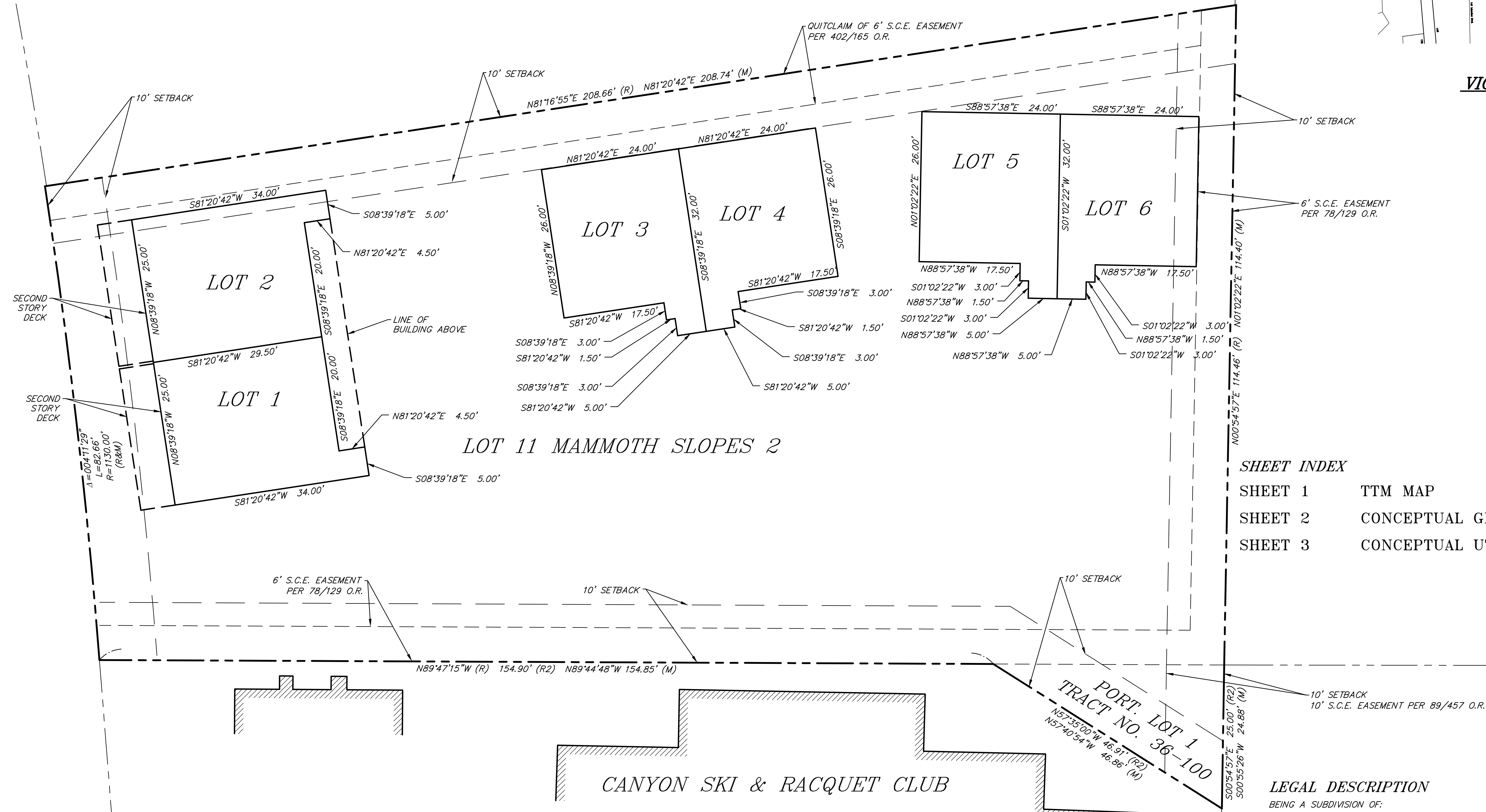
certificate of occupancy and recordation of the PUD plans shall not occur prior to Town approval of the PUD plans. The PUD plans shall be recorded prior to issuance of a temporary, conditional, or final certificate of occupancy for the project.

103. All required grading, public and private street and drainage improvements shall be completed, all "punchlist" items completed to the satisfaction of the Public Works Director, the as-built plans submitted, reviewed and approved and the required warranty security posted prior the issuance of a certificate of occupancy for the project.
104. Projects subject to a building permit shall have all required on and off-site improvements completed and approved prior to final inspection of any buildings or structures. The installation of any on or off-site improvements shall be sufficiently completed so as to assure protection from storm or drainage run off, a safe and drivable access for fire and safety, and the ordinary and intended use of buildings or structures. The Building Official, with the concurrence of the Public Works Director, may approve any plan or approve a change to an approved plan, which complies with the intent of this policy.
105. All deferred survey monumentation shall be completed, or surety posted, prior to the issuance of a temporary, conditional or final certificate of occupancy for the project.

SPECIAL ENGINEERING CONDITIONS

106. Driveway slopes shall be reviewed and approved by the Town's Public Works Director prior to approval of the grading plan.
107. A curb and gutter shall be constructed along Lakeview Blvd adjacent to the subject property. The curb and gutter shall be designed and constructed to conform with the Town of Mammoth Lakes Standard Plans for Public Works, and shall be completed to the satisfaction of the Public Works Department prior to issuance of first certificate of occupancy, unless an alternative agreement related to the timing of the work has been executed between the Town and the applicant.

LOT 10 MAMMOTH SLOPES 2

VICINITY MAP

LAKEVIEW
125 LAKEVIEW BLVD.



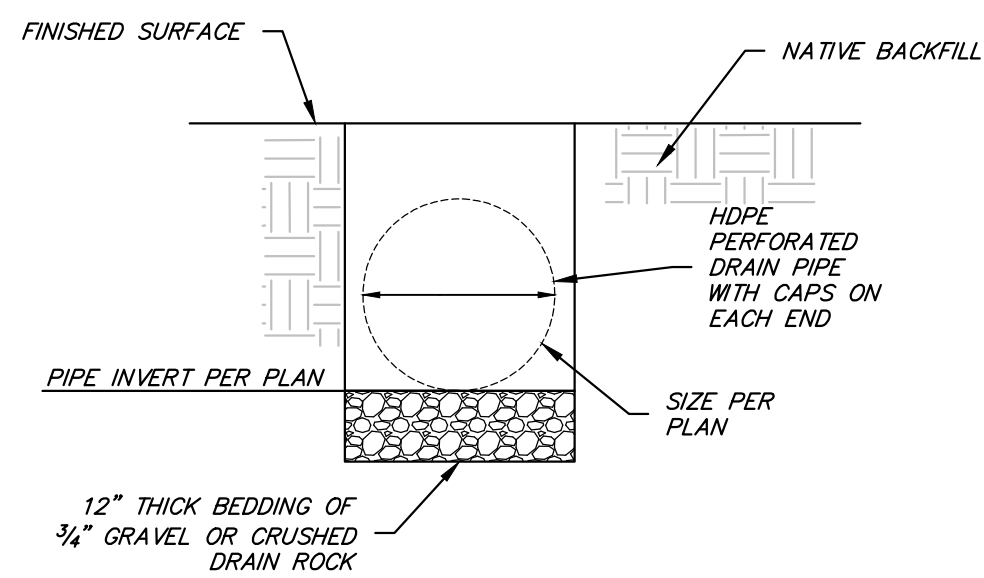
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REVISIONS	BY
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