



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: July 14, 2021

AGENDA TITLE: Public hearing and consideration of the proposed Mammoth Disposal Transfer Station Expansion Project. The project is comprised of two separate sites located within the Industrial zoning district, at 59 Commerce Drive (1.87 acres) and 264 Commerce Drive (0.55 acres). The project is reviewed under Application numbers: UPA 20-001, DR 20-002, VAR 20-001 (59 Commerce Dr.) and UPA 20-004 (264 Commerce Dr.). An Initial Study and Mitigated Negative Declaration (IS/MND) have been prepared for the project consistent with the California Environmental Quality Act (CEQA).

Applicant/ Property Owner: Glen Long, District General Manager for Mammoth Disposal Company

REQUESTING DEPARTMENT:

Community & Economic Development

Sandra Moberly, Director

Kimberly Cooke, Associate Planner

OBJECTIVE:

1. Hear Staff and Applicant presentations
2. Hold Public Hearing
3. Planning & Economic Development Commission (PEDC) discussion
4. PEDC action to either:
 - a. Adopt the attached Planning and Economic Development Commission Resolutions (the Resolutions), making the required CEQA and Municipal Code findings, and approving Use Permits #20-001 and #20-004, Design Review #DR 20-002 and Variance #VAR 19-001 with conditions as recommended by staff;
 - b. Adopt Resolution PEDC 2021-05 and PEDC 2021-06 with modifications; or
 - c. Deny the Resolutions

SUMMARY:

Proposal:

The project proposes to 1) expand the existing small volume transfer station facility at the 59 Commerce Drive Site to operate a large volume transfer station; 2) relocate the buy-back/recycling center (currently at the 59 Commerce Drive Site) to the 264 Commerce Drive Site; and 3) relocate the fleet maintenance operations (currently at the 264 Commerce Drive Site) to the 59 Commerce Drive Site. A separate Use Permit is required to permit the proposed "Utilities, Major"

land use at 59 Commerce Drive, and for the “Large Collection Recycling Facility” use proposed at 264 Commerce Drive. A Design Review is required to approve construction of a new 9,600 sq.ft. enclosed transfer station building and related facilities located at 59 Commerce Dr., and a Variance is requested in order to permit a 10-foot-tall perimeter masonry wall and access gates where the maximum allowed height is 8 feet.

Project Name: Mammoth Disposal Transfer Station Expansion Project
Location: 59 and 264 Commerce Drive
Size of Property: 1.87 acres (59 Commerce Dr.) and 0.55 acres (264 Commerce Dr.)
Zoning: Industrial (I)
General Plan: Industrial (I)
Environmental Review: An Initial Study/Mitigated Negative Declaration (State Clearinghouse No. 2021050146) was prepared for the project and was circulated for public review and comment from May 10, 2021, to June 8, 2021. Based on the analyses provided in the IS/MND, it was found that there would not be a significant effect on the environment as a result of the project with mitigation measures incorporated.

KEY ISSUES:

1. Does the proposed project meet the Use Permit criteria and required findings pursuant to Municipal Code (MC) Chapter 17.68?
2. Does the proposed project meet the Design Review criteria and required findings pursuant to Municipal Code (MC) Chapter 17.88?
3. Can the findings be made for approval of a Variance to increase the maximum wall height from 8 feet to 10 feet for security and screening purposes pursuant to Municipal Code (MC) Chapter 17.64?
4. Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

I. INTRODUCTION AND BACKGROUND

The Mammoth Disposal Company currently operates an existing small volume transfer station and buy-back/recycling center at the 59 Commerce Drive Site. The facility serves the Town and other areas of Mono County under an approved franchise agreement with the Town. The existing facility operates under Use Permit 98-8 (issued by the Town) and is permitted under a solid waste facilities permit (SWFP) issued by Mono County as the Local Enforcement Agency (LEA) identified by the California Department of Resources Recycling and Recovery (CalRecycle). Under the SWFP, the existing transfer station can accept up to 15 tons of waste per day. Currently, the transfer station accepts an average of two to four tons of municipal solid waste per day. The existing buy-back/recycling center receives an average of approximately 2.3 tons per day with an estimated peak of 3.2 tons per day.

The 264 Commerce Drive Site is developed with Mammoth Disposal’s vehicular fleet maintenance facility which occupies an existing 6,800 square foot metal building. The remainder of the site is utilized for truck (fleet) parking. The two project Sites are located approximately 800 feet apart along Commerce Drive in the Mammoth Lakes Business Park (within the Town’s Industrial zoning district). Both sites are shown below in **Figure 1**.

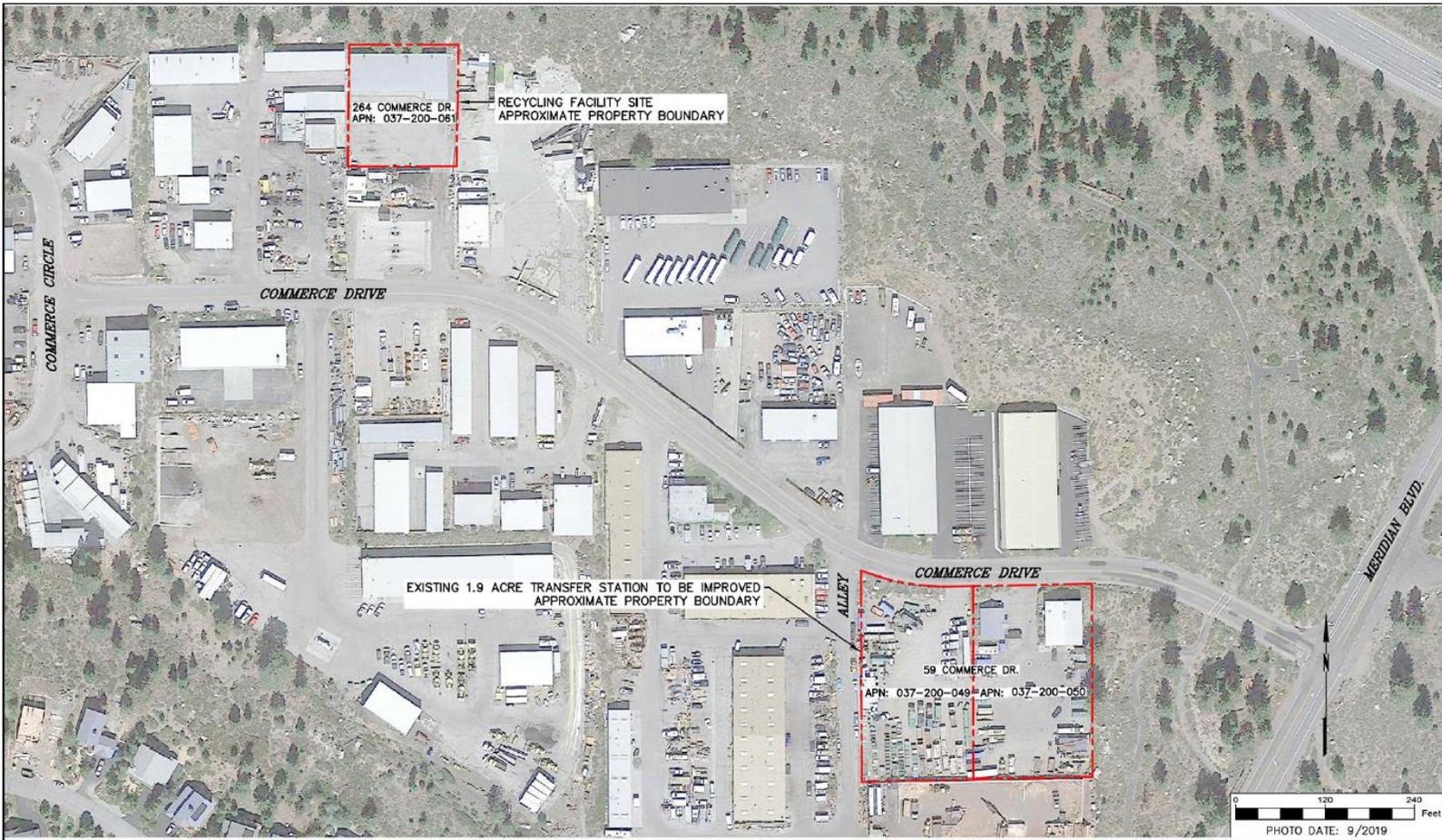
On September 2, 2020, the Town Council adopted a Resolution approving a new Solid Waste Services Agreement (Franchise Agreement) between the Town of Mammoth Lakes and Mammoth Disposal Company. The adopted

agreement (effective October 1, 2020) approved a 20-year term with two possible extensions of 5 years each, for a possible 30-year term. Some of the Town's primary objectives in negotiating the Franchise Agreement included the need to address changes in service and disposal of solid waste after the anticipated January 1, 2023, closure of the Benton Crossing Landfill; the need to provide for additional capacity including construction of a new transfer station and material recovery facility building; and to provide for improved recycling services.

Municipal solid waste (MSW) received from the from the Town of Mammoth Lakes and surrounding communities is currently disposed of at the Benton Crossing Landfill, located in unincorporated Mono County. The landfill is anticipated to reach capacity and will stop receiving waste by January 1, 2023. As such, one of the requirements for the existing transfer station is to increase municipal solid waste handling and volume capacity because Mammoth Disposal route trucks and other users will no longer haul loads directly to the Benton Crossing Landfill. Instead, loads carried by route trucks and other users will be dumped at the transfer station and consolidated into a long-haul truck prior to being transported to an alternative landfill. In anticipation of the Benton Crossing Landfill closure, the approved Franchise Agreement requires Mammoth Disposal to construct a new Transfer Station/Material Recovery Facility located at the site of the existing Transfer Station by December 1, 2022.

The Town received an application for the Transfer Station Expansion Project on August 26, 2020. The application narrative indicates that the proposed project is anticipated to be operational prior to June 2022 (6 months prior to the anticipated closure of the Benton Crossing Landfill). On November 18, 2020, Town Council authorized a professional services agreement with Michael Baker International, Inc. for the preparation of an Initial Study/Mitigated Negative Declaration, to evaluate potential environmental impacts associated with the proposed development and operation of the Transfer Station Expansion Project.

Figure 1: Project Location



Project Proposal:

The Mammoth Disposal Transfer Station Expansion Project comprises two separate properties. The project proposes to expand the existing transfer station facilities at the 59 Commerce Drive Site, relocate the buy-back/recycling center (currently at the 59 Commerce Drive Site) to the 264 Commerce Drive Site, and relocate the fleet maintenance operations (currently at the 264 Commerce Drive Site) to the 59 Commerce Drive Site. The full set of project plans are included as **Attachment C**.

Proposed improvements at the 59 Commerce Drive Site are described below and illustrated in **Figures 2 and 3**:

- **Construction of a 9,600-square foot enclosed transfer station building.** The proposed transfer station building would have an interior-sloping floor design with a self-contained fluid collection system, a loading bay with axle scales, one pull-through commercial bay for route trucks, and four back-up slots for public unloading. As shown on **Figure 3, Transfer Station Building Elevations**, the building would have a metal roof with translucent plastic panels and louvered vents. Roll-up doors would be located on the northern, eastern, and southern building elevations. A common wall and door would connect the transfer station building to a new office building. The transfer station building is proposed to have a building height of 34 feet 2 inches. Transfer trailers containing municipal solid waste would either be parked in the building overnight or left outside and covered to minimize the propagation or attraction of flies, rodents, or other vectors. Municipal solid waste is required to be removed within 48 hours of receipt to minimize potential for odors and vectors and the transfer station building would include a misting system to control dust and minimize odors.

- **Demolition of the existing 1,200-square foot office building and construction of a new approximately 1,856-square foot office building.** Similar to the current office functions, the proposed office building would serve as Mammoth Disposal's accounting office for billing and scheduling, in addition to the regional office for the company managers. The project would demolish the existing 1,200-square foot office building and construct a new 1,856-square foot office building near the current location. The new building would have a break room, locker room, conference room, and offices.
- **Relocate the existing fleet maintenance facility at the 264 Commerce Drive Site to the 59 Commerce Drive Site.** The project proposes to relocate the existing fleet maintenance facility at the 264 Commerce Drive Site to the 59 Commerce Drive Site. Specifically, the fleet maintenance facility would be relocated to an existing 3,050-square foot building which is currently used as the buy-back/recycling center. Mammoth Disposal vehicles, including route trucks, fork trucks, roll-off trucks, and rolling stock would be cleaned and repaired at this facility. The building is accessed via two roll up doors and an entrance door at the south end of the building. Three parking spaces are provided for vehicles waiting to be repaired or for those not in service that day.
- **Installation of a 2,250-square foot open canopy structure over the proposed truck scales and scale house.** The proposal includes replacement of the guard/attendant shed with an approximately 200-square foot scale house and installation of truck scales adjacent to scale house, which will be sheltered by the metal canopy structure.
- **Construction of a 10-foot-tall masonry perimeter wall located along the east, south and west sides of the property.** A Variance is requested to permit a 2-foot height increase for the perimeter wall and access gate height for security and screening purposes. The proposed wall color is tan (multi-earth tones).
- **Improvements to site circulation, parking and snow storage.** The proposed project includes 27 parking spaces including customer drop-off spaces.

Proposed Operations – 59 Commerce Drive:

The proposed project is intended to improve on-site operations, increase efficiencies, and increase the amount of solid waste and recyclable materials that can be processed. When Individual patrons and route trucks from Mammoth Lakes and the surrounding community dispose of waste at the transfer station, the waste would then be sorted, compacted, and consolidated at the transfer station and loaded into haul trucks (larger than the facility is currently capable of handling) for transporting to an off-site landfill facility.

Since the volume of municipal solid waste currently hauled directly to the Benton Crossing Landfill is anticipated to be absorbed by the Mammoth Disposal Transfer Station, the transfer station facility is anticipated to receive an average of 78 tons per day with a peak throughput of 301 tons per day. Under the solid waste facilities permit (SWFP) for a large collection transfer station, the facility would be permitted to receive up to 500 tons per day. Although the anticipated volume of solid waste is not expected to exceed 301 tons per day, the facility is designed to handle a throughput of up to 543 tons per day and has a storage capacity (floor space) of 144 tons.

Figure 2 illustrates the site circulation including paths of travel for public vehicles, commercial and transfer truck routes. Two driveways would be paved for improved truck access and will allow transfer and commercial (route trucks) to exit the property by driving straight through the designated transfer station truck bay. The project would provide 27 on-site parking spaces, including unloading spaces, which exceeds the Town's parking requirement of 23 spaces. Parking for seven vehicles is provided next to the new office building and is intended for short-term parking for customers to pay bills or setup accounts. This parking area is located away from the primary site circulation routes and includes a van accessible handicap parking stall.

Due to the physical site constraints, internal truck circulation and access requirements, the project proposes temporary snow storage areas mainly in the corners and southern portions of the Site, totaling approximately 8,625 square feet, which is 39% of the required 22,300 square feet of snow storage area. The project is requesting the option to provide a snow management plan for snow removal through the Use Permit application process, as an alternative to providing all required snow storage on-site.

The expanded transfer station facility would be open from 6:30 a.m. to 7:00 p.m. Monday through Saturday, and 7:00 a.m. to 5:00 p.m. on Sunday. Based on the Mammoth Disposal Transportation Analysis, prepared by LSC Consultants (Appendix F of the IS/MND), additional traffic on adjacent roadways was analyzed and determined to result in a net increase of 188 daily one-way trips (94 round trips) when compared to existing conditions. Traffic queues along Commerce Drive were also considered to determine if the project would block nonmotorized access at the Multi-Use Path crossing. The analysis determined that the resulting traffic queue would be a maximum of no more than one vehicle long for 95 percent of the time. The Traffic analysis concluded that truck queuing is not anticipated to block pedestrian/bicycle access along the Meridian Connector multi-use path crossing.

The project plan sheet C3.1 (Work Sequencing Plan of **Attachment C**) includes continued operations of the existing transfer station and use of the administrative office building throughout construction of the new transfer station facilities. To enable continued operations at the site, demolition of the office building would not occur until the new office building is completed.

Approximately 25 employees would work at the facility (five employees for the transfer station, six employees in the office, and 14 employees for the fleet maintenance facility consisting of two mechanics and 12 drivers). In total, the project would result in three net new employees, two additional employees staffed at the transfer station and one additional employee would be staffed at the buy-back/recycling center.

Figure 2: Proposed Site Plan - 59 Commerce Drive

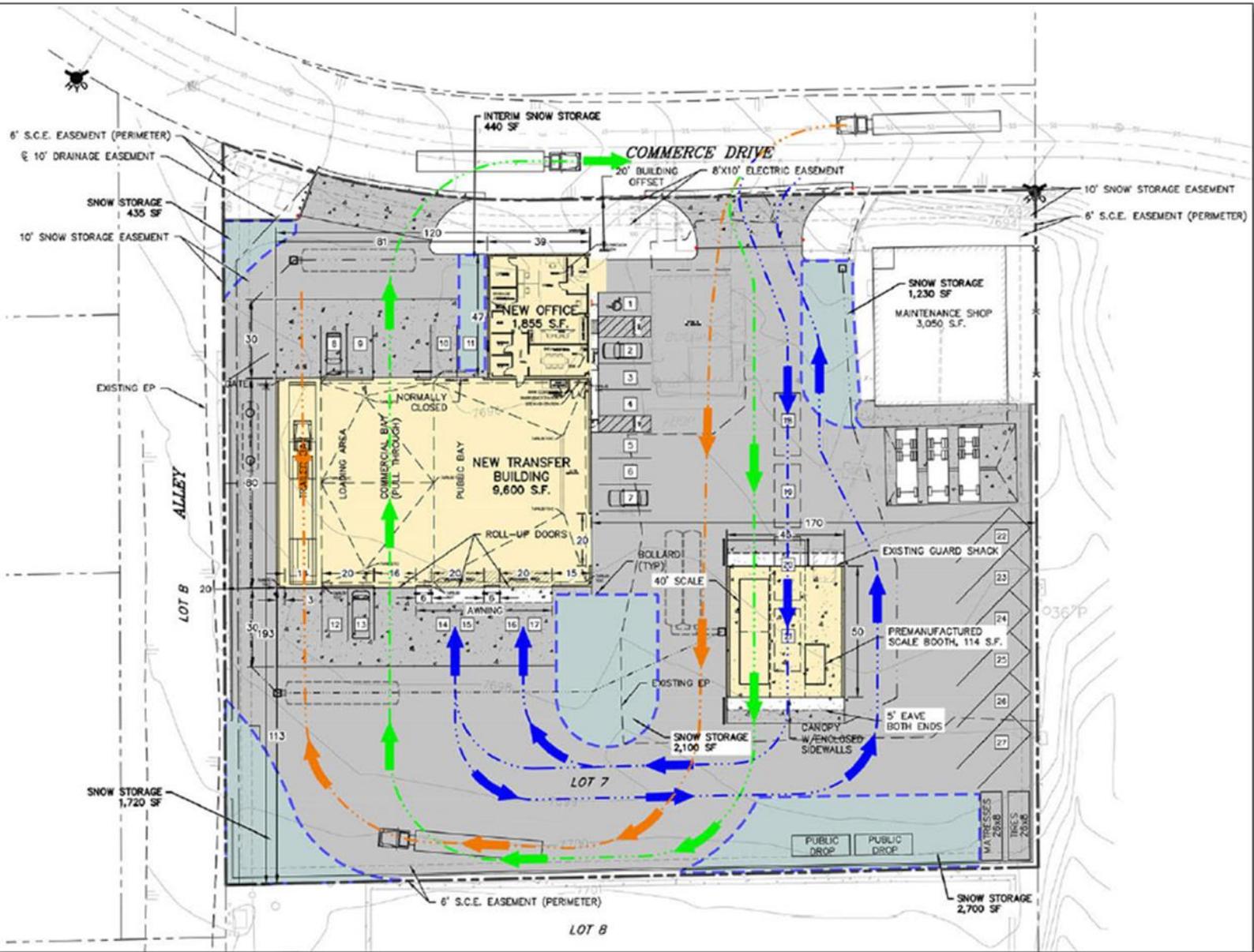
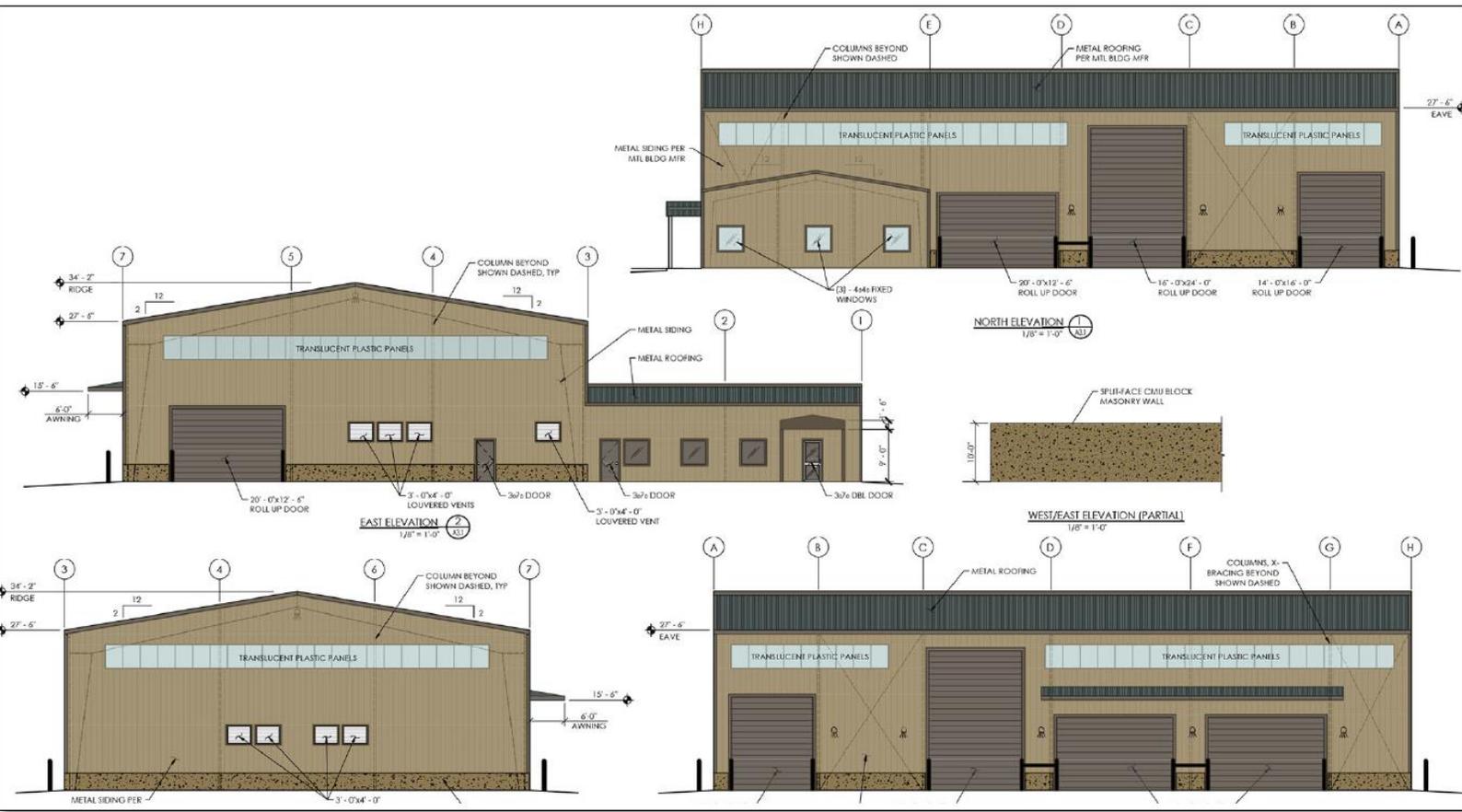
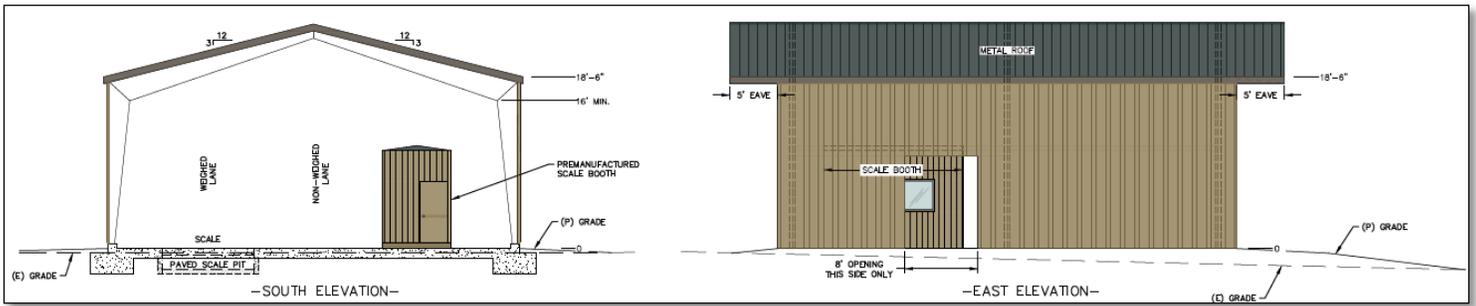


Figure3: Proposed Transfer Station Building Elevations and Exterior Colors



Proposed Scale Booth and Truck Scale Canopy Elevations



Proposed Exterior Colors (MBCI standard commercial coating colors)



Proposed Improvements at the 264 Commerce Drive Site are described below and illustrated in **Figure 4**:

The existing 6,800-square foot metal building currently used for Mammoth Disposal's fleet maintenance operations would be repurposed for operation of the buy-back/recycling center. As shown on **Figure 4, Recycling Center Site Plan**, the center would be divided into three major public operational areas: a buy-back center for CRV containers; a non-buy-back recycling center; and a household hazardous waste recycling area. Non-public areas include a commercial unloading and curbside recyclables sorting area; commercial cardboard recycling and baling area; and a baling, loading, and transport area. To convert the building into a recycling center, the project proposes to move portable bins and equipment from the 59 Commerce Drive Site to the 264 Commerce Drive Site. No major physical improvements to the building or paved area are proposed, with the exception of new drainage and utility improvements, perimeter masonry wall construction, and relocation of collection bins. The proposed improvements on-site include the following:

- Construction of a 6-foot-tall masonry wall along the south and west sides of the property and an optional gated entry near the southeast corner. The wall is for screening purposes.
- Installation of a new Asphaltic Concrete (AC) swale near the south end of the property to direct stormwater runoff from the site into the south drywell; and
- Parking lot striping for 14 vehicle parking spaces, including three loading spaces;
- Expansion of two existing drywells (with installation of a filter/sand-oil interceptor) to increase storage capacity;
- Installing other non-structural modifications as needed for recycling facility operations;

Proposed Operations – 264 Commerce Drive

Currently, the existing buy-back/recycling center receives an average of approximately 2.3 tons per day with an estimated peak of 3.2 tons per day. Upon implementation of the proposed project, the relocated buy-back/recycling facility is anticipated to receive an average of approximately 11 tons per day and peak of 36 tons per day, which accounts for the volume of recyclable materials previously received at the Benton Crossing Landfill. The relocated recycling center is anticipated to generate an average of 90 vehicle trips per day with a peak of approximately 105 trips per day; however, the facility is designed to accommodate a peak of 200 trips per day.

The buy-back/recycling facility would be open from 6:30 a.m. to 9:00 p.m. daily and would accept both mixed recyclables from curbside recycling and source-separated recyclables from public and commercial sources. Route trucks that collect curbside recyclables from the Town would unload the mixed recyclables inside Bay #2 of the building as shown in **Figure 4**. A skid steer would be used to pile the recyclables and gradually feed them into a hopper at a sorting line. Employees would pick materials off the sorting line and separate them into bins before emptying bins into a bale hopper to be baled.

The 6,800 square foot building requires eleven parking spaces. Fourteen parking spaces are provided, including three spaces in queue for unloading areas, which exceeds the minimum number of parking spaces required for the site. A total of 2,920 square feet of snow storage area (91% of the required 3,216 square feet) is provided. Since the proposed amount of snow storage area is below the 40-percent requirement, the applicant is requesting the option to provide a snow management plan for snow removal through the Use Permit application process, as an alternative to providing all snow storage on-site.

Figure 4 - Recycling Center Site Plan



Figure 5: 264 Commerce Drive Site Photo – Existing Structure



Figure 6: 264 Commerce Drive Site Photo – Looking Towards Commerce Drive Site Access



Existing Site and Surrounding Land Uses

The project sites have been previously developed and are in an urbanized area of the Town. Adjacent land uses include industrial and open space. Land uses in the vicinity of the project are primarily comprised of industrial, open space, public park, and single-family residential uses. **Table 1** further describes the surrounding land uses and zoning.

Table 1: Surrounding Land Uses and Zoning.

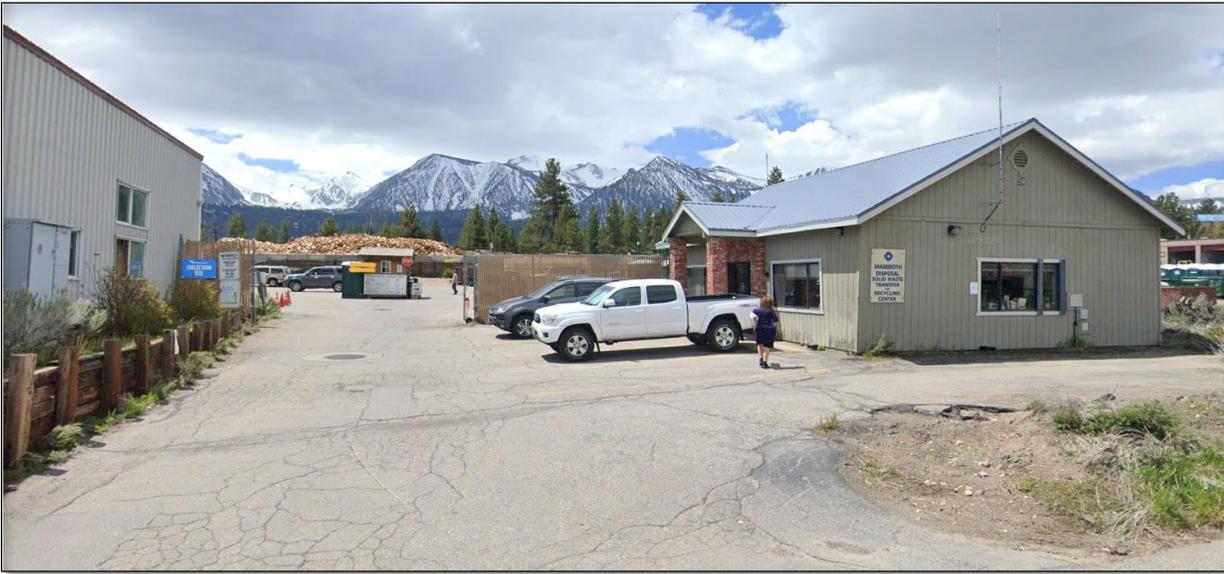
Location	Zoning*	General Plan Designation	Land Use
North	I, OS	Industrial (I), Open Space (OS)	Industrial uses and open space are located north of the project’s northern boundary. Further north is SR-203 and additional open space.
South	I, IP, RSF	Industrial (I), Public and Quasi-Public (P-QP), Low Density Residential 2 (LDR-2)	Industrial uses, the Volcom Brothers Skate Park, and single-family residential uses are located south of the project site (The Trails). Further south is Meridian Boulevard and vacant open space.
East	I, P-QP	Industrial (I), Public and Quasi-Public (P-QP)	Meridian Boulevard is located to the east of the project site. Across Meridian Boulevard is the Mammoth Community Water District main office facilities and Wastewater Recycled Water Treatment Plant and open space.
West	I, RSF	Industrial (I), Low Density Residential 2 (LDR-2)	Industrial uses, single-family residential uses, and open space are located to the west. Mammoth Mountain RV Park and Mammoth Elementary School are located further west.

*I = Industrial; IP = Institutional Public; OS = Open Space; P-QP = Public and Quasi-Public; RSF = Residential Single-Family

Figure 7: 59 Commerce Drive Site Photo – Street Frontage



Figures 8 and 9: 59 Commerce Drive Site Photos



Site Zoning

The entire project is located within the Town's Industrial (I) zoning district, the intent of which is *"to reserve appropriately located areas for viable industrial uses distanced from residential uses or other incompatible uses in order to protect residential and commercial uses from noise, odor, dust, smoke, truck traffic, and other objectionable influences incidental to certain industrial uses [and]to provide an area for light industrial and limited service type uses that minimize impacts on adjacent land use patterns and the environment "* (MC Section 17.28.010).

Transfer Station uses are classified under the Town's "Utilities, Major" land use category, which includes solid waste collection, transfer station, and material recovery facility uses. The proposed expansion of the existing small-volume transfer station use at the 59 Commerce Drive Site requires approval of a Use Permit (UPA) in order to permit the proposed large-volume transfer station use. The proposed structures and other site improvements

require Design Review (DR) approval, and a Variance (VAR) is required in order to permit a 10-foot-tall perimeter wall because the maximum fence or wall height is 8-feet.

A separate Use Permit is required to permit the proposed relocation and operation of the buy-back/recycling center at the 264 Commerce Drive Site. The proposed use is classified under the Town’s “Recycling Facility” land use category and is further defined as a “Large Collection Facility” within that use classification.

The project meets the development standards applicable to new development in the Industrial (I) zoning district including standards for building height, setbacks, parking, landscaping, exterior lighting and screening. Due to the physical site constraints at both sites, and year-round internal truck circulation and access requirements, the applicant is requesting the option to provide a snow management plan for snow removal through the Use Permit application process. A snow management plan would satisfy snow storage requirements of Municipal Code Section 17.36.110, *Snow Storage*. A snow management plan allows for approval of temporary on-site snow storage areas and a snow removal schedule as an alternative to providing all required snow storage on-site.

A Variance is requested to permit an increase in the allowable fence and wall height from 8 feet to 10 feet, which is described in greater detail in the Analysis of Key Issues.

General Plan

The 2007 *Town of Mammoth Lakes General Plan* land use map designates the entire project site as Industrial (I). The Industrial land use designation allows a limited variety of light manufacturing and service uses that can be contained within wholly enclosed structures. The project would be consistent with this requirement because the entire project site is located within the Town’s Industrial zoning district and the proposed operations would primarily be conducted within wholly enclosed structures.

II. ANALYSIS OF KEY ISSUES

KEY ISSUE #1:

- **Does the proposed project meet the Use Permit criteria and required Findings pursuant to Municipal Code (MC) Chapter 17.68 to permit a “Utilities, Major” land use for the proposed expansion of an existing small-volume transfer station to be permitted as a large-volume transfer station operation at 59 Commerce Drive?**

Staff has determined that the required findings can be met for approval of a Use Permit pursuant to Section 17.68.050 (Use Permit Findings) of the Town of Mammoth Lakes Municipal Code. Staff’s complete analysis of the required findings can be found in the project Resolution No. PEDC 2021-05, included as **Attachment A**.

- **Does the proposed project meet the Use Permit criteria and required Findings pursuant to Municipal Code (MC) Chapter 17.68 to permit the proposed “Large Collection Recycling Facility” operation located at 264 Commerce Drive?**

The Staff has determined that the required findings can be met for approval of a Use Permit pursuant to Section 17.68.050 (Use Permit Findings) of the Town of Mammoth Lakes Municipal Code. Staff’s complete analysis of the required findings can be found in the project Resolution No. PEDC 2021-06, included as **Attachment B**.

KEY ISSUE #2: Does the proposed project meet the Design Review criteria pursuant to Municipal Code (MC) Section 17.88.050 and the Required Findings set forth in MC Section 17.88.060?

Design Review findings for approval are included in Municipal Code Section 17.88.050. The purpose of Design Review is to implement the General Plan policies related to community design and character, to promote excellence in site planning and design to complement the natural environment and enhance the image of the town as a mountain resort community, and to ensure that the architectural design of structures and their materials and colors are appropriate to the function of the project and visually harmonious with surrounding development.

Staff finds that the proposed site layout and building design meets the overall intent of the Design Review criteria. Below is staff's analysis of the project's consistency with the Design Review criteria:

Design Review Criteria:

To obtain design review approval, projects must satisfy the following criteria to the extent they apply:

- 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 transfer station building, metal canopy, scale booth, and other site improvements are designed to integrate with the surrounding natural environment and adjacent industrial uses to the extent feasible, given the industrial nature of the use.

The primary architectural characteristic of existing development within the industrial district features metal buildings with shed roofs. The proposed building design is similar to other metal buildings in the same zone, with the primary design objective being functionality and minimizing the visual presence of the proposed structures through appropriate massing and earth tone color palette.

The height of the proposed transfer station building is 34 feet 2 inches, and the metal canopy structure is approximately 25 feet tall. These structures represent the tallest structures proposed at the site and are within the maximum 35-foot height standard. The exterior building colors selected for the project are based on the Mammoth Lakes Design Guidelines Color Handbook recommendations, which incorporates the desired color palette for the Town. The proposed building colors include coordinated body, trim, accent and roof color, and are the specified commercial coating colors available for the metal building components.

The proposed building design and site improvements combine together in a visually cohesive manner that is compatible with the surrounding natural environment and complements the character of properties in the project vicinity.

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

The proposed project is located directly off of Commerce Drive within the fully developed street network of the Industrial zone. In general, the existing business park does not have pedestrian facilities or pedestrian furniture; however, there is an existing Multi-Use Path that crosses the intersection of Meridian Boulevard and Commerce Drive. In order to minimize safety hazards for

pedestrians and bicyclists crossing that intersection, town staff has included condition of approval #61, which requires the applicant to install a rectangular rapid-flashing beacon (RRFB) with pedestrian activation to the satisfaction of the Public Works Director.

Therefore, compliance with conditions of approval imposed on the project would ensure that the project would not conflict with policies pertaining to the existing multi-use path and development of the proposed project would not result in any other impacts to existing pedestrian facilities in the project vicinity.

- 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.**

Due to the unique drive-thru nature of the use, the paths of travel through the site for public vehicles, commercial and transfer truck routes are illustrated on the site plan to show how the proposed operations would prevent conflicts between vehicles accessing the site. Two driveways would be paved for improved truck access and will allow transfer and commercial (route trucks) to exit the property by driving straight through the designated transfer station truck bay. The project would provide 27 on-site parking spaces, including unloading spaces, which exceeds the Town's parking requirement of 23 spaces.

Parking for seven vehicles including a van accessible parking stall is provided next to the new office building. This parking area is intended to be used as short-term parking for customers to pay bills and/or setup accounts. These customer parking spaces are located away from the primary site circulation routes to prevent vehicle conflicts.

As stated above, condition of approval #61 requires the project applicant to install a rectangular rapid-flashing beacon (RRFB) with pedestrian activation at the Meridian Connector multi-use path crossing at Commerce Drive to minimize safety hazards for pedestrians and bicyclists at this location.

- 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.**

As shown on the *Site Lighting Plan* (Figure 6.A. of Attachment C), exterior light fixtures would be installed along the perimeter of the transfer station building and office building. Additionally, two exterior lights on the eastern edge of the site will be relocated to the interior side of the proposed perimeter wall. The light fixture specifications provided with the *Site Lighting Plan* illustrate light fixture types that comply with Municipal Code Section 17.36.030, *Exterior Lighting*. Condition of Approval #15 is included to ensure that the exterior lighting is inspected prior to issuance of a Certificate of Occupancy to ensure all outdoor light fixtures are designed, located, installed, aimed downward or toward structures, and retrofitted, if necessary, in order to prevent glare, light trespass, and light pollution.

- 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 existing site condition does not feature any existing native trees, so there will be not trees removed as a result of project implementation. The landscape plan includes 2,300 square feet of site area (10% of designated required parking) for landscaping along the Commerce Drive street frontage. The landscape areas incorporate natural stone boulders, shrubs, and six native Jeffrey Pine trees. The proposed location and landscape type promotes a natural aesthetic by utilizing drought tolerant species that are native to this region.

In addition to the above criteria, the Municipal Code requires that a Design Review Application demonstrate consistency with the applicable standards and requirements of the Zoning Code, the General Plan and the applicable Town of Mammoth Lakes Design Guidelines, and any other requirements associated with previous or existing planning or zoning approvals for the site. Municipal Code development standards are outlined in the following Table 2.

Table 2: Development Standards Consistency Analysis.

Development Standard	Industrial (I) Zone Requirement	Proposed Project		Does Project Satisfy Requirement?
		59 Commerce Drive Site	264 Commerce Drive Site	
Lot Size	Lot Area: 8,000 square feet; Lot Area for Corner Lots: 9,000 square	81,457 square feet	23,958 square feet	Yes
	Minimum Lot Width: 75 feet	307 feet	150 feet	Yes
	Minimum Lot Depth: 100 feet	260 feet	160 feet	Yes
	Minimum Buildable Site Area: 50 square feet	81,457 square feet	23,958 square feet	Yes
	Minimum Width/Depth for a Building Site: 50 feet	307 feet	150 feet	Yes
	Maximum Slope for a Building Site: 30%	<5%	<5%	Yes
Setbacks	Front Yard to Structures: 20 feet	20 feet	95 feet	Yes
	Side Yard: 0 feet	20 feet	6 feet	Yes
	Rear Yard: 10 feet	113 feet	6 feet	Yes
Maximum Lot Coverage	100% (exclusive of snow storage easements)	93.8%; 76,337 square feet	92.6%; 22,194.6 square feet	Yes
Maximum Height	35 feet	35 feet	28 feet	Yes

Development Standard	Industrial (I) Zone Requirement	Proposed Project		Does Project Satisfy Requirement?
		59 Commerce Drive Site	264 Commerce Drive Site	
Required Snow Storage Area	40% of all parking and driveway areas	22,300 square feet required, 8,625 square feet (39% of required area) provided	3,216 square feet required, 2,920 square feet (90.6% of required area) provided	Yes, upon approval of Snow Management Plans under requested Use Permits
Propane Tanks	Shall not be located in the front or street side yard setback areas; Shall be painted tan or light green	Existing tank near southeast corner of existing buy-back/recycling center building would remain; no additional tanks proposed.	Existing tank in southwest corner of site may remain; no additional tanks proposed.	Yes
Dumpsters	Provide paved area for dumpsters and recycling containers to be readily accessible to refuse collection and recycling vehicles; Shall not be located in the front or side setback area; Shall be animal resistant.	All driveway and parking areas would be paved. Dumpsters would not be placed outdoors. Proposed 10-foot masonry wall would provide additional security for deterring animals from accessing the site.	Existing site is entirely paved, no changes proposed. Dumpsters would be situated on pavement and readily accessible to refuse collection and recycling vehicles. Further, due to the site's location, separated from public right-of-way by two other properties, dumpsters would not be readily visible from Commerce Drive.	Yes
Fence/Wall Height	8 feet; must be setback 10 feet from property line along Commerce Drive or other access way off Commerce Drive	10-foot tall masonry unit block wall (split face or other decorative masonry design) along eastern, southern, and western boundaries	Proposed 6-foot tall masonry wall along the southern property boundary for screening and increase in height of four-foot retaining wall on the west property boundary to 6 feet for screening.	Yes, upon approval of Variance for wall height increase at 59 Commerce Drive Site
Fence Materials	Chain link is allowed for industrial uses but shall be painted or coated in a dark green, brown, or black color	Emergency chain link gate coated in either dark green, brown, or black color	6-foot tall access gate (chain link with slats) proposed at property entrance	Yes
Parking	Zone 3: 1.6 minimum spaces and 4.0 maximum spaces per 1,000 gross leasable area	23 spaces required, 27 spaces provided	11 spaces required, 14 spaces provided	Yes

Municipal Code Section 17.52.250, *Recycling Facilities*, provides additional development standards specific to commercial recycling facilities. Table 3, *Recycling Facilities Consistency Analysis*, analyzes the proposed buy-back/recycling center’s consistency with applicable standards. As shown, the relocated buy-back/recycling center on the 264 Commerce Drive Site would be consistent with the applicable standards.

Table 3: Recycling Facilities Consistency Analysis

Development Standard	Recycling Facilities Requirement	Proposed Project (264 Commerce Drive Site)	Does Project Satisfy Requirement?
Signage	<p>Collection containers and reverse vending machines shall be clearly marked to identify the type of material which may be deposited, and display a notice stating that discarded material shall not be left outside of the recycling container or machine;</p> <p>The facility shall be clearly marked to identify the name and telephone number of the operator and the hours of operation</p>	<p>The buy-back/recycling center would provide collection container bins that are clearly marked to identify the type of material which may be deposited. The name and telephone number of the operator (Mammoth Disposal) and hours of operation would be identified at the site entrance.</p>	Yes
Refuse Disposal	<p>Facilities shall maintain adequate on-site refuse containers for the disposal of non-recyclable and non-hazardous waste materials.</p>	<p>Non-recyclable and non-hazardous waste materials would not be stored at the 264 Commerce Drive Site. Instead, such refuse would be transferred to the 59 Commerce Drive Site for sorting and transfer.</p>	Yes
Large Collection Facilities/Processing Facilities Standards			
Location Requirements	<p>The facility shall be located a minimum of 50 feet from a parcel zoned or occupied for residential use.</p>	<p>The closest residence to the 264 Commerce Drive Site is approximately 850 feet to the south.</p>	Yes
Container Location	<p>Any containers provided for "after hours" donation of recyclable materials shall be permanently located at least 100 feet from any residential zone, constructed of sturdy, rust proof or painted material, have sufficient capacity to accommodate materials collected, and be secured from unauthorized entry or removal of materials.</p>	<p>No containers for “after hours” donations of recyclable materials would be provided at the 264 Commerce Drive Site.</p>	Yes

Development Standard	Recycling Facilities Requirement	Proposed Project (264 Commerce Drive Site)	Does Project Satisfy Requirement?
Limitation on Activities	Allowed activities are limited to baling, briquetting, compacting, crushing, grinding, shredding, and sorting of source-separated recyclable materials and repairing of reusable materials. Materials shall be shipped regularly. Transfer station facilities containing organic food waste shall be shipped daily.	Sorting, baling, loading, and compacting activities are proposed at the buy-back/recycling center. The project anticipates an average of 5 haul-out trips per day with a peak of 7 haul-out trips per day. Thus, recycled materials would be shipped off-site regularly.	Yes
Screening	The facility shall be located within an enclosed structure or an area enclosed on all sides by a solid masonry wall. The structure or enclosure shall be landscaped or screened on all sides visible from a different zoning designation or from a public street.	The buy-back/recycling center would be located within the existing 6,800-square foot building on the 264 Commerce Drive Site. The building is adjacent to other parcels zoned Industrial within the Mammoth Lakes Business Park and is setback approximately 245 feet from Commerce Drive.	Yes
Outdoor Storage	Exterior storage of material shall be in sturdy containers, bales, or enclosures that are secured and maintained in good condition. Storage shall be secure and not be visible above the height of the enclosure, solid masonry walls, or other screening methods.	As shown on Figure 4 , collection bins for various recyclables are proposed along the southern portion of the 264 Commerce Drive Site. The containers would be secure and in good condition and screened from public view.	Yes
Operating Standards	The site shall be maintained to be clean, sanitary, and free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis. Dust, fumes, odor, smoke, or vibration above ambient levels shall not be detectable on adjoining parcels.	Buy-back/recycling center employees would be responsible for daily maintenance of the site to ensure the site is clean, sanitary, and free of litter/loose debris. Recycling activities associated with the buy-back/recycling center are not anticipated to generate substantial dust, fumes, odor, smoke, or vibration.	Yes

General Plan Consistency:

The proposed project is consistent with the 2007 General Plan land use designation for the site, which is designated as Industrial (I), which according to the General Plan, allows a limited variety of light manufacturing and service uses that can be contained within wholly enclosed structures.

Specific General Plan Vision Statements with which the proposed project is consistent are described in **Table 4:**

Table 4: General Plan Vision Statement Conformance

General Plan Vision Statement	Explanation of Project Conformance
<i>“Sustainability and continuity of our unique relationship with the natural environment”</i>	The project operations (transfer station and recycling facilities) would be required to comply with all applicable legislations. Waste produced by the project would be required to comply with the provisions of AB 939 and AB

	341, requiring diversion of 50 percent of a jurisdiction's solid waste stream and 75 percent diversion of commercial waste, respectively.
<i>"Being a great place to live and work. Our strong, diverse yet cohesive, small town community supports families and individuals by providing a stable economy, high quality educational facilities and programs, a broad range of community services and a participatory Town government. Adequate and appropriate housing that residents and workers can afford"</i>	The proposed project provides an essential public service for the community and permitting the proposed project would result in improved facilities and improved solid waste disposal service for the Town.
<i>"Protecting the surrounding natural environment and supporting our small-town atmosphere by limiting the urbanized area."</i>	The project is located within the Urban Growth Boundary. Both sites are disturbed and are in an urbanized area of the Town.

The project is consistent with the following General Plan goals, policies, and actions as described in **Table 5**:

Table 5: General Plan Conformance with Goals, Policies, and Actions

Goal, Policy, or Action	Explanation of Project Conformance with Goal, Policy, or Action
C.2.V: Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.	Building height and massing are similar to the heights and massing of surrounding industrial buildings. The overall building height for the project does not exceed 34 feet 2 inches. Additionally, the proposed facility is at a lower elevation than other areas of the Industrial business park and The Trails residential neighborhood, so that there is no impact to views of the surrounding mountains or scenic vistas.
C.3.F: Underground utilities within the community.	All utility connections for the project will be placed underground.
C.4.C: To retain the forested character of the Town, require use of native and compatible plant species in public and private developments and aggressive replanting with native trees.	The project will plant six new Jeffery Pine trees and native shrubs within the proposed landscape area. Maintenance of these landscaped areas would reintroduce native tree species to the site.
L.1.C: Give preference to infill development.	The project is an infill development in that the proposed sites are already developed or disturbed and are being redeveloped.
R.9.A: Support programs to recycle materials such as paper, cardboard, glass, metal, plastics, motor oil; and programs to compost or chip for mulch tree cuttings, brush, and other vegetation.	The proposed project will result in improvements to the recycling programs available to the community.

Consistency with Town of Mammoth Lakes Design Guidelines

Pursuant to Section 17.88.030 of the Municipal Code, Design Guidelines adopted by the Town Council provide recommendations to be used in the design review process. They are intended to promote high-quality and thoughtful site and building design; visually interesting, appropriate, well-crafted and maintained buildings and

landscaping; the use of durable high-quality, and natural materials that reflect Mammoth Lakes' character and mountain setting; and attention to the design and execution of building details and amenities in both public and private projects. The Design Review process is intended to implement the recommendations of the Town Design Guidelines, and the design review criteria are intended to encompass the primary design objectives included therein. In this case, staff finds that the Design Review criteria analysis above sufficiently addresses the Town Design Guidelines that are applicable to this project.

KEY ISSUE #3: Can the findings be made for approval of a Variance pursuant to MC Section 17.72.040?

Variations are intended to allow modifications to the development standards of the Zoning Code only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning district. The following represents staff's analysis of the required findings pursuant to MC §17.72.040:

Variance Findings:

- A. 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;**

The Variance is requested to increase the maximum wall height from 8 feet to 10 feet, for facility screening and security purposes. The proposed use of the site is a large-volume solid waste transfer station, which includes an outdoor storage and work area. A solid wall and gate with a minimum height of six feet is required to screen the outdoor storage and work area pursuant to MC§ 17.52.240.A.2 (Outdoor Storage and Work Areas).

The topography of the site is vertically lower than the properties located south and west of the property, which includes a residential area located approximately 850 feet southwest of the Site. Portions of the existing outdoor storage and work areas are visible from the residential neighborhood, so an increase in the height of the wall would further screen the site from that vantage point.

The proposed increase in wall height is also intended to provide greater protection from wildlife and human trespass. The existing facility has encountered human trespass, theft, and wildlife occurrences (mainly bears) in the past. The applicant has suggested that the proposed ten-foot-tall wall would be a more effective deterrent for bears and unauthorized persons that may attempt to access the site.

- B. 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;**

The solid waste transfer station is a unique use within the Town and is classified as an essential service. The proposed project would construct a new transfer station building and move the majority of existing bins and containers indoors or offsite. However, the nature of the use still requires certain items to be collected separately from the tipping floor of the indoor facility. Bulky items such as mattresses, tires, yard waste and construction and demolition debris are collected in designated bins at the southeast corner of the transfer station building and at the south east corner of the site. A reduced outdoor storage and work area will continue to exist at the site, which requires adequate screening of those areas.

Since the topography of the site is at a lower elevation than surrounding properties to the south and west, an increased perimeter wall height would provide more effective screening, which would benefit other properties in the vicinity by reducing visibility of the outdoor storage and work areas.

Additionally, comments provided by the Mono County Environmental Health department included an observation that full transfer trailers staged outside could potentially attract bears even when covered. The comment indicated that additional measures may need to be implemented to prevent the attraction of bears. The applicant has suggested that a 10-foot-tall perimeter wall is one measure that would be used to reduce the potential for bears to access the site.

The purpose of the increased wall height is for improved screening and security for the solid waste transfer station operation and does not constitute a grant special privilege.

C. 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 Industrial zoning district because perimeter walls and access gates are permitted throughout the Industrial zoning district and the requested variance does not change the use or operations of the transfer station facility.

D. 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;

The variance would not be detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity because the 10-foot-tall perimeter wall and access gates are intended to deter unauthorized human access and attraction of wildlife (primarily bears), as well as provide more effective screening of the site.

Due to the surrounding topography being situated at a higher elevation than the project site, the increased wall height will not obstruct any scenic vistas or viewsheds.

E. The variance is consistent with the General Plan;

The variance is consistent with the *Neighborhood and District Character* Element of the General Plan, which identifies General Characteristics for the Gateway District including, "Industrial uses screened from public view" and "Viewsheds are preserved." In this instance, a 10-foot-tall wall does not obstruct viewsheds because the property is at a lower elevation than most of the industrial district as well as The Trails residential neighborhood. The Variance is also consistent with the Land Use Element in that the Industrial land use designation states that uses must conform to screening standards.

F. 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

The applicant has provided the required screening for the industrial use of the site pursuant to M.C. §17.52.240 however, an additional two feet in height is requested to more effectively screen the use from properties in the vicinity as well as provide a more effective deterrent for bears and unauthorized human access. This request is the minimum departure from the requirements of this zoning code necessary to accomplish the specific design needs of the proposed solid waste transfer station facility.

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

Approval of the Variance is in compliance with the requirements of the California Environmental Quality Act (CEQA) because An Initial Study/Mitigated Negative Declaration (State Clearinghouse No. 2021050146) was prepared for the project, and the analyses provided in the IS/MND found that

there would not be a significant effect on the environment as a result of the project with mitigation measures incorporated.

KEY ISSUE #4: Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the project and was circulated for public review from May 10, 2021, to June 8, 2012. Based on the IS/MND, it was found that there would not be a significant effect on the environment as a result of the project with mitigation measures incorporated. Mitigation measures include the following:

- **CUL-1: Workers Environmental Awareness Program.** Prior to ground disturbing activities, the Project Applicant shall prepare and implement a Workers Environmental Awareness Program (WEAP) training to address cultural resources issues anticipated at the project site for review and approval by the Public Works Director. The WEAP shall include information of the laws and regulations that protect cultural resources, the penalties for a disregard of those laws and regulations, what to do if cultural resources are unexpectedly uncovered during construction, and contact information for a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, who shall be contacted in the case of unanticipated discoveries. The WEAP shall also include project specific information regarding the potential for and types of prehistoric and historic resources that may potentially be encountered.
- **CUL-2: Archaeological and Native American Monitoring.** A qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, and qualified Native American monitor shall be retained to perform all mitigation measures related to prehistoric and historic cultural and tribal cultural resources for the project. An archaeologist and Native American monitor shall be present to monitor all initial ground disturbing activities associated with the project, including but not limited to: removal of building asphalt, pot-holing or auguring, grubbing, weed abatement, boring/grading of soils, drilling/trenching for utilities, excavations associated with development, etc. The monitors shall complete monitoring logs on a daily basis. The logs shall provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. In addition, the monitors are required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). If, during initial ground disturbance, the monitors determine that the ground disturbing activities have little or no potential to impact cultural resources, and/or the monitors determine that ground disturbances would occur within previously disturbed and non-native soils, the qualified archaeologist may recommend that monitoring may be reduced or eliminated. This decision shall be made in consultation with the Native American monitor and the Town of Mammoth Lakes. The final decision to reduce or eliminate monitoring shall be at the discretion of the Town of Mammoth Lakes. If cultural resources are encountered during ground disturbing activities, work in the immediate area shall halt, the qualified archaeologist shall immediately notify the Public Works Director, and the find shall be evaluated for significance under the California Environmental Quality Act and National Historic Preservation Act (NHPA). Consultation with the Native American monitor, the Native American Heritage Commission, and data/artifact recovery, if deemed appropriate, shall be conducted. The qualified archaeologist and monitors may reduce or stop monitoring dependent upon observed conditions.
- **TRA-1:** Prior to issuance of a grading permit, the project Applicant shall prepare a Traffic Management Plan (TMP) for approval by the Town's Traffic Engineer. The TMP shall specify that one lane of travel in each direction on Commerce Drive must always be maintained during project construction activities. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak

hours of truck traffic, temporary striping plans, and, if necessary, use of construction flag person(s) to direct traffic during heavy equipment use. The TMP shall be incorporated into project specifications for verification prior to final plan approval.

These Mitigation Measures are included as condition of project approval. The Draft IS/MND is included as **Attachment E** and provides the detailed analysis to support this conclusion.

During preparation of the Draft IS/MND, a request for tribal consultation (pursuant to AB 52) was received from the following Native American Tribe:

- Mono Lake Kutzadika Tribe – Chairperson, Charlotte Lange

Town staff and the consultant team held a consultation meeting with the Tribe’s Chairperson, Charlotte Lange, on April 2, 2021, to provide project information and to answer questions from the Tribe. No additional comments or requests for information were received from Chairperson Lange.

During the public comment period for the Draft IS/MND, comments were received from the following agencies:

- Great Basin Unified Air Pollution Control District (GBUAPCD)
- CalRecycle
- Mono County Environmental Health Department

Responses to the comments received during the public review period are included in the Response to Comments, which is included in the Final IS/MND (**Attachment D**).

Agency/Public Comments

Staff routed the application to the following local agencies for review: Mammoth Lakes Fire Protection District (MLFPD) and the Mammoth Community Water District (MCWD). Comments received from MCWD resulted in changes to the proposed utility infrastructure for sanitary sewer and stormwater.

In addition, notice of the public hearing including a project description was published in The Sheet on July 3rd and July 10th and notices were mailed to 43 property owners within 300 feet of the project Sites on June 30th. No public comments were received at the time this report was written.

III. 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 Resolutions, making the required CEQA and Municipal Code findings, and approving Use Permit #UPA 20-001, Design Review #DR 20-002 and Variance #VAR 20-001, and Use Permit Application #UPA 20-004 with conditions as recommended by staff or with modifications.

Attachments

Attachment A: Planning and Economic Development Commission Resolution PEDC 2021-05

Attachment B: Planning and Economic Development Commission Resolution PEDC 2021-06

Attachment C: Project Plans

Attachment D: Final MND

Attachment E: Draft IS/MND