

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

Recordation fee exempt per Government Code §27383
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RESOLUTION NO. PEDC-2013-08

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND
ECONOMIC DEVELOPMENT COMMISSION
APPROVING TENTATIVE PARCEL MAP 11-001, TO ALLOW
ONE LOT TO BE SUBDIVIDED INTO TWO LOTS
FOR PROPERTY LOCATED AT 70 CARTER STREET
(APN: 022-321-001-000)**

WHEREAS, a request for consideration of a Tentative Parcel Map was filed by Triad/Holmes Associates on behalf of Jim Dankahl, property owner, to allow a subdivision, in accordance with Town's Subdivision Ordinance and Section 17.16 of the Town of Mammoth Lakes Municipal Code, for property located within the Rural Residential (RR) Zoning District at 70 Carter Street; and

WHEREAS, the Planning and Economic Development Commission conducted a Noticed Public Hearing on the application request on June 26, 2013, which was continued to the regular Commission meeting on September 11, 2013, which was continued to the special Commission meeting on September 25, 2013, at which time all those desiring to be heard were heard; and

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

1. The Agenda Reports to the Planning and Economic Development Commission with exhibits;
2. The State Map Act, General Plan, Municipal Code, 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: Sheet 1 d:

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.

MND - California Environmental Quality Act Guidelines Section 15074:

- a. The Planning and Economic Development Commission considered the Addendum to Grading Plan Check 94-01 Initial Study/Mitigated Negative Declaration together with Grading Plan Check 94-01 Initial Study/Mitigated Negative Declaration (SCH# 1994042008), any comments received, including the Mitigation Monitoring and Reporting Program, and finds that on the basis of the whole record, there is no substantial evidence that the Project will have a significant effect on the environment with the incorporation of mitigation measures.
- b. The Planning and Economic Development Commission finds that the Addendum to Grading Plan Check 94-01 Initial Study/Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.
- c. 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 R, Mammoth Lakes, California 93546.
- d. A program for reporting on or monitoring the required mitigation measures has been prepared and will be adopted as a condition of approval of Tentative Parcel Map 11-001.
- e. The Planning and Economic Development Commission finds that Project 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 more than ten miles from the Mammoth Yosemite Airport.
- f. Mitigation Measure 1 has been revised as a result of the biological resource assessment and comments from Lahontan Regional Water Quality Control Board and the Department of Fish and Wildlife, and the revised language as identified in the Mitigation Monitoring and Reporting Program is more effective in mitigating or avoiding potentially significant effects and that those revisions will not cause any potentially significant effect on the environment.
- g. All mitigation measures shall be conditions of Project approval.

2. SUBDIVISION MAP ACT FINDINGS. (State Map Act Section 66474)

- a. The proposed map is consistent with applicable general and specific plans as specified in Section 66451 of the Subdivision Map Act because the subdivision is in conformance with the Low Density Residential-1 designation in the General Plan and does not exceed the maximum permitted density of two units per acre. A condition of approval requires design review for future development of Parcel 2 to ensure compliance with the General Plan, including Policies C.4.A: Development shall be designed to provide stewardship for significant features and natural resources of the site, R.2.C: Avoid wetland disturbance to greatest extent possible by requiring all feasible project modifications, and R.2.E: Require open space in the following areas: lands with slopes in excess of 20-25%, wetland areas, stream corridors, scenic corridors. There is no applicable specific plan.
- b. The design and improvements of the subdivision are consistent with applicable general and specific plans because the proposed lots are consistent with the allowable density, the parcels provide buildable areas that would allow the wetland area to be avoided, and because the project complies with the development standards of the Rural Residential Zoning District with an Equestrian overlay. There is no applicable specific plan. The development conforms to current Municipal Code development standards that implement the goals and policies of the Town of Mammoth Lakes General Plan because the proposed lots meet the minimum lot standards, including size, width, depth, and buildable area. A condition of approval requires design review for future development of Parcel 2 to ensure compliance with the General Plan, including Policies C.4.A: Development shall be designed to provide stewardship for significant features and natural resources of the site, R.2.C: Avoid wetland disturbance to greatest extent possible by requiring all feasible project modifications, and R.2.E: Require open space in the following areas: lands with slopes in excess of 20-25%, wetland areas, stream corridors, scenic corridors.
- c. The site is physically suitable for the type of development because the lots meet the minimum lot standards for the Rural Residential Zone with an Equestrian overlay.
- d. The site is physically suitable for the proposed density of development because the density is less than what is permitted in the General Plan and both lots contain buildable areas that meet the Municipal Code requirements and are already disturbed.

- e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially injure fish or wildlife or their habitat since the parcels provide buildable areas that would allow the wetland area to be avoided by future development. An Addendum to Grading Plan Check 94-01 Initial Study/Mitigated Negative Declaration (IS/MND) (SCH# 1994042008) was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines § 15164, which found that the project modifications would not result in any additional impact or increase in impacts identified in the IS/MND. The Addendum includes a mitigation measure that requires wetland replacement if any wetland loss would occur with future development. Future development is required to comply with the mitigation measures, CEQA, and conditions of approval herein.
- f. The design of the subdivision and the types of improvements are 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. Conditions of approval require that the Mammoth Lakes Fire Protection District standards are met.
- 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 since all easements are currently in place on, or can be extended to, the property and the proposed subdivision will not impact upon adjacent property easements. A condition of approval requires the property owner to demonstrate that access rights exist from Carter Street to Parcel 2 in order to take access off of Carter Street. If access rights do not exist, access to Parcel 2 shall be off Tamarack Street.
- h. The single family lots proposed comply with the Town's Subdivision Ordinance and Municipal Code standards for subdivisions and lot dimensions for the Rural Residential Zone with an Equestrian overlay.
- i. The Planning and Economic Development Commission finds that the undergrounding of existing overhead utilities along the project frontage is not required pursuant to Subdivision Ordinance 17.16.200 because on November 10, 2004 the Commission took action that undergrounding in-lieu fees be waived if the applicant signs an agreement that they do not oppose the formation of a utility undergrounding district, and this requirement is included in the conditions of approval, Attachment "A."

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

1. Considered the Addendum to Grading Plan Check 94-01 Initial Study/Mitigated Negative Declaration (IS/MND) (SCH#1994042008), including the Mitigation Monitoring and Reporting Program, pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
2. Approves Tentative Parcel Map 11-001 subject to the following conditions:
(SEE ATTACHMENT "A")

PASSED AND ADOPTED this 25th day of September 2013, by the following vote, to wit:

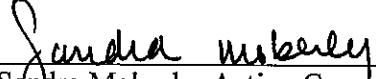
AYES: Brown, Duggan, Fernie, Tenney


NAYS:

ABSENT:

ABSTAIN: Harvey

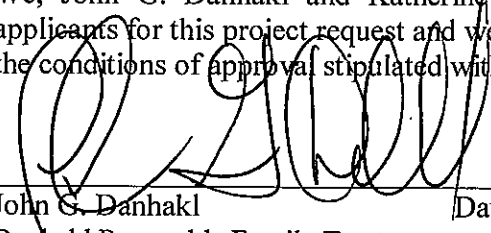
ATTEST:


Sandra Moberly, Acting Community &
Economic Development Director


Madeleine "Mickey" Brown, Chair of
the Mammoth Lakes Planning &
Economic Development Commission

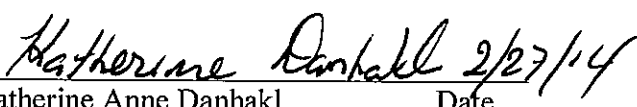
NOTE: This action is subject to Chapter 17.68 of the Municipal Code, which specifies time limits for legal challenges.

We, John G. Danhaki and Katherine Anne Danhaki, are the property owners and applicants for this project request and we do hereby attest that we have read, and agree to, the conditions of approval stipulated within this Resolution.


John G. Danhaki
Danhaki Revocable Family Trust
(Notary Required)

Date

2/27/14


Katherine Anne Danhaki
Danhaki Revocable Family Trust
(Notary Required)

Date

2/27/14

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

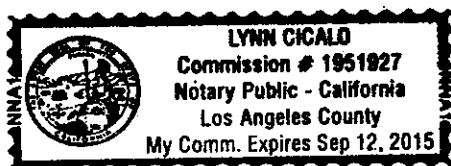
CIVIL CODE § 1189

State of California

County of LOS ANGELES

On FEB. 27, 2014 before me, LYNN CICALO
Date Here Insert Name and Title of the Officer

personally appeared JOHN G. DANHAKL and KATHERINE
Name(s) of Signer(s)
ANNE DANHAKL



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ /they executed the same in ~~his~~ ~~her~~ /their authorized capacity(ies), and that by ~~his~~ ~~her~~ /their 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: Lynn Cicalo
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

☐ Corporate Officer — Title(s): _____ ☐ Corporate Officer — Title(s): _____

☐ Individual ☐ Individual

☐ Partner — ☐ Limited ☐ General ☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact ☐ Attorney in Fact

☐ Trustee ☐ Trustee

☐ Guardian or Conservator ☐ Guardian or Conservator

☐ Other: _____ ☐ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____

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OF SIGNER
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RIGHT THUMBPRINT
OF SIGNER
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ATTACHMENT "A"
Resolution No. PEDC-13-08
Case No. TPM 11-001

PLANNING DIVISION CONDITIONS

1. This approval authorizes the following: The subdivision of 70 Carter Street into two lots subject to the conditions of approval herein.
2. This permit and all rights hereunder shall automatically terminate unless the business operation, site preparation or construction has been commenced within 24 months 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 the Subdivision Map Act.
3. 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 of the use permit under Section 17.60.130 of the Mammoth Lakes Municipal Code.
4. 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.
5. 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.
6. 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.
7. All conditions of this map shall be met or secured prior to final occupancy approval of any tenant improvements or new structures.
8. 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.
9. 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 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.

10. Prior to the issuance of a building permit, the applicant shall pay Development Impact Fees as prescribed by ordinance or resolution.
11. 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.
12. The approved site plans shall be adhered to and maintained for the duration of the permit or as may be modified by the conditions herein.
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 17.68.
14. Prior to receipt 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. Pursuant to Government Code Section 66474.9 the subdivider shall defend, indemnify, and hold harmless the local agency and its agents, officers, and employees from any claim, action, or proceeding against the local agency and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the local agency, 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.
16. Water and sewer improvements require a construction permit from Mammoth Community Water District. District water and sewer facilities needed to provide water supply and sewage disposal to Parcel 2 do not exist. A Mammoth Community Water District Connection Permit is required to connect any existing or new uses on Parcel 2. Prior to the Town authorizing any construction, the applicant shall obtain water and sewer permits from Mammoth Community Water District to construct these facilities and any modifications to the District Water Distribution System needed to meet Mammoth Lakes Fire Protection District requirements. The applicant shall pay applicable fees to the District for these permits.
17. Zoning entitlement 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.
18. Public trails and bike lanes must be maintained in a safe and usable condition during construction. Trails or bike lanes that are to be relocated must be relocated prior to removal of the existing facility.

SPECIAL PLANNING CONDITIONS

19. Prior to final map approval by staff, the Community and Economic Development Department shall ensure that Parcel 1 is a minimum of twenty thousand square feet.
20. The project shall comply with all of the mitigation measures identified in the Mitigation Monitoring and Reporting Program for the Addendum to Grading Plan Check 94-01 Initial Study/Mitigated Negative Declaration (IS/MND). Additional California Environmental Quality Act (CEQA) review may be required for future development.
21. Access to Parcel 2 may be off of Carter Street only if the property owner can demonstrate that access rights from Carter Street to Parcel 2 exist. If access rights to Carter Street do not exist, access shall be off of Tamarack Street. This shall be reviewed and approved by the Town prior to the approval of the final map.
22. The following items shall be reviewed and approved by the Community and Economic Development Director prior to staff approval of the final map:
 - a. The existing garage/tack room located on Parcel 2 shall be demolished or converted into a legal residential use in compliance with the Municipal Code.
 - b. The existing single family home located on Parcel 1 shall be improved to provide parking in compliance with the Municipal Code, including one enclosed parking space.
 - c. The existing pavers shall be modified so that they maintain a minimum three foot setback to the property line dividing Parcels 1 and 2.
23. The following items shall be reviewed and approved by the Public Works Director prior to staff approval of the final map:
 - a. The propane tank shall be relocated or an easement provided for use by both parcels.
 - b. If shared access is proposed, an easement shall be provided for shared access between Parcels 1 and 2. Conditions for access off of Carter Street to Parcel 2 are described in Condition of Approval 21.
24. The following Mammoth Lakes Fire Protection District conditions apply if access to Parcel 2 is off of Carter Street, as described in Condition of Approval 21:
 - a. The hammerhead will be required when construction on either lot occurs because Fire District's Code requires that there be an approved method for turning around vehicles when any roadway exceeds 150 feet. This shall be reviewed and approved by the Mammoth Lakes Fire Protection District prior to the issuance of a building permit; and

- b. A fire hydrant in the vicinity of the end of Carter Street or a dry yard pipe system with Fire Department connection ports at the end of Carter Street and another in close proximity to an existing hydrant on Tamarack Street shall be installed prior to construction on either lot. This shall be reviewed and approved by the Mammoth Lakes Fire Protection District prior to the issuance of a building permit.
25. If access to Parcel 2 is off of Tamarack Street, there shall be no through connection to Carter Street. This shall be reviewed and approved by the Mammoth Lakes Fire Protection District and Town's Public Works Department prior to approval of the final map and prior to approval of a building permit for Parcel 2.
26. Future development on Parcel 2 shall require the review and approval of a design review permit by the Community and Economic Development Commission Design Committee ("Committee"). The Committee shall review the proposed development for compliance with the General Plan, including Policies C.4.A: Development shall be designed to provide stewardship for significant features and natural resources of the site, R.2.C: Avoid wetland disturbance to greatest extent possible by requiring all feasible project modifications, and R.2.E: Require open space in the following areas: lands with slopes in excess of 20-25%, wetland areas, stream corridors, scenic corridors. A design review permit shall be approved prior to the issuance of a building permit for Parcel 2.

ENGINEERING DIVISION CONDITIONS

STANDARD CONDITIONS / GENERAL REQUIREMENTS:

27. 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 such time limitation as may be extended by law or by the Planning and Economic Development Commission in accordance with the Subdivision Map Act.
28. 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.

29. All new utility lines within, adjacent to or serving the site shall be placed underground.
30. The site grading design and all building construction shall conform to State and federal disabled access regulations.
31. Paved access is required to a maintained street. Street and traffic signs shall meet Town standards.
32. The applicant shall submit to the Town an electronic file of the final map in AutoCAD, Version 2008, or other format as may be approved by the Public Works Director, within 30 days of approval of the final map.
33. All easements and dedications shall be in a form and content acceptable to the Public Works Director.
34. Application shall be made to the Mammoth Community Water District for re-apportionment of any existing assessment lien(s) to the new lots and units proposed. The applicant shall submit a receipt of the application from MCWD to the Town prior to final map consideration by the Planning and Economic Development Commission.
35. 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.
36. 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.
37. This project is protected by the Mammoth Lakes Fire Protection District. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Marshal for verification of the then current fire protection requirements that will be required for the building permit.
38. The property owner, applicant/developer and holder of any and all permits associated with this property shall conform to the requirements of the Town of Mammoth Lakes and Federal, State, County and Local agency requirements, as they may apply. This includes, at a minimum, the CRWQCB, Lahontan District, the Great Basin Air Quality Control District, OSHA, the Mammoth Lakes Fire Protection District, and the Mammoth Community Water District.
39. Nothing in the approval of this tentative parcel 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.
40. All grading and public improvements shall be consistent with the Town Of Mammoth Standard Plans for Public Works.

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

41. The final map shall conform to the requirements of Town of Mammoth Lakes Ordinance 84-10 and all amendments thereto.
42. 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.
43. Sureties shall be posted for 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. 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.
44. Surety 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.
45. Easements shall be designed and offered for dedication on the final map in a form and in content acceptable to the Town.
46. The Property Owner shall enter into an agreement with the Town in which the Property Owner shall agree to not vote in opposition to the formation of a Utility Undergrounding District. The agreement shall run with the land and shall be binding upon all future owners of the property.
47. The Property Owner shall enter into an agreement with the Town in which the Property Owner shall agree to not vote in opposition to the formation of a Benefit Assessment District or maintenance Mello-Roos for the operation, maintenance and repair, snow removal, landscaping and irrigation, street lighting, and other things, of the public improvements along the property frontage. The agreement shall run with the land and shall be binding upon all future owners of the property.
48. Rights of way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing shall be required as necessary.
49. 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. 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).

50. 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.
51. Monumentation of the subdivision shall be installed in accordance with the Subdivision Ordinance of the Town, Ordinance 84-10.
52. A snow removal/storage plan shall be submitted by the applicant and approved by the Community and Economic Development Department. This plan and provisions for maintenance of private driveways and drainage facilities shall be included in the CC&R's prior to final map approval by Town staff.
53. The CC&R's shall contain provisions granting rights of access and parking, as necessary, to the owners, tenants, and their guests.
54. The applicant shall submit a request for unit, building and street addressing to the Town, and a request for street names for all streets within the subdivision. Approval of the addressing and street names shall be completed prior to approval of the map by staff.

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

55. An engineered grading permit shall be required for new construction that requires ground disturbance on either parcel pursuant to the requirements in the geotechnical report.
56. An application for a 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 an engineered grading, drainage and landscape/irrigation plans have been approved by the Public Works Director.
57. A grading permit for the project shall not be issued prior to 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.
58. 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.

59. 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.
60. 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.
61. 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.
62. 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.
63. 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.
64. 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.
65. Slope stability tests are required for all cuts greater than 2:1 or fills greater than 3:1 (H:V).
66. All driveways shall be constructed in accordance with the driveway standards of the Town.
67. 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.
68. The applicant shall submit a Notice of Intent and comply with the requirements of the General Construction Activity Storm Water Permit from the State Water Resources Control Board, in accordance with Board requirements.

69. 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.
70. 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.
71. Temporary and permanent erosion control plans shall be included with the grading and improvement 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 (BMP's), 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 BMP's shall be shown on the erosion control plans. If the Town inspector determines that the BMP's in place are not adequate, then additional BMP's 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.

72. A Construction Staging and Management Plan shall be submitted to, and approved by the Public Works Director prior to grading 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, 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.
73. 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 parcel map, TPM 11-001 and all mitigation measures within the Mitigation Monitoring and Reporting Program contained in the resolution recorded at the County Recorder's Office of Mono County as Document No. 2013xxxxxx, 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 sub-contractors and any person performing any work on the project." This note shall also be included within the construction staging and management plan.
74. 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.
75. 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. Surety shall be posted to cover the cost of grading and paving prior to approval by staff of the map.
76. All easements shall be shown on the grading plan.
77. 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.
78. 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:**

79. Recordation of the final map. The applicant shall provide evidence to the Town that the map has recorded prior to issuance of the first building permit for the project. Evidence shall consist of the recording information of the final map.
80. The driveway for each lot shall be designed to prevent any stormwater runoff from the private or public streets. Driveways shall slope a minimum of two percent (2%) up from the street to the garage or structure.

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

81. All required landscaping and irrigation improvements shall be constructed prior to the first temporary, conditional or final certificate of occupancy for the project. Sureties 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.
82. 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 Section 16.32.
83. Construction of private streets and private facilities and related drainage improvements shall be inspected and certified by the Public Works Director and/or designee.
84. 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 sureties posted prior the issuance of the first certificate of occupancy for the project.
85. 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.
86. All deferred survey monumentation shall be completed, or surety posted, prior to the issuance of the first temporary, conditional or final certificate of occupancy for the project.