



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: March 2, 2022

AGENDA TITLE: Public hearing and consideration of a Use Permit (UPA) and Design Review (DR) application for a proposed six-unit, multi-family residential apartment project located at 377 Manzanita Road. A Use Permit is required because the application includes a request for a density bonus pursuant to the Town's Density Bonus Ordinance. The project is reviewed under Application nos. UPA 20-002 and DR 20-004 and is categorically exempt from CEQA pursuant to Guidelines §15332, In-Fill Development Projects.

Applicant/ Property Owner: Steven Selcer

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 Resolution (the Resolution), making the required CEQA, and Municipal Code findings, and approving Use Permit #20-002 and Design Review #DR 20-004 with conditions as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution

SUMMARY:

Proposal:	The proposed apartment project consists of six multi-family dwelling units located within the Residential Multi-Family 1 (RMF-1) zoning district at 377 Manzanita Road. The application includes a density bonus request to permit three additional dwelling units through the Town’s Density Bonus Ordinance, for a total of six units, which requires a minimum of three units to be deed restricted for workforce housing. The Applicant is requesting approval of three concessions to the applicable development standards as allowed pursuant to the Density Bonus Ordinance.
Project Name:	TBD
Location:	377 Manzanita Road
Size of Property:	0.23 acres (10,018 sq. ft.)
Zoning:	Residential Multi-family 1 (RMF-1)
General Plan:	High Density Residential 1 (HDR-1)
Environmental Review:	Categorically Exempt (CEQA Guidelines Section 15332)

KEY ISSUES:

- 1. Does the proposed project meet the Use Permit criteria and required findings for a density bonus pursuant to Municipal Code (MC) Chapters 17.68 and 17.138?
- 2. Does the proposed project meet the Design Review criteria and required findings pursuant to Municipal Code (MC) Chapter 17.88?
- 3. Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

I. INTRODUCTION AND BACKGROUND

The proposed apartment project is a six-unit multi-family structure located on a .23-acre vacant lot in the Residential Multi-Family 1 (RMF-1) zoning district. The apartment building is comprised of a single, three-story building with understructure parking, covered exterior stair access and elevator access. The site provides three exterior guest parking spaces and two extra tandem parking spaces within the garage.

The project site is 0.23-acres in size, which allows for a base density of three dwelling units at the permitted density of 12 dwelling units per acre. The project application includes a density bonus request for three additional units above the property’s base density, for a total of six units. The Town’s Density Bonus Ordinance (Municipal Code Chapter 17.138, **Attachment D**) provides an alternative to the State Density Bonus program to allow smaller multi-family residential projects to qualify for a density bonus. The project is eligible to receive the requested density bonus because it is a new multi-family residential project that is located within a zoning district that allows multi-family residential uses, and the site has a base density of greater than two dwelling units. The Town Density Bonus Ordinance would require the applicant to deed restrict a at least three of the six units for workforce housing to qualify for the desired three additional units.

The Town Density Bonus Ordinance allows a developer to choose the affordability level (deed restriction category) for the deed restricted units as long as the number of eligibility points needed to qualify for the desired density bonus are earned in accordance with the adopted Eligibility Points Schedule. For this project, a density bonus of three units requires 100 eligibility points and the applicant has chosen to earn 100 points by deed restricting all

six units to the “Occupancy Restricted” ¹ affordability level category, which has no income limitations. The “Occupancy Restricted” category instead requires the units to be the principal place of residence for “Qualified Households” ², with a “Qualified Resident” ³ that is employed in either Mono or Inyo County or is retired.

Three specific conditions of approval (#24, 25, 26) are included in the attached resolution which ensure that the required number of deed restrictions and Workforce Housing Agreement are recorded against the property before a certificate of occupancy is issued for the project.

The Town’s Density Bonus program also provides one automatic incentive or concession that may be chosen from several options listed in MC §17.138.050.A. The applicant has chosen to utilize the concession allowing an increase in lot coverage, to permit an increase from the allowed 50%, to a total lot coverage of 65%.

The Density Bonus Ordinance §17.138.050.B (Additional Incentives or Concessions) allows the review authority to grant two or more additional incentives or concessions under this subsection if the applicant demonstrates that the project will provide a greater number of deed restricted units is otherwise required. In this case the applicant is proposing to provide three additional deed restricted units that would not be required based on the Eligibility Point Schedule for the project (**Attachment C**).

The Town Density Bonus Ordinance is included as **Attachment D**. Staff’s analysis of the required Use Permit and Density Bonus Findings can be found under “Analysis of Key Issues” below.

The proposed site layout and design of the structures was reviewed by the PEDC Design Committee on December 29, 2021. The Design Committee indicated that they support approval of the site layout and building design, and no revisions to the plans were requested.

The public hearing for this item was noticed for the February 9, 2022, PEDC meeting. One public comment was received prior to that meeting and is included as **Attachment E**. The February 9th PEDC meeting exceeded the time allotted for conducting the meeting, so this Public Hearing was postponed to the March PEDC meeting.

Notice of the new Public Hearing date was published in The Sheet on Saturday, February 19th and Saturday, February 26th. Notices were mailed on Wednesday, February 16th to a total of forty-eight (48) property owners within a 300-foot radius of the project site. No additional public comments were received at the time this staff report was published.

¹ **Occupancy-Restricted Household.** A Qualified Household occupied by a Qualified Resident as his or her Principal Place of Residence.

² **Qualified Household.** One (1) Qualified Resident or group of persons that contains at least one (1) Qualified Resident (who must sign the Unit lease as a tenant). A Qualified Household may have occupants that are not Qualified Residents (and who may also sign the Unit lease as tenants) as long as at least one (1) occupant who has signed the lease is a Qualified Resident.

³ **Qualified Resident.** A person that is any of the following:

- a) A natural person who works an average of 30 hours or more per week at a business located within the boundaries of Mono or Inyo County that holds a valid and current business license, or pays sales taxes, or is otherwise generally recognized as a legitimate business, or has a bona fide job offer from a business located within the boundaries of Mono or Inyo County. For example if a person worked 60 hours per week for one half of the year at such a business within the boundaries of Mono or Inyo County, and worked elsewhere for the other half of the year, such person would constitute a Qualified Resident.
- b) A natural person who at the time of application for a Unit lives within the boundaries of Mono or Inyo County.

As described in this staff report, staff finds that the project is consistent with applicable sections of the Town's General Plan, Municipal Code, and Design Guidelines. Additionally, staff determined the project to be categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332, *In-Fill Development Projects*.

Project Proposal:

As described above, the project is a six-unit multi-family apartment building consisting of a shared understructure parking garage with storage lockers and two levels of stacked apartment units. Each apartment is 960 square feet with three bedrooms, one and ½ bathrooms, an office, and two enclosed parking spaces provided in tandem.

Parking for the six units is provided in conformance with the applicable development standards, in that a three-bedroom unit requires two parking spaces and a six-unit project requires a total of three guest parking spaces. Three exterior guest parking spaces are provided including a van accessible handicap space with accessible route of travel to the elevator access. In order to provide a third exterior guest parking space, the applicant is requesting an alternative concession to allow one space to be located within the front yard setback. Two extra parking spaces are provided within the garage, which may be assigned to a specific unit to meet tenant parking needs.

The structure is situated on the northern half of the site with entrances for the units accessed by an exterior covered stairwell and/or elevator on the north side of the building. The covered stairwell includes adequate width to provide a separate 98 square foot area of private open space for each unit which includes a bike rack and room for seating. Bedroom windows, and private balconies with pedestrian doors face south, as do the individual garage doors accessing the shared parking garage, providing desirable solar orientation.

The street facing façade of the building provides habitable space with windows, two private balconies, and pedestrian doors on at least 75% of the building frontage as required by the applicable development standards for residential multi-family projects (MC §17.52.210). The west wall of the parking garage facing Manzanita Road includes a pedestrian door and windows to provide access and natural light for the storage lockers installed along the interior wall of the garage.

A 16-foot-wide shared driveway is located along the southern portion of the site to provide access to the individual garage door entrances as well as the guest parking spaces, and a dumpster enclosure located at the rear south/east corner of the site.

The design of the project has a modern form with a simple shed roof design. Desirable architectural details including recessed balconies, window awnings, variation in siding material, accent trim work, and decorative corbels underneath roof eaves provides a balance between the simple roof form and the more detailed design elements. The building materials consist of James Hardie Rustic Series lap siding with a textured wood appearance, stucco, and split face concrete block for the base of the structure. The proposed roof material is a dark charcoal asphalt composition shingle. The color palette features varying tan and grey tones, with a natural wood color for the lap siding. Accent colors are proposed for pedestrian and garage doors, trim work and fascia.

Below are the proposed building elevations shown in **Figure 1**. The project plans including site plans, building floor plans and elevations are included as **Attachment B**.

Figure 1: Building Elevations, Colors, and Materials



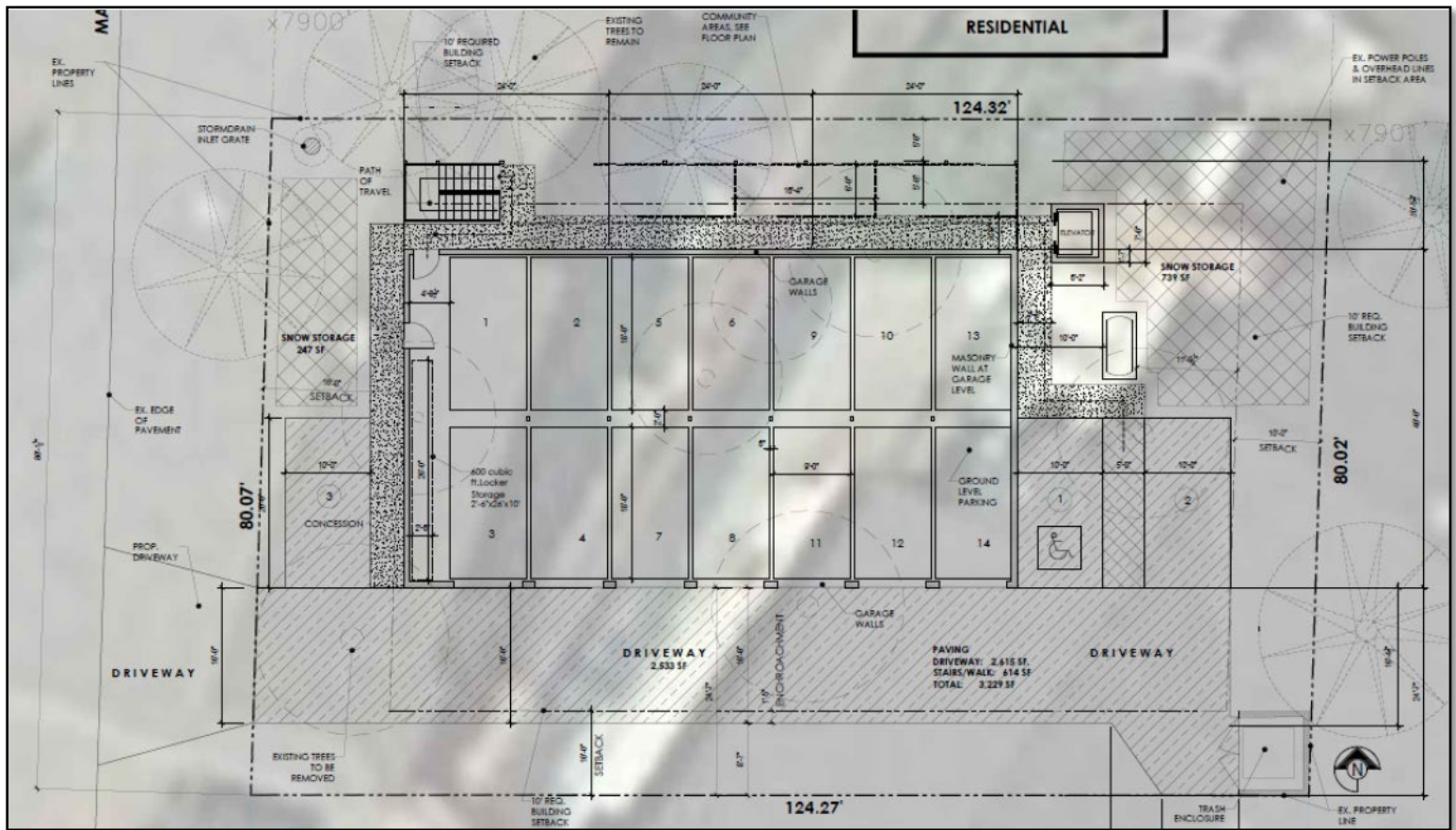
Requested Incentives/Concessions

The application requests three incentives/concessions as allowed by the Town's Density Bonus Ordinance. The project is automatically eligible for one of the allowed concessions specified in the Ordinance, and two additional concessions are requested in exchange for three additional deed restricted units that would not be required based on the Eligibility Point Schedule. The requested concessions are listed below.

1. An increase in the allowable lot coverage from 50% to 65% - Automatic concession per 17.138.050.A
2. A 20% reduction in the front and side yard setbacks - Additional concession per 17.138.050.B
3. Allow one guest parking space to be located in the front setback - Alternative concession per 17.138.050.C

The site plan below illustrates the proposed site configuration and Staff's analysis of the project consistency with the Town Density Bonus Ordinance can be found under "Analysis of Key Issues" below.

Figure 2: Proposed Site Plan



Existing Site and Surrounding Land Uses

The project site is located at 377 Manzanita Road within the RMF-1 zoning district. The property is undeveloped and features several large Jeffrey Pine trees located throughout site. The surrounding land uses include a five-unit apartment building on the adjacent property to the north, a future six-unit PUD development on the adjacent property to the south, an undeveloped adjacent parcel to the east, and a single-family residence across the street to the west. See **Figure 3** below for a map showing the site location and surrounding context. **Table 1** further describes the surrounding land uses and zoning.

Figure 3: Project Site Location Map

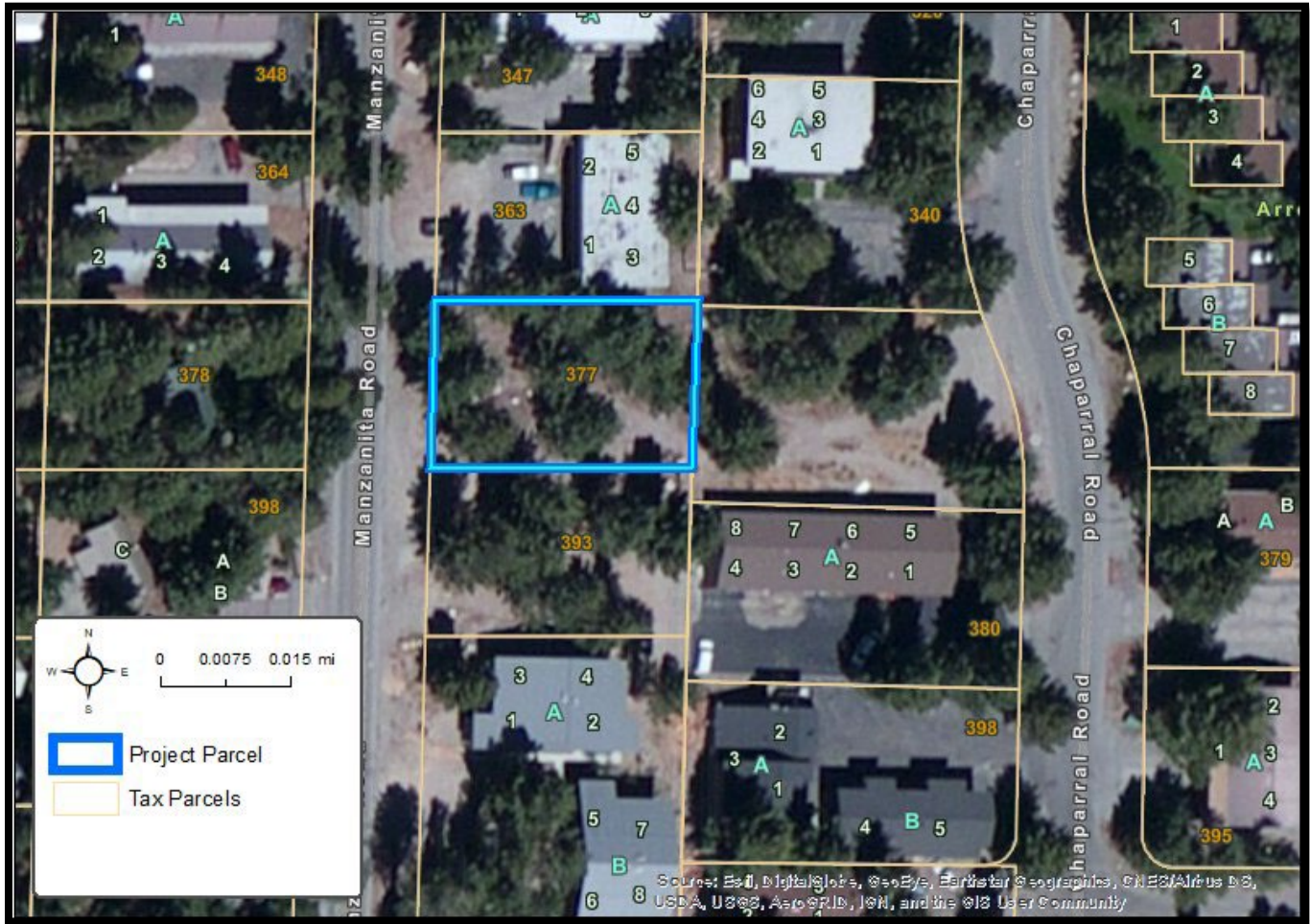


Table 1: Surrounding Land Uses and Zoning.

Location	Zoning*	Land Use	Special Considerations
North	RMF-1	Multi-family: 5-unit apartment building	The proposed project includes a 20% reduction in the north side yard setback
South	RMF-1	Vacant lot	None
East	RMF-1	Vacant lot with entitlements for a 6-unit multi-family planned unit development - Chaparral Townhomes.	None
West	RMF-1	Single-family residence	Located across the street from subject site

*RMF-1 = Residential Multi Family 1

Site Zoning

The project site is zoned RMF-1 (Residential Multi-Family 1), which *“is intended as an area for the development of mixed residential uses (single-family dwellings, apartments, and other multiple-family developments) Transient Occupancy or Rental and Hotel and Motel uses are not permitted in this zone (MC Chapter 17.20).”*

The proposed project is classified as a Multi-Family Residential use, which is a permitted use in the RMF-1 zone.

Development within the RMF-1 zoning district is subject to the Residential Zone Development Standards found in MC Sections 17.20.030, with additional standards applying to Multi-Family Residential Projects found in MC Section 17.52.210. The proposed project complies with all relevant development standards, which are described in greater detail in the Analysis of Key Issues.

General Plan

The General Plan land use designation for the site is High Density Residential 1 (HDR-1) and *“allows residential multi-unit townhouses, condominiums and apartments at a density of six to twelve dwelling units per acre... The HDR-1 designation is intended to preserve existing housing and allow for additional high-quality housing opportunities. Development standards to ensure compatibility with adjacent properties, building separation, adequate on-site recreation space, and well-designed livable development”* (General Plan, Pg. L-4).

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 and 17.138, to allow the requested density bonus for three additional units above the base density?

A Use Permit is required for this project because the application includes a request for a density bonus pursuant to the Town Density Bonus Ordinance. 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 and Section 17.138.060 (Findings and Conditions of Approval) of the Town Density Bonus Ordinance. Specifically, staff finds that by approving the requested use permit to allow the requested density bonus, the multi-family residential units that will be deed restricted as a result of the density bonus will help accomplish the intent of the Town Density Bonus Ordinance.

In addition to the standard use permit findings required by MC §17.68.050, a use permit for a project receiving a Town density bonus requires an additional three findings to be made. These findings are required to 1.) ensure that a sufficient number of eligibility points are generated by the project to qualify for the requested density bonus, 2.) ensure that the incentives or concessions chosen in order to make the project feasible is the minimum departure from the zoning code standards necessary to make the project feasible, and 3.) to ensure that the proposed project is compatible with the surrounding neighborhood. Staff was able to make affirmative findings for each of these items in the project Resolution, included as **Attachment A**.

The proposed site layout and project design ensures that the multi-family uses and residential density proposed for the site will be occupied and operated in such a way that will not be detrimental to the health and safety of the surrounding community nor injurious to properties or improvements in the vicinity because the additional three residential units can be accommodated on the site without eliminating or reducing essential amenities such as enclosed parking, guest parking, a communal dumpster enclosure, private outdoor living space and landscaping.

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 is required per MC Section 17.88.020. 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.

Below is staff's analysis of project's consistency with the Design Review criteria Staff finds that the proposed site layout and building design has met the overall intent of 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 buildings and site improvements combine together in an attractive and visually cohesive manner that is compatible with and compliments the character of the surrounding neighborhood. In the context of the surrounding multi-family residential uses, the proposed design of the project provides appropriate scale and incorporates attractive architectural details.

The building forms and facades provide variation and visual interest through the provision of recessed balconies, metal window awnings, accent colors and use of a variety of window shapes and sizes.

A distinction between stories is provided through a change in siding material used on the first floor and the upper floors. Spit face concrete masonry block is used on the first floor to establish the building base, and upper floors are clad with Hardie lap siding in a wood textured finish, and stucco siding is used on specific locations of the building to provide variation. The proposed colors consist of variation of grey, tan and a medium wood tone as well as a rust red and dark green accent color that that provides appropriate contrast between trim, fascia, and the primary siding materials while maintaining a more neutral color palate to blend with the natural environment and site surroundings.

The project complies with design requirements for building facades adjacent to streets in that 75% of the building facade adjacent to Manzanita Road is occupied by habitable space with windows and private open space balconies for the two end units adjacent to Manzanita Road. These areas provide active spaces and living areas that are visible from the street.

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

Not applicable, as the street network in this area is already established and no additional streetscape improvements are required for the proposed project.

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

The proposed parking for each residential unit consists of two enclosed garage spaces in a tandem configuration. The garage is a shared garage, but each unit would have individual garage door access. The garage door design and color is coordinated with the design of the project and the garage doors are oriented to the south, which minimizes visibility of the garage doors from Manzanita Road, and provides desirable solar orientation for snow melt within the driveway area.

The proposed parking layout for the project meets the required amount of parking while providing two extra parking spaces within the enclosed garage that could accommodate specific tenant parking needs. The proposed parking configuration ensures that the project will accommodate its share of parking needs on-site, which will help avoid conflicts between vehicles and tenants with enclosed, assigned parking spaces.

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

While the current plan set does not provide detailed lighting specifications, Condition of Approval #16 included in this Resolution requires all exterior lighting to comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, to be verified prior to issuance of a certificate of occupancy. All lighting for the project will therefore be consistent with existing Municipal Code lighting requirements.

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

The proposed project preserves two mature Jeffrey pine trees that exist on the site. The landscape plan proposes the addition of 3 Water Birch trees, Perennials to be planted in the designated snow storage areas, and native groundcover shrub species are proposed for the remaining areas located around the perimeter of the site. Specific shrubs are proposed for screening purposes to be located around the dumpster enclosure. Overall, the proposed landscaping promotes a natural aesthetic by utilizing species that are appropriate to the Mammoth Lakes region. Condition of Approval #18 is included to require a landscape documentation package to be submitted and approved prior to Building Permit issuance.

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 Code, the General Plan and any applicable specific plan or master plan, The Town of Mammoth Lakes Design Guidelines, and any other requirements associated with previous or existing planning or zoning approvals for the site. The applicable code General Plan and Zoning Code development standards are outlined in the following Table 2.

Table 2: Zoning Consistency.

General Information			
General Plan: High Density Residential-1		Specific Plan: N/A	
Zoning: Residential Multi-Family-1 (RMF-1)		Overlay Zone/District/Master Plan: N/A	
Existing Land Use: Vacant		Permits Required: UPA, DR	
Development Standards			
Standard	Required/Allowed	Proposed/Provided	Complies?
Residential Density	3 units (12 units/acre on .23 acre site)	6 units	Yes, double density is allowed pursuant to the Town Density Bonus Ordinance
Setbacks			
Front yard (feet)	20 feet	16 feet	Yes, with approval of concession #2
North side yard (feet)	10 feet	8 feet	Yes, with approval of concession #2
South side yard (feet)	10 feet	8 feet	Yes, with approval of concession #2
Rear yard (feet)	10 feet	10 feet	Yes
Lot Coverage	50%	65%	Yes, with concession #1 per Town Density Bonus Ordinance
Building Height	35 feet	30 feet	Yes
Snow Storage	75% of 2,530 sq.ft. = 1,897.5 sq.ft.	39% (986 sq.ft.)	Yes, with a recorded snow management plan per COA #41
Parking Spaces	12	14	Yes
Guest Parking Spaces	3	3	Yes, with concession #3

Town Density Bonus Program (MC Chapter 17.138)	Complies?
<p>Town Density Bonus Program: 3 additional units requested.</p> <p>The multi-family project located on a 0.23-acre parcel in the RMF-1 zone proposes to build 6 units, which exceeds the site's maximum allowable density of 3 units, by 3 units. To grant the density bonus of 3 units, the project must deed restrict 3 units to Occupancy-Restricted Households.</p>	Yes, COA #s 24, 25, & 26 of the project Resolution (Attachment A) ensure all six units are deed restricted for Workforce Housing to receive requested concessions
Multi-Family Residential Projects (MC §17.52.210)	Complies?
Building Facades Adjacent to Streets: 75% of the street facing façades is required to be occupied by habitable space with windows and have at least one pedestrian entry into the structure.	Yes, 75% of the street facing Façade is occupied by habitable space including Windows, two private balconies, and three pedestrian doors.
Front Yard Paving: No more than 40% of the front yard setback area shall be paved.	Yes, with the approved Concession #3, to permit one guest parking space in the front setback.
Laundry Facilities: Common facilities or provided in each unit.	Yes, a laundry room/closet is provided within each unit.
Maintenance and Control of Common Area: The common area will be controlled and maintained by the landlord/property owner.	Yes
Private Outdoor Open Space: Greater than 60 square feet of private outdoor open space is required per unit.	Yes, 98 sq.ft. Is provided for each unit on the entry balcony
Solid Waste and Recycling: Multi-family projects of 3 or more units shall provide a solid waste/recyclable materials storage area.	Yes, provided within a proposed dumpster enclosure located at the rear of the property (COA #27)
Storage: 100 cubic feet of lockable storage space	Yes. Provided for each unit located along the interior west wall of the garage level

Other Applicable Municipal Code Standards and Requirements:

Snow storage

The RMF-1 zone requires a snow storage area equal to 75% of all uncovered parking and driveway areas within the project. The total amount of paved parking and driveway area for the project is 2,530 square feet so a total of 1,898 square feet of snow storage is required. The project proposes a total of 986 square feet with equates to 39% of the required snow storage area. The Town Density Bonus Ordinance allows projects that receive a density bonus to be eligible for a reduction of the required snow storage areas if the property owner commits to haul on-site snow from the property to an approved off-site snow storage area in accordance with MC Section 17.36.110.B.3.a, provided that the interim snow storage areas do not interfere with any of the required parking areas. The proposed snow storage areas comply with this requirement, so Condition of Approval #41 is included

to require a snow removal/storage management plan agreed to by the property owner and the Town to be recorded for the property prior to issuance of a certificate of occupancy.

General Plan Consistency:

As stated in MC Section 17.04.040.B, the *“Zoning Code is the primary tool used by the Town of Mammoth Lakes to carry out the goals, objectives, and policies of the Mammoth Lakes General Plan. The Mammoth Lakes Town Council intends that this Zoning Code be consistent with the Mammoth Lakes General Plan, and that any land use, or development approved in compliance with this Zoning Code will also be consistent with the Mammoth Lakes General Plan.”*

The proposed project is consistent with the 2007 General Plan land use designation for the site, which is designated as High Density Residential 1 (HDR-1) and, *“allows residential multi-unit townhouses, condominiums and apartments at a density of six to twelve dwelling units per acre. This designation applies to the Sierra Valley District, the Shady Rest Tract, and portions of the Old Mammoth District...”* (General Plan, Pg. L-4). The requested density bonus is consistent with the General Plan Housing Element Policy H.1.C., which states, *“Allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and/or the Town density bonus programs..(* General Plan, Pg. H-1).” The applicable General Plan policies are intended to encourage developers of eligible properties to utilize the Town Density Bonus or the State Density Bonus in order to increase housing units that are available to the local workforce.

Specific General Plan Vision Statements with which the proposed project is consistent are described in **Table 3:**

Table 3: 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 site layout for the proposed project preserves two mature Jeffrey Pine trees on the site. In addition, five new Ponderosa Pine trees and 30 drought tolerant shrubs are proposed as part of the landscape plan for the project.
<i>“Adequate and appropriate housing that residents and workers can afford”</i>	The applicant is required to deed restrict two units of the six-unit multi-family project for “Occupancy-Restricted Households” pursuant to the Town Density Bonus Program.
<i>“being a great place to live and work”</i>	The project will support local construction jobs and provide at least two housing units that will only be available to the local workforce.
<i>“Protecting the surrounding natural environment and supporting our small-town atmosphere by limiting the urbanized area.”</i>	The project is an in-fill multi-family residential project located in a designated multi-family residential zoning district, within the existing urban growth boundary for the Town.

The project is consistent with the following General Plan goals, policies, and actions as described in **Table 4**:

Table 4: General Plan Conformance with Goals, Policies, and Actions

Goal, Policy, or Action	Explanation of Project Conformance with Goal, Policy, or Action
C.2.L: Create visually interesting and aesthetically pleasing built environment by requiring all development to incorporate the highest quality of architecture and thoughtful site design and planning.	The project incorporates design features and architectural detail that provides a high-quality appearance and incorporates thoughtful site planning and landscape design that preserves two mature Jeffrey Pine trees located on the property, while providing adequate parking for both tenants and guests.
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 the adjacent apartment building to the north and the approved six-unit PUD located east of the site. The flat terrain and dense tree canopy on surrounding properties limits views of the surrounding mountains, so the proposed project will not eliminate an existing view shed.
C.2.T: Use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting.	The project incorporates high quality building materials that achieve a design that is compatible with the surrounding neighborhood and mountain setting.
Goal L.2: Substantially increase housing supply available to the workforce.	The project includes a density bonus request that will result in six deed restricted units that will be made available to the local workforce.
L.2.D. Policy: For housing development projects where all units are deed restricted for workforce housing, a density bonus may be granted in addition to any bonus granted pursuant to the State Density Bonus Law up to a combined bonus of twice the density identified for the designation in which the project is located.	The proposed project utilizes the Town Density Bonus Program consistent with the adopted Ordinance.

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: Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

Staff has determined that the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15332, In-Fill Development Projects. The Project qualifies for this exemption because the following criteria are met:

- a. The project is consistent with the General Plan Land Use designation because the property is located within the High-Density Residential 1 (HDR-1) land use designation which allows residential multi-unit townhouses, condominiums, and apartments at a density of six (6) to a maximum of twelve (12) dwelling units per acre. The proposed project is a multi-family residential development located on a site with a base density of four (3) dwelling units. The project application includes a Use Permit request pursuant to Municipal Code Chapter 17.138, Town Density Bonus Program, to allow three (3) additional dwelling units of density, for a total of six-units.

The project is consistent with General Plan Land Use Policy L.2.D, which states, “For housing development projects where all units are deed restricted for workforce housing, a density bonus may be granted in addition to any bonus granted pursuant to the State Density Bonus Law up to a combined bonus of twice the density identified for the designation under which the project is located.” The Town’s Density Bonus Program is applicable to new multi-family residential projects that are located within a zoning district that allows multi-family residential units, and have a base density of two or more dwelling units, regardless of the type of dwelling unit proposed.

The requested density bonus is also consistent with General Plan Housing Element Policy H.1.C., which states, “*Allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and/or the Town density bonus programs.*” Developers of eligible properties are encouraged to utilize the Town Density Bonus Program or the State Density Bonus program in order to accomplish the General Plan goals and policies aimed at increasing housing available to the local workforce.

The Town Density Bonus Ordinance was analyzed pursuant to CEQA, and an Addendum to the 2016 General Plan Land Use Element/Zoning Code Amendment and Mobility Element update Program Environmental Impact Report was prepared SCH# 2015052072. The Addendum analyzed the overall increase in the number of units and population that could result from the proposed revisions to the Town’s Density Bonus Program as compared to the buildout scenario used in the certified 2016 PEIR. The Addendum concluded that the modifications to the Town’s General Plan and Zoning Code required to implement the Town Density Bonus Program Update would not result in any new significant environmental effects or a substantial increase in the severity of the previously identified significant effects in the 2016 PEIR. No new mitigation measures were required, and no new alternatives were identified that would substantially reduce the environmental effects beyond those previously described in the 2016 PEIR.

The project is consistent with the Residential Multi-Family 1 (RMF-1) zoning and development standards when considered with the allowed concessions to specific development standards pursuant to Municipal Code Chapter 17.138, Town Density Bonus Ordinance.

- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project site is within the Town's Urban Growth Boundary (UGB); the site is approximately .23 acres; and the site is substantially surrounded by urban uses including adjacent multi-family residential apartments, multi-family condominiums, and vacant lots that are zoned for multi-family residential uses.
- c. The Project site has no value as habitat for endangered, rare, or threatened species since the site is surrounded by existing multi-family residential developments and the site does not feature a sensitive natural resource such as a wetland or watercourse. Condition of Approval #28 included in the attached Resolution recommends completion of a nesting bird survey within three days of initial site disturbance to avoid disturbance of suitable nesting habitat.
- d. Approval of the Project would not result in any significant effects related to traffic, noise, air quality, or water quality because the Project conforms or is required to conform to the Municipal Code requirements for noise, air quality, and parking; the Project conforms or is required to conform to Public Works standards for site grading, stormwater retention, and drainage; and the Project will be required to obtain all necessary permits for construction. Additionally, the project is consistent with the applicable Town Density Bonus Program, which was analyzed pursuant to CEQA. An Addendum to the 2016 General Plan Land Use Element/Zoning Code Amendment and Mobility Element update Program Environmental Impact Report was prepared (SCH# 2015052072) and concluded that the modifications to the Town's General Plan and Zoning Code required to implement the Town Density Bonus Ordinance would not result in any new significant environmental effects or a substantial increase in the severity of the previously identified significant effects in the 2016 PEIR. Therefore, no significant effects on traffic, noise, air quality, or water quality will result from the proposed development of the site.
- e. The site can be adequately served by all required utilities and public services because all necessary utilities and services are currently provided or can be extended to the site. The Project plans were routed to the Mammoth Community Water District (MCWD) and the Mammoth Lakes Fire Protection District (MLFPD), and all comments received have been provided to the applicant and will be incorporated into the Project as required by the permit approval process for those agencies. Additionally, at the time of building permit issuance, development impact fees (DIF) for police, vehicle circulation, storm drainage, and fire will be paid.

None of the exceptions set forth in CEQA Guidelines Section 15300.2 are present, which would disqualify the project from using a categorical exemption. Therefore, since the project meets all of the criteria to qualify for the In-Fill Development Projects categorical exemption pursuant to CEQA Guidelines Section 15332, and none of the exceptions set forth in CEQA Guidelines Section 15300.2 are applicable, no additional environmental review is warranted or necessary and the CEQA exemption is appropriate.

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 MLFPD and MCWD were provided to the applicant for informational purposes.

In addition, notice of the public hearing including a project description was sent to property owners within 300 feet of the subject property. A total of 48 property owners were notified. No additional public comments were received at the time this report was published.

III. STAFF FINDINGS AND RECOMMENDATION

Staff finds that the project meets the applicable requirements and recommends that the Planning and Economic Development Commission adopt the attached Planning and Economic Development Commission Resolution, making the required CEQA and Municipal Code findings, and approving Use Permit Application #UPA 20-002 and Design Review Application #DR 20-004 with conditions as recommended by staff or with modifications.

Attachments

Attachment A: Planning and Economic Development Commission Resolution

Attachment B: Project Plans

Attachment C: Eligibility Points Schedule

Attachment D: Town Density Bonus Ordinance

Attachment D: Town Density Bonus Ordinance

Attachment E: Public Comment Letter Dated 2-8-22