

Recording Requested by and  
When Recorded Mail To:

Town of Mammoth Lakes  
Town Clerk  
P.O. Box 1609  
Mammoth Lakes, CA 93546

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

**RESOLUTION NO. 2025-**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH  
LAKES, STATE OF CALIFORNIA APPROVING TENTATIVE TRACT MAP 24-003  
AND USE PERMIT 24-004 TO ALLOW THE SUBDIVISION OF TWENTY UNITS  
WITHIN FIVE FOURPLEX STRUCTURES ("VILLAS" UNITS) INTO TWENTY  
CONDOMINIUM HOTEL UNITS LOCATED AT 164 OLD MAMMOTH ROAD,  
CONSISTENT WITH DISTRICT ZONING AMENDMENT 24-001**

**(APNs: 035-230-012-000)**

WHEREAS, a request for consideration of a tentative tract map and use permit review was filed by Matthew Mering for the property owner, WH SN Mammoth, LLC, to allow the Outbound Hotel "Villas" project, in accordance with Section 17.68 (Use Permits) and 17.88 (Design Review) of the Town of Mammoth Lakes Municipal Code and Section 10.0 of the Clearwater Specific Plan, for property located within the Clearwater Specific Plan Zoning District at 164, 202, and 248 Old Mammoth Road; and

WHEREAS, a noticed public hearing with the Planning and Economic Development Commission was opened on November 13, 2024, at which time the public hearing was continued to the regularly scheduled December 11, 2024, PEDC meeting; and

WHEREAS, the Planning and Economic Development Commission conducted the continued public hearing on December 11, 2024, at which time all those desiring to be heard were heard and the hearing concluded with a 2-1 vote of the Commission. It was determined that the 2-1 vote was a "no action vote" so a new public hearing would be required to reach a decision on the application; and

WHEREAS, the Planning and Economic Development Commission conducted a duly noticed public hearing for the application request on February 12, 2025, at which time all those desiring to be heard were heard; and

WHEREAS, following the receipt of all oral and written testimony, the Planning and Economic Development Commission closed the public hearing on February 12, 2025, and adopted Resolution No. PEDC 2025-02 recommending approval of District Zoning

Amendment 2024-001, Tentative Tract Map 24-003, and Use Permit 24-004, for the Outbound Hotek “Villas” Project to the Town Council, with conditions; and

WHEREAS, the Town Council conducted a duly noticed public hearing on the application request on March 19, 2025, at which time all those desiring to be heard were heard; and

WHEREAS, the Town Council considered, without limitation:

1. The staff report dated March 19, 2025, with all attachments and exhibits,
2. The 2007 General Plan, 2021 Amended Clearwater Specific Plan, State Subdivision Map Act, Municipal Code, and associated Land Use Maps,
3. Oral evidence submitted at the hearing,
4. Written evidence submitted at the hearing,
5. Project plans consisting of:
  - a. Tentative Tract Map 24-003, Sheets 1 – 2, dated December, 2023
6. The 2021 Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154), incorporated herein by reference,
7. Amendments to the Clearwater Specific Plan, consisting of the complete text of the Amended Phase One Clearwater Specific Plan with changes as indicated in redline/strikeout format, dated December 2024, incorporated herein by reference,
8. Council Ordinance 25-XX approving District Zoning Amendment 24-001 for the Subsequent Amendment to the Amended Phase One Clearwater Specific Plan and making findings in support thereof, incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mammoth Lakes, California, as follows:

1. That the Town Council finds the above recitations are true and correct.
2. The Town Council incorporates by reference all exhibits and attachments cited in this Resolution.
3. Pursuant to the requirements of the Town of Mammoth Lakes Municipal Code, the Town Council makes the findings contained in Exhibit “A” attached hereto.

4. The Town Council approves Tentative Tract Map 24-003 and Use Permit 24-004, subject to the conditions attached hereto as Exhibit “B”.
5. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the Town Council directs staff to file a Notice of Determination.
6. The documents and other materials that constitute the record of proceedings upon which the Town Council’s decision is based are located in the Town Offices of the Town of Mammoth Lakes, at 437 Old Mammoth Road, Suite 230, Mammoth Lakes, California 93546 and Jamie Gray, Town Clerk, is hereby designated as the custodian of these records.

APPROVED AND ADOPTED THIS 19<sup>th</sup> day of March 2025

\_\_\_\_\_  
CHRIS BUSBER, Mayor

ATTEST:

\_\_\_\_\_  
JAMIE GRAY, Town Clerk

I, Matthew Merring, am the designated representative for the property owner and I do hereby attest that I have read, and agree to, the conditions of approval stipulated within this Resolution.

Matthew Merring, Authorized Signatory WH SN Mammoth L.L.C. (Notary Required)	Date
------------------------------------------------------------------------------------	------

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

State of California  
County of

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary  
Public, personally appeared \_\_\_\_\_

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.**

Notary Public Signature

Seal

**EXHIBIT “A”**  
**Resolution No. 2025-**  
**Case No. TTM 24-003, UPA 24-004**

**FINDINGS**

**FINDINGS FOR USE PERMIT**  
(Municipal Code Section 17.68.050)

- a. The proposed use is consistent with all applicable sections of the General Plan and Title 17 and is consistent with any applicable Specific Plan;**

The 2007 *Town of Mammoth Lakes General Plan* land use map designates the entire project site Clearwater Specific Plan (CSP). The CSP land use designation allows hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and plaza areas for gathering/events. The Outbound Hotel “Villas” Project proposes to subdivide five existing fourplex (“Villas”) structures into twenty condominium hotel units. The location of the Villa structures is situated in Land Use Area 2 of the CSP, which allows condominium hotel uses subject to use permit and subdivision map approval. Therefore, the proposed conversion of twenty hotel units into twenty condominium hotel units is consistent with the CSP General Plan land use designation.

The CSP sets forth the land use development standards for this site rather than Title 17 (Zoning Code). The proposed subdivision of the five (5) existing fourplex structures into twenty (20) condominium hotel units is consistent with the CSP land use designation which allows hotel, condominium hotel, retail, restaurant uses as well as amenities to enhance the visitor experience and support long-term visitation.

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

The proposed use and the conditions under which it would be operated will not be detrimental to the public health or safety nor materially injurious to properties or improvements in the vicinity because the Clearwater Specific Plan EIR (SCH# 2006062154) and the 2021 Addendum analyzed potential impacts of the proposed use related to aesthetics, air quality, noise, hazards and hazardous materials, traffic, and other issues. The analyses prepared for each potential impact category concluded that the proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, following conformance with the existing regulatory framework and mitigation measures.

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

The Outbound Hotel “Villas” Project includes a Tentative Tract Map for the proposed subdivision of the existing twenty hotel units for condominium hotel purposes. The subsequent amendment to the Amended Phase One CSP includes the addition of a

definition for condominium hotel uses as well as operating standards that are consistent with the Municipal Code and the CSP operating standards. These clarifications to the Amended Phase One CSP will ensure that the condominium hotel units continue to be operated and used as transient rentals, thereby providing an alternative lodging option that promotes a mix of uses in a pedestrian-scaled environment at a scale and form appropriate to the neighborhood context and adjacent residential uses and forms.

### **SUBDIVISION MAP ACT FINDINGS** (State Map Act Section 66474)

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

The proposed map is consistent with applicable 2007 General Plan, and with the subsequent amendment to the Amended Phase One Clearwater Specific Plan (CSP) because the proposed subdivision of the five existing fourplex structures into twenty condominium hotel units that may be sold individually is a permitted use within Land Use area 2 of the Clear Water Specific Plan and is consistent with intended uses described in the General Plan Land Use designation for the CSP. The General Plan land use description for the CSP states that the designation is intended to create a visitor-oriented entertainment, retail, and lodging district with uses including hotels, and similar visitor accommodations along with supporting restaurants, retail and services.

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

No additional development on the site is currently proposed. However, the existing design and improvements of the subdivision are consistent with the applicable General Plan and Clear Water Specific Plan because the CSP establishes minimum parcel size for the creation of new parcels within the CSP and allows for alternative parcel sizes to be established for condominium uses in accordance with the proposed development, and subject to the approval of a subdivision map and use permit.

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

The site is physically suitable for the type of development proposed because construction of the Amended Phase One CSP project is almost complete, and the five “Villa” structures already exist and are currently operated as traditional hotel units. The existing surface parking area located on the south side of the “Villas” can accommodate the twenty-one (21) parking spaces required to be dedicated for use by the twenty (20) proposed condominium hotel units.

The project site consists of approximately 6.1 acres and the proposed subdivision boundaries are situated so as to comply with the development standards of the CSP and the Municipal Code including minimum lot size, street access, snow storage, parking, utilities, and trash enclosure access. Additionally, since the subject “Villa” structures already exist and the site is an in-fill development, all utilities and access roadways have been improved and/or extended to service the Project area.

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

The site is physically suitable for the proposed density of development because construction of the Amended Phase One CSP project is almost complete, and the proposed subdivision is only applicable to the five existing fourplex structures which are proposed to be converted from traditional hotel units to condominium hotel units.

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

The design of the subdivision is not likely to cause substantial environmental damage or substantially injure fish or wildlife because the project is not located within an environmentally sensitive area and because the CEQA Addendum that was prepared for the Amended Phase One CSP project supports the conclusion that the proposed project would not cause substantial environmental damage or substantially injure fish or wildlife.

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

The design of the subdivision is not likely to cause serious public health problems because a CEQA Addendum was prepared for the scope of the Amended Phase One CSP development project, and identified applicable mitigation measures from the certified Clearwater Specific Plan Environmental Impact Report EIR (SCH# 2006062154) which have been included as conditions of approval to ensure health-related impacts are reduced to a less than significant level. No evidence has been submitted during the planning review process to indicate that the Project would cause any serious public health problems. All necessary public services are currently provided, or can be extended to, the site for those individuals occupying and using the proposed condominium hotel facilities.

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

The design of the subdivision will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision because all easements are shown on the tentative tract map and/or are required through the conditions of approval for the project. The proposed parcel configuration for the condominium hotel use can be accessed from Sierra Nevada Road and Laurel Mountain Road, which provides adequate street alignment and width to serve the project.

**EXHIBIT “B”**  
**Resolution No. 2025-**  
**Case No. TTM 24-003 and UPA 24-004**

**CONDITIONS OF APPROVAL**

**STANDARD PLANNING DIVISION CONDITIONS**

1. This approval authorizes the following:
  - a. The subsequent amendment to the 2021 Amended Phase One CSP document to modify the permitted uses for the Amended Phase One CSP by adding condominium hotel uses subject to a use permit and subdivision approval. The proposed amendment includes a definition for condominium hotel uses, adds development and operating standards applicable to condominium hotel uses, and removes language that excludes condominium hotel uses within the Amended Phase One CSP development.
  - b. Approval to subdivide the existing 20 units within the five (5) existing fourplex structures referred to as the “Villas” units into 20 condominium hotel units that may be sold individually.

This approval is not effective until Ordinance 25-\_\_, adopting District Zoning Amendment 24-001, is effective.

2. The approved tentative tract map includes: Tentative Tract Map Plan Sheets 1-2, dated received by the Town on October 21, 2024. Drafts of the Reciprocal Easement Agreement (REA) and Exhibit A (Parking and Snow Storage), Exhibit C (Private Roadways and Paths of Travel) and Exhibit E (Shared Utilities Plan) were dated received by the Town on November 27, 2024. Prior to final map approval and recordation, the final REA and associated exhibits shall be reviewed and approved to the satisfaction of the Engineering Manager and Public Works Director.
3. This permit and all rights hereunder shall automatically terminate unless the Final Map is approved within two years after the issuance of this permit, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.
4. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.
5. This resolution of approval, as conditioned herein, shall be recorded for the subject

property by the Mono County Recorder's Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.

6. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Outdoor storage of equipment and other materials, except for firewood, is prohibited. Non-operating vehicles, equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.
7. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its pre-existing condition by the permittee.
8. All 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 hours and shall, upon request make records and documents available to Town staff as necessary to evidence compliance with the terms and conditions of the permit.
10. Prior to the issuance of a certificate of occupancy, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on the project processing account.
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. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.
13. Pursuant to Government Code Section 66474.9 the subdivider shall defend, with counsel selected by the Town, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Government Code Section 66499.37. The Town shall promptly notify the subdivider of any claim, action, or proceeding and shall cooperate fully in the defense.

14. All exterior lighting shall comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, Exterior Lighting. Exterior light fixtures having a total of over 400 lumens of output shall be equipped with shields that extend below the horizontal plane of the light source to direct the light downward onto the structure or surrounding grounds. Accent lighting is permitted as described in Municipal Code Section 17.36.030.F.6. This shall be verified prior to issuance of a certificate of occupancy.
15. New or changed improvements, exterior illumination, elevations, designs, materials, or colors shall conform to the adopted Design Guidelines of the Town of Mammoth Lakes and will require review and approval from the Town of Mammoth Lakes Community and Economic Development Department or Planning and Economic Development Commission pursuant to Municipal Code Chapter 17.88.
16. All conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.
17. The project shall meet the requirements of Municipal Code Chapter 17.40 (Water Efficient Landscape Regulations). All landscape plantings shall be maintained in a healthy and growing condition at all times (as applicable for the season) and individual plants shall be replaced if they become diseased or die. Landscaping and irrigation systems within the public right-of-way within or adjacent to the project area shall be maintained by the property owner, with the exception of benefit assessment district areas.
18. Developers of residential properties shall include a disclosure statement indicating that Mammoth Lakes is an area of habitat for Mountain Lions, which indicates potential risk, particularly to small children and pets. (General Plan Mitigation Measure 4.3-1)

#### **SPECIAL PLANNING DIVISION CONDITIONS**

19. The Mitigation Monitoring and Reporting Program (MMRP) established by the Clearwater Specific Plan Final EIR and 2016 Addendum (SCH No. 2006062154) shall be adhered to in the implementation and operation of the proposed use and is incorporated herein by reference.
20. Any future changes to the CC&Rs for the Outbound “Villas” condominium hotel units which relates to a Town condition of approval for the Subdivision Map, may not be amended without the prior written consent of the Town Community and Economic Development Director and Public Works Director. Inclusion of this condition in the final CC&Rs shall be verified by the Town prior to recordation of the final map and CC&Rs.
21. The required trash enclosure shall be maintained in good condition and dumpsters shall be stored within the trash enclosure. Adequate space for recyclable materials

shall be provided within the enclosure. All trash enclosures, and receptacles shall be animal resistant.

22. No snow shall shed or be deposited onto adjacent properties or Town right-of-way. This shall include snow that is removed from any portion of the property, including, but not limited to, the structure, driveway, and/or common areas. All interim snow storage areas shall be on the subject property. The property owner shall be subject to fines pursuant to Municipal Code §12.16.030 (*Snow Removal – Violation/Penalty*) if found to be in violation of this condition.
23. A key box shall be provided with an individual master key that provides access to each unit.

## **ENGINEERING DIVISION CONDITIONS**

### **STANDARD CONDITIONS / GENERAL REQUIREMENTS:**

24. 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 submit to the Town a complete application for approval and recording of the final map prior to the tentative map expiration will nullify all approvals, except as such time limitation may be extended by law or by the Planning and Economic Development Commission in accordance with the Subdivision Map Act.
25. Nothing in the approval of this project 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.

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

26. The final map shall conform to the requirements of Town of Mammoth Lakes Ordinance 84-10 and all amendments thereto.
27. As required by the Town's Subdivision Ordinance Section 17.20.160 and the most recent Town Council Resolution adopting a Schedule of Fees, 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.
28. Final map application submittal to the Town shall include a copy of the current grant deed, a preliminary title report dated within the past 30 days, copies of all exceptions, easements, restrictions and encumbrances listed in the preliminary 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.

29. All easements and dedications 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 shown on the tentative map to be granted or dedicated shall indicate the beneficiary of the easement(s). Easements shown on the tentative map to the benefit of an agency other than the Town or to other parties shall be shown on the final map as "Easements Reserved". The owner's statement on the final map shall reserve said easements unto themselves, their heirs and assigns.
30. Easements, dedications and other documents that are required to be recorded by separate document prior to or concurrent with the recordation of the final map shall be in a form and with content acceptable to the Town's Engineering Manager and Public Works Director and shall be submitted to the Town for review and approval. Upon Town approval, the original fully executed, notarized documents shall be submitted to the Town prior to approval of the final map.
31. The CC&Rs and Reciprocal Easement Agreement (REA) shall contain provisions granting rights of access and parking, as necessary, to the owners, tenants, and their guests, of the condominium units.
32. Existing CC&Rs, if any, encumbering the property shall be amended as necessary for the proposed development of this project.
33. Applicant shall submit a request for unit, building and street addressing to the Public Works Department. Approval of the addressing shall be completed prior to approval of the final map by staff.
34. Applicant shall provide evidence to the Town that all property taxes have been pre-paid to the 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 prior to approval of the final map by staff.
35. Applicant shall submit to the Town a subdivision guarantee, issued within 30 days prior to approval of the final map by staff.
36. Applicant shall install monumentation of the subdivision in accordance with the Subdivision Ordinance of the Town, Ordinance 84-10. Upon approval of the Town Surveyor and Public Works Department, a form of security listed in Government Code Section 66499(a) shall be posted with the Town in a form acceptable to the Town Surveyor for any deferred final monumentation for the final map. The estimated amount of the surety shall be prepared by the licensed land surveyor preparing the final map and shall be approved by the Town Surveyor. The estimates shall be at prevailing wage rates and shall include 20% for construction

contingencies and 20% for administrative costs.

37. The final condominium plans for the project shall be submitted to the Town for review for conformance with the approved development plan, tentative map, CC&Rs and REA. The condominium plans shall conform to the conditions of approval with respect to ownership of required appurtenant use areas. Recordation of the condominium plans shall not occur prior to Town approval of the condominium plans.
38. Within 30 days after approval of and prior to recording of the final map by the Planning and Economic Development Commission, the applicant shall submit to the Town an electronic file of the final map with coordinate system and format as may be approved by the Public Works Director.

### **SPECIAL ENGINEERING CONDITIONS**

39. The Reciprocal Easement Agreement (REA) is required to grant condominium owners rights to public street access, 21 parking spaces, snow removal and storage, utilities, and trash enclosure, and shall be written to the satisfaction of, and approved by, the Town's Engineering Manager and Public Works Director prior to final map approval by staff. The REA shall include a provision that any future changes to the REA shall be approved by the Town, and that the parties to the REA may not oppose changes required by the Town.
40. The Property's 30-room contribution to the Town's Transit and Transportation Fee Community Facility District (Transit CFD 2013-03) shall be split such that each of the 20 condominium units is responsible for 1 share, and the resort is responsible for the remaining 10 shares.
41. The Property's contribution to the Town's Old Mammoth Road Benefit Assessment District (OMR BAD 2002-01) shall be split on a per-room basis such that each of the 20 condominium units is responsible for 1 room's share and the resort is responsible for the remaining 159 rooms' shares.
42. The Property's contribution to the Town's Maintenance Community Facility District (Maint CFD 2023-1) shall be split on a per-room basis such that each of the 20 condominium units is responsible for 1 room's share and the resort is responsible for the remaining 159 rooms' shares.

### **SPECIAL DISTRICT CONDITIONS - MCWD**

43. The domestic water supply for the 20 condominium hotel units shall be privately sub-metered, per Senate Bill 7, (SB7), to the satisfaction of the Mammoth Community Water District (MCWD). Installation of the submeters shall be in accordance with manufacturers' specifications, comply with the California Plumbing Code, and is subject to testing by MCWD and approvals. A separate Connection Permit from MCWD is required. The submeters shall be capable of being accessed and read by the homeowners, tenants of the dwelling unit, and read

by the newly developed Old Mammoth Road Residences Owners' Association without entering the dwelling unit. It is the property owner's responsibility to operate and maintain these submeters and reporting requirements. Meters shall be re-inspected and recalibrated within the time limits specified in law and/or regulations.