



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: May 14, 2025

AGENDA TITLE: Consideration of Variance application (VAR) 25-001 for a reduction of one required exterior parking space and a 20% reduction of the 5-foot front setback and the 10-foot south side yard setback requirement, for the construction of a new single-family residence with attached two-car garage and covered access stairway located at 307 John Muir Road. The project is categorically exempt pursuant to CEQA Guidelines §15303, *New Construction or conversion of Small Structures*.

Applicant/ Property Owner: Craig Tapley / Karen and Mike Gutt

REQUESTING DEPARTMENT:

Community & Economic Development

Nolan Bobroff, Director

Kimberly Cooke, Senior 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 Variance (VAR) 25-001 with conditions as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution

SUMMARY:

Proposal:

Variance request for a reduction of one (1) required exterior parking space and a 20% reduction of the 5-foot front setback and 10-foot south side yard setback requirements to permit the construction of a new single-family residence with an attached two-car garage on a steep upsloping lot, where a 10-foot irrevocable offer of dedication is required by the Town.

Location:

307 John Muir Road (APN: [031-053-008-000](#))

Size of Property:

0.17 acres (7,535 sq. ft.)

Zoning:

Residential Single-Family (RSF)

General Plan:

Low Density Residential (LDR-2)

Environmental Review: Categorically Exempt (CEQA Guidelines Section 15303 – New Construction or conversion of small structures)

KEY ISSUES:

1. Can the findings be made for approval of a Variance pursuant to Municipal Code (MC) Chapter 17.72?
2. Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

I. INTRODUCTION AND BACKGROUND

The subject property is a vacant parcel located at 307 John Muir Road in the Residential Single-Family (RSF) zoning district. The existing topography of the lot at the front third of the property is very steep with a roughly 59% slope. The middle third of the property is less steep with a 22% slope and the rear third of the lot features a 47% slope. The topography of the site is depicted in the slope study (sheet 2) of the proposed plans **Attachment 2**.

In addition to the steep topography of the site, the property is substandard with regards to lot width based on the minimum lot dimensions for lots within the RSF zoning district. Additionally, the adjacent public road, John Muir Road, is considered a substandard street due to it having a right-of-way (ROW) width of 40 feet, rather than the 60-foot standard ROW width. The substandard ROW width creates challenges for snow removal and snow storage operations.

The project was originally submitted to the Planning Division as an Adjustment application on November 8, 2024. The adjustment application requested a 20 percent reduction of the front and south side yard setback requirements, which can typically be permitted administratively when the required findings for approval can be made. However, in this case, the Engineering Division determined that a 10-foot irrevocable offer of dedication (IOD) would be required along the property frontage and determined that exterior parking spaces could not be permitted to encroach into the IOD area. Since the proposed exterior parking space could no longer be accommodated within the proposed driveway, as it would encroach into the 10-foot IOD, the applicant decided to apply for a Variance in order to eliminate the required exterior parking space.

Variance application (VAR 25-001) was submitted on January 17, 2025, which includes the request for a reduction of one (1) required exterior parking space and a 20 percent reduction of the required 5-foot front setback and 10-foot south side yard setback areas.

A public notice for the application was published in The Sheet on Saturday, May 3rd and Saturday, May 10th. The public notice was also mailed on Wednesday, April 30th to a total of 65 property owners within a 300-foot radius of the project site.

Project Proposal:

The proposed single-family home is a relatively modest size with 1,852 square feet of conditioned living space including 2 bedrooms and 2.5 bathrooms. A two-car garage is attached to the home via an enclosed entryway and access stairway that provides safe access up the 30-foot elevation change from the street level entry to the proposed ground floor of the home. Despite the modest size of the proposed home, a minimum of three (3) parking spaces are required with at least two (2) enclosed spaces and one (1) exterior parking space.

Due to the steep slope of the property, the project is eligible for a reduced front setback standard applicable to steep upsloping lots pursuant to M.C. Section 17.20.030.B, which allows, “a minimum five-foot front or street-side setback for the construction of an attached or unattached private garage and associated entries on steep upsloping lots.” The project adheres to this standard however, due to the requirement for a 10-foot IOD along the property frontage the actual front setback required for this property is 15-feet from the property line.

As described above, the Variance application requests a reduction of one required exterior parking space and a 20 percent reduction of the required 5-foot front setback and 10-foot south side yard setback areas. The requested 20 percent reduction of the front setback would result in a 4-foot setback requirement. However, the proposed garage structure would actually be set back 14-feet from the front property line due to the additional 10-foot width required for the IOD.

The request for a 20 percent reduction of the 10-foot south side yard setback results in an 8-foot setback to the enclosed entry and access stairway portion of the structure. A setback reduction at this location would provide relief due to the substandard width of the lot and allow the enclosed entry and access stairway to be located at the south side of the garage, where the lot dimensions are most restrictive.

The proposed design of the garage structure will be engineered so that soil can be brought back in to cover the concrete roof of the garage and recreate a gentle slope to fill in the space between the proposed garage and single-family home. This design will reduce the appearance of the retaining wall system as well as blend the structure into the site surroundings.

FIGURE 1 - PROJECT RENDERINGS



Existing Site and Surrounding Land Uses

The project site is zoned Residential Single Family (RSF). The subject parcel is vacant and the adjacent parcels on the north and south sides are also vacant. See **Figure 2** below for a map showing the site location and surrounding context. **Table 1** further describes the surrounding land uses and zoning.

FIGURE 2 – PROJECT SITE



Table 1: Surrounding Land Uses and Zoning.

Location	Zoning*	Land Use	Special Considerations
North	RSF	Vacant Parcel	None
South	RSF	Vacant Parcel	None
East	RSF; RMF-2	Single-family residence and Mammoth Point Condominiums	Located across the street
West	RSF	Single-family residence	None

*RSF = Residential Single Family; RMF-2= Residential Multi-family 2

Municipal Code Consistency

The project site is zoned Residential Single-family (RSF). *“This zone is intended as an area for single-family residential development. Transient Occupancy or rental, hotels and motels, bed and breakfast, and group living quarters uses are not permitted in this zone. Only those uses are permitted that are complementary to and can exist in harmony with a residential neighborhood.”* The proposed single-family residential home is a permitted use in the RSF zone.

The project complies with all applicable development standards considered together with the proposed Variance, which are summarized in the following **Table 2**.

Table 2: Zoning Consistency.

General Information			
General Plan: Low-Density Residential 2 (LDR-2)		Specific Plan: N/A	
Zoning: Residential Single-Family (RSF)		Overlay Zone/District: N/A	
Existing Land Use: Vacant		Permits Required: Variance for a reduction of the third parking space and a 20 percent reduction of the front and south side yard setback	
Development Standards			
Standard	Required/Allowed	Proposed/Provided	Complies?
Setbacks			
Front yard (feet)	5 feet (15-feet with required IOD)	4 Feet (14 feet with required IOD)	Variance Requested (See analysis below)
Side yard - South (feet)	10 feet	8 feet	Variance Requested
Side yard - North (feet)	10 feet	10 feet	Yes
Rear yard (feet)	10 feet	49 feet	Yes
Lot Coverage	40%	35%	Yes
Building Height	35 feet	35 feet	Yes
Snow Storage	75% of driveway area (161 sq.ft.)	175 sq.ft.	Yes
Parking Spaces	2 enclosed 1 exterior	2 enclosed	Variance Requested

General Plan

The General Plan land use designation for the site is Low-Density Residential 2 (LDR-2) which “allows single-family detached residential development of up to four (4) dwelling units per gross acre... This designation protects the low-density character of existing neighborhoods. Development standards are intended to provide for privacy through building separation, useable yards, and limited shading by structures of adjoining parcels.” (General Plan, Pg. L-4).

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>“Adequate and appropriate housing that residents and workers can afford”</i>	Approval of the requested Variance application would enable the property owner to develop the site with a modest-sized single-family home with a two-car garage and safe access between the street level garage and the ground level of the home.
<i>“Protecting the surrounding natural environment and supporting our small-town atmosphere by limiting the urbanized area.”</i>	The project is located within the Urban Growth Boundary and the density is consistent with that allowed by the LDR-2 land use designation.

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
Policy 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 in that the design of the garage will feature a “green” roof where soil is reintroduced over to top of the concrete roof structure. The roof design may help reduce the urban heat island effect and blend the appearance of the structure with the site surroundings.
Policy C.2.V: Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.	Proposed building height and massing are similar to the heights and massing of surrounding single-family homes in the neighborhood. The tallest point on the structure as measured using a varied plane is 35-feet in height which is consistent with the RSF development standards.
M.15.3.1. <u>Action</u> : Develop and implement understructure/underground parking incentives and surface parking disincentives through the Zoning Code and Public Works Standards.	With approval of the variance, the required exterior parking space would be eliminated, and the required parking for the new SFR would be limited to two enclosed parking spaces. The design of the garage is semi-subterranean and the provision of the 10-foot IOD to satisfy Public Works standards is consistent with this General Plan action item.

II. ANALYSIS OF KEY ISSUES

KEY ISSUE #1: Can the findings be made for approval of a Variance pursuant to MC Section 17.72.040?

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

Variance Findings:

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

There are special circumstances applicable to the property including the topography of the site, which slopes upward from the roadway at a roughly 59% slope within the front 50-feet of the property. The slope of the property qualifies for a reduced front setback of 5-feet pursuant to MC Section 17.20.030.B – *Residential Front Yard Setbacks on Steep Upsloping Lots*.

While the steep slope of the lot allows for a reduced 5-foot front setback, the proposed structure cannot be located within 5-feet of the front property line because the property owner is required to provide the Town an Irrevocable Offer of Dedication (IOD) for a 10-foot-wide strip along the street frontage. The IOD is required because the roadway width along John Muir Road is substandard. Additionally, Engineering Division staff cannot allow any required exterior parking space to encroach into the 10-foot-wide IOD area. Adherence to the Town's IOD requirement results in an area that is too small to accommodate an exterior parking space within the proposed driveway.

The width of the property is also substandard at approximately 55-feet-wide, where new lots created within the Residential Single-Family (RSF) zoning district are required to have a minimum lot width of 75-feet. The smaller lot width combined with the extensive retaining wall system proposed for the site creates a hardship for the property owner to adhere to the 10-foot side yard setback along the south property line for the enclosed access stairway.

Due to the special circumstances described above, the strict application of the zoning code deprives the property of privileges enjoyed by other property in the vicinity and under the identical zoning district.

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

The Variance is necessary to provide the property with land use privileges enjoyed by other properties in the vicinity and under identical zoning classification since the variance will allow the construction of a single-family residential use consistent with the land use privileges enjoyed by others in the vicinity. Despite the request for a 1-foot reduction of the front setback (20% reduction), the property will ultimately have a larger setback than other single-family homes along John Muir Road since the requirement for the property owner to provide a 10-foot-wide strip of land along the property frontage via an irrevocable offer of dedication (IOD) was not required of previously developed

properties located on John Muir Road. The subject property will effectively have a 14-foot setback (10-foot IOD + 4-foot setback) from the property line. The reduced south side yard setback will allow for a covered entry stairway located along the south side of the garage which provides a layout that is similar to other steep upsloping residential properties on the same street.

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

The use authorized by this variance consists of a new single-family residence with an attached two-car garage, which is a permitted use in the RSF zone and is consistent with neighboring properties and uses in the site vicinity.

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

Granting the requested variance would not be detrimental to public health, safety, or welfare because the proposed single-family residence is consistent with what would be permitted on similar single-family residential lots. The significant retaining wall system proposed for the new single-family home will improve roadway safety by stabilizing the slope and preventing dirt and rocks from falling onto the roadway.

E. The variance is consistent with the General Plan and any applicable Specific Plan;

The variance is consistent with the Town's General Plan, as the land use designation for the subject property is Low-Density Residential 2 (LDR-2). This land use designation allows for single-family detached residential development, and therefore the use is consistent since it is a detached single-family residence.

There is no specific plan applicable to the property.

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

The variance is the minimum departure from the requirements of the zoning code necessary to grant relief to the applicant because one exterior parking space was originally proposed within the new driveway area, but this layout could not be approved because the parking space would encroach into the 10-foot IOD required by the Engineering Division. Other properties on the same street have a similar parking arrangement with two enclosed parking spaces and no exterior parking space.

The additional request for a 20 percent reduction to the front setback and south side yard setback are consistent with the allowable size of setback reductions that would typically be processed administratively via an adjustment application. Since a Variance application was required for this project in order to allow the elimination of the required exterior parking space, the setback reduction request was included with this application to enable concurrent review and approval.

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

The project is in compliance with the requirements of the California Environmental Quality Act (CEQA) because it is categorically exempt from CEQA pursuant to CEQA Guidelines §15303, *New construction or conversion of small structures*. The Project qualifies for this exemption because the

exemption allows for the construction of small new structures, including a single-family residence in a residential zone, to not be subject to additional environmental review. The proposed project consists of the construction of one single-family residence located within a residential zone and is therefore consistent with the types of projects that qualify for this exemption.

KEY ISSUE #2: 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 §15303, New construction or conversion of small structures. The Project qualifies for this exemption because the project is consistent with the example specified in subsection (a), which identifies the construction of one single-family residence located within a residential zone as being eligible for use of this exemption.

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 the criteria to qualify for the Class 3 exemption pursuant to CEQA Guidelines Section 15303, 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), the Mammoth Community Water District (MCWD). No comments were received that result in any additional conditions of approval for the project.

Engineering staff reviewed the application and is supportive of the Variance with the requirement that the property owner provide a 10-foot-wide Irrevocable Offer of Dedication to the Town for street, pedestrian infrastructure, and snow storage purposes. (Condition of Approval 28 in **Attachment A**).

Staff received a request to review the project plans from the owners of two neighboring properties. Staff provided the owners of both properties with the plans for review and did not receive any additional questions or comments at the time this staff report was written.

III. STAFF FINDINGS AND RECOMMENDATION

Staff finds that the proposed project meets the applicable requirements and recommends that the Planning and Economic Development Commission adopt the Planning and Economic Development Commission Resolution making the required CEQA and Municipal Code findings, and approving Variance 25-001 with conditions as recommended by staff, or with modifications.

Attachments

Attachment A: Planning and Economic Development Commission Resolution

Attachment B: Project Plans, dated received by the Town March 18, 2025

Attachment C: Project Narrative, dated received by the Town January 17, 2025