



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: June 11, 2025

AGENDA TITLE: Public hearing and consideration of Variance application (VAR) 24-002, to permit a 7-foot height increase of the applicable 18-foot maximum building height requirement for construction of a 4,323-square foot single-family residence located within Area 1 of the Juniper Ridge Master Plan at 65 Juniper Court (Lot 23). The project is categorically exempt from CEQA pursuant to Guidelines §15303, New Construction or Conversion of Small Structures.

Applicant/ Property Owner: Elliott Brainard / Stan and Elsa Megerdichian

REQUESTING DEPARTMENT:

Community & Economic Development

Gina Montecallo, Assistant Planner

Nolan Bobroff, Community and Economic Development Director

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 Planning and Economic Development Commission Resolution (the Resolution), making the required CEQA and Municipal Code findings, and approving Variance 24-002 with conditions as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution

SUMMARY:

Proposal:	Variance request to permit a 7-foot height increase of the 18-foot maximum building height requirement for construction of a 4,323-sf single family residence
Location:	65 Juniper Court (APN: 032-150-023-000)
Size of Property:	13,082 sq. ft. (0.31 acres)
Zoning:	Area 1 of the Juniper Ridge Master Plan
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 to the applicable building height standard 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 65 Juniper Court (Lot 23) in Area 1 of the Juniper Ridge Master Plan. The property is situated on a steep, down-sloping lot with an average slope of 24.9%. Approximately half of the southern portion of the lot exceeds a 30% slope, triggering the designated development setback line as defined in Section 7.1 *Vegetation Preservation* of the Juniper Ridge Master Plan. The applicable development setback line was recorded on the Tract Map and follows the 30% slope line on lots abutting the Valentine Reserve. Additionally, the lot has an irregular configuration, with a narrow street frontage and wider rear half. The widest portion of the lot falls within the development setback limit, further complicating site planning and reducing the practical footprint for development, which contributes to the difficulty in developing the property since the widest portion of the lot is located within the development setback limit.

Lot 23 is the last remaining vacant parcel backing onto the Valentine Reserve and is subject to a specific height restriction of 18-feet pursuant to the Juniper Ridge Master Plan. These combined factors—topographic constraints, setback limitations, and restrictive height regulations— present significant development constraints that make it difficult to build in a manner consistent with other properties along Juniper Court.

Under the Juniper Ridge Master Plan, Area 1 is designated for single-family residential lots having a minimum area of 10,000 square feet, and the development of single-family homes within the Juniper Ridge Subdivision is a permitted use subject to design review permit approval.¹ Additionally, for Lots 17 through 23, the Master Plan imposes a stricter maximum building height standard of 18-feet above the grade of the adjacent street as measured at the midpoint of the lot frontage and centerline of the street. This height limitation was established to address concern about possible visual impacts to the adjacent Valentine Reserve. The specific visual impact concern was that if the property were to be subjected to the standard Municipal Code height provisions, the building height would be determined by the average of the height of the four building faces, which theoretically could result in the building face that backs up to the Valentine Reserve measuring over 50 feet tall due to the nature of the down sloping topography, and would be highly visible from the Reserve property.

However, pursuant to Ordinance 92-04 of the 1992 District Zoning Amendment (DZA 92-004), the Juniper Ridge Master Plan was amended to allow variation in the 18-foot height requirement if variance findings can be met or if a significant public benefit will result, as determined by the Planning Director, Juniper Ridge Architectural Committee and a representative of the Valentine Reserve.² The impetus for the height increase allowance was to allow for a two-story structure in some instances which would ultimately result in less disturbance of the lot since less grading would be required for a two-story structure than a similar sized single-story structure. The Valentine Reserve, the Juniper Ridge Architectural Committee, and Town staff agreed that instituting flexibility in the 18-foot height restriction would be acceptable, provided that the Valentine Reserve and Juniper Ridge Architectural Committee are provided an opportunity to review projects requesting a height increase through the variance process.

In accordance with the amendments approved by DZA 92-04, a Variance application (VAR 24-002) was submitted on August 23, 2024 for a 7-foot increase of the 18-foot maximum building height requirement to allow a 25-foot maximum building height for the construction of a 4,323 square-foot single-family residence. As a part of the Town's review of the project, the project plans were routed to the Valentine Reserve to allow for a visual impact study of the proposed structure with the height increase. The Valentine Reserve found the design to be acceptable and provided the Town with an approval letter.

¹ Prior to construction of the residence, the design is required to be reviewed through the administrative design review process.

² The Juniper Ridge Architectural Committee is no longer in existence meaning review by that entity is no longer required.

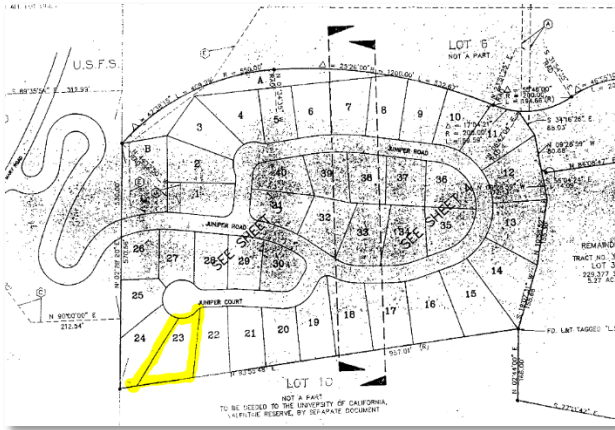


FIGURE 1: LOT PLAN



FIGURE 2: PROJECT SITE

Proposal

As described above, the Variance application requests a 7-foot height increase of the 18-foot maximum building height requirement for a new maximum building height of 25-feet for the construction of a 4,323-sf single family residence. An increase in the maximum building height would allow for the construction of two-story home that would otherwise meet all development standards within the Juniper Ridge Master Plan and the Municipal Code. The single-family home consists of four bedrooms, four bathrooms, a powder room, kitchen, living area and a loft. Covered porches are incorporated at both primary living levels and parking is provided with a two-car garage and two uncovered driveway spaces.

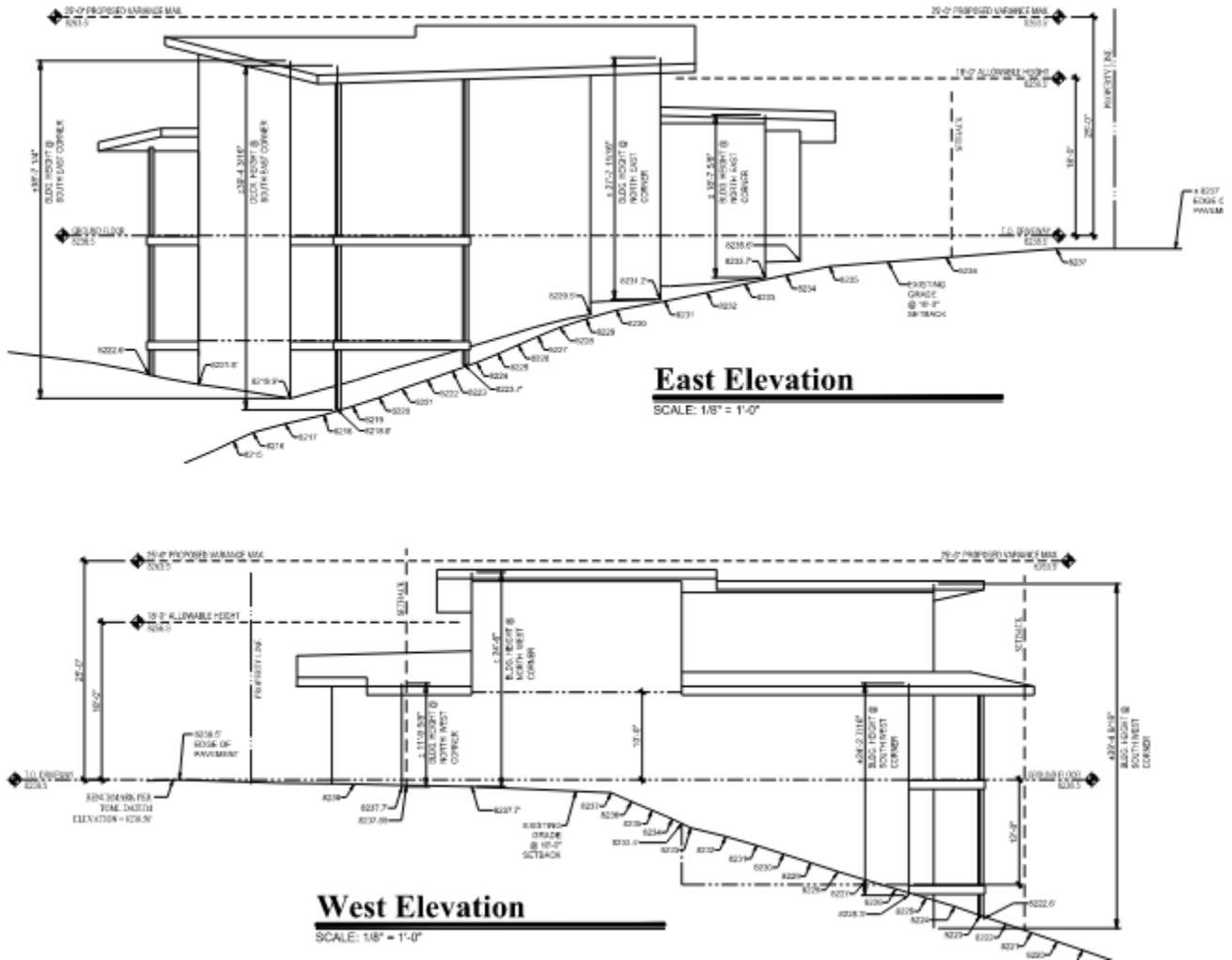


FIGURE 4: ELEVATIONS

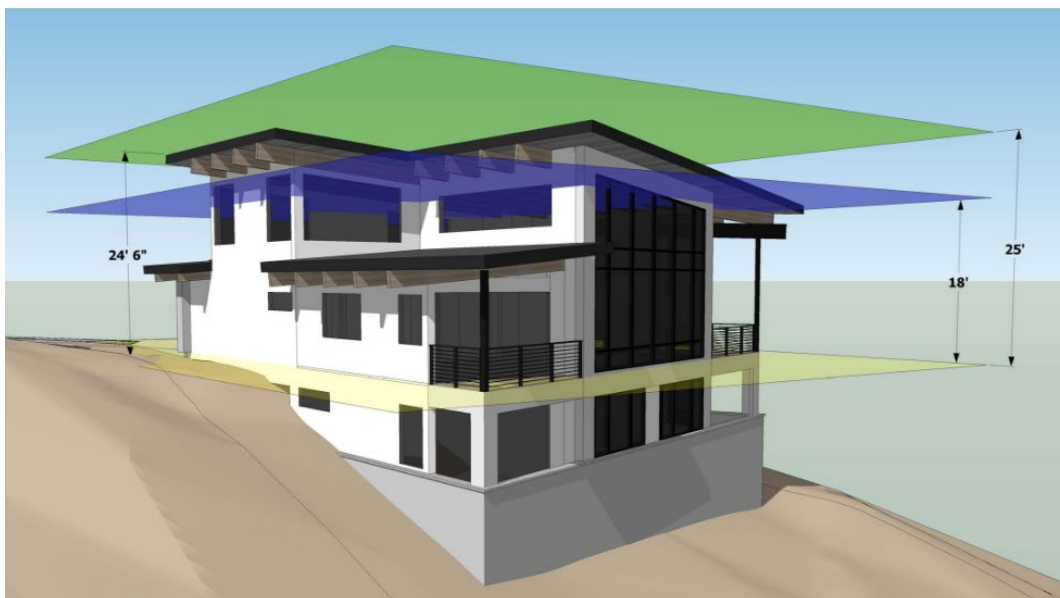


FIGURE 5: PROJECT RENDERING



FIGURE 6: VISUAL IMPACT STUDY

Existing Site and Surrounding Land Uses

The subject property is zoned Area 1 under the Juniper Ridge Master Plan. The adjacent parcels on the north, east and west sides are also zoned Area 1 under the Juniper Ridge Master Plan. The parcel on the south side is zoned as Area 5 under the Juniper Ridge Master Plan. **Table 1** further describes the surrounding land uses and zoning.

Table 1: Surrounding Land Uses and Zoning.

Location	Zoning*	Land Use	Special Considerations
North	Area 1	Single-family residence	None
South	Area 5	Open Space	Backs up to the Valentine Reserve.
East	Area 1	Single-family residence	None
West	Area 1	Single-family residence	The max building height for Lot 24 was increased to 30 feet above natural grade in accordance with DZA 92-04.

Municipal Code Consistency

The project site is zoned as Area 1 under the Juniper Ridge Master Plan. Area 1 is considered the Juniper Ridge Subdivision and allows “A maximum of 40 single family lots having minimum areas of 10,000 square feet.” The proposed project is classified as a single-family residential home, which is a permitted use in Area 1.

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 Land Use: Resort (R)		Specific Plan: N/A	
Zoning: Resort (R)		District: Area 1 of the Juniper Ridge Master Plan	
Existing Land Use: Vacant		Permit Required: Variance for a 7-foot height increase of the 18-foot maximum building height requirement.	
Development Standards			
Standard	Required/Allowed	Proposed/Provided	Complies?
Setbacks			
Front yard (feet)	5 feet	5-feet	Yes
East side yard (feet)	10 feet	10 feet	Yes
West side yard (feet)	10 feet	10 feet	Yes

Rear yard (feet)	No site disturbance shall be permitted on those south-facing portions of the property having slopes of 30% or more. A development setback line generally corresponding to the 30% slope line shall be designated on the Final map of Tract No. 36-168 adjacent to Lots 17 through 26.	46 feet – 97 feet	Yes
Lot Coverage	40%	23%	Yes
Building Height	18 feet above the grade of the adjacent street as measured at the midpoint of the lot frontage and centerline of the street	24 ft. 6 in.	No (Variance Requested)
Snow Storage	75% of driveway = 447 sq. ft.	447 sq. ft.	Yes
Parking Spaces	2 enclosed 1 exterior	2 enclosed 2 exterior	Yes

General Plan

The General Plan land use designation for the site is Resort (R) which *“is generally applied to large parcels capable of providing a complete resort experience as found in the master plan areas of Sierra Star, Snowcreek, and Juniper Ridge.”* (General Plan, Pg. L-5).

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>“Being a great place to live and work.”</i>	The approval of the requested Variance will allow for the design of a two-story single-family home that is similar in size to other homes developed on adjacent properties and makes for a more desirable home to live and work.
<i>“Protecting the surrounding natural environment and supporting our small-town atmosphere by limiting the urbanized area.”</i>	The proposed project adheres to the significant rear setback ranging from 46 feet to 97 feet to reduce site disturbance and preserve vegetation on the rear down sloping portion of the site.

<p><i>“Exceptional standards for design and development that complement and are appropriate to the Eastern Sierra Nevada mountain setting and our sense of a “village in the trees” with small town charm.”</i></p>	<p>The proposed single-family residence is designed to be integrated into the neighborhood and natural surroundings by preserving mature trees on the site. The approval of the requested 7-foot height increase Variance would allow for a two-story structure, and thus a smaller building footprint than a similar sized single-story residence which will reduce unnecessary excavation and grading impacts to the adjacent open space. The design retains several large Jeffrey pines which further reduces the visual impact from the surrounding open space.</p>
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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
<p><i>Goal H.6. Balance the need and provision of housing in the community with its impacts on the environment.</i></p>	<p>If approved, the Variance request will result in a two-story house that avoids excessive grading, which avoids potentially compromising the steep slope leading to natural open space area. The Visual Impact Study also shows minimal impact made by a structure with a 7-foot height increase to the adjacent Valentine Reserve.</p>
<p><i>Goal H.3.: Maintain high quality, livable housing units and neighborhoods in Mammoth Lakes.</i></p>	<p>If approved, the Variance request will result in a two-story house which improves the livability of the property and allows development of the property similar to other properties on the same street.</p>
<p><i>Goal R.2. Maintain a healthy regional natural ecosystem and provide stewardship for wetlands, wet meadows and riparian areas from development-related impacts.</i></p> <p><i>Goal R.5. Minimize erosion and sedimentation.</i></p>	<p>With approval of the Variance, the proposed height increase would help to minimize the building footprint and thus reduce the need for significant grading that would otherwise occur. This would prevent potential erosion and degradation of the rear portion of the property which slopes down towards the Valentine Reserve and the fragile wetland meadows below.</p>

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 steep topography of the site, which slopes downward from the street towards the Valentine Reserve. The slope of the property averages 24.9%. Also, approximately half of the south-facing portion of the lot has a slope greater than 30% and therefore deemed undevelopable per Section 7.1 Vegetation Preservation under the Juniper Ridge Master Plan. In addition to the steep topography of the property, the shape of the lot is irregular and features a width of 58-feet at the front of the property, with the widest portion of the lot being located at the rear of the site, which is unfortunately prohibited from being developed. These combined limitations—steep terrain, setback restrictions, irregular lot shape, and additional height restrictions— create a hardship to development of Lot 23 and due to these special circumstances, 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 since the buildable area is significantly smaller than the other nearby properties. .

- 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 the identical zoning classification since the variance will allow for construction of a two-story plus loft single-family structure, in a similar manner to the existing single-family structures located on Juniper Court and Juniper Road. The proposed design of the residence includes an estimated 4,323 square feet of conditioned living area, which is smaller than most of the neighboring houses when analyzing the total livable space. Additionally, the proposed single-family structure meets all other development requirements set forth by the Juniper Ridge Master Plan, including lot coverage and setbacks.

Allowing the proposed height increase eliminates a hardship for the property owner because the owner is currently burdened with what is estimated to be 460 cubic yards of excavated soil, or 57 truckloads of soil, in order to achieve a two-story plus loft design without exceeding the current height limit. Therefore, allowing the proposed height increase does not constitute a grant of special privilege for the subject property.

- 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 Area 1 of the Juniper Ridge Master Plan and is consistent with neighboring properties and uses in the site vicinity. The ability to request a height variance was authorized by Ordinance 92-04, which implemented the 1992 District Zoning Amendment for the Juniper Ridge Master Plan, and is therefore consistent with the zoning laws. Additionally, after analyzing the provided Visual Impact Study, representatives for the Valentine Reserve reviewed and approved the height variance request, in adherence to the applicable condition of approval under the Ordinance 92-04 of the 1992 District Zoning Amendment.

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 height increase does not result in any hazardous uses or impacts and is consistent with what would be permitted on similar single-family residential lots in areas not adjacent to the Valentine Reserve. The variance would also respect the ecological health of the surrounding environment by preventing potential erosion from unnecessary grading which could otherwise result in sediment leaving the property and affecting the fragile watershed below, or due to the steep topography, excessive erosion posing threats to the future structure and soil stability.

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 Resort (R), which is a land use designation that encompasses large parcels capable of providing a complete resort experience as found in the master plan area of Juniper Ridge. The Juniper Ridge Master Plan divides the land use into four areas, all of which combine to achieve the complete resort experience described in the General Plan, including single-family residential housing, condominium units, hotels and lodging, and mixed-use. The lot pertaining to the requested variance is designated under Area 1, which restricts allowable land uses to single-family detached residential lots with a minimum of 10,000 square feet, and therefore the use is consistent since it is a detached single-family residence on a 13,082 square foot lot.

Additionally, the variance is consistent with the General Plan because the height increase will maintain high quality design and livable housing units and neighborhoods in Mammoth Lakes by allowing for a two-story home (*Goal H.6*) while also minimizing erosion and sedimentation by reducing the need for excessive grading (*Goal R.5*).

The project adheres to the intent of the Juniper Ridge Master Plan that regulates all development within the Juniper Ridge subdivision.

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.

The proposed height increase is designed to provide the minimum roof height needed to accommodate two stories and a loft, and is the minimum departure from the zoning code necessary to provide relief to the property owner.

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), Mammoth Community Water District (MCWD), and the Valentine Reserve. No comments were received from MLFPD or MCWD that result in any additional conditions of approval for the project. An approval letter was received from Valentine Reserve acknowledging that they were ok with the height increase and that the project would not result in visual impacts to their property.

Notice of the public hearing, including a project description, was mailed to property owners within 300 feet of the subject property on May 28, 2025. The notice was also posted in The Sheet newspaper on May 31, 2025 and June 7, 2025. No public comments had been received as of the time this report was published.

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 24-002 with conditions as recommended by staff or with modifications.

Attachments

Attachment A: Planning and Economic Development Commission Resolution

Attachment B: Project Plans

Attachment C: Project Narrative and Visual Impact Study

Attachment D: Valentine Reserve Approval Letter