

ATTACHMENT A

Planning and Economic Development Commission Resolution 2025-10

Exhibit “A” – Conditions of Approval

Recording Requested by and
When Recorded Mail To:

Town of Mammoth Lakes
Community & Economic Development Department
P.O. Box 1609
Mammoth Lakes, CA 93546

)
)
)
)
)
)
)

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

RESOLUTION NO. PEDC 2025-10

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND
ECONOMIC DEVELOPMENT COMMISSION APPROVING
USE PERMIT 24-003, DESIGN REVIEW 24-006 AND ADJUSTMENT 25-005
TO PERMIT A DENSITY BONUS OF THREE UNITS PURSUANT TO
MC §17.138.040 (TOWN DENSITY BONUS ORDINANCE) FOR A MULTI-FAMILY
RESIDENTIAL APARTMENT PROJECT CONSISTING OF SIX UNITS
LOCATED AT 54 MONO STREET
(APN: 033-123-012-000)**

WHEREAS, a request for consideration of a Use Permit, Design Review and Adjustment application were filed by the property owner, Bipin Morari, to permit construction of a multi-family residential apartment project consisting of six dwelling units, in accordance with Chapter 17.20 (Residential Zoning Districts), Chapter 17.68 (Use Permits), Chapter 17.88 (Design Review), and Chapter 17.138 (Town Density Bonus) of the Town of Mammoth Lakes Municipal Code, for property located within the Residential Multi-Family 1 (RMF-1) zoning district at 54 Mono Street; and

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing on the application request on August 13, 2025, at which time all those desiring to be heard were heard; and

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

1. The staff report to the Planning and Economic Development Commission with exhibits;
2. The General Plan, Municipal Code, Design Review Guidelines, and associated Land Use Maps;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing; and
5. Project plans consisting of:
 - a. Project Plan set dated received by the Town of Mammoth Lakes August 6, 2025, consisting of 22 sheets; and
 - b. A Color and Material Board, dated received by the Town of Mammoth Lakes August 6, 2025.

NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS.

I. CEQA.

The subject application is categorically exempt pursuant to Section 15332, In-fill Development Projects, of the CEQA Guidelines because the following criteria are met, and none of the exceptions set forth in CEQA Guidelines Section 15300.2 are present.

a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

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 three (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, for a total of six-units.

The project is consistent with General Plan Land Use Policy L.2.D, which states, “Encourage the development of workforce housing by offering a Town Density Bonus Program, in addition to the State Density Bonus Program, that is flexible and adaptive and allows multi-family residential projects to construct up to twice the base density identified for the designation in which the project is located. Projects will be eligible to receive proportionately greater density bonuses, up to a maximum of twice the base density, in exchange for deed restricting a greater percentage of the base density units. Density bonuses granted pursuant to this policy are mutually exclusive of density bonuses granted pursuant to the State Density Bonus Program (i.e., a developer can elect to utilize either the Town density bonus or the State density bonus, but not both).” 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

2020 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 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 0.25 acres; and the site is substantially surrounded by urban uses including adjacent multi-family residential apartments and single-family residential structures that are on lots zoned for multi-family residential uses.

c. The project site has no value as habitat for endangered, rare, or threatened species.

The Project site has no value as habitat for endangered, rare, or threatened species since the site is surrounded by existing 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 relating to traffic, noise, air quality, or water quality.

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.

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.

f. None of the exceptions set forth in CEQA Guidelines Section 15300.2 apply because:

- (1) in-fill development projects are classified as Class 32 by the California Secretary for Resources and are not subject to the special circumstances applicable to projects classified as Classes 3, 4, 5, 6, and 11;
- (2) the cumulative impact from successive projects over time will not be significant because the proposed use is consistent with the allowed and previously anticipated uses for the zone and the density of the project is allowed pursuant to the Town Density Bonus Program;
- (3) the proposed activity will not have a significant effect on the environment because the site is a small infill site surrounded by developed urban uses and the development is consistent with all development and design standards of the Zoning Code, with the exception of the allowed concessions permitted in conjunction with the Town density bonus;
- (4) the site is not adjacent to a scenic highway;
- (5) there are no known hazardous materials listed within or near the project site as the project site is not listed on the Hazardous Waste and Substances list maintained by the Town; or the State Water Resources Control Board GeoTracker system which includes leaking underground fuel tank sites and spills, leaks, investigations, and cleanup sites; or the Department of Toxic Substances Control EnviroStar Data Management System which includes CORTESTE sites; or the Environmental Protection Agency's database of regulated facilities; and
- (6) there are no known historical or cultural resources areas on the site, and therefore, there will not be a substantial adverse change in the significance of an established historical resource as a result of the project.

Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(2) since the project meets the criteria for use of the CEQA Guidelines Section 15332 (Infill Development Projects) categorical exemption and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.

II. MUNICIPAL CODE FINDINGS.

A. FINDINGS FOR USE PERMIT (Municipal Code Section 17.88.060 and 17.138.060)

1. The proposed use is consistent with all applicable sections of the General Plan and Title 17 and is consistent with any applicable specific plan or master plan;

The proposed use is a multi-family residential project that includes a density bonus request to allow three additional units above the base density of three dwelling units, for a total of six units. The proposed use requires a Use Permit pursuant to the Town Density Bonus Program.

The proposed use 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. With adherence to the Town Density Bonus Program requirements, the increased density is consistent with the applicable Municipal Code sections.

The project is consistent with General Plan Land Use Policy L.2.D, which states, “Encourage the development of workforce housing by offering a Town Density Bonus Program, in addition to the State Density Bonus Program, that is flexible and adaptive and allows multi-family residential projects to construct up to twice the base density identified for the designation in which the project is located. Projects will be eligible to receive proportionately greater density bonuses, up to a maximum of twice the base density, in exchange for deed restricting a greater percentage of the base density units. Density bonuses granted pursuant to this policy are mutually exclusive of density bonuses granted pursuant to the State Density Bonus Program (i.e., a developer can elect to utilize either the Town density bonus or the State density bonus, but not both).”

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.

There is no specific plan or master plan applicable to the project.

2. **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 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, and landscaping.

3. **The proposed project will generate a sufficient number of Eligibility Points required for the bonus amount requested;**

The project is required to generate 100 points based upon the Town Density Bonus Program calculation. To generate 100 points, the project is required to deed restrict all three of the density bonus units. The applicant is proposing to deed restrict all six units (*3 base density units and 3 density bonus units*) to the “Occupancy-Restricted Household” affordability level category and therefore generates a sufficient number of eligibility points to grant the requested density bonus.

4. **The proposed project is compatible with the surrounding neighborhood with regards to building scale, form, materials, and street orientation;**

The proposed apartment building and site improvements combine together in an attractive and visually cohesive manner that is compatible with and complements the character of the surrounding multi-family residential neighborhood. The surrounding neighborhood consists of a mixture of multi-family housing types at varying densities. Additionally, the majority of the parking is located understructure and therefore minimizes surface parking throughout the property.

The project also complies with applicable multi-family development standards which include the requirement for a minimum of 75% of the building facade adjacent to a street to be occupied by habitable space with windows and at least one pedestrian entrance. The street facing façade of the building includes habitable space with windows and one pedestrian entry into the garage level. The building height does not exceed the 35-foot maximum and the split face CMU block base material helps to maintain a pedestrian scale.

5. The incentive or concession is required in order to make the project feasible, and the incentive or concession requested is the minimum departure from the requirements of this Zoning Code necessary to make the housing project feasible.

The application requests four 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 three additional concessions are requested in exchange for deed restricting three additional units that would not otherwise be required based on the Eligibility Point Schedule. The requested concessions include (1) a 10% increase in the allowable lot coverage to allow for 60% lot coverage, (2) a 20% reduction of the rear and side yard setbacks, (3) a decrease in one guest parking space, and (4) the removal of private outdoor space.

The requested concessions are the minimum departure from the applicable Zoning Code requirements necessary to make the project feasible due to the sites' physical constraints resulting from the Town's requirement for a 10-foot Irrevocable Offer of Dedication (IOD) along the eastern property line and a 30'-wide existing access easement running along the northern portion of the property. These constraints reduce the buildable areas of the property, thereby requiring the building be pushed back into the southern and western setback areas and reducing the area that could be used for guest parking. The concession related to lot coverage is to be expected for projects utilizing the Town density bonus provision since the structure(s) will generally be larger to accommodate an increase in the numbers of units and the 10% increase is a reasonable request in that it is consistent with what would be allowed in the RMF-2 zone. The concession related to private outdoor balconies for each unit would be difficult to achieve due to the project design and the public benefit of an additional workforce housing unit outweighs the benefit of a private balcony.

B. FINDINGS FOR DESIGN REVIEW PERMIT (Municipal Code Section 17.88.060)

1. The project is consistent with the applicable standards and requirements of the Municipal Code.

The project is consistent with the applicable standards and requirements of the Mammoth Lakes Zoning Code because the project complies with all applicable regulations of the Residential Multi-Family 1 (RMF-1) Zone, including, but not limited to density, lot coverage, and setback modifications allowed pursuant to Municipal Code §17.138, Town Density Bonus Program, building height, snow storage, parking, solid waste/recycling, and specific land use regulations identified in Municipal Code §17.52.210 for multi-family residential projects.

The project includes four concessions from the applicable development standards which have been determined to be acceptable since the project will provide a greater public benefits through the provision of a higher number of deed restricted residential units than is otherwise required by the Town Density Bonus Ordinance. The proposed concessions are:

- An increase in the allowable lot coverage from 50% to 60% - automatic concession per 17.138.050.A
- A 20% reduction in the rear and side yard setbacks - additional concession per 17.138.050.B
- The reduction of one guest parking space to allow for a total of two guest parking spaces - alternative concession per 17.138.050.C
- Waive the requirement to provide private 60 square feet of outdoor open space for each dwelling unit. - alternative concession per 17.138.050.C

With approval of the requested concessions the project complies with the applicable Municipal Code standards.

2. The project is consistent with the General Plan and any applicable specific plan or master 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 a maximum of 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 General Plan Land Use Policy L.2.D., which directs staff to encourage the development of workforce housing by offering a Town Density Bonus Program, in addition to the State density bonus program, to allow multi-family residential projects to construct up to twice the base density identified for the designation in which the project is located. The General Plan Housing Element Policy H.1.C. also directs staff to 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.

In March, 2020, Town Council adopted the updated Town Density Bonus Program so that 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 proposed project will result in six deed-restricted, one-bedroom and three-bedroom units available to the local workforce.

There is no specific plan or master plan applicable to the project.

3. The project is consistent with the Town of Mammoth Lakes Design Guidelines.

The design of the project has a modern form with a gable roof design. Desirable architectural details include a varied roof line, variation in siding material, accent trim, and a split face CMU base. The building materials consist of Newtechwood siding with a textured wood appearance, stucco, and split face concrete block for the base of the structure. The proposed roof material is asphalt composition shingle in a “weathered wood” color.

The proposed colors and materials are appropriate in the context of the surrounding neighborhood and consist of varying grey and tan earth-tones that provide appropriate

contrast between the trim, fascia, and the primary siding materials while maintaining a neutral color palate to blend with the natural environment and site surroundings.

4. **The project is consistent with the following additional Design Criteria (Zoning Code §17.88.050):**

- 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 incorporation of varied roof lines, an overhang that extends over two of the exterior parking stalls, 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 Newtechwood 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 grey, tan and a medium wood tone as well as a dark brown accent color 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 Mono Street is occupied by habitable space with windows and a pedestrian entry into the garage adjacent to Mono Street. These areas provide active spaces and living areas that are visible from the street.

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

A 10-foot Irrevocable Offer of Dedication will be provided to the Town as part of this project which will grant the Town additional right-of-way width needed to provide a standard right-of-way width. 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 configuration for the project consists of two tandem enclosed understructure spaces for each three-bedroom residential unit and one understructure space for each of the one-bedroom units. One exterior ADA parking space is located beneath the roof overhang adjacent to the building with an accessible route of travel to the ADA unit. A second ADA space is provided beneath to roof overhang and functions as a guest parking space. The third guest parking space is located on the exterior of the building but is not located under the roof overhang.

The proposed parking layout for the project meets the required amount of parking when considering the concession requested to reduce the guest parking by one space. 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. Since most of the parking is housed understructure, exterior parking is limited to three spaces which minimizes the exterior paved surface area. The applicant has requested an Adjustment to allow for the single uncovered guest parking space to be located in the front setback.

- 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.**

The proposed exterior lighting plan includes light fixture specifications that are appropriate in scale based upon the specific purpose and placement of the lighting. The proposed exterior lighting is shielded to minimize light pollution and trespass. Condition of Approval #16 is included to ensure that exterior lighting is inspected and verified for compliance with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code prior to the issuance of a certificate of occupancy.

- 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 landscape plan is consistent with the recommendations of the Town of Mammoth Lakes Design Guidelines in that the design promotes a natural aesthetic through the use of native plant species that are prevalent in the Mammoth Lakes region. Five (5) new trees are proposed to be planted throughout the landscape areas and include Jeffrey Pine, Quaking Aspen, and Western Water Birch. Perennials and native groundcover shrub species are proposed for the areas located around the perimeter of the site. Specific shrubs are proposed for screening purposes to be located around the dumpster enclosure and to provide privacy between adjacent properties. 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.

- 5. The project is consistent with any approved tentative map, use permit, variance, or other planning or zoning approval that the project required.**

The proposed project is consistent with the associated use permit because the project is a new multi-family residential development and includes a density bonus request

pursuant to the Town Density Bonus Ordinance. The design review permit is processed concurrently with the use permit and therefore, will be consistent.

C. FINDINGS FOR ADJUSTMENT (Municipal Code Section 17.76.040)

1. A significant public benefit will result.

A significant public benefit will result from allowing one guest parking space to be located in the front setback because providing guest parking on-site helps prevent conflicts with neighboring properties due to parking in unauthorized areas. Additionally, any alternative configuration would result in less on-site snow storage, more pavement, or an encroachment into the rear setback area.

2. For adjustments to setbacks or the distance between structures, a finding shall also be made that adequate snow storage and shedding areas are provided.

The project proposes to hold 78% of the required snow storage on site. The remaining 22% of the required snow storage will be hauled off-site as part of an approved snow storage management plan as allowed pursuant to M.C. Section 17.136.050(d).

3. The parking area shall be protected from snow shed, does not impede emergency access, does not interfere with Town snow storage easements, and conforms to the California Building Standards Code requirements.

The guest parking space located within the front setback area is not affected by snow shed due to its distance from the building and the direction in which snow will shed off the roof. Additionally, the parking space does not interfere with Town snow storage easements and does not impede emergency access to the building

SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS.

The Planning and Economic Development Commission hereby takes the following actions:

1. Finds that this project is categorically exempt pursuant to Section 15332, in-Fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines; and
2. Approves Use Permit 24-003, Design Review 24-006 and Adjustment 25-005, subject to the following conditions:

(SEE EXHIBIT “A”); and

3. Directs staff to file a Notice of Exemption.

PASSED AND ADOPTED this 13th day of August 2025, by the following vote,
to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

RECUSED:

ATTEST:

Nolan Bobroff,
Community and Economic Development
Director

Michael Vanderhurst
Chair of the Mammoth Lakes Planning
and Economic Development
Commission

NOTE: This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

APPLICANT:

I, Bipin Morari, am the property owner and I do hereby attest that I have read, and agree to, the conditions of approval stipulated within this Resolution.

Bipin Morari
(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.

Signature of Notary

EXHIBIT “A”
Resolution No. PEDC 2025-10
Case No. UPA 24-003, DR 24-006, and ADJ 25-005
PLANNING DIVISION CONDITIONS

STANDARD PLANNING CONDITIONS

1. This approval authorizes the following: Construction of a 6-unit multi-family apartment project located at 54 Mono Street. A Use Permit is approved to allow a density increase of three dwelling units along with the following concessions permitted pursuant to the Town Density Bonus Ordinance: 1. An increase in lot coverage to 60%; 2. A 20% reduction of the rear and side yard setbacks; 3. Reduction in one guest vehicle parking space; and 4. Waive the requirement to provide private 60 square feet of outdoor open space for each dwelling unit.
2. This permit and all rights hereunder shall automatically terminate unless the site preparation or construction has commenced within two years after the issuance of this permit and such work is diligently carried on until completion, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.
3. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.
4. This resolution of approval, as conditioned herein, shall be recorded for the subject property by the Mono County Recorder’s Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.
5. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Outdoor storage of equipment and other materials, except for firewood, is prohibited. Non-operating vehicles, equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.
6. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its pre-existing condition by the permittee.
7. All conditions of this permit shall be met or secured prior to final occupancy approval of any tenant improvements or new structures.
8. All uses are subject to review by the Building Official of the Town of Mammoth Lakes and must conform to occupancy ratings of the structures to obtain occupancy.
9. Town staff shall have the right to enter the subject property to verify compliance with these conditions. The holder of any permit associated with this project shall make the premises available to Town staff during regular business hours and shall, upon request make records and documents available to Town staff as necessary to evidence compliance with the terms and conditions of this permit.
10. Prior to the issuance of a building permit, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on this 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. The approved site and building plans shall be adhered to and maintained for the duration of the permit.
13. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.
14. Prior to issuance of a grading or building permit, the applicant shall obtain a secondary source permit or letter of exemption from the Great Basin Unified Air Pollution Control District.
15. The applicant 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. The Town shall promptly notify the applicant of any claim, action, or proceeding and shall be entitled to control the defense of any action.
16. 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.
17. The propane tank serving the property shall be painted tan pursuant to Municipal Code Section 17.36.080.B.
18. The final landscape plan shall substantially conform to the preliminary landscape plan approved by the Planning and Economic Development Commission.

The aggregate landscaped area exceeds 500 sq. ft., so a landscape documentation package shall be required prior to issuance of a Building Permit. Said landscape documentation package shall conform with the requirements identified in Municipal Code Chapter 17.40 (Water Efficient Landscape Regulations). The aggregate landscape area is defined as the total horizontal surface area dedicated to plant installation and irrigation plus the wet surface of any decorative water features. The landscape area for shrubs and trees shall be determined using the shrub/tree mature growth diameter or drip line. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, or other pervious or non-pervious hardscapes outside of planted areas. Landscape area does not include undisturbed areas with established non-irrigated vegetation, or landscaping that is exempt pursuant to Municipal Code Section 17.40.020.D.
19. A valid building permit and a permit from the Mammoth Lakes Fire Protection District are required before any building can begin on-site.
20. Proposed water and sewer connections require a Connection Permit from Mammoth Community Water District. Prior to the Town authorizing any construction, the applicant shall obtain water and sewer permits from Mammoth Community Water district and pay applicable fees to the District.
21. 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.

22. A certificate of occupancy is required for all future tenant improvements within the subject structure. Tenant improvements shall identify occupancy separation requirements, disabled access requirements and compliance with all applicable building, electrical, plumbing, and fire code requirements.
23. Zoning entitlement conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.

SPECIAL PLANNING CONDITIONS

24. Before a certificate of occupancy is issued for the project, the applicant shall certify to the Director that the Eligibility Points upon which the project's residential density bonus was based have been achieved. To satisfy this condition, evidence shall be provided that a Workforce Housing Agreement consistent with Municipal Code Section 17.138.090 has been recorded on title for the property, and that the six units are deed restricted at the agreed upon "Occupancy Restricted" affordability level. The Town shall be named as a party in the Workforce Housing Agreement and all subsequent deed restrictions.
25. Before a certificate of occupancy is issued for a project, the applicant shall provide evidence to the Town that transient rentals are prohibited for all units within the development. Evidence shall consist of a use restriction and/or Workforce Housing Agreement satisfactory to the Town prohibiting transient rentals that has been recorded against all units within the development.
26. The total number of deed restricted units required for the density bonus shall not be reduced or otherwise eliminated without the approval of the review authority. To grant such approval, the review authority must find that there is a corresponding reduction in density.
27. The trash enclosure shall be improved with a concrete slab and enclosure constructed of materials compatible with that of the buildings. Adequate space for recyclable materials shall be provided within the enclosure. All trash enclosures, receptacles, and food storage areas shall be animal resistant. The enclosure is not required to be gated. The enclosure shall be installed prior to issuance of the first certificate of occupancy. At the sole discretion of the Town, an alternate location for recyclable materials may be considered provided that the area and proposed recyclables receptacle is easily accessible for the tenants of the property, easily accessible for the disposal company, adequately protected from animal conflicts, and adequately sized for the development. The final alignment of the trash enclosure and any alternative recyclables receptacle location shall be reviewed by Mammoth Disposal, the Public Works Department, and the Community and Economic Development Department.
28. Pursuant to the Federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey, except as otherwise provided by FGC or any regulation made pursuant thereto. Completion of a nesting bird survey by a biologist with relevant qualifications within three days of initiation of site disturbance is recommended for projects that have the potential to disturb suitable nesting habitat, which may include riparian vegetation, mature trees, snags, and structures.
29. The Building Division will require that a string line be run between the property monuments on the east (front property line), and north (north side property line) at the time of foundation inspection to verify the actual field distance from the structure to the property line.

30. Snow restraint devices shall be installed along the roof edge on the north side of the building. No snow shall shed or be deposited onto adjacent properties or the Town's or State 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.
31. All exterior wood products shall comply with the Wildland Urban Interface (WUI) construction materials requirements certified by the State Fire Marshal's Office and be in compliance with Chapter 7A of the 2016 California Building Code. Plywood or OSB sheeting shall be a minimum of one-half inch thickness with approved siding material placed over top.
32. All eave and crawl space ventilation shall resist the intrusion of flame and burning embers and comply with Chapter 7A of the California Building Code and local modifications.
33. The structure shall comply with NFPA 13R automatic fire sprinkler requirements as required by Section 903.2.8 and 903.3 of the California Fire Code. A deferred submittal for sprinkler plans and calculations will be acceptable.

ENGINEERING DIVISION CONDITIONS

STANDARD CONDITIONS / GENERAL REQUIREMENTS:

34. 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.
35. All grading and public improvements, including driveways and parking areas, shall be consistent with the Town of Mammoth Lakes Standard Plans for Public Works.
36. Applicant is responsible for compliance with the Guidelines for Erosion Control in the Mammoth Lakes area. This shall include submittal of a Report of Waste Discharge, if applicable.
37. An encroachment permit or a letter of exemption shall be obtained from the Engineering Services Division of the Town prior to construction within the public right-of-way in accordance with Chapter 12.04 of the Municipal Code. Encroachment permit application shall include a traffic control plan as applicable.
38. Grading plans shall include a Construction Staging and Management Plan which includes provisions related to the parking of construction worker vehicles, equipment and staging of materials, haul routes for export or import of material to/from a permitted site, hours of work, and special approval required by the Town Public Works Director for work outside hours allowed. The plan shall also contain provisions for interrupting utility services to neighboring properties and sufficient noticing to affected residents and property owners.
39. Address numbers shall be placed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street, consistent with Municipal Code Chapter 16.32.

SPECIAL ENGINEERING CONDITIONS:

40. Prior to issuance of a grading permit or building permit, a snow removal/storage management plan for the hauling of snow in accordance with Municipal Code Section 17.36.110.B(3)(a) shall be submitted by the applicant and approved by the Community and

Economic Development Department and Public Works Department. The plan shall be in the form of a recorded document mutually agreed to between the property owner and the Town and shall describe features such as, but not limited to, location of snow storage areas, the method of snow hauling, frequency of pick-ups, pick-up areas, haul routes, hours of hauling operations, and snow deposit areas. The plan shall also include methods to address potential cornice and ice falling onto pedestrian and vehicular areas and methods to address hazardous snow and ice build-up on pedestrian pathways and sidewalks. Approved methods to address hazardous snow and ice build-up include plowing, application of cindering, and potential of heat-traced pavement.

41. Owner shall provide an irrevocable offer of dedication (IOD) to the Town, in a form and with content acceptable to the Town, for public right-of-way, street, drainage and snow storage purposes for a width of 10ft from right-of-way line along Mono Street, per the Town's Policy for Development on Sub-Standard Streets. New setback shall be measured from the ultimate/new property/right-of-way line. Owner shall submit a copy of the most recent grant deed for the property for the Town's use in preparation of the IOD document. This shall be complete prior to certificate of occupancy.