

# **Attachment 5**

Council Resolution 09-64, Approving Public Works Standard Plan 008-0,  
Policy for Development of Substandard Streets

**RESOLUTION NO. 09-64**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPTING REVISED AND UPDATED VERSION OF "THE TOWN OF MAMMOTH LAKES STANDARD PLANS FOR PUBLIC WORKS"**

**WHEREAS**, the Planning Commission evaluated the "Town of Mammoth Lakes Standard Plans For Public Works", in accordance with Section 12.04 and 12.08 of the Town of Mammoth Lakes Municipal Code

**WHEREAS**, the Planning Commission conducted a Public Hearing on the proposed Standards on August 26, 2009, at which time all those desiring to be heard were heard; and

**WHEREAS**, the Planning Commission considered, without limitation:

1. The review by the Planning Commission,
2. The General Plan, Municipal Code, and current Mono County Roads Standards;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing;
5. Proposed "Town of Mammoth Lakes Standard Plans for Public Works", dated August 2009.

**WHEREAS**, the Town Council makes the following findings pursuant to Section 12.04 and 12.08 of the Mammoth Lakes Municipal Code:

1. The Town of Mammoth Lakes Standard Plans For Public Works establishes goals and policies that implement the goals, policies and objectives of the General Plan.
2. The Mammoth Lakes Standard Plans For Public Works will properly regulate the public works improvements including, design, materials, illumination, and landscaping of new construction, within the Town in order to maintain public safety, and enhance the image, attractiveness and environmental qualities of the Town of Mammoth Lakes.
3. The Mammoth Lakes Standard Plans For Public Works will ensure that public improvements designs provide detail and requirements to promote designs with the public's safety in mind and national adopted standards where such standards are suitable in the Town's environment.
4. The Mammoth Lakes Standard Plans For Public Works provide for flexibility in their use or deviations when they are not applicable when approved by the Public Work Director.
5. The Mammoth Lakes Standard Plans For Public Works will ensure that public infrastructure improvements are constructed of high quality materials and design that will reduce and enhance the life cycle costs of such improvements.

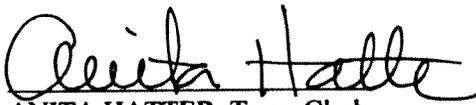
**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Mammoth Lakes hereby adopts the "Town of Mammoth Lakes Standard Plans for Public Works",

**BE IT FURTHER RESOLVED** that the Planning Commission, in its independent judgment, finds that this action is not a project pursuant to Section 15378 of the California Environmental Quality Act (CEQA) Guidelines.

**PASSED AND ADOPTED** this 16<sup>th</sup> day of September, 2009.

  
NEIL MCCARROLL, Mayor

ATTEST:

  
ANITA HATTER, Town Clerk

STATE OF CALIFORNIA        )  
COUNTY OF MONO            )  
TOWN OF MAMMOTH LAKES)        ss.

I, ANITA HATTER, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Resolution No. 09-64 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 16<sup>th</sup> day of September, 2009, by the following vote:

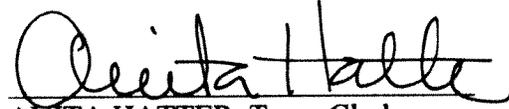
AYES:                        Councilmembers Bacon, Harvey, Mayor Pro Tem Eastman, and Mayor McCarroll

NOES:                        None

ABSENT:                     Councilmember Sugimura

ABSTAIN:                    None

DISQUALIFICATION:        None

  
ANITA HATTER, Town Clerk

## POLICY FOR DEVELOPMENT ON SUB-STANDARD STREETS

THIS POLICY IS INTENDED TO ADDRESS THE DEVELOPMENT ON SUB-STANDARD STREETS WITHIN THE TOWN OF MAMMOTH LAKES. THIS POLICY IS APPLICABLE TO ALL SUB-STANDARD STREETS. A STREET MAY BE DEEMED SUB-STANDARD BY THE PUBLIC WORKS DIRECTOR. A STREET MAY BE CONSIDERED SUB-STANDARD AS A RESULT OF CHANGES MADE TO THE MUNICIPAL CODE, THE SUBDIVISION ORDINANCE OF THE TOWN, AND BY CHANGES IN THE INTERNATIONAL FIRE CODE AS AMENDED BY THE STATE OF CALIFORNIA AND THE MLFPD CODE.

IN SOME CASES, IT MAY NOT BE REASONABLE TO IMPOSE THE APPLICATION OF CURRENT STREET STANDARDS TO A PROPOSED DEVELOPMENT THAT MAY ONLY BE ACCESSIBLE VIA A SUBSTANDARD STREET. OFF-SITE RIGHT-OF-WAY DEDICATIONS AND/OR STREET IMPROVEMENTS THAT WOULD BE REQUIRED TO BRING THE STREET INTO COMPLIANCE MAY BE IMPRACTICAL OR EXTRANEIOUS TO THE PROPOSED DEVELOPMENT. IN SUCH CASES THE FOLLOWING REQUIREMENTS SHALL BE APPLIED TO PROPERTIES ON STREETS AS SUCH:

- RIGHT OF WAY DEDICATIONS SHALL BE REQUIRED ALONG ALL FRONTAGES OF THE SUBJECT PROPERTY. THE DEDICATION SHALL BE HALF WIDTH FROM CENTERLINE, AND SHALL INCLUDE SNOW STORAGE EASEMENTS WHERE REQUIRED.
- ADDITIONAL RIGHT OF WAY OR SNOW STORAGE EASEMENTS MAY BE REQUIRED WHENEVER THE DEVELOPMENT OF THE PROPERTY REQUIRES THE ADDITIONAL DEDICATIONS. STREETS THAT HAVE NOT BEEN ACCEPTED BY THE TOWN AND PRIVATE STREETS SHALL MAKE AN IRREVOCABLE OFFER OF DEDICATION (IOD) FROM THE CENTERLINE OF THE EXISTING EASEMENT OUT TO THE ULTIMATE RIGHT OF WAY. THE IOD MAY NOT BE ACCEPTED UNTIL SUCH TIME AS THE ENTIRE STREET IS TO BE ACCEPTED AS A PUBLIC STREET. SETBACKS SHALL BE MEASURED FROM THE ULTIMATE RIGHT OF WAY.
- ALL PORTIONS OF STREETS FRONTING THE PROPERTY TO BE DEVELOPED SHALL BE IMPROVED TO THE FULL HALF-WIDTH STREET SECTION FROM CENTERLINE, PLUS EIGHT FEET OF PAVEMENT ON THE OPPOSITE SIDE OF THE CENTERLINE.
- IMPROVEMENTS SHALL INCLUDE PAVING, SNOW POLES, SIGNAGE, AND CURB, GUTTER AND SIDEWALK WHERE REQUIRED BY A TOWN ADOPTED PLAN OR POLICY. ADDITIONAL IMPROVEMENTS MAY BE REQUIRED WHEREVER IT IS DEEMED NECESSARY BY THE PUBLIC WORKS DIRECTOR TO PROVIDE FOR SAFE AND REASONABLE TRANSITIONS.
- FIRE DEPARTMENT ACCESS SHALL BE IMPROVED TO THE PROPERTY BY PROVIDING TURNOUTS, FIRE HYDRANTS AND TURNAROUNDS CONSISTENT WITH MLFPD REQUIREMENTS.
- EXISTING DEAD END STREETS BEING DEVELOPED SHALL PROVIDE A CUL-DE-SAC OR TURNAROUND APPROVED BY THE PUBLIC WORKS DIRECTOR
- IN AREAS WHERE INADEQUATE FIRE ACCESS EXISTS THE DEVELOPER MAY BE REQUIRED TO PROVIDE ADDITIONAL PAVEMENT ALONG THE STREET FRONTAGE IN ORDER TO ACCOMMODATE A FIRE ACCESS TURNOUT, THE LENGTH AND WIDTH TO BE DETERMINED BY THE MLFPD. A FIRE HYDRANT MAY ALSO BE REQUIRED. PARKING WOULD NOT BE PERMITTED AND THE ROAD SHALL BE SIGNED AS SUCH ALONG THE TURNOUT, REGARDLESS OF THE FIRE HYDRANT.
- WHEN PROPERTIES ARE TO BE DEVELOPED ON PRIVATE STREETS, UNIMPROVED STREETS OR A STREET THAT IS NOT MAINTAINED BY THE TOWN THE PROPERTY OWNER SHALL ENTER INTO TWO AGREEMENTS WITH THE TOWN PRIOR TO ISSUANCE OF A BUILDING PERMIT OR RECORDATION OF A MAP: WAIVER OF RIGHTS FOR THE FORMATION OF AND ANNEXATION INTO AN ASSESSMENT DISTRICT FOR THE CONSTRUCTION OF STREET AND RELATED IMPROVEMENTS, INCLUDING UTILITIES; AND A WAIVER OF RIGHTS FOR THE FORMATION OF A BENEFIT ASSESSMENT DISTRICT FOR THE MAINTENANCE OF THE STREET AND RELATED PUBLIC IMPROVEMENTS.
- EASEMENTS SHALL BE GRANTED WHENEVER REQUIRED BY MUNICIPAL CODE OR AN ADOPTED TOWN PLAN OR POLICY.
- DEVELOPMENT PROJECTS THAT PROPOSE DENSITY IN ADDITION TO THAT WHICH IS ALLOWED BY CURRENT ZONING, OR BY THE REZONING OF THE PROPERTY TO A HIGHER DENSITY, SHALL REQUIRE ADDITIONAL IMPROVEMENTS. ALLOWING ADDITIONAL DENSITY IS A DISCRETIONARY PROCESS AND THEREFORE THE EXTENT OF THE ADDITIONAL IMPROVEMENTS IS DISCRETIONARY AND SHALL ADDRESS ALL ISSUES CONCERNING THE PUBLIC HEALTH, SAFETY AND WELFARE AS APPROVED BY THE PLANNING COMMISSION OR TOWN COUNCIL. THIS MAY INCLUDE IMPROVEMENTS OFF-SITE AND NOT ADJACENT TO THE PROPERTY, AND MAY ALSO REQUIRE DEDICATIONS FOR STREET PURPOSES, SNOW STORAGE OR FOR OTHER MEASURES TO MITIGATE NEGATIVE IMPACTS.
- IN THE EVENT THAT A DEVELOPMENT PROJECT IS PROPOSED ALONG AN EXISTING MISALIGNED STREET, WHERE THE ALIGNMENT IS OUTSIDE OF THE ROW, THE REALIGNMENT OF THE STREET TO THE ROW WILL BE AT THE DISCRETION OF THE PUBLIC WORKS DIRECTOR. ANY CONDITION THAT REQUIRES THE RE-ALIGNMENT OF THE STREET WILL BE IN ADDITION TO ALL OTHER CONDITIONS AND REQUIREMENTS WITHIN THIS POLICY, TOWN STANDARDS, AND MUNICIPAL CODE.

THE PUBLIC WORKS DIRECTOR WILL PLACE A MEMO IN THE STREET FILES DESCRIBING ANY INTERPRETATIONS OF THIS POLICY. A MEMO WILL BE CREATED FOR EACH AND EVERY PROJECT THAT THIS POLICY HAS BEEN APPLIED TO.

### TOWN OF MAMMOTH LAKES - DEPARTMENT OF PUBLIC WORKS



## POLICY FOR DEVELOPMENT ON SUB-STANDARD STREETS

PUBLIC WORKS DIRECTOR APPROVAL:

*Raymond J. Allen*

DATE: 12/30/09

STANDARD PLAN

008 - 0

SHEET 1 OF 1