



Town of Mammoth Lakes

Planning & Economic Development Commission Staff Report

Meeting Date: October 8, 2025

AGENDA TITLE: Consideration of Use Permit 24-003, Major Design Review 24-006 and Adjustment 25-005 for a six-unit, multi-family residential apartment project subject to the Town's Density Bonus Ordinance located at 54 Mono Street. The project is categorically exempt from CEQA pursuant to CEQA Guidelines §15332, In-Fill Development Projects. **This item was continued from the August 13, 2025 Commission meeting.**

Applicant/ Property Owner: Chak Fai Lau (Applicant) / Bipin Morari (Owner)

REQUESTING DEPARTMENT:

Community & Economic Development

Nolan Bobroff, Director

Gina Montecallo, Assistant 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 Planning and Economic Development Commission Resolution (the Resolution) making the required Use Permit, Design Review, and CEQA findings, and approving Use Permit 24-003, Design Review 24-006 and Adjustment 25-005 with conditions as recommended by staff;
 - b. Adopt the Resolution with modifications; or
 - c. Deny the Resolution with specific findings for denial

SUMMARY:

Proposal:

The proposed apartment project consists of six (6) multi-family dwelling units within a single structure located in the Residential Multi-Family 1 (RMF-1) zoning district at 54 Mono Street. The project features one level of understructure parking for seven vehicles and an exterior parking area for three vehicles. The application includes a density bonus request to permit double density on the site for three additional dwelling units through the Town's Density Bonus Ordinance. The density bonus request requires a minimum of three of the six units to be deed restricted for workforce housing; however, the applicant has agreed to deed restrict all six of the units for workforce housing in exchange for four concessions (*1 automatic concession and 3 additional concessions*) to the applicable development standards as allowed pursuant to the Density Bonus Ordinance. The requested concessions include: (1) an increase in the allowable lot coverage from 50% to 60%; (2) a 20% reduction in the rear and side yard setbacks; (3) the reduction of one guest parking space to allow for a total of two guest parking spaces; and (4) waive the requirement to provide 60 square feet of private outdoor open space for each dwelling unit.

Project Name: 54 Mono Street Apartment Project
Location: 54 Mono Street (APN: [033-123-012-000](#))
Size of Property: 0.25 acres (Approx. 10,890 square feet)
Zoning: Residential multi-family 1 (RMF-1)
General Plan: High Density Residential 1 (HDR-1)
Environmental Review: Categorical Exempt (CEQA Guidelines Section 15332)

KEY ISSUES:

1. Does the proposed project meet the Use Permit criteria and required findings for a density bonus pursuant to Municipal Code (MC) Chapters 17.68 and 17.138?
2. Does the proposed project meet the Design Review criteria and required findings pursuant to Municipal Code (MC) Chapter 17.88?
3. Does the proposed project meet the Adjustment criteria and required findings pursuant to Municipal Code (MC) Chapter 17.76?
4. Is the proposed project consistent with the California Environmental Quality Act (CEQA)?

I. INTRODUCTION AND BACKGROUND

Previous PEDC Meetings

A public hearing for the 54 Mono Street Apartment Project was originally held at the August 13, 2025 Planning and Economic Development Commission meeting, however because of public comments pertaining to snow storage along the rear property line and confusion regarding the 30-foot-wide shared access easement along the northern property line, the item was continued to October 8th, 2025. A summary of the public comments and the changes made is provided in the Public Comments section, below.

Following the continuance of the item at the August 13th public hearing, a special PEDC meeting was held on September 23, 2025 to conduct a site visit with the PEDC, the applicant, the neighbors, and MCWD staff. To provide context for the proposed project, the property boundaries were delineated, along with the 30-foot access easement and the structure location within the site. Additional discussions were had related to the use of the access easement area and whether there were any alternative options for access to the site. Staff indicated that the original subdivision of the former lot into the two parcels that are now 54 and 56 Mono Street was approved by Town Council in 1990 under entitlement Tentative Parcel Map (TPM) 36-158 and that the conditions of approval for the subdivision established the access requirements and limitations for the two lots. Specifically, the conditions of approval included that: (1) the two parcels shall be limited to, and share, a single driveway within the 30-foot easement; (2) that a 1-foot non-access strip along Mono Street extending southward from the proposed shared access easement to the southern property line be dedicated to the Town to prevent any other access to the parcels; and (3) that a utility easement for 56 Mono Street be created through 54 Mono Street (**Attachment E**). However, the resulting final parcel map recorded in February 1992 inaccurately describes the shared access easement as an “Exclusive Access easement appurtenant to Parcel 2 (56 Mono)” and failed to record a utility easement for 56 Mono. Although the recorded Parcel Map does not accurately reflect the conditions of approval for TPM 36-158, the conditions are still in effect and limit the access to the two parcels to the shared access easement. These conditions were reaffirmed by the Town in 2023 per a letter signed by Town Manager (**Attachment F**).

Project Summary

The proposed apartment project consists of a six-unit multi-family structure located on a 0.25-acre vacant lot in the Residential Multi-Family 1 (RMF-1) zoning district. The project design maintains the 30-foot-wide shared access easement as a single paved driveway that provides access to 56 Mono Street but also provides access to its own understructure garage and three exterior parking spaces on 54 Mono. The apartment building is comprised of a single, three-story building with understructure parking and interior stair access. The site provides three exterior parking spaces, two of which are guest parking spaces.

The project site is 0.25-acres in size, which allows for a base density of three dwelling units at the permitted density of 12 dwelling units per acre. The project application includes a density bonus request for three additional units above the property’s base density, for a total of six units. The Town’s Density Bonus Ordinance (Municipal Code Chapter 17.138) provides an alternative to the State Density Bonus program in order to allow smaller multi-family residential projects to qualify for a density bonus program. The project is eligible to receive the requested density bonus because it is a new multi-family residential project that is located within a zoning district that allows multi-family residential uses, and the site has a base density of greater than two dwelling units. The Town Density Bonus Ordinance would require the applicant to deed restrict at least three of the six units for workforce housing to qualify for the desired three additional units; however, the applicant is proposing to deed restrict all six units in exchange for additional development standard concessions.

The Town Density Bonus Ordinance allows a developer to choose the affordability level (deed restriction category) for the deed restricted units as long as the number of eligibility points needed to qualify for the desired density bonus are earned in accordance with the adopted Eligibility Points Schedule. For this project, a density bonus of three units requires 100 eligibility points and the applicant has chosen to earn 100 points by deed restricting all

six units to the “Occupancy Restricted”¹ affordability level category, which has no income limitations. The “Occupancy Restricted” category instead requires the units to be the principal place of residence for “Qualified Households”², with a “Qualified Resident”³ that is employed in either Mono or Inyo County or is retired.

Three specific conditions of approval (#25, 26, 27) are included in the attached resolution which ensure that the required number of deed restrictions and Workforce Housing Agreement are recorded against the property before a certificate of occupancy is issued for the project.

The Town’s Density Bonus program also provides one automatic incentive or concession that may be chosen from several options listed in MC §17.138.050.A. The applicant has chosen to utilize the automatic concession to allow an increase in lot coverage, to permit an increase from the allowed 50%, to a total lot coverage of 60%.

The Density Bonus Ordinance §17.138.050.B (Additional Incentives or Concessions) allows the review authority to grant two or more additional incentives or concessions under this subsection if the applicant demonstrates that the project will provide a greater number of deed restricted units than otherwise required. In this case the applicant is proposing to provide three additional deed restricted units that would not be required based on the Eligibility Point Schedule (**Attachment C**) for the project in exchange for three additional concessions. Staff’s analysis of the required Use Permit and Density Bonus Findings can be found under “Analysis of Key Issues” below. The three additional concessions include: (1) a 20% reduction in the rear and side yard setbacks; (2) the reduction of one guest parking space to allow for a total of two guest parking spaces; and (3) waive the requirement to provide 60 square feet of private outdoor open space for each dwelling unit.

The proposed site layout and design of the structures was reviewed by the PEDC Design Committee on July 18, 2025. The Design Committee indicated that they support approval of the site layout and building design, and no revisions to the plans were requested.

As described in this staff report, staff finds that the project is consistent with applicable sections of the Town’s General Plan, Municipal Code, and Design Guidelines. Additionally, staff determined the project to be categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332, *In-Fill Development Projects*.

¹ **Occupancy-Restricted Household.** A Qualified Household occupied by a Qualified Resident as his or her Principal Place of Residence.

² **Qualified Household.** One (1) Qualified Resident or group of persons that contains at least one (1) Qualified Resident (who must sign the Unit lease as a tenant). A Qualified Household may have occupants that are not Qualified Residents (and who may also sign the Unit lease as tenants) as long as at least one (1) occupant who has signed the lease is a Qualified Resident.

³ **Qualified Resident.** A person that is any of the following:

- a) A natural person who works an average of 30 hours or more per week at a business located within the boundaries of Mono or Inyo County that holds a valid and current business license, or pays sales taxes, or is otherwise generally recognized as a legitimate business, or has a bona fide job offer from a business located within the boundaries of Mono or Inyo County. For example if a person worked 60 hours per week for one half of the year at such a business within the boundaries of Mono or Inyo County, and worked elsewhere for the other half of the year, such person would constitute a Qualified Resident.
- b) A natural person who at the time of application for a Unit lives within the boundaries of Mono or Inyo County.

II. PROJECT PROPOSAL

As described above, the project is a six-unit, multi-family apartment building consisting of a shared understructure parking garage and two levels of stacked apartment units. The project contains four one-bedroom apartments and two three-bedroom apartments. The one-bedroom apartments range in size from 713 square feet to 1,492 square feet while the three-bedroom apartments are 2,946 square feet each. The one-bedroom apartments contain one bathroom while the three-bedroom apartments contain two bathrooms, and all apartments contain a full kitchen and in-unit laundry facilities.

Parking for the six units is provided in conformance with the applicable development standards, with the exception of guest parking where the applicant is requesting a concession to reduce the required guest parking from three spaces to two spaces. The project provides two tandem understructure parking spaces for each of the three-bedroom units and one parking space for each of the one-bedroom units. Three of the parking spaces for the one-bedroom units are understructure while one ADA compliant space, is located under an overhang adjacent to the building with an accessible route of travel to the ADA compliant unit. Two additional exterior guest parking spaces are provided including a van accessible handicap space which is also located under the overhang. The non-covered guest parking space is located within the front setback and therefore an Adjustment is also being requested.

The structure's entrances for the units are accessed by an interior stairwell via the understructure parking or a pedestrian access point on the east side of the building facing Mono Street. An additional entrance is located on the east side of the building to provide an ADA entrance to the ADA compliant unit. Additional storage for each unit is located within the understructure parking area. The street facing façade of the building provides habitable space with windows on at least 75% of the building frontage as required by the applicable development standards for residential multi-family projects (MC §17.52.210).

A 26-foot-wide paved driveway and 4-foot-wide landscape strip is located along the northern portion of the site within the shared access easement to provide access to 56 Mono Street, the individual garage entrance, the exterior guest parking spaces, and a dumpster enclosure located at the north/east corner of the site.

The design of the project has a modern form with a simple shed roof design. Desirable architectural details include varied roof line, variation in siding material, accent trim work, 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 a "weathered wood" asphalt composition shingle. The color palette features varying tan and grey tones, with a natural wood color for the lap siding. Accent colors are proposed for pedestrian and garage doors, trim work and fascia.

Below are the proposed building elevations shown in **Figure 1**. The project plans including site plans, building floor plans and elevations are included as **Attachment B**.

FIGURE 1 FIGURE 1 BUILDING ELEVATIONS AND MATERIALS



SIDING BY NEWTECHWOOD ALL WEATHER SIDING & CLADDING
COLOR: BRAZILIAN IPE (IP)



LA HABRA STUCCO W/ PAINT FINISH OR EQ.
SANTA BARBARA MISSION FINISH
SHERWIN-WILLIAMS, PAINT
COLOR: SW 9165 GOSSAMER VEIL



LA HABRA STUCCO W/ PAINT FINISH OR EQ.
SANTA BARBARA MISSION FINISH
SHERWIN-WILLIAMS, PAINT
COLOR: SW 9183 DARK CLOVE



ROOFING SHINGLE BY CERTAINTEED LANDMARK CLIMATEFLEX
COLOR: WEATHERED WOOD



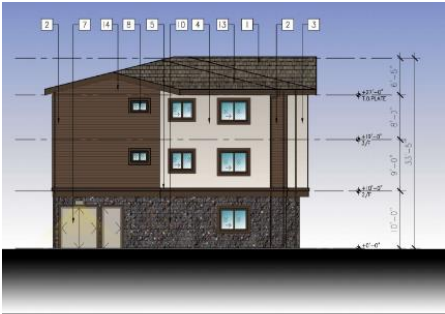
FASCIA, WINDOW AND DOOR TRIM & FOAM MOULDING
W/ PAINT FINISH OR EQ.
SHERWIN-WILLIAMS, PAINT
COLOR: SW 9183 DARK CLOVE



EXTERIOR WALL MOUNT LIGHT OR MATCH EQ.
BRAND: LITHONIA
SERIES: WDGE LED ARCHITECTURAL WALL LUMINAIRE
TYPE: WDGE3 LED WALL MOUNT



CMU SPLIT FACE WALL FROM ANGELUS BLOCK OR MATCH EQ.
COLOR: MOSS



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 three additional deed restricted units that would not be required based on the Eligibility Point Schedule. The requested concessions are listed below.

- The site plan shown in **Figure 2** below illustrates the proposed site configuration and Staff’s analysis of the project consistency with the Town Density Bonus Ordinance can be found under “Analysis of Key Issues” below.

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Existing Site and Surrounding Land Uses

The project site is located at 54 Mono Street within the RMF-1 zoning district. The property is undeveloped and features several Jeffrey Pine trees located throughout the site. The surrounding land uses include a multi-family apartment building on the adjacent property to the north, single-family residence on the adjacent property to the south, a multi-family building on the adjacent parcel to the west, and a four-unit apartment building across the street to the west. See **Figure 3** below for a map showing the site location and surrounding context. **Table 1** further describes the surrounding land uses and zoning.

FIGURE 3: PROJECT SITE LOCATION MAP

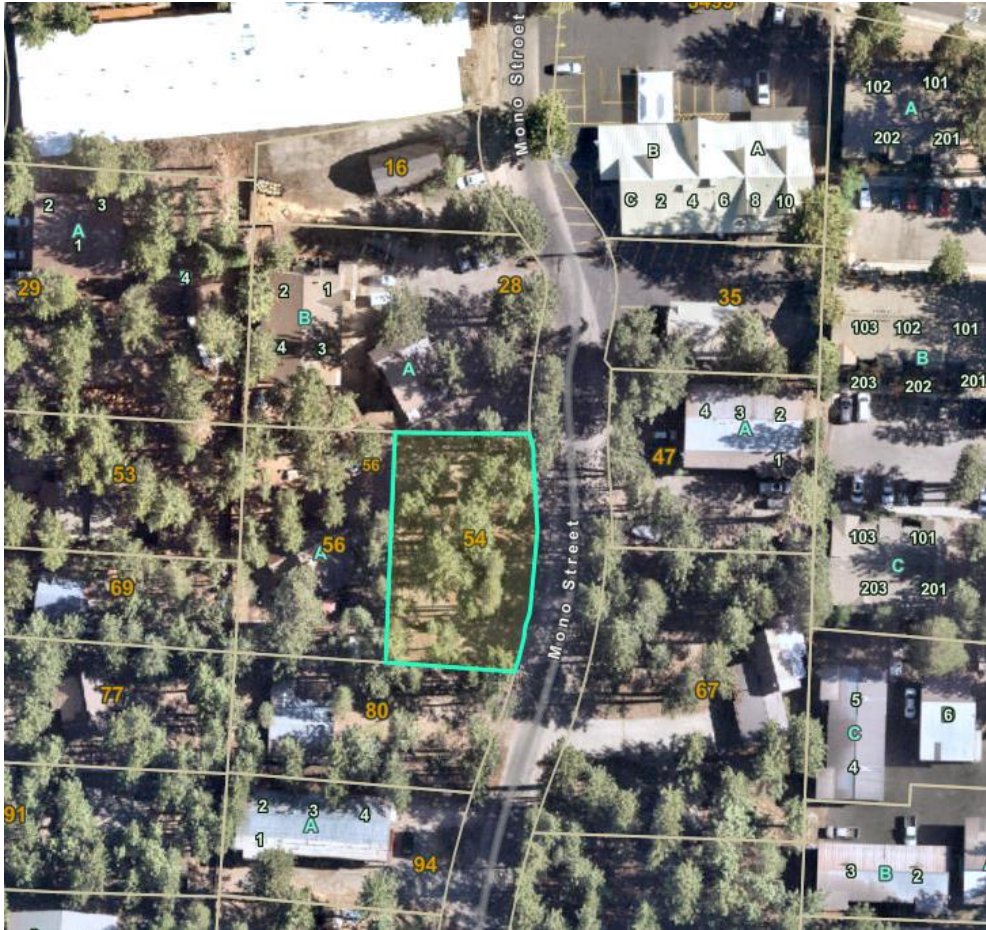


Table 1: Surrounding Land Uses and Zoning.

Location	Zoning*	Land Use	Special Considerations
North	RMF-1	Multi-family: 4-unit apartment building plus standalone unit	None
South	RMF-1	Single-family residence	None
West	RMF-1	Multi-family: 3-unit building	Shared access easement for this lot runs through the north end of the project site and the driveway is shared

East	RMF-1	Multi-family: 4-unit apartment building	Located across the street from subject site
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*RMF-1 = Residential Multi Family 1

Site Zoning

The project site is zoned RMF-1 (Residential Multi-Family 1), which *“is intended as an area for the development of mixed residential uses (single-family dwellings, apartments, and other multiple-family developments) Transient Occupancy or Rental and Hotel and Motel uses are not permitted in this zone (MC Chapter 17.20).”*

The proposed project is classified as a Multi-Family Residential use, which is a permitted use in the RMF-1 zone. Development within the RMF-1 zoning district is subject to the Residential Zone Development Standards found in MC Sections 17.20.030, and additional standards applicable to Multi-Family Residential Projects found in MC Section 17.52.210. The proposed project complies with all relevant development standards, with the exception of the requested concession areas, as demonstrated in **Table 2** below, and are described in greater detail in the Analysis of Key Issues section.

Table 2: Zoning Consistency.

General Information			
General Plan: High Density Residential-1		Specific Plan: N/A	
Zoning: Residential Multi-Family-1 (RMF-1)		Overlay Zone/District/Master Plan: N/A	
Existing Land Use: Vacant		Permits Required: UPA, DR; ADJ	
Development Standards			
Standard	Required/Allowed	Proposed/Provided	Complies?
Residential Density	3 units (12 units/ acre on a 0.23 acre site)	6 units (24 units/ acre on a 0.23 acre site)	Yes, double density is allowed pursuant to the Town Density Bonus Ordinance
Setbacks			
Front yard (feet)	20 feet	20 feet	Yes
North side yard (feet)	10 feet	10 feet	Yes
South side yard (feet)	10 feet	8 feet	Yes, with approval of concession #2
Rear yard (feet)	10 feet	8 feet	Yes, with approval of concession #2

Lot Coverage	50%	60%	Yes, with approval of concession #1
Building Height	35 feet	33½ feet	Yes
Snow Storage	75% x 3,060 sq.ft. of uncovered driveway area = 2,295 sq.ft.	43% (1,330 sq.ft.)	Yes, with a recorded snow management plan (COA #40)
Parking Spaces	8	8	Yes
Guest Parking Spaces	3	2	Yes, with approval of concession #3 and Adjustment 25-005 for location
Town Density Bonus Program (MC Chapter 17.138)			Complies?
Town Density Bonus Program: 3 additional units requested. The multi-family project located on a 0.25-acre parcel in the RMF-1 zone proposes to build 6 units, which exceeds the site's maximum allowable density of 3 units, by 3 units. To grant the density bonus of 3 units, the project must deed restrict 3 units to Occupancy-Restricted Households.			Yes, COA #s 24, 25, & 26 of the project Resolution (Attachment A) ensure all six units are deed restricted for Workforce Housing to receive the density bonus and requested concessions
Multi-Family Residential Projects (MC §17.52.210)			Complies?
Building Facades Adjacent to Streets: 75% of the street facing façades is required to be occupied by habitable space with windows and have at least one pedestrian entry into the structure.			Yes, 75% of the street facing façade is occupied by habitable space including windows and one pedestrian entry.
Front Yard Paving: No more than 40% of the front yard setback area shall be paved.			Yes
Laundry Facilities: Common facilities or provided in each unit.			Yes, a laundry room/closet is provided within each unit.
Maintenance and Control of Common Area: The common area will be controlled and maintained by the landlord/property owner.			Yes
Private Outdoor Open Space: Greater than 60 square feet of private outdoor open space is required per unit.			Concession #4 removes this requirement
Solid Waste and Recycling: Multi-family projects of 3 or more units shall provide a solid waste/recyclable materials storage area.			Yes, provided within a

	dumpster enclosure located adjacent to the driveway (COA #27)
Storage: 100 cubic feet of lockable storage space	Yes, provided for each unit located along the interior wall of the garage level

General Plan

The General Plan land use designation for the site is High Density Residential 1 (HDR-1) and *“allows residential multi-unit townhouses, condominiums and apartments at a density of six to twelve dwelling units per acre... The HDR-1 designation is intended to preserve existing housing and allow for additional high-quality housing opportunities. Development standards to ensure compatibility with adjacent properties, building separation, adequate on-site recreation space, and well-designed livable development”* (General Plan, Pg. L-4).

The General Plan Vision Statements and specific goals, policies, and actions with which the proposed project is consistent are described in **Table 2:**

Table 5: General Plan Conformance

General Plan Vision Statement	Explanation of Project Conformance
<i>“Adequate and appropriate housing that residents and workers can afford”</i>	The applicant is required to deed restrict all six units of the proposed multi-family project for workforce housing (“Occupancy-Restricted Households”) pursuant to the Town Density Bonus Program. Three (3) units are required to be restricted in order to earn the density bonus and the additional three (3) units are required to be restricted to earn the additional three development standard concessions.
<i>“being a great place to live and work”</i>	The project will support local tourism industry jobs and provide six housing units that will only be available to the local workforce.
<i>“Protecting the surrounding natural environment and supporting our small-town atmosphere by limiting the urbanized area.”</i>	The project is an in-fill multi-family residential project located in a designated multi-family residential zoning district, within the existing urban growth boundary for the Town.
Goal, Policy, or Action	Explanation of Project Conformance with Goal, Policy, or Action
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 to respect front setbacks, an Irrevocable Offer of Dedication and an existing shared access easement.

C.2.V: Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.	Building height and massing are similar to the heights and massing of the adjacent apartment buildings to the north and east of the site. The flat terrain and dense tree canopy on surrounding properties limits views of the surrounding mountains, so the proposed project will not eliminate an existing view shed.
C.2.T: Use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting.	The project incorporates high quality building materials that achieve a design that is compatible with the surrounding neighborhood and mountain setting.
Goal L.2: Substantially increase housing supply available to the workforce.	The project includes a density bonus request that will result in six deed restricted units that will be made available to the local workforce.
L.2.D. Policy: For housing development projects where all units are deed restricted for workforce housing, a density bonus may be granted in addition to any bonus granted pursuant to the State Density Bonus Law up to a combined bonus of twice the density identified for the designation in which the project is located.	The proposed project utilizes the Town Density Bonus Program consistent with the adopted Ordinance.

III. ANALYSIS OF KEY ISSUES

KEY ISSUE #1: Does the proposed project meet the Use Permit criteria and required Findings pursuant to Municipal Code (MC) Chapter 17.68 and 17.138, to allow the requested density bonus for three additional units above the base density?

A Use Permit is required for this project because the application includes a request for a density bonus pursuant to the Town Density Bonus Ordinance. Staff has determined that the required findings can be met for approval of a Use Permit pursuant to Section 17.68.050 (Use Permit Findings) of the Town of Mammoth Lakes Municipal Code and Section 17.138.060 (Findings and Conditions of Approval) of the Town Density Bonus Ordinance. Approval of the requested use permit for the density bonus will help accomplish the intent of the Town Density Bonus Ordinance by allowing for an increase in the supply of housing available to the workforce.

In addition to the standard use permit findings required by MC §17.68.050, a use permit for a project receiving a Town density bonus requires an additional three findings to be made. These findings are required to (1) ensure that a sufficient number of eligibility points are generated by the project to qualify for the requested density bonus, (2) ensure that the incentives or concessions chosen in order to make the project feasible is the minimum departure from the zoning code standards necessary to make the project feasible, and (3) to ensure that the proposed project is compatible with the surrounding neighborhood. An analysis of the required use permit findings is below.

- 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 use 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 minimizing 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 two pedestrian entries. The building height does not exceed the 35-foot maximum and material blocking, including the split CMU base 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 shared 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.

KEY ISSUE #2: Does the proposed project meet the Design Review criteria pursuant to Municipal Code (MC) Section 17.88.050 and the Required Findings set forth in MC Section 17.88.060?

Design Review is required per MC Section 17.88.020. The purpose of Design Review is to implement the General Plan policies related to community design and character, to promote excellence in site planning and design to complement the natural environment and enhance the image of the town as a mountain resort community, and to ensure that the architectural design of structures and their materials and colors are appropriate to the function of the project and visually harmonious with surrounding development.

Below is staff's analysis of project's consistency with the Design Review criteria Staff finds that the proposed site layout and building design has met the overall intent of the Design Review criteria:

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 greater public benefits through the provision of a higher number of deed restricted units than is 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, to allow multi-family residential projects to construct up to twice the base density identified for the zone 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 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):

Design Review Criteria: To obtain design review approval, projects must satisfy these criteria to the extent they apply:

- 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 varied roof lines, a roof 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. Split 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 variation 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, 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 with approval of 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 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 and therefore the visual impact is minimized.

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 #17 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. 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 #19 is included to require a landscape documentation package to be submitted and approved prior to Building Permit issuance.

In addition to the above criteria, the Municipal Code requires that a Design Review Application demonstrate consistency with the applicable standards and requirements of the Code, the General Plan and any applicable specific plan or master plan, the Town of Mammoth Lakes Design Guidelines, and any other requirements associated with previous or existing planning or zoning approvals for the site.

Other Applicable Municipal Code Standards and Requirements:

Snow storage

The RMF-1 zone requires a snow storage area equal to 75% of all uncovered parking and driveway areas within the project. The total amount of paved parking and driveway area for the project is 3,060 square feet, of which the shared access easement accounts for 1,998 square feet, resulting in a total of 2,295 square feet of required snow storage. The project proposes a total of 1,331 square feet of snow storage which equates to 43% of the uncovered parking and driveway areas. The Town Density Bonus Ordinance allows projects that receive a density bonus to be eligible for a reduction of the required snow storage areas if the property owner commits to haul on-site snow from the property to an approved off-site snow storage area in accordance with MC Section 17.36.110.B.3.a, provided that the interim snow storage areas do not interfere with any of the required parking areas. The proposed snow storage areas comply with this requirement, so Condition of Approval #41 is included.

KEY ISSUE #4: Does the proposed project meet the Adjustment criteria and required findings pursuant to Municipal Code (MC) Chapter 17.76?

An Adjustment is required for this project because the project proposes to locate one guest parking space within the front setback. Staff has determined that the required findings can be met for approval of the Adjustment pursuant to Section 17.76.040 (Findings and Decision) of the Town of Mammoth Lakes Municipal Code.

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 43% of the snow storage on site. The remaining 32% of the required snow storage will be hauled off-site as part of an approved snow storage management plan 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 that is located within the front setback is not affected by snow shed due to its distance from the building and the orientation in which the snow sheds off the roof. The parking space does not interfere with Town snow storage easements and does not impede emergency access to the building. The parking space also does not affect any Town snow storage easements. The parking space shall conform to the California Building Standards Code requirements.

KEY ISSUE #3: 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 §15332, In-Fill Development Projects. The Project qualifies for this exemption because the following criteria are met:

- a. 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 of density, 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 2020 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 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 Project site is within the Town's Urban Growth Boundary (UGB); the site is approximately 0.25 acres; and the site is 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 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 #29 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 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 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.

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 of the criteria to qualify for the In-Fill Development Projects categorical exemption pursuant to CEQA Guidelines Section 15332, and none of the exceptions set forth in CEQA Guidelines Section 15300.2 are applicable, no additional environmental review is warranted or necessary and the CEQA exemption is appropriate.

Agency/Public Comments

The application was routed to Mammoth Community Water District (MCWD), Mammoth Lakes Fire Protection District (MLFPD) and Mammoth Disposal for review. All comments received on the project proposal have been provided to the applicant and/or incorporated into the project design and conditions of approval.

MCWD provided comments on October 8, 2024 informing the applicant that utilities, including water and sewer, for 56 Mono Street run underground in the vicinity of the southern edge of the 30-foot easement, however no utility easement is recorded. The MCWD comments are included in **Attachment G**.

At the initial public hearing on August 13th, five members of the public provided comments on the proposed project. At the time this staff report was published, staff received comments from three members of the public. The comments are included in **Attachment D** and are discussed below.

1. *Comments were received regarding confusion over the language used to describe the 30-foot-wide access easement along the northern property line. It was believed that 56 Mono Street has exclusive rights to use the easement on 54 Mono Street and that the owners of 54 Mono Street cannot use the easement to access their own property but rather need to remove the 1' non-access easement and propose a second driveway if they want vehicle access to their own property.*

As this is a civil matter between the two property owners, the Town will not be involved in resolving whether the easement in favor of 56 Mono prevents 54 Mono from using the driveway that is on the 54 Mono parcel. In 1990 the Town approved a parcel map dividing the former lot into two parcels that are now 54 and 56 Mono. Condition of approval #1 required the two parcels to share a single driveway, and Condition #5 required a utility easement for 56 Mono Street. However, the resulting parcel map created an access easement with ambiguous wording, purporting to give 56 Mono "exclusive" access over the driveway that is actually on 54 Mono and also failed to record a utility easement for 56 Mono. Based on the 1990 Conditions of Approval and considering both the 1' non-access easement combined with the 30-foot shared access easement, Staff will continue to recommend the project to PEDC on October 8th because the project adheres to all of the easements as intended in the 1990 approval and meets all of the Municipal Code requirements.

2. *Comments were received regarding concerns that snow removal operations for the pedestrian sidewalk previously located along the rear property line would likely result in snow being deposited on the neighboring properties due to the limited space for snow storage in that location.*

The applicant has made changes to the site plan based on comments received from the previous August 13th PEDC meeting. To address this comment, the applicant has revised the plans to flip the building so that the pedestrian access is along the front setback rather than in the rear setback while still keeping the rest of the design elements the same. Therefore, no snow removal would be required between the rear property line and the building.

3. *Comments were received regarding concerns over increased traffic, noise and associated nuisances such as dust, light and air pollution.*

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.

4. *Comments were received that the covered parking entrance to the Northwestern corner of the building would have an adverse impact to sun exposure along 28 Mono Street's southern property line.*

Because there is a 30-foot-wide shared access easement between 28 Mono Street's property line and the proposed covered parking entrance, any adverse impact to sun exposure on 28 Mono Street's property would be minimal. Additionally, the covered parking entrance as well as the entire structure proposed at 54 Mono Street is under the maximum building height limit, therefore having minimal impact on 28 Mono Street.

5. *Comments were received concerning enforcement of number of occupants, cars and guests.*

Tenants' and guests' vehicles shall park in designated parking spaces only and adhere to the Town's Parking Regulations. All units shall be required to adhere to the Town's Noise Ordinance. If future tenants or guests fail to comply, Town Code Enforcement shall respond accordingly to address any issues.

IV. STAFF FINDINGS AND RECOMMENDATION

Staff finds that the 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 Use Permit Application 24-003, Design Review Application 24-006 and Adjustment 25-005 with conditions as recommended by staff.

Attachments

Attachment A: Planning and Economic Development Commission Resolution
Attachment B: Project Plans and Material Board
Attachment C: Eligibility Points Schedule
Attachment D: Public Comments
Attachment E: Conditions of Approval for TPM 36-158, Apr-1990
Attachment F: TOML letter regarding access to 54 Mono St, Dec-2023
Attachment G: MCWD Comment Letter, Oct-2024