



5.1 Land Use and Relevant Planning

5.1 LAND USE AND RELEVANT PLANNING

This section identifies the existing land use conditions, evaluates the project's consistency with relevant planning policies, and recommends mitigation measures that would avoid or lessen the significance of potential impacts, if appropriate. This section also identifies on-site and surrounding land use conditions and relevant land use policies and regulations, as set forth by the Town of Mammoth Lakes (Town). Information in this section is based in part upon the following:

- *Town of Mammoth Lakes General Plan 2007* (2007 General Plan), dated August 15, 2007, amended February 1, 2012 and June 18, 2014;
- *Town of Mammoth Lakes Municipal Code* (Municipal Code), codified through Ordinance No. 14-02, passed March 19, 2014;
- *North Village Specific Plan* (NVSP), as amended;
- *North Village District Planning Study* (North Village District Planning Study), modified November 5, 2008 and accepted by Town Council in July 2009; and
- *Design Guidelines The Village at Mammoth* (North Village Design Guidelines), approved August 23, 2000.

5.1.1 EXISTING SETTING

ON-SITE LAND USES

The proposed project is the last phase (Building C) of a three-phase development (8050 project). The first two phases (Buildings A and B) of the 8050 project have been completed, as well as the 136-space parking structure that would serve Buildings A, B, and C. The project site would be located atop the parking structure podium, adjoining the existing Buildings A and B.

The existing Building A and Building B of the 8050 project (adjoining the project site to the northwest/north, respectively) consist of two resort lodging buildings comprised of 28 units with 57 bedrooms. Further, the ground floor commercial along Minaret Road in Building B totals 3,335 square feet of commercial space and includes an on-site fine dining and catering enterprise (Toomey's). The existing Buildings A and B also include a roof-top fitness room and jacuzzi terrace and related site and landscaping improvements.

SURROUNDING LAND USES

The land uses that surround the project site are further described below.

- *North:* Buildings A and B of the 8050 project adjoin the project site to the northwest and north. These resort lodging buildings are zoned North Village Specific Plan (NVSP), Resort General (RG). Commercial and retail uses within the North Village Plaza and the Mammoth Mountain North Village gondola are located further northwest of the project site (west of Minaret Road and east of Canyon Boulevard). These commercial and retail uses are zoned NVSP, Plaza Resort (PR).

- *East:* Minaret Road forms the northeast boundary of the project site. Hotel, vacation condominium rentals, and restaurant uses are located directly across Minaret Road to the northeast and southeast. The land uses to the east are also within the NVSP and are zoned NVSP RG.
- *South:* Fireside at the Village condominiums adjoin the project site to the south and are zoned NVSP RG. A commercial building (Mammoth Brewing Company) and surface parking are located further south of the project site. The zoning is NVSP, Mammoth Crossing (MC).
- *West:* The Westin Monache Resort and surrounding vacant land uses are located directly across Canyon Boulevard, west of the project site. These properties are also zoned NVSP PR.

5.1.2 REGULATORY SETTING

LOCAL LEVEL

Town of Mammoth Lakes General Plan 2007

The 2007 General Plan establishes standards, guidelines, and priorities that define the Mammoth Lakes community now and for the future. The “Community Vision” for Mammoth Lakes embodies values and principles that recognize the uniqueness of its natural surroundings and character as a village in the trees.

The 2007 General Plan is organized by elements. Each element is introduced with an explanation of the intent of the goals, policies, and actions within that element. The 2007 General Plan contains the following elements:

- Economy Element;
- Arts, Culture, Heritage, and Natural History Element;
- Community Design Element;
- Neighborhood and District Character Element;
- Land Use Element;
- Mobility Element;
- Parks, Open Space and Recreation Element;
- Resource Management and Conservation Element; and
- Public Health and Safety Element.

It is noted that the Noise Element was not updated as part of the 2007 General Plan. Additionally, the 1990 Parks and Recreation Element was not formally superseded with the Parks, Open Space, and Recreation Element; however, in 2012 the Parks, Open Space, and Recreation Element was amended and the 1990 Parks and Recreation Element was revoked.

The Town adopted the General Plan Housing Element Update on June 18, 2014. The Housing Element covers the planning period from 2014 to 2019 and establishes goals, policies, and programs that help the Town meet its share of the regional housing need.

The 2007 General Plan Elements relevant to the proposed project are further discussed below. The 2007 General Plan goals and policies relevant to the proposed project are outlined in [Table 5.1-1, 2007 General Plan Policy Consistency Analysis](#), provided in [Section 5.1.4, Impacts and Mitigation Measures](#), below.

Community Design Element

The Community Design Element's goals and policies describe the relationship between people and the man-made and natural environment. Because the community is set within the forest, the trees and natural landscape are prominent, create a sense of scale, and set a strong aesthetic character. Topography, vegetation, existing buildings, and open spaces create the structure and pattern of Mammoth Lakes.

Figure 1, *Major View Corridors and Vistas*, of the 2007 General Plan identifies the important scenic resources and depicts the major view corridors and vistas throughout Mammoth Lakes. As illustrated on Figure 1, southern views within the NVSP area that encompass the Sherwin Range are considered scenic. Refer to [Section 5.2, Aesthetics/Light and Glare](#), for further discussion regarding aesthetic resources potentially occurring in the project area.

Neighborhood and District Character Element

The Neighborhood and District Character Element addresses the development of individual sites and districts in order to enhance the unique character of Mammoth Lakes.

Districts. The 2007 General Plan denotes that the Town is comprised of 12 districts and four mountain portals. District boundaries are based on the 1987 General Plan Planning Districts and are defined by existing development, patterns of vegetation, topographic features, circulation patterns, and the relationships of land uses. According to Figure 3, *Neighborhood Character Map*, of the 2007 General Plan, the project site is within the North Village District. This Element summarizes the desired characteristics and roles of the districts where the greatest amount of change is expected to occur. North Village District objectives that are particularly relevant to the proposed project in the context of land use are outlined in [Table 5.1-1](#).

Land Use Element

The policies of the Land Use Element describe and determine how the community would retain its community character and small town atmosphere, while enhancing its success as a destination resort. An overarching principle of the community is to maintain the Town's compact urban form, protect natural and outdoor recreation resources, and prevent sprawl. The Land Use Element policies relevant to the proposed project are outlined in [Table 5.1-1](#).

The Town established the Urban Growth Boundary (UGB) limiting the area available for future development to achieve these principles. Figure 4, *Planning Area, Municipal, and Urban Growth Boundaries*, of the 2007 General Plan, illustrates the Planning Area, Municipal, and Urban Growth Boundaries and indicates the project site is located within all three boundaries.

District Planning. Some areas of the community have special needs or conditions that would benefit from detailed investigation to address issues such as allowable land use patterns, design standards, zoning codes, and other property development standards and protections. The 2007 General Plan designates underlying land use and character designations for these areas, until such time as the district plans are completed and subsequent development standards are adopted; refer to the *Neighborhood and District Character Element* discussion above.

Land Use Designations. The distribution of land use designations throughout the Town is illustrated on Figure 5, *Land Use Diagram*, of the 2007 General Plan. According to Figure 5, the project site is designated North Village Specific Plan (NVSP), which is described as follows:

This designation is intended to create a visitor-oriented entertainment retail and lodging district anchored by a pedestrian plaza and a gondola connection to Mammoth Mountain Ski Area. Uses include hotels and similar visitor accommodations along with supporting restaurants, retail, and services. Development projects will provide a wide range of amenities and services that enhance the visitor experience. Maximum overall density is 3,317 rooms and 135,000 square feet of commercial. The specific allocation of density, location of uses, and development standards are contained in the Specific Plan.

Buildout. The Land Use Element addresses buildout forecast for the 20-year planning period of the 2007 General Plan. The analysis projected that the total number of residents, visitors, and workers on a winter weekend would grow to between 45,000 to 52,000 by the year 2025. Based on these analyses, the 2007 General Plan establishes a policy of a total peak population of residents, visitors, and employees at 52,000 persons. The 2007 General Plan considers buildout of the NVSP.

Mobility Element

The Mobility Element describes how the Town achieves a progressive and integrated multi-modal transportation system, one that serves the various needs of residents, employees, and visitors. Appendix D of the 2007 General Plan describes the Town's circulation and specifies the roadway classifications used in the Town. The General Bikeway Plan (Amended through May 2002) provides a comprehensive plan for bicycle facilities, focusing on direct and convenient routing for the commuting cyclist. The *Town of Mammoth Lakes Trail System Master Plan* (TMLTSMP), dated May 1991, focuses on non-motorized facilities for alternative forms of transportation including pedestrians, bicyclists, and cross-country skiers. Refer to Section 5.3, *Traffic/Circulation*, for a discussion regarding the project area's transportation system.

Parks, Open Space, and Recreation Element

The Parks, Open Space, and Recreation Element, amended in 2012, identifies parks, open space, and recreational opportunities as critical to Mammoth Lakes residents and to the success of Mammoth Lakes tourism-based economy. It emphasizes a wide variety of outdoor winter and summer activities, as well as the integration of surrounding public lands through points of public access. Refer to Section 8.0, *Effects Found Not to be Significant*, for discussions regarding recreation and public services (e.g., parks).

Resource Management and Conservation Element

The Resource Management and Conservation Element establishes and emphasizes the Town's stewardship of the community's natural resources. The Element establishes goals and policies to wisely manage resources and to establish the Town as a leader in managing and conserving its resources. Refer to Section 8.0, *Effects Found Not to be Significant*, for discussions regarding biological resources and solid waste. Refer to Section 5.5, *Air Quality*, Section 5.6, *Greenhouse Gas Emissions*, and Section 5.7, *Utilities and Service Systems*, for discussions regarding air quality, greenhouse gas emissions, energy conservation, and water resources.

Public Health and Safety Element

The Public Health and Safety Element addresses the Town's quality of life to encourage people to live and work in the Town. Issues addressed in this Element include public health, public safety, hazards, emergency preparedness, education, and public facilities and services. Refer to Section 8.0, *Effects Found Not to be Significant*, for discussions regarding public health, public safety, hazards, emergency preparedness, and education. Refer to Section 5.7, *Utilities and Service Systems*, and Section 8.0, *Effects Found Not to be Significant*, for discussions regarding public facilities and services.

Noise Element

The Noise Element provides a policy framework for addressing potential noise impacts encountered in the planning process. The content of a Noise Element and the methods used in its preparation have been determined by the requirements of Section 65302 (f) of the California Government Code and by the *State of California General Plan Guidelines* (General Plan Guidelines) published by the California Office of Planning and Research in 1990. The General Plan Guidelines require that major noise sources and areas containing noise-sensitive land uses be identified and quantified by preparing generalized noise exposure contours for current and projected conditions.

The Noise Element was not updated as part of the 2007 General Plan; however, additional overlapping statements were included to maintain consistency and assist in completing future updates to the General Plan. The goals and policies from the Community Design Element describe the relationship between people and the man-made and natural environment. Refer to Section 5.4, *Noise*, for a discussion of the existing noise environment and Town standards.

Housing Element

The Housing Element Update, adopted June 18, 2014, addresses the planning period 2014 to 2019 and establishes the Town's policy relative to the maintenance and development of safe, decent, and affordable housing to meet the needs of existing and future residents. The Housing Element includes an assessment of current and future housing needs and constraints in meeting those needs and provides a strategy that establishes housing goals, policies, and programs.

The California Department of Housing and Community Development (HCD) was responsible for determining the Town's Regional Housing Need Allocation (RHNA). According to Housing Element Table 2-35, *Mammoth Lakes Regional Housing Need Allocation by Income Group*, 74 housing units are needed to meet the Town's housing need between 2014 and 2019. This allocation reflects prolonged recessionary conditions and represents the minimum amount of housing the Town must

plan to accommodate through zoning and development strategies. The HEU shows that these 74 units can be provided through adequate and available sites as well as already approved projects.

Affordable Housing Mitigation Policy. In 2008, as a response to the economic downturn, the Town Council approved a temporary reduction in development fees, including Development Impact Fees (DIF) and housing in-lieu fees, as a “stimulus package” to continue investment in residential and other construction.

In mid-2009, as the recession continued, the Town began a process to thoroughly review development costs, including the DIF program and Housing Ordinance and associated in-lieu fees. Based on the results of a Town-commissioned study which concluded that fees appeared to be set at levels which are likely to impede new investment, and result in reduced development activity, associated fee revenues, and workforce and market-rate housing production, the Town adopted interim policies for development impact fees and for housing mitigation and in-lieu fees in November 2009.

The Town and Mammoth Lakes Housing developed the Interim Affordable Housing Mitigation Policy cooperatively, to include the following provisions:

- An inclusionary housing requirement of 10 percent for all new residential and lodging developments larger than nine residential units or 19 lodging units, at a target income level of 120 percent of area median income (AMI) or less.
- An in-lieu fee requirement for small residential and lodging projects, commercial, and industrial development.
- Exemptions from housing mitigation requirements for small single-family residences (under 2,500 square feet), projects of four or fewer units in the Residential Multi-Family 1 zone, rental apartments and deed-restricted units, and retail and restaurant development in certain zones.
- Projects required to provide on-site units may propose an Alternate Housing Mitigation Plan, if findings can be made that providing units on-site would be undesirable for the community or infeasible, and that substantial additional housing benefit would result in terms of providing a greater number of units, earlier provision of units, or providing units that better meet priorities established by the Town or Mammoth Lakes Housing.

The policy also requires, as a subsequent action of the Town, amendment of the existing Housing Ordinance to reflect the direction established in the Interim Affordable Housing Mitigation Policy.

The Housing Element includes policies that also direct these amendments, reflecting the interim policy and any modifications needed as a result of recent judicial rulings on Inclusionary Programs.

Project Impact Evaluation Criteria

The 2007 General Plan includes policies related to growth management, buildout, and Population at One Time (PAOT). In response to Town Council’s direction to address issues related to tracking and modeling of PAOT, an Ad Hoc Committee was formed. On April 15, 2009, the Town Council

adopted the PAOT/Impact Assessment Policy which included direction to develop Project Impact Evaluation Criteria (PIEC). On June 17, 2009, the Town Council adopted the PIEC recommendations and directed the Town Manager and Planning and Economic Development Commission to evaluate permit applications in accordance with the adopted policy.

The PIEC Framework is required for any application for a major legislative amendment, including Specific Plans that propose significant changes to existing development standards or policies, and/or that requests discretionary density increases as established through General Plan Policy L.5.G, as well as Tentative Tract Map and Use Permit applications.

The Planning and Economic Development Commission and Town Council must consider the information in its deliberations and weigh these in the context of the PIEC, the PAOT assessment, CEQA analysis and findings, and other relevant facts and information.

North Village Specific Plan

The NVSP was originally adopted in 1991 and subsequently amended in 1994, 2000, January 19, 2005, May 21, 2008, and October 7, 2009. The primary purpose of the NVSP is to provide land use guidelines and development standards for the NVSP area which enables the development of a cohesive, pedestrian-oriented resort activity node, with supporting facilities, to create a year-round focus for visitor activity in the Town.

A specific plan is a planning document which establishes the type and pattern of land uses for a designated area which are more specific than those normally provided by either the 2007 General Plan or local zoning ordinances. It replaces the existing zoning regulations and becomes the new “Zoning Ordinance” governing development of the properties within the specific plan area.

Land Use Designations. The NVSP Land Use Element establishes six land use districts with North Village. The project site is designated Resort General (RG), which is described as follows:

This designation has been assigned to parcels adjacent to and easily accessible to the plaza, but still within the Pedestrian Core Overlay area. Resort General uses are also intended to provide visitor-oriented resort services, although with lesser intensity than PR parcels. The Resort General designation differs from the Plaza Resort designation in that retail uses are limited to multi-tenant complexes or within full-service hotels. Restaurants are generally the only freestanding uses permitted in the RG district. Allowable uses in the Resort General district include hotels, resort condominiums, restaurants, residential, and employee housing facilities.

Land Use Objectives. In addition to the overall development objectives, the NVSP identifies the following objectives specific to the RG land use designation:

- To provide resort accommodations and supporting commercial facilities for visitor-oriented activities and facilities.
- To provide a transition zone between the Plaza Resort and Specialty Lodging uses within North Village and surrounding residential uses.

- To provide integrated pedestrian access to and from the plazas.

Land Use Policies. In addition to the overall development policies, the NVSP identifies the following policies specific to the RG land use designation:

- A variety of resort oriented lodging and limited commercial uses shall be developed in the RG district. Visitor lodging shall be primarily inns, resort condominiums, or specialty lodging, as opposed to motels.
- Predominantly understructure parking shall be required.
- At least 50 percent of all commercial uses within a multi-tenant commercial development shall be devoted to restaurants.
- Convenient, safe pedestrian connections to the rest of the North Village area, transit facilities and ski lifts shall be provided.

Development and Design Standards. The NVSP identifies general development and design standards which shall be incorporated into new building projects. Specific Design Guidelines are required to be prepared by applicable property owners and approved by the Planning and Economic Development Commission to address design issues such as storefronts, lighting, signage, street furnishings, landscaping, etc., or to refine the general Design Standards within the NVSP.

- Land Uses. NVSP Table 2, *Land Use Matrix*, identifies permitted uses within each land use designation. Hotels and accessory uses within hotels are permitted uses within the RG district.
- Density. Maximum density for parcels within the RG district is 55 rooms per acre, not to exceed an aggregate density of 48 rooms per acre.

For purposes of development area calculations, the following density conversions apply:

One (1) “room” equals any of the following types of development:

- 1 hotel room;
- 1 bedroom, loft, or other sleeping area in residential uses; or
- 450 square feet of commercial or restaurant space.

Commercial or restaurant space within a hotel serving only the guests of that hotel, commercial space ancillary to property management of North Village, space within an events arena, space required for gondola building circulation and base lodge services and functions (up to 20,000 square feet), and uses within the Open Space and Public and Quasi-public districts are excluded from density calculations. Density exchanges may occur between parcels within the same district, with some exceptions.

NVSP Table 3, *Density Summary*, which is provided below identifies the density for the NVSP area by land use designation. The following summarizes the density summary for the Resort General and Mammoth Crossing land use designations.



Land Use Designation	Size (acre)	Maximum Density (rooms/acre)	Total Rooms	Square Feet	Square Feet Commercial/Retail (Room Equivalent)	Estimated Rooms
Mammoth Crossing	9.27	80***	742	40,500**	0**	742
Resort General	8.60	48	413	50,000	(111)	302

**Commercial and restaurant space shall not be counted towards density within the Mammoth Crossing project; this provision applicable to Mammoth Crossing district only.
 ***Density above the base of 48 rooms per acre for Mammoth Crossing, up to 80 rooms/acre may only be achieved subject to Community Benefits/Incentive Zoning policy.

Source: Town of Mammoth Lakes, *North Village Specific Plan*, as amended, Table 3, *Density Summary*.

Although the maximum aggregate density for the RG district is 48 rooms per acre, the maximum density for an individual parcel within the RG district is 55 rooms per acre.

Site Coverage. Maximum site coverage including all buildings and paved or otherwise developed impervious surfaces for each development area is 70 percent for the RG district.

Building Area. Maximum building floor area for the RG district is 87,000 square feet per acre (excluding structured parking).

Building Height. Maximum permitted building height for the RG district is 40 feet and maximum projected height is 50 feet. Roof appurtenances are allowed to project above the permitted building height by up to three feet subject to Planning and Economic Development Commission Approval.

Building Setbacks. Side and rear setbacks for the RG district are a minimum of 10 feet. Along Minaret Road, setbacks are based on the height of the building. Between 35 and 54 feet in height, a setback of 30 feet is required. A setback of 40 feet is required for a structure greater than 55 feet.

The NVSP identifies additional design standards pertaining to building design; roof form and ridge alignment, design, materials, and appurtenances; wall surfaces; doors and windows; wall appurtenances; color palette; signs; pedestrian walkways and plaza areas; snow removal and management; lighting; gates and entrances; walls and fences; site furnishings; pedestrian and skier bridges; and arts/events. Additional development standards are also identified including grading standards and landscaping and revegetation standards.

Town of Mammoth Lakes Municipal Code

Municipal Code Title 16, Subdivisions

Title 16, *Subdivisions*, of the Municipal Code is enacted for the purpose of adopting subdivision and land division regulations in accordance with the Subdivision Map Act.

Each proposed subdivision shall be submitted to the planning department for preliminary consideration in map form. The tentative map shall be prepared in accordance with the Subdivision Map Act and the provisions of the Title.

Municipal Code Title 17, Zoning

Title 17, *Zoning*, of the Municipal Code (codified through Ordinance No. 14-02, passed March 19, 2014 and effective May 2, 2014) (*Zoning Code*), provides the legislative framework to enhance and implement the goals, policies, plans, principles, and standards of the 2007 General Plan. The *Zoning Code*, which establishes classifications of zones and regulations within these zones, was established and adopted by the Town Council “to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and business in the Town.”

The Town is divided into zones in order to classify, regulate, restrict, and separate the use of land, buildings and structures; to regulate and to limit the type, height, and bulk of buildings and structures in the various districts; to regulate areas of yards and other open areas abutting and between buildings and structures; and to regulate the density of population. According to the Town’s official *Zoning Map*, the project site is zoned NVSP.

Zoning Code Chapter 17.68, Use Permits. Chapter 17.68 establishes the procedures for the review and approval or denial of Use Permits. The process includes the review of the location, design, configuration, and potential impacts of the proposed use.

Pursuant to Section 17.68.050, the Planning and Economic Development Commission may approve a use permit application, with or without conditions, only if all of the following findings can be made:

- That 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;
- That 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 Planning and Economic Development Commission shall make such other findings as deemed necessary to support approval or denial of the proposed use.

Zoning Code Chapter 17.88, Design Review. Chapter 17.88 implements the design review procedural requirements of the Town of Mammoth Lakes Design Guidelines. Specifically, the design review requirements are included to achieve the following purposes:

- Implement the goals, policies and objectives of the General Plan related to community design and character;
- Promote excellence in site planning and design and the harmonious appearance of buildings and sites and ensure the man-made environment is designed to complement, not dominate, the natural environment;

- Regulate the design, coloration, materials, illumination, and landscaping of new construction, and renovations within the Town in order to maintain and enhance the image, attractiveness, and environmental qualities of the Town as a mountain resort community;
- Ensure that new landscaping provides a visually pleasing setting for structures on the site and within the public right-of way and to prevent indiscriminate destruction of trees and natural vegetation, excessive or unsightly grading, indiscriminate clearing of property, and destruction of natural significant landforms;
- Ensure that the architectural design of structures and their materials and colors are appropriate to the function of the project and the high-elevation climate of Mammoth Lakes and are visually harmonious with surrounding development and natural landforms, trees, and vegetation; and
- Supplement other Town regulations and standards in order to ensure control of aspects of design that are not otherwise addressed.

Pursuant to Section 17.88.020, *Applicability*, design review is required for new construction, reconstruction, rehabilitation, alteration, or other projects involving improvements to the exterior of a structure, site, or parking area.

The Town's Design Guidelines adopted by the Town Council provide recommendations to be used in the design review process. They are intended to promote high-quality and thoughtful site and building design; visually interesting, appropriate, well-crafted and maintained buildings and landscaping; the use of durable high-quality, and natural materials that reflect Mammoth Lakes' character and mountain setting; and attention to the design and execution of building details and amenities in both public and private projects.

The Planning and Economic Development Commission has design review authority for all projects requiring major design review. Pursuant to Section 17.88.040, *Scope of Design Review*, design review considers the design of the site plan, structures, lighting, landscaping, and other physical features of a proposed project, including:

- Building proportions, massing, and architectural details;
- Site design, orientation, location, and architectural design of buildings relative to existing structures, outdoor areas, walkways, trails, and streets on or adjacent to the property; topography; trees and vegetation; and other physical features of the natural and built environment;
- Size, location, design, development, and arrangement of circulation, parking, pedestrian ways, and other paved areas;
- Exterior colors and materials as they relate to each other, to the overall appearance of the project, the mountain environment, and to surrounding development;
- Height, materials, colors, and variety of fences, walls, and screen plantings;

- Location and screening of mechanical equipment and refuse storage areas;
- Location, design, and compliance of exterior lighting features;
- Location and type of landscaping including selection, size, and water-efficiency of plant materials, design of hardscape, and irrigation; and
- Size, location, design, color, lighting, and materials of all signs.

Pursuant to Section 17.88.050, *Design Review Criteria*, when conducting design review, the review authority evaluates applications to ensure that they satisfy the following criteria, conform to the policies of the 2007 General Plan and any applicable specific or master plan, the Town's Design Guidelines, and are consistent with any other policies or guidelines the Town Council may adopt for this purpose. To obtain design review approval, projects must satisfy these criteria to the extent that they apply.

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

Zoning Code Chapter 17.116, *Specific Plans*. Chapter 17.116 establishes the procedures for the preparation, processing, review, adoption, and amendment of specific plans. After the adoption of a specific plan, subsequent projects to implement the specific plan may be approved or adopted within an area covered by the specific plan only if first found consistent with the specific plan. An adopted specific plan may be amended through the same procedure as adoption of a specific plan.

Pursuant to Section 17.116.020, *Applicability*, the development standards and design guidelines identified in the specific plan shall take precedence over the general standards contained in the Zoning Code and any Town adopted design guidelines.

North Village District Planning Study

The *North Village District Planning Study*, modified November 5, 2008, has been developed in accordance with the Town's district planning policy, which requires completion of district planning in conjunction with major land use applications seeking Zoning Code or General Plan amendments. This planning study was initiated by the Mammoth Crossing project application; however, the planning study considers the entire NVSP area. The study provides an overview and analysis of the existing conditions, regulatory environment, character, and functionality of the NVSP area, and examines these as a series of issues, opportunities, and constraints. The General Plan's character statement for the NVSP area and the stated objectives of the NVSP serve as a benchmark to consider how future development patterns under the existing NVSP either support or hinder the achievement of those objectives. The Study analysis and recommendations are to be used to frame consideration of future projects, including potential updates or amendments to the NVSP. The project site is identified as an area of stability and assumes development of Building C.

The Village at Mammoth Design Guidelines

The *Design Guidelines The Village at Mammoth* (North Village Design Guidelines), approved August 23, 2000, are intended to provide general and specific design information so that all involved in the development process are able to proceed with a shared basis of information. They are structured to provide a description of the concept of the NVSP area, followed by supporting objectives of the design components, followed by a listing of design guidelines that must be followed to achieve the objectives. The main concept of the North Village Design Guidelines is that the NVSP area should be designed so that it is appropriate to the character of the Mammoth Lakes region, and to be competitive with other high-quality mountain villages in North America. Although the North Village Design Guidelines provide design direction for all elements within the NVSP area, they are intended to have sufficient flexibility to allow for incorporation of future creative design solutions, advances in building and materials technologies, and proactive responses to the dynamics of the marketplace that improve the project. In cases where the North Village Design Guidelines are silent, the Town may apply the Town's Design Guidelines for additional guidance. The North Village Design Guidelines require conformance with the NVSP, Master Plan, Municipal Code, and building codes.

5.1.3 IMPACT THRESHOLDS AND SIGNIFICANCE CRITERIA

Appendix G of the CEQA Guidelines contains the Modified Initial Study Environmental Checklist form used during preparation of the Modified Initial Study, which is contained in [Appendix 11.1](#) of this SEIR. The Modified Initial Study includes questions relating to aesthetics and visual resources. The issues presented in the Environmental Checklist have been utilized as thresholds of significance in this section. Accordingly, a project may create a significant adverse environmental impact if it would:

- Physically divide an established community (refer to [Section 8.0, *Effects Found Not to be Significant*](#));

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect (refer to Impact Statements LAND-1, LAND-2, and LAND-3); and/or
- Conflict with any applicable habitat conservation plan or natural community conservation plan (refer to Section 8.0, *Effects Found Not to be Significant*).

Based on these standards, the effects of the proposed project have been categorized as either a “less than significant impact” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant and unavoidable impact.

5.1.4 OVERVIEW OF PREVIOUS ENVIRONMENTAL ANALYSIS

The 1991 PEIR identified potentially significant impacts pertaining to the changes in the existing physical land use patterns and demand both in the NVSP area and throughout the commercial areas of the Town, as well as development of a more intense use than the previous zoning and land uses. Mitigation measures were adopted for these potentially significant impacts. The 1991 PEIR provided a brief consistency analysis of the NVSP with the 1987 General Plan and did not identify inconsistencies. The 1994 PEIR Addendum did not provide an additional consistency analysis or recommend additional mitigation measures. The 1999 SPEIR stated that the 1999 NVSP Amendment would be consistent with the Town’s 1987 General Plan goals and policies. Impacts in this regard were concluded to be less than significant.

5.1.5 IMPACTS AND MITIGATION MEASURES

TOWN OF MAMMOTH LAKES GENERAL PLAN 2007

LAND-1 PROJECT IMPLEMENTATION WOULD NOT CONFLICT WITH THE 2007 GENERAL PLAN POLICIES OR REGULATIONS.

Impact Analysis: The 1999 SPEIR stated that the 1999 NVSP Amendment would be consistent with the Town’s 1987 General Plan goals and policies. Impacts in this regard were concluded to be less than significant.

The 2007 General Plan is the primary planning document that guides land uses in the Town. The 2007 General Plan contains requirements for development, which pertain to the proposed project; refer to the *Regulatory Setting* discussion above.

Table 5.1-1, *General Plan Policy Consistency Analysis*, analyzes the project’s consistency with the relevant 2007 General Plan goals and policies. As demonstrated in Table 5.1-1, the proposed project is consistent with the relevant 2007 General Plan goals and policies, with the exception of Policy C.2.X.

**Table 5.1-1
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
Community Design Element	
Goal C.1. Improve and enhance the community's unique character by requiring a high standard of design in all development in Mammoth Lakes.	
Goal C.2. Design the man-made environment to complement, not dominate, the natural environment.	
C.2.A. Create well-designed and significant public spaces in resort/commercial developments to accommodate pedestrians and encourage social interaction and community activity	<u>Consistent.</u> As indicated in <u>Section 5.2, Aesthetics/Light and Glare</u> , the project would provide a public kiosk and pocket park along Minaret Road, which would encourage social interaction and community activity in the NVSP area. The project would specifically increase the pedestrian-oriented sidewalks (a desired characteristic of the North Village District), compared to that analyzed in the 1999 SPEIR. The project's proposed commercial square footage, spa facility, public kiosk, and pocket park would increase the available services and amenities in the NVSP area. In addition, the proposed site design is specifically oriented towards improving the pedestrian access and activity along Minaret Road. The project includes a pedestrian entry feature and food and beverage terrace for outdoor seating along Minaret Road.
C.2.C. Encourage development of distinct districts, each with an appropriate density and a strong center of retail, services, or amenities	<u>Consistent.</u> Refer to Response C.2.A. The project proposes a hotel that includes food and beverage sales, spa, outdoor pool/jacuzzis, and landscaping elements, within a currently developed area, consistent with the uses envisioned by the NVSP. The site is located in proximity to commercial and retail uses located within the North Village Plaza, as well as other hotel, vacation condominium rentals, and restaurant uses located to the east, south, and west. The project would not increase the overall allowable density in the NVSP.
C.2.D. Preserve and enhance special qualities of districts through focused attention on land use, community design, and economic development	<u>Consistent.</u> Refer to Response C.2.C.
C.2.E. Ensure that each district center is an attractive destination that is comfortable and inviting with sunny streets, plazas, and sidewalks.	<u>Consistent.</u> As indicated in <u>Section 5.2, Aesthetics/Light and Glare</u> , the project would not shade the Village Plaza. Also as indicated in <u>Section 5.2, Aesthetics/Light and Glare</u> , the project would not result in a significant increase in shade on sidewalks along Minaret Road, compared to that analyzed in the 1999 SPEIR. Further, existing and future sidewalks have or will incorporate snowmelt systems, and Caltrans implements snow removal operations and cindering of the road to maintain safe travel conditions. Additionally, the proposed pool plaza area is located on the southwest portion of the site to maximize solar access.
C.2.F. Improve visual appearance as well as pedestrian access and activity by requiring infill development patterns. Encourage rehabilitation and reorientation of existing strip commercial development consistent with neighborhood and district character.	<u>Consistent.</u> Refer to Response C.2.A and C.2.C.

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
C.2.J. Be stewards in preserving public views of surrounding mountains, ridgelines and knolls.	<u>Consistent.</u> As indicated in Section 5.2, <i>Aesthetics/Light and Glare</i> , southern views within the NVSP area that encompass the Sherwin Range are considered scenic. Within the project's viewshed, the Sherwin Range is visible from publicly accessible areas, including those along Minaret Road and Canyon Boulevard. Based on the site reconnaissance conducted by RBF on January 17, 2014 and April 10, 2014, the proposed project is not visible within pedestrian views of the Sherwin Range, as seen from the North Village Plaza to the north of the project site. As discussed in Section 5.2, no view blockage would occur along Canyon Boulevard. Implementation of the proposed project would result in increased visible massing as a result of both increased heights and reduced setbacks along Minaret Road, compared to the permitted 8050 Building C. However this increase in visible massing on-site has not resulted in increased view blockage of the Sherwin Range.
C.2.L. Create a visually interesting and aesthetically pleasing built environment by requiring all development to incorporate the highest quality of architecture and thoughtful site design and planning.	<u>Consistent.</u> As indicated in Section 5.2, <i>Aesthetics/Light and Glare</i> , the proposed project would have a different building massing than the structures to the north and south, creating a visually interesting and aesthetically pleasing built environment. Although increased building heights are proposed, these building heights would be similar to another structure in the NVSP area (specifically the Westin to the west). Further, the massing has been shifted east, toward Minaret Road, in order to frame and enhance the pedestrian environment along the northeastern boundary of the project site. The project would allow artful signs, interesting storefronts, individuality, and attention focused at the pedestrian level, particularly along Minaret Road.
C.2.M. Enhance community character by ensuring that all development, regardless of scale or density, maximizes provision of all types of open space, particularly scenic open space.	<u>Consistent.</u> Refer to Response C.2.J. The building massing has been shifted towards Minaret Road to allow for a pool plaza area to the southwest. The southwest orientation maximizes solar access to the pool plaza and the proposed building.
C.2.T. Use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting.	<u>Consistent.</u> The project would use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting and would result in a more hospitable and attractive pedestrian environment (compared to that analyzed in the 1999 SPEIR). The proposed architecture would also break up the existing architectural monotony experienced at the 8050 Buildings A and B.
C.2.U. Require unique, authentic and diverse design that conveys innovation and creativity and discourages architectural monotony.	<u>Consistent.</u> Refer to Response C.2.L and C.2.T.
C.2.V. Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.	<u>Consistent.</u> Refer to Response C.2.J and C.2.L.

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
C.2.W. Maintain scenic public views and view corridors (shown in Figures 1 and 2) that visually connect community to surroundings.	<u>Consistent.</u> Refer to Response C.2.J. In addition to the designated scenic vistas within the NVSP area, State Route 203 (Minaret Road) is eligible for listing as a State scenic highway. Implementation of the project would not result in increased view blockage of designated visual resources (i.e., the Sherwin Range), as seen from motorists, bicyclists, and pedestrians traveling along Minaret Road. Other visual resources located along Minaret Road include mature pine trees. A Tree Protection/Preservation Plan would be implemented to preserve and protect existing trees, shrubs, and other plant materials including plants on adjoining properties during grubbing and grading, site preparation, and construction activities. Although removal of vegetation (including some sapling trees), would occur, particularly along Minaret Road, due to the size of the trees proposed for removal, this vegetation is not considered a scenic resource per the Town's Municipal Code. The proposed project would re-plant new native tree species (e.g., Red Fir, Lodgepole Pine, Mountain Hemlock, Mountain Maple, Mountain Alder, Western Chokecherry, Western Water Birch, and Quaking Aspen) along Minaret Road in order to maintain and enhance the character of the site and its surroundings.
C.2.X. Limit building height to the trees on development sites where material tree coverage exists and use top of forest canopy in general area as height limit if no trees exist on site.	<u>Inconsistent.</u> As indicated in <u>Section 5.2, Aesthetics/Light and Glare</u> , the project would increase the building height by 18 feet above the approved 8050C building. The proposed building height is also taller than that allowed by the NVSP by three stories or 30 feet. This height increase would extend above the tree canopy present in the area, although not substantially (5 to 13 feet above the typical and average tree height in the area) ¹ . Further, although proposed massing and building height would change, this change would result in building expression that is more vertical rather than horizontal (as desired by the NVSP, Development Objective 1), increased architectural articulation and varied roof forms along Minaret Road (recommended by the 2007 General Plan, Appendix C, Commercial Corridor), as well as increased pedestrian-scale sidewalks and amenities along Minaret Road (encouraged by the 2007 General Plan, NVSP, and North Village Design Guidelines). Implementation of the applicable 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b would require the project's proposed landscaping and architectural style to blend with the area's natural setting.
Goal C.3. Ensure safe and attractive public spaces, including sidewalks, trails, parks and streets.	
C.3.D. Development shall provide pedestrian oriented facilities, outdoor seating, plazas, weather protection, transit waiting areas and other streetscape improvements.	<u>Consistent.</u> Refer to Response C.2.A.
C.3.E. Ensure that landscaping, signage, public art, street enhancements, and building design result in a more hospitable and attractive pedestrian environment. Require an even higher level of design quality and detail in commercial mixed use areas.	<u>Consistent.</u> Refer to Response C.2.A, C.2.L, C.2.T, and C.2.W.
Goal C.4. Be stewards of natural and scenic resources essential to community image and character.	

¹ Typical and average tree heights in the vicinity of the Mammoth Crossing project were found to be 67 to 75 feet with maximum heights of up to 90 feet.

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
C.4.A. Development shall be designed to provide stewardship for significant features and natural resources of the site.	<u>Consistent.</u> Refer to Response C.2.W.
C.4.B. To retain the forested character of the town, require use of native and compatible plant species in public and private developments and aggressive replanting with native trees.	<u>Consistent.</u> Refer to Response C.2.W.
C.4.C Retain overall image of a community in a forest by ensuring that native trees are protected wherever possible and remain an important component of the community.	<u>Consistent.</u> Refer to Response C.2.W.
C.4.D Retain the forested character of the town by requiring development to pursue aggressive replanting with native trees and other compatible species.	<u>Consistent.</u> Refer to Response C.2.W.
C.4.E Limited tree thinning and upper-story limbing may be permitted where needed to maintain public safety and the health of the forest, but not for the enhancement of views.	<u>Consistent.</u> Refer to Response C.2.W.
Goal C.5. Eliminate glare to improve public safety. Minimize light pollution to preserve views of stars and the night sky.	
C.5.A. Require outdoor light fixtures to be shielded and down-directed so as to minimize glare and light trespass.	<u>Consistent.</u> As indicated in <u>Section 5.2, Aesthetics/Light and Glare</u> , proposed lighting at ground level (e.g., exterior lighting for security, parking, signage, architectural highlighting and landscaping, and street/sidewalk lighting) would not substantially increase compared to that analyzed in the 1999 SPEIR. As described in the 1999 SPEIR, these lighting increases would be minimized with implementation of the 1999 SPEIR Mitigation Measure 5.3-3d pertaining to vegetation installation to screen views to the structure, as seen from residents particularly to the south. Further, with the implementation of the Additional Mitigation Measure AES-2, an outdoor lighting plan would be required for all new outdoor lighting installations. All outdoor lighting fixtures would be designed, located, installed, aimed downward or toward structures, retrofitted if necessary, and maintained in order to prevent glare, light trespass, and light pollution (Additional Mitigation Measure AES-3). An outdoor lighting plan would be submitted in conjunction with an application for design review and/or building permit approval. The outdoor lighting plan would also comply with Section 17.36.030.G, <i>Outdoor Lighting Plans</i> , of the Town's Municipal Code. Development of the proposed project would be subject to environmental and design review to ensure that light and glare impacts would not substantially increase the amount and intensity of nighttime lighting, nor cause light spillover onto adjoining properties.
C.5.B. Enforce removal, replacement, or retrofit of non-shielded or non-down-directed light fixtures that contribute to glare and light pollution	<u>Consistent.</u> Refer to Response C.5.A.
C.5.C. Improve pedestrian safety by eliminating glare for motorists through use of non-glare roadway lighting. A light fixture's source of illumination shall not be readily visible at a distance. Number of fixtures used shall be adequate to evenly illuminate for pedestrian safety.	<u>Consistent.</u> Refer to Response C.5.A.
Goal 6.6. Enhance community character by minimizing noise.	

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
C.6.A. Minimize community exposure to noise by ensuring compatible land uses around noise sources.	<u>Consistent.</u> As indicated in Section 5.4, <i>Noise</i> , any deliveries to the project site would occur on the western portion of the site, and would be located near other sensitive uses approximately 25 feet to the south. Noise from delivery activities would be masked by traffic noise along the Minaret Road and Canyon Boulevard. Additionally, the project would be required to adhere to the Town's Municipal Code Section 8.16.090, which prohibits loading and unloading operations to between 10:00 p.m. and 7:00 a.m. It should be noted that stationary noise from the proposed project would be similar to the existing surrounding environment, as compared to that analyzed in the 1999 SPEIR. Although the outdoor spa and pool terrace associated with the project would generate crowd noise, as indicated in Section 5.4, crowd noise would be 44 dBA at 13.12 feet and 20 dBA at 26.24 feet, which would not exceed the Town's 50 dBA standard. The proposed project would require the use of heating, ventilation, and air conditioning units (HVAC). Typically, mechanical equipment noise is 55 dBA at 50 feet from the source. Noise levels from mechanical equipment would be further reduced through the implementation of the Additional Mitigation Measure N-3 requiring the orientation of equipment away from any sensitive receptors, proper selection of equipment, and the installation of equipment with proper acoustical shielding (muffling). Compliance with the Town's Municipal Code and Additional Mitigation Measure N-3 would minimize noise impacts from crowd noise associated with the outdoor spa and pool terrace and mechanical equipment to less than significant levels.
C.6.B. Allow development only if consistent with the Noise Element and the policies of this Element. Measure noise use for establishing compatibility in dBA CNEL and based on worst-case noise levels, either existing or future, with future noise levels to be predicted based on projected 2025 levels.	<u>Consistent.</u> Refer to Response C.6.A. As indicated in Section 5.4, <i>Noise</i> , the proposed project would not result in long-term mobile noise impacts based on project generated traffic as well as cumulative noise levels.
C.6.C. Development of noise-sensitive land uses shall not be permitted in areas where the noise level from existing stationary noise sources exceeds the noise level standards described in the Noise Element.	<u>Consistent.</u> Refer to Response C.6.A and C.6.B.
C.6.D. Require development to mitigate exterior noise to "normally acceptable" levels in outdoor areas.	<u>Consistent.</u> Refer to Response C.6.A and C.6.B.
C.6.F. Require mitigation of all significant noise impacts as a condition of project approval.	<u>Consistent.</u> Refer to Responses C.5.A and C.6.B. In addition, implementation of 1999 SPEIR Mitigation Measure 5.6-1a through 5.6-1c and Additional Mitigation Measures N-1 and N-2 that require disturbance coordinator response for construction noise complaints and directing equipment away from receptors in order to reduce construction-related noise would minimize any impacts from construction noise and would ensure that impacts are reduced to a less than significant level.
Neighborhood District and Character Element	
North Village District	
Characteristic #1: Viewsheds to Sherwin Range and the Knolls are preserved.	<u>Consistent.</u> Refer to Response C.2.J.

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
Characteristic #2: Landscape that recalls the Eastern Sierra and establishes scale and street edge.	<u>Consistent.</u> Refer to Response C.2.W.
Characteristic #3: Create a sense of exploration using pedestrian-oriented sidewalks, plazas and courtyards with pedestrian comforts.	<u>Consistent.</u> Refer to Response C.2.A.
Characteristic #6: Visitor-oriented entertainment retail district.	<u>Consistent.</u> The proposed hotel would provide visitor accommodation and amenities.
Characteristic #7: Active day and evening through all four seasons, designed to achieve a 2-3 hour visit.	<u>Consistent.</u> Refer to Responses C.2.A and C.2.C.
Characteristic #8: Resort and resident activities, amenities and services.	<u>Consistent.</u> Refer to Response C.2.A and C.2.C.
Characteristic #9: Animation with retail and significant businesses oriented to the street.	<u>Consistent.</u> The proposed project includes amenities and active uses along Minaret Road, not included in the current building design.
Characteristic #10: Retail and services in “storefront” setting located at the sidewalk.	<u>Consistent.</u> Refer to Response C.2.A and Characteristic #9.
Characteristic #11: A variety of resort lodging supported by meeting facilities, outdoor activities and restaurants, arts, culture and entertainment.	<u>Consistent.</u> Refer to Responses C.2.A and C.2.C.
Characteristic #12: Create year-round non-vehicular links to mountain portals.	<u>Consistent.</u> The project would develop a hotel use with associated amenities, consistent with the intent of the NVSP. The project area is currently served by retail and restaurant uses located within the North Village Plaza, as well as the North Village gondola, which provides connection to Mammoth Mountain Ski Area.
Land Use Element	
Goal L.1. Be stewards of the community’s small town character and charm, compact form, spectacular natural surroundings and access to public lands by planning for and managing growth.	
L.1.A. Limit total peak population of permanent and seasonal residents and visitors to 52,000 people.	<u>Consistent.</u> As discussed below, the project proposes an amendment to the NVSP to allow for a density transfer of 30 rooms from the MC zone to the RG zone. Approval of the amendment by the Town would result in the project’s compliance with the maximum density allowed within the NVSP and considered by the 2007 General Plan. Therefore, the project would be consistent with the buildout assumptions of the 2007 General Plan.
L.1.B. Require all development to meet community goals for highest quality of design, energy efficiency, open space preservation, and promotion of a livable, sustainable community. Development that does not fulfill these goals shall not be allowed.	<u>Consistent.</u> Refer to Response C.2.A and C.2.M. The project proposes a variety of energy saving measures including deep balconies in front of window walls that act as a sun shade, super insulated roof system, dual method wall insulation, extensive use of light emitting diode lighting, weather-lock vestibule at pedestrian street entry and operable fenestration and fully opening wall panels.
Goal L.3. Enhance livability by designing neighborhoods and districts for walking through the arrangement of land uses and development intensities.	
L.3.B. Develop vital retail centers and streets.	<u>Consistent.</u> Refer to Response C.2.A and C.2.C.
L.3.D. Encourage outdoor dining in resort and commercial districts to increase street level animation.	<u>Consistent.</u> Refer to Response C.2.A and Characteristic #9.

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
<p>L.3.H. Density may be clustered or transferred within clearly articulated district, master, and specific plans to enhance General Plan goals and policies. Development rights may also be transferred between districts when that transfer furthers protection of identified environmentally sensitive areas.</p>	<p><u>Consistent.</u> As discussed in the <i>North Village Specific Plan</i> discussion below, since density transfers between zones (i.e., from the MC zone to the RG zone) are not currently allowed under the NVSP, the project proposes to amend the NVSP. More specifically, the NVSP would be amended to allow for a maximum density of 72 rooms per acre at the 8050 Site if the Mammoth Crossing project transfers 30 rooms of its available density to Area 19A (formerly Phase C of the 8050 project). Although approval of the amendment would allow for an increase in density above the 55 rooms per acre for the project site, the maximum density of 48 rooms per acre for the entire RG district would not be exceeded. As noted in Response L.1.A, approval of the amendment by the Town would result in the project's compliance with the maximum density allowed within the NVSP and considered by the 2007 General Plan. Therefore, the project would be consistent with the buildout assumptions of the 2007 General Plan.</p>
<p>Goal L.5. Provide an overall balance of uses, facilities and services to further the town's role as a destination resort community.</p>	
<p>L.5.B. Locate visitor lodging in appropriate areas.</p>	<p><u>Consistent.</u> The project is located within the NVSP. The intent of the NVSP is to develop a cohesive, pedestrian-oriented resort activity node, and to provide a year-round focus for visitor activity within the Town. The project would develop a hotel use with associated amenities, consistent with the intent of the NVSP. The project area is currently served by retail and restaurant uses located within the North Village Plaza, as well as the North Village gondola, which provides connection to Mammoth Mountain Ski Area.</p>
<p>L.5.E. Development shall complement and diversify the range of resort community activities and amenities.</p>	<p><u>Consistent.</u> Refer to Response C.2.A and C.2.C. The project proposes a hotel use with associated amenities including food and beverage sales, spa, and outdoor pool/jacuzzis.</p>
<p>L.5.F. Require all multi-family, resort, and specific plan development to include activities, amenities and services to support long-term visitation.</p>	<p><u>Consistent.</u> Refer to Response C.2.A and C.2.C. The project is located within the NVSP. The proposed hotel would provide services and amenities, such as food and beverage sales, spa, and outdoor pool/jacuzzis within an area served by other retail and recreational opportunities. The current Application is to amend the approved 8050 project and seek entitlement/permitting for a proposed hotel (with the requisite market requirement to retain flexibility with respect to ownership structures [e.g., traditional hotel, condominium-hotel, etc.]).</p>
<p>Mobility Element</p>	
<p>Goal M.3. Emphasize feet first, public transportation second, and car last in planning the community transportation system while still meeting Level of Service standards.</p>	
<p>M.3.A. Maintain a Level of Service D or better on the Peak Design Day at intersections along arterial and collector roads.</p>	<p><u>Consistent.</u> As indicated in <u>Section 5.3, Traffic/Circulation</u>, project implementation would maintain a Level of Service D or better on the peak design day at all study intersections and roadway segments.</p>

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
<p>M.3.B. Reduce automobile trips by promoting and facilitating:</p> <ul style="list-style-type: none"> • Walking • Bicycling • Local and regional transit • Innovative parking management • Gondolas and trams • Employer-based trip reduction programs • Alternate work schedules • Telecommuting • Ride-share programs • Cross-country skiing and snowshoeing 	<p><u>Consistent.</u> The project site and surrounding area are currently served by retail and restaurant uses located within the North Village Plaza, as well as the North Village gondola, which provides connection to Mammoth Mountain Ski Area. These uses are within walking distance of the project site, reducing the need for additional automobile trips by promoting and facilitating walking, bicycling, and gondolas. In addition, major transit stops are currently located within the project area along Minaret Road and Canyon Boulevard. Access to the transit stops would be maintained, further encouraging reduction in automobile trips by providing access to transit. Furthermore, the project would include bike parking and shuttle service to the airport and other destinations.</p>
<p>M.3.C. Reduce automobile trips by promoting land use and transportation strategies such as: implementation of compact pedestrian oriented development; clustered and infill development; mixed uses and neighborhood serving commercial mixed use centers.</p>	<p><u>Consistent.</u> The project would involve development of a hotel use and associated amenities over an existing parking podium surrounded by existing development. The project site and surrounding area are currently served by retail and restaurant uses located within the North Village Plaza, as well as the North Village gondola, which provides connection to Mammoth Mountain Ski Area. These uses are within walking distance of the project site, reducing the need for additional automobile trips. In addition, enhanced pedestrian access along Minaret Road and access between the existing 8050 project and Building C are proposed to allow access to and from hotel amenities.</p>
<p>M.3.E. Require development to implement Transportation Demand Management (TDM) measures.</p>	<p><u>Consistent.</u> Since the project meets the Town's parking requirements (with valet operations), TDMs are not required pursuant to Municipal Code Section 17.44.050. Further, the project would be required to be annexed into the Transit and Transportation Fee Community Facilities District (CFD 2013-03), which funds transit operations. The project proposes an informational kiosk, which could include wayfinding/transit information, as well as bike storage and shuttle service to the airport and other destinations.</p>
<p>M.3.G. Construction activities shall be planned, scheduled and conducted to minimize the severity and duration of traffic impediments.</p>	<p><u>Consistent.</u> As indicated in <u>Section 5.3, Traffic/Circulation</u>, a Construction Management Plan would be required to be submitted for review and approval by the Community and Economic Development Department in order to minimize the severity and duration of traffic impediments during construction activities.</p>
<p>M.3.H. Commercial developments shall not allow delivery vehicles and unloading activity to impede traffic flow through adequate delivery facilities and/or delivery management plans.</p>	<p><u>Consistent.</u> Commercial deliveries would occur off of Canyon Boulevard in the driveway area or in the porte cochere.</p>
<p>Goal M.4. Encourage feet first by providing a linked year-round recreational and commuter trail system that is safe and comprehensive.</p>	
<p>M.4.A. Improve safety of sidewalks, trails and streets.</p>	<p><u>Consistent.</u> The project would complete a sidewalk along Minaret Road.</p>
<p>M.4.E. Development shall improve existing conditions to meet Town standards.</p>	<p><u>Consistent.</u> The existing sidewalk will be improved and extended to meet Town standards.</p>
<p>Goal M.5. Provide a year-round local public transit system that is convenient and efficient.</p>	

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
M.5.B. Encourage transit use by requiring development and facility improvements to incorporate features such as shelters, safe routes to transit stops, and year-round access.	<u>Consistent.</u> Transit stops are currently located immediately adjacent to the project area along Minaret Road and Canyon Boulevard. Access to the transit stops would be maintained. In addition, enhanced pedestrian access along Minaret Road and access between the existing 8050 project and Building C are proposed to allow access to and from hotel amenities and the Village Plaza. The project features a signature street level pedestrian porte cochere that would serve as gateway access into the project from Minaret Road, allowing for pedestrian integration and improved circulation within the area.
<u>Goal M.6. Encourage alternative transportation and improve pedestrian mobility by developing a comprehensive parking management strategy.</u>	
M.6.A. Develop efficient and flexible parking strategies to reduce the amount of land devoted to parking.	<u>Consistent.</u> The project provides parking for both residential and commercial uses. To maximize efficiency of the existing parking garage, valet parking is proposed.
<u>Goal M.7. Maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative.</u>	
M.7.E. Require all development to construct improvements and/or pay traffic impact fees to adequately mitigate identified impacts. Mitigation of significant project-related impacts may require improvements beyond those addressed by the current Capital Improvement Program and Town of Mammoth Lakes Air Quality Management Plan and Particulate Emissions Regulations.	<u>Consistent.</u> As indicated in <u>Section 5.3, Traffic/Circulation</u> , project implementation would maintain a Level of Service D or better on the peak design day at all study intersections and roadway segments. Impacts would be less than significant and would not require implementation of mitigation. The project would be required to pay any development impact fees owed at time of building permit issuance.
Parks, Open Space, and Recreation Element	
<u>Goal P.5. Link parks and open space with a well-designed year-round network of public corridors and trails within and surrounding Mammoth Lakes.</u>	
P.5.D. Design public and private streets not only as connections to different neighborhood districts but also as an essential element of the open space system. Include parks and plazas, tree-lined open spaces and continuous recreational paths in design.	<u>Consistent.</u> Refer to Response M.4.A and M.4.E. The street frontage improvements include a public kiosk, pocket park, and landscaping.
Resource Management and Conservation Element	
<u>Goal R.4. Conserve and enhance the quality and quantity of Mammoth Lakes' water resources.</u>	
R.4.B. Support and encourage water conservation and recycled water use within private and public developments.	<u>Consistent.</u> The project proposes to implement energy efficient appliances, low-flow faucets, toilets, and showers, and water-efficient irrigation systems. In addition, the proposed project would incorporate several energy efficiency measures, including a LEED certifiable structure.
R.4.C. Require drought-tolerant landscaping and water-efficient irrigation practices for all development and Town-maintained landscaped areas, parks and park improvement projects. Development design, including parks, may include limited turf as appropriate to the intended use.	<u>Consistent.</u> The project proposes the use of native plant communities, shrubs, and related groundcover. A Zen garden is proposed which would include concrete pavers, accent stone, and cobble paving. Native trees (such as Red Fir, Lodgepole Pine, Mountain Hemlock, Mountain Maple, Mountain Alder, Western Chokecherry, Western Water Birch, and Quaking Aspen) would be installed along the perimeter of the proposed structure. In addition the project proposes water-efficient irrigation.

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
R.4.D. Require development to use native and compatible non-native plants, especially drought resistant species, to greatest extent possible when fulfilling landscaping requirements.	<u>Consistent.</u> Refer to Response R.4.C.
Goal R.6. Optimize efficient use of energy.	
R.6.C. Encourage energy efficiency in new building and retrofit construction, as well as resource conservation and use of recycled materials.	<u>Consistent.</u> Refer to Response R.4.B.
Goal R.7. Be a leader in use of green building technology.	
R.7.A Use green building practices to greatest extent possible in all construction projects.	<u>Consistent.</u> Refer to Response R.4.B.
Goal R.10. Protect health of community residents by assuring that the town of Mammoth Lakes remains in compliance with or improves compliance with air quality standards.	
R.10.B. Promote land use patterns that reduce number and length of motor vehicle trips, including: • development of in-town workforce housing • residential and mixed use development adjacent to commercial centers • mountain portals and transit corridors • provision of a mix of support services in employment areas	<u>Consistent.</u> Refer to Response M.3.B, M.3.C, M.3.E, and M.5.B.
R.10.C. Support strategies for development that reduce projected total vehicle miles traveled including, but are not limited to: • circulation system improvements • mass transit facilities • private shuttles • design and location of facilities to encourage pedestrian circulation	<u>Consistent.</u> Refer to Response M.3.B, M.3.C, M.3.E, and M.5.B.
R.10.D. Mitigate impacts on air quality resulting from development through design, participation in Town air pollution reduction programs, and/or other measures that address compliance with adopted air quality standards.	<u>Consistent.</u> Refer to Response M.3.E. As indicated in <u>Section 5.5, Air Quality</u> , construction emissions would not exceed thresholds. Mitigation Measure 5.5-1a from the 1999 SPEIR would be required to minimize fugitive dust emissions and ensure compliance with Great Basin Unified Air Pollution Control District (GBUAPCD) Rules. Additionally, Mitigation Measure 5.5-1b from the 1999 SPEIR would be required to minimize exhaust emissions from construction equipment and ensure compliance with the CARB anti-idling rule (California Code of Regulations, Title 13, Section 2485). The project would not result in overall growth beyond what is anticipated in the NVSP and the Town of Mammoth Lakes General Plan. Furthermore, 1999 SPEIR Mitigation Measures 5.5-2a through 5.5-2c require the project to implement measures that would minimize operational emissions from mobile sources (including reentrained dust) and particulates from wood-burning fireplaces. The project does not include any wood-burning devices. Operational emissions would not exceed the applicable thresholds.
R.10.E. The Town of Mammoth Lakes will strive to attain and maintain the National Ambient Air Quality Standard (NAAQS) for PM-10.	<u>Consistent.</u> Refer to Response R.10.D.

Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis

General Plan Policy	Consistency of Proposed Project with Current Policy
R.10.G. Reduce air pollutants during construction through implementation of Best Management Practices (BMPs).	<u>Consistent.</u> Refer to Response R.10.D.
Goal R.11 Reduce greenhouse gas emissions.	
R.11.A. Support the objectives of the U.S. Mayors Climate Protection Agreement, Assembly Bill 32, and California Executive Order S-03-05 and implement actions to reduce Mammoth Lakes' carbon footprint.	<u>Consistent.</u> As indicated in Section 5.6, <i>Greenhouse Gas Emissions</i> , the project would not conflict with or impede implementation of reduction goals identified in AB 32 and other strategies to help reduce GHG emissions. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.
Public Health and Safety Element	
Goal S.3. Minimize loss of life, injury, property damage, and natural resource destruction from all public safety hazards.	
S.3.B Design buildings so that snow shed, ice shed and snowmelt are not a hazard to people and property.	<u>Consistent.</u> Ice build-up on roof eaves would be prevented with heated roof gutters that would convey runoff from the roof and eaves to existing stormwater retention systems. Adequate roof access would also be provided to remove cornices as needed.
S.3.D. Maintain safe public access and circulation through comprehensive snow removal programs provided by the Town or by private entities.	<u>Consistent.</u> The existing Benefit Assessment District (BAD) for the North Village would maintain the heated paver sidewalk, and the BAD would haul snow off site as necessary.
S.3.I. Require geotechnical evaluations and implement mitigation measures prior to development in areas of potential geologic or seismic hazards.	<u>Consistent.</u> The existing parking structure was constructed to support the future Building C at the site and was constructed to UBC standards and regulations as well as the Town's Municipal Code. The new structure would be required to be constructed to current regulatory requirements.
S.3.L. All construction shall comply with wildland fire-safe standards, including standards established for emergency access, signing and building numbering, private water supply reserves available for fire use, and vegetation modification.	<u>Consistent.</u> The Town and surrounding area have been rated as having a very high fire potential. Thus, implementation of the proposed project could expose people or the new structure to risk involving wildland fires, as would be true for any development within the Town. The proposed project is subject to compliance with the Uniform Fire Code, which was amended by the Mammoth Lakes Fire Protection District (MLFPD) to ensure that Fire Code regulations are met. The proposed development would be reviewed to ensure adequate emergency access, signing and building numbering, and private water supply reserves are provided.
Goal S.4. Maintain adequate emergency response capabilities.	
S.4.A. Aid emergency vehicle access and emergency evacuation of residents and visitors by providing and maintaining secondary access routes to all portions of the community, consistent with the Mammoth Lakes Fire Protection District (MLFPD) requirements.	<u>Consistent.</u> The primary emergency evacuation route is State Route 203 (Main Street) to U.S. Highway 395. Secondary evacuation is provided by the Scenic Loop extending from Minaret Road to U.S. Highway 395. During the summer months, two additional routes are available including Sherwin Creek Road and the Sawmill Cutoff, both of which are graded dirt roads. The project is required to comply with applicable Town and MLFPD's codes for emergency vehicle access. The project proposes a new fire lane along Minaret Road, to the south of the existing parking structure entrance. The new fire lane is proposed to be 60 feet in length by 16 feet in width, as required by MLFPD. The proposed fire lane encroaches into the State Department of Transportation's (Caltrans') right-of-way, and therefore, would require Caltrans approval. Construction of the proposed hotel and accessory uses would occur over an existing subterranean parking structure that supports Buildings A and B of the 8050 development. The existing site access (from Canyon Boulevard) was constructed to accommodate the

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
	proposed project. Further, construction of the proposed project is not anticipated to require road closure during construction.
Noise Element	
4.2.1. New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future levels of noise from transportation noise sources which exceed 60 dB Ldn in outdoor activity areas or 45 dB Ldn in interior spaces.	<u>Consistent.</u> As indicated in <u>Section 5.4, Noise</u> , noise within the area from mobile noise ranges from 59.1 dBA to 65.6 dBA with the 60 CNEL noise contour located 31 feet from the roadway centerline. The increase in trips associated with the proposed project would be nominal and would not be expected to increase noise levels to levels that would exceed Town Noise Standards.
4.2.2. Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed 60 dB Ldn within outdoor activity areas and 45 dB Ldn within interior spaces of existing noise sensitive land uses.	<u>Consistent.</u> Refer to Response 4.2.1.
4.2.3. New development of noise-sensitive land uses shall not be permitted where the noise level from existing stationary noise sources exceeds the noise level standards of Table VII, <i>Maximum Allowable Noise Exposure-Stationary Noise Sources</i> , of the General Plan Noise Element.	<u>Consistent.</u> Refer to Response C.6.A and C.6.B.
4.2.4. Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated so as not to exceed the noise level standards of Table VII at noise-sensitive uses.	<u>Consistent.</u> Refer to Response C.6.A.
Housing Element	
H.1.D. Require that applicants proposing off-site housing or in-lieu fees, instead of on-site mitigation housing, are held to a higher standard of demonstrating "greater housing benefit" when seeking approval of such proposals.	<u>Consistent.</u> On November 5, 2003, the Town Council adopted Resolution No. 2003-63, by which the Town Council identified the "value of cost gap per Employee Housing Unit (EHU)" in the amount of \$52,802. This resulted in the establishment of an Affordable Housing Mitigation In-Lieu Fee of \$30,889 per Full Time Employee Equivalent (FTEE), which equates to the \$52,802 per EHU. On August 12, 2004, Mammoth 8050, LLC, the original developer of the 8050 project, and the Town entered into an In-Lieu Fee Agreement for the EHUs (AH In-Lieu Fee Agreement) to mitigate the impact the proposed 8050 project would have on the availability of workforce housing within the community, and to provide additional housing credits to the original developer. The AH In-Lieu Fee Agreement confirmed that at the time, the Town's value of each EHU was \$52,802. Nonetheless, the AH In-Lieu Agreement provides that in exchange for credit for 30 EHUs, the original developer would pay the Town \$3,000,000 (\$100,000 per EHU credit), in three separate payments of \$1,000,000, in connection with each phase of the proposed project (e.g., Buildings A, B, and C). Pursuant to the AH In-Lieu Fee Agreement, the original developer paid the Town in-lieu fees totaling \$2,000,000. The original developer, however, did not construct Building C at 8050 and did not pay the Town the final payment of \$1,000,000 when it became due. The construction of Buildings A and B by the original developer generated a demand for 17.5 EHUs. Therefore, the 8050 project maintains a credit of 4.5 EHUs. Since the effective date of the AH In-Lieu Fee Agreement, the Town has changed

**Table 5.1-1 [continued]
2007 General Plan Policy Consistency Analysis**

General Plan Policy	Consistency of Proposed Project with Current Policy
	<p>its affordable housing policy. The Town's interim housing policy (Town Council Resolution 09-76) now requires that 10 percent of the total project units be provided for on-site affordable housing; however, an Affordable Housing Mitigation Plan (AHMP) may be approved instead of providing on-site housing if a substantial additional affordable housing benefit is achieved. The Applicant proposes to construct up to 67 bedrooms in Building C. Pursuant to the Town's interim housing policy, those 67 bedrooms would require the Applicant to provide 6.7 bedrooms (6.7 EHUs) on the project site. Since each of the project's 4.5 existing EHU credits was generated at the rate of \$100,000 per EHU (which is 189 percent of the then-value of \$52,802 per EHU), the Town has already achieved a substantial additional affordable housing benefit for each of the project's 4.5 EHU credits. Therefore, the Applicant will apply for an AHMP which confirms that no additional housing mitigation is required beyond the Application of the project's existing credit of 4.5 EHUs. The Town and Mammoth Lakes Housing, Inc. would evaluate the Applicant's AHMP request to ensure Policy H.1.E is complied with.</p>
<p>Sources: Town of Mammoth Lakes, <i>Town of Mammoth Lakes General Plan 2007</i>, dated August 15, 2007. Town of Mammoth Lakes, <i>Town of Mammoth Lakes Housing Element Update 2014-2019</i>, dated June 18, 2014. Town of Mammoth Lakes, <i>Noise Element of the General Plan</i>, dated June 18, 1997.</p>	

District Planning. The project is located within the North Village District. North Village District characteristics relevant to the proposed project have been analyzed within Table 5.1-1, Neighborhood and District Character Element. As indicated in Table 5.1-1, the project would be consistent with the characteristics of the North Village District.

Land Use Designation. The project site is designated NVSP. Development of the project site with a hotel use would be consistent with the land use anticipated for the site by the General Plan.

Buildout. The 2007 General Plan establishes a policy of a total peak population of residents, visitors, and employees at 52,000 persons. The 2007 General Plan considers buildout of the NVSP. According to the 2007 General Plan, maximum overall density for NVSP is 3,317 rooms and 135,000 square feet of commercial. The specific allocation of density, location of uses, and development standards are contained in the NVSP. Based on the maximum allowable building density, a maximum of 37 rooms would be allowed for Building C; refer to the *North Village Specific Plan* discussion below. However, the project proposes 67 rooms, which would exceed the density allowed within the NVSP and could exceed the peak population identified in the 2007 General Plan. As discussed below, the project proposes an amendment to the NVSP to allow for a density transfer of 30 rooms from the MC zone to the RG zone. Approval of the amendment by the Town would result in the project's compliance with the maximum density allowed within the NVSP and considered by the 2007 General Plan. Therefore, the project would be consistent with the buildout assumptions of the 2007 General Plan².

² Although the Town is now implementing Population Impact Evaluation Criteria (PIEC) to precisely evaluate population impacts, buildout or Population at One Time (PAOT) is still appropriate to analyze in the SEIR.

As concluded in the discussions and [Table 5.1-1](#), the proposed project would not conflict with any applicable General Plan policy or regulation, with the exception of Policy C.2.X. As indicated in [Section 5.2, *Aesthetics/Light and Glare*](#), the project would increase the building height by 18 feet above the approved 8050C building. The proposed building height is also taller than that allowed by the NVSP by three stories or 30 feet. This height increase would extend above the tree canopy present in the area, although not substantially (5 to 13 feet above the typical and average tree height in the area)³. Further, although proposed massing and building height would change, this change would result in building expression that is more vertical rather than horizontal (as desired by the NVSP, Development Objective 1), increased architectural articulation and varied roof forms along Minaret Road (recommended by the 2007 General Plan, Appendix C, Commercial Corridor), as well as increased pedestrian-scale sidewalks and amenities along Minaret Road (encouraged by the 2007 General Plan, NVSP, and North Village Design Guidelines). Implementation of the applicable 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b would require the project's proposed landscaping and architectural style to blend with the area's natural setting. In conclusion, although the project is not consistent with Policy C.2.X, the project is consistent with the remaining General Plan policies and North Village Design Guidelines. Thus, a less than significant impact would occur in this regard.

On September 16, 2009, the Town Council voted to keep the view policy consistent with the "village in the trees" as stated in the General Plan, not proceed with a policy to protect private views, and continue to rely on Zoning Code standards regarding public views.

Project Impact Evaluation Criteria (PIEC)

The PIEC Framework is required for any application for a major legislative amendment, including Specific Plans that propose significant changes to existing development standards or policies, and/or that requests discretionary density increases as established through General Plan Policy L.5.G, as well as Tentative Tract Map and Use Permit applications. [Table 5.1-2, *Project Impact Evaluation Criteria Analysis*](#), assesses the proposed project based on the PIEC and is provided herein for informational purposes.

Applicable 1999 SPEIR Mitigation Measures: No 1999 SPEIR mitigation measures are applicable to this topical area.

Additional Mitigation Measures: No additional mitigation measures are required.

Level of Significance: Less Than Significant Impact.

³ Typical and average tree heights in the vicinity of the Mammoth Crossing project were found to be 67 to 75 feet with maximum heights of up to 90 feet.

**Table 5.1-2
Project Impact Evaluation Criteria Analysis**

Criteria	Rationale	Measurement	Response	Basis of Analysis	
Traffic and Mobility					
<i>Project reduces transportation impacts through proximity to multi-modal transportation, employment, retail, and entertainment options and encourages the use of alternative transportation and "feet first" principles expressed in the General Plan and Community Vision.</i>					
Vehicle Miles Traveled (VMT) and Level of Service (LOS)	Reducing project VMTs and trip generation decreases congestion, reduces Greenhouse Gas production, and improves air quality.	TM1	Project would not cause cumulative VMT at General Plan buildout (179,708 VMT) to be exceeded	<input checked="" type="checkbox"/> True	VMT would not exceed buildout
				<input type="checkbox"/> False	
		TM2	Project produces less VMTs per unit (or other measure) than similar project	<input checked="" type="checkbox"/> True	Reduced trip generation rate
				<input type="checkbox"/> False	
		TM3	Intersection Level of Service impacts	<input type="checkbox"/> LOS improved over existing condition	Traffic analysis demonstrated no impacts and no mitigation required
				<input checked="" type="checkbox"/> No mitigation required	
				<input type="checkbox"/> Impact(s) mitigated	
				<input type="checkbox"/> Significant Impacts that Cannot Be Mitigated	
		Geography/ Location	A project's proximity to daily services and needs increases the likelihood of travel by non-vehicle modes, thereby reducing congestion and vehicle miles traveled.	TM4	Project is located proximate to gondola station/ski lift
	<input type="checkbox"/> Transit				
	<input type="checkbox"/> Car				
TM5	Project is located proximate to concentration of major employment			<input checked="" type="checkbox"/> Walk	North Village, Main Street, Old Mammoth Rd and Gateway
				<input checked="" type="checkbox"/> Transit	
				<input type="checkbox"/> Car	
TM6	Project is located proximate to concentration of retail/entertainment			<input checked="" type="checkbox"/> Walk	North Village
				<input type="checkbox"/> Transit	
				<input type="checkbox"/> Car	
TM7	Project is located within 1/4 mile of multiple existing (or planned future) transit lines			<input checked="" type="checkbox"/> 4 or more	Near North Village Transit Hub
				<input type="checkbox"/> 3	
				<input type="checkbox"/> 2	
				<input type="checkbox"/> 1	
Travel Demand Management Measures - Wayfinding, Parking, Bicycle, Pedestrian	Providing programs and measures that encourage travel by alternative modes reduces vehicle trips. Shared parking and other parking management strategies help to reduce the amount of parking built to preserve valuable land.	TM8	Project provides auto-trip reducing measures such as: - Transit information to visitors/guests/ employees - Alternative transportation/carpooling incentive programs	<input type="checkbox"/> 4+	Informational kiosk (wayfinding, transit and other information), bike storage, shuttle service to the airport and other destinations
			- Shared parking on-site and/or in a parking district	<input checked="" type="checkbox"/> 3 to 4	
			- Preferred parking for fuel efficient and/or carpool - Bicycle facilities and storage exceeds requirements - Changing facilities and showers (for employees)	<input type="checkbox"/> 1 to 2	
			- Shuttle(s) to airport and other destinations - Way-finding measures integrated with Town system	<input type="checkbox"/> None or TBD	

**Table 5.1-2 [continued]
Project Impact Evaluation Criteria Analysis**

Criteria	Rationale	Measurement	Response	Basis of Analysis
Circulation - Pedestrian, Bicycle, Transit	Providing enhanced multi-modal infrastructure and safety features encourages travel by alternative modes, which reduces vehicle trips and improves circulation.	TM9 Project provides enhanced mobility through: - Vehicle mid-block connectors/enhances street grid - Pedestrian mid-block connectors - Exceed sidewalk standards and requirements - Traffic calming measures - Superior delivery/service facilities/management	<input checked="" type="checkbox"/> 2+	Frontage/sidewalk improvements. Delivery off Canyon Blvd. in porte cochere or adjacent driveway. A fire lane is also proposed, but is subject to Caltrans approval.
			<input type="checkbox"/> 1 to 2	
			<input type="checkbox"/> None or TBD	
		TM10 Project adds or enhances transit infrastructure	<input type="checkbox"/> True <input type="checkbox"/> False <input checked="" type="checkbox"/> NA or TBD	Not applicable
Water Supply and Capacity				
<i>Project reduces impact to water supply through use of water efficient technology and other conservation measures. Project reduces impact to water quality, treatment systems, and stormwater facilities.</i>				
Supply and Infrastructure Impacts	Projects that do not require new or expanded water supply or new infrastructure reduce impacts.	W1 Project water demand will not result in a net increase in the forecasted Town buildout water demands, and will not result in a net increase in forecasted deficits under the planning scenarios presented in the MCWD UWMP	<input checked="" type="checkbox"/> True	<u>Section 5.7, Utilities and Service Systems</u>
			<input type="checkbox"/> False	
		W2 Water Infrastructure (Water Lines): - Project is located adjacent to existing water infrastructure with adequate capacity to serve the incremental increase in peak demand from the project, or - Project is located adjacent to planned water infrastructure that will result in adequate capacity to serve the incremental increase in peak demand from the project, or - Project is located in area without existing or planned water infrastructure with adequate capacity to serve the incremental increase in peak demand from the project	<input checked="" type="checkbox"/> True	<u>Section 5.7, Utilities and Service Systems</u>
			<input type="checkbox"/> False	
			<input type="checkbox"/> NA	
			<input type="checkbox"/> True	
			<input type="checkbox"/> False	
			<input checked="" type="checkbox"/> NA	
		<input type="checkbox"/> True	<u>Section 5.7, Utilities and Service Systems</u>	
		<input checked="" type="checkbox"/> False		
<input type="checkbox"/> NA				

**Table 5.1-2 [continued]
Project Impact Evaluation Criteria Analysis**

Criteria	Rationale	Measurement	Response	Basis of Analysis	
Supply and Infrastructure Impacts	Projects that do not require new or expanded water supply or new infrastructure reduce impacts.	W3 Wastewater Infrastructure (Sewer Lines): - Project is located adjacent to existing wastewater infrastructure with adequate capacity to serve the incremental increase in peak demand from the project, or - Project is located adjacent to planned wastewater infrastructure that will result in adequate capacity to serve the incremental increase in peak demand from the project, or - Project is located in area without existing or planned wastewater infrastructure with adequate capacity to serve the incremental increase in peak demand from the project	<input checked="" type="checkbox"/> True	<u>Section 5.7, Utilities and Service Systems</u>	
			<input type="checkbox"/> False		
			<input type="checkbox"/> NA		
			<input type="checkbox"/> True		
			<input type="checkbox"/> False		
			<input checked="" type="checkbox"/> NA		
		<input type="checkbox"/> True			
		<input checked="" type="checkbox"/> False			
		<input type="checkbox"/> NA			
		W4	Project does not require new or expansion of stormwater drainage infrastructure		<input checked="" type="checkbox"/> True
<input type="checkbox"/> False					
Conservation - Landscape and Building Fixtures	Water efficient landscaping, irrigation systems, and water-saving fixtures reduce impacts to the available water supply.	W5 The project is committed to using state-of-art water saving fixtures and appliances to reduce potable water use	<input checked="" type="checkbox"/> True	Yes, wherever feasible; LEED certifiable project	
			<input type="checkbox"/> False		
			<input type="checkbox"/> TBD		
		W6	Project exceeds the Town Water-Efficient Landscape regulations, or alternate equivalent standard, through state of the art irrigation systems and native/water-saving landscaping	<input type="checkbox"/> Project Not Irrigated	Preliminary landscaping would use less water than allowed per Code
				<input checked="" type="checkbox"/> Exceeds Minimum	
				<input type="checkbox"/> Meets Minimum	
				<input type="checkbox"/> Does Not Meet Minimum	
		<input type="checkbox"/> TBD			

**Table 5.1-2 [continued]
Project Impact Evaluation Criteria Analysis**

Criteria	Rationale	Measurement	Response	Basis of Analysis		
Air Quality						
<i>Project furthers Town compliance with State and Federal PM10 Air Quality Standards, which improves public health.</i>						
State and Federal PM10 Compliance	Reduction of vehicle trips and elimination of solid fuel burning appliances improves air quality, thereby improving public health.	A1	Project does not cause cumulative PM10 level to exceed State and Federal standards per the adopted AQMP	<input checked="" type="checkbox"/>	True	Section 5.5, Air Quality
			<input type="checkbox"/>	False		
		A2	Project does not use solid fuel burning appliances	<input checked="" type="checkbox"/>	True	Only gas fireplaces and fire pit proposed
				<input type="checkbox"/>	False	
Also See Traffic Measurements T1 through T10.						
Green Technology and Energy						
<i>Project furthers Town green building and energy efficiency goals.</i>						
Green Technology, Green Building, and Alternative Energy	Use of green technologies and green building practices preserves natural resources and protects the environment.	GE1	Project meets or exceeds applicable green building program standards such as LEED, California Green Building Standards Code, or equivalent	<input checked="" type="checkbox"/>	True	LEED certifiable project
			<input type="checkbox"/>	False		
			<input type="checkbox"/>	TBD		
		GE2	Project incorporates renewable energy systems on-site or uses renewable energy (i.e. photovoltaic, geothermal, etc.)	<input type="checkbox"/>	True	TBD as design proceeds
				<input type="checkbox"/>	False	
				<input checked="" type="checkbox"/>	TBD	
Also See Water Measurements W5 and W6 and Traffic Measurements T4 through T10.						
Economic Stability						
<i>Project supports the Destination Resort Community and Economic Strategy through promotion of a four-season economy and provision of visitor and resident serving uses.</i>						
Year-round Economy	Projects that promote year-round, mid-week, and shoulder season visitation strengthen economic diversity and decrease fluctuations in revenue stream.	E1	Project provides uses/facilities that contribute to a year-round economy and increase occupancy by promoting mid-week and shoulder season visitation and increasing visitor length of stay	<input checked="" type="checkbox"/>	High	Hotel with spa, food and beverage sales, pool, and plaza
			<input checked="" type="checkbox"/>	Medium		
			<input type="checkbox"/>	Low		
		E2	Project develops and/or participates in cooperative marketing strategies	<input checked="" type="checkbox"/>	True	Subject to marketing needs of hotel
<input type="checkbox"/>	False					
Tax Revenue	Uses that generate TOT and sales tax help support community programs and infrastructure improvements.	E3	Project increases transient occupancy tax	<input checked="" type="checkbox"/>	High	67 hotel rooms proposed
			<input type="checkbox"/>	Medium		
			<input type="checkbox"/>	Low		
		E4	Project contributes to sales tax	<input checked="" type="checkbox"/>	High	See E1 and E3
				<input type="checkbox"/>	Medium	
				<input type="checkbox"/>	Low	
Mix of Uses	Projects with a mix of uses in appropriate locations increase synergy between those uses.	E5	Project contributes to placemaking and synergy and provides a complementary scale and mix of uses and facilities	<input checked="" type="checkbox"/>	2 + uses added	See E1
			<input type="checkbox"/>	1 use added		
			<input type="checkbox"/>	0 uses added		
			<input type="checkbox"/>	NA or TBD		
Also See Social Measurements S1 and S2.						

**Table 5.1-2 [continued]
Project Impact Evaluation Criteria Analysis**

Criteria	Rationale	Measurement	Response	Basis of Analysis	
Social Capacity					
<i>Project provides key services, uses, employment opportunities, and public art that enhances the quality of life of residents and visitors.</i>					
Key Uses and Services	Provision of neighborhood retail and services that serve residents and visitors improves quality of life and economic stability.	S1 Project includes scale and mix of strategically targeted use(s) (grocery, conference space, day care, etc.) that respond to an unmet community need, as identified by Town Policy	<input type="checkbox"/>	2 + uses added	Public open space - pocket park and informational kiosk
			<input checked="" type="checkbox"/>	1 use added	
			<input type="checkbox"/>	0 uses added	
			<input type="checkbox"/>	NA or TBD	
		S2 Project creates employment that widens the diversity of opportunities in the community and includes: - Creation of professional, full-time, permanent employment - Creation of high-quality seasonal employment	<input checked="" type="checkbox"/>	Both	Hotel would create permanent and seasonal employment
			<input type="checkbox"/>	1 of 2	
Public Art	Public art contributes to the enhancement of the cultural and social aspects of the community.	S3 Project exceeds public art requirements	<input type="checkbox"/>	More than 20%	Anticipate substantive public art, but TBD as design proceeds
			<input type="checkbox"/>	10% to 20%	
			<input type="checkbox"/>	Less than 10%	
			<input checked="" type="checkbox"/>	TBD	
Also See Economic Stability Measurements E1 through E5.					
Housing					
<i>Project provides housing opportunities to enhance the quality of life of the town's workforce.</i>					
Housing Mix	Providing quality, diverse, and livable housing opportunities within the community increases quality of life for workers and reduces vehicle travel impacts.	H1 Project provides a mix of housing sizes, types, and affordability, including housing on-site	<input type="checkbox"/>	True	\$2M provided per in-lieu housing agreement
			<input type="checkbox"/>	False	
			<input checked="" type="checkbox"/>	NA or TBD	
		H2 Project exceeds workforce/affordable housing requirements	<input type="checkbox"/>	True	Project proposes to use existing credits to meet requirements
			<input type="checkbox"/>	False	
			<input checked="" type="checkbox"/>	NA or TBD	
Also See Social Measurements S1 and S2.					
Recreation / Leisure Capacity					
<i>Expanding and improving recreational and leisure opportunities, open space, entertainment, improves community quality of life and visitor experience.</i>					
Community					
Open Space	Accessible and usable open-space sponsors community vitality and encourages healthy activity while enhancing the natural landscape.	R1 Project contributes open space according to established ratios	<input type="checkbox"/>	Exceeds Minimum	Lot coverage consistent with North Village Specific Plan
			<input checked="" type="checkbox"/>	Meets Minimum	
			<input type="checkbox"/>	Does Not Meet Minimum	
		R2 Project provides useable and needed community open space, i.e. TOT lot, dog park, etc.	<input checked="" type="checkbox"/>	True	Pocket park and informational kiosk
			<input type="checkbox"/>	False	
			<input type="checkbox"/>	NA or TBD	

**Table 5.1-2 [continued]
Project Impact Evaluation Criteria Analysis**

Criteria	Rationale	Measurement	Response	Basis of Analysis
Recreation and Entertainment Options	Recreation and entertainment options and access, including public access to public lands should be provided when feasible and applicable.	R3	<input checked="" type="checkbox"/> True	Walking distance to gondola, pool plaza, and see R2
			<input type="checkbox"/> False	
			<input type="checkbox"/> NA or TBD	
		R4	<input checked="" type="checkbox"/> True	Sidewalk connection will be provided
			<input type="checkbox"/> False	
			<input type="checkbox"/> NA or TBD	
		R5	<input type="checkbox"/> True	NA - Project is not adjacent to public lands
			<input type="checkbox"/> False	
			<input checked="" type="checkbox"/> NA or TBD	
		R6	<input checked="" type="checkbox"/> True	Spa and food and beverage sales will be open to the public
			<input type="checkbox"/> False	
			<input type="checkbox"/> TBD	
Visitor				
Recreation and Entertainment Options	Provision of accessible/affordable recreation and visitor serving entertainment options, as well as well-designed and effectively located public spaces in visitor-oriented districts encourages return visitation.	R7	<input checked="" type="checkbox"/> True	Street front food and beverage sales, pocket park, informational kiosk
			<input type="checkbox"/> False	
			<input type="checkbox"/> NA or TBD	
		R8	<input checked="" type="checkbox"/> True	Pedestrian entry element, and see R6 and R7
			<input type="checkbox"/> False	
			<input type="checkbox"/> NA or TBD	
Also See Recreation/Leisure Capacity Measurements R3 through R6.				
Community Character / Aesthetics				
<i>Maintaining consistency with community and neighborhood character creates a sense of place.</i>				
Height, Mass and Bulk	Building height, mass, and bulk that is consistent with surrounding land uses and preserves protected views.	CC1	<input checked="" type="checkbox"/> True	Section 5.2, <u>Aesthetics/Light and Glare</u>
			<input type="checkbox"/> False	
		CC2	<input checked="" type="checkbox"/> True	Section 5.2, <u>Aesthetics/Light and Glare</u>
			<input type="checkbox"/> False	
			<input type="checkbox"/> TBD	
		CC3	<input type="checkbox"/> True	Proposed height and street setback do not comply with NVSP
<input checked="" type="checkbox"/> False				
Trees and Natural Surroundings	Native tree preservation helps to maintain the forested character of the town.	CC4	<input checked="" type="checkbox"/> True	Future improvements preserve significant trees
			<input type="checkbox"/> False	
			<input type="checkbox"/> NA or TBD	
		CC5	<input type="checkbox"/> True	No mitigation required; landscape plan includes trees
			<input type="checkbox"/> False	
			<input checked="" type="checkbox"/> NA or TBD	
Note: Project Evaluation includes reference to all applicable adopted Town plans, documents, and regulations, as well as those of other agencies such as Mammoth Community Water District, Air Pollution Control District, etc.				

NORTH VILLAGE SPECIFIC PLAN

LAND-2 PROJECT IMPLEMENTATION WOULD NOT CONFLICT WITH THE NORTH VILLAGE SPECIFIC PLAN STANDARDS OR REGULATIONS, AS AMENDED.

Impact Analysis: The project proposes three amendments to the NVSP: 1) to allow for an increase in the allowable development density for the project site, including a transfer of 30 rooms from the Mammoth Crossing site (MC zone); 2) an increase in the allowable building height; and 3) a reduction in the required front yard setbacks along Minaret Road, as described in [Section 3.3, Project Characteristics](#). The following is an analysis of the project's consistency with the NVSP.

Land Uses. NVSP Table 2, *Land Use Matrix*, identifies the land uses permitted within the RG district. According to Table 2, hotels, resort condominiums, and inns are permitted uses within the RG district. Restaurants, bars, and night clubs within hotels and accessory commercial uses within a hotel are also permitted uses within the RG district.

Density. Maximum density for parcels within the RG district is 55 rooms per acre, not to exceed an aggregate density of 48 rooms per acre. The 8050 property is approximately 1.83 acres, yielding an allowable density of 101 rooms at 55 rooms per acre⁴. The existing Buildings A and B of the 8050 project include 28 units with an overall total of 57 bedrooms, and the existing commercial in Building B equates to seven rooms. Therefore, a maximum of 37 rooms would be allowed for Building C.

The project proposes up to 67 rooms, which would exceed the maximum allowed density for Building C by 30 rooms. In order to accommodate the additional 30 rooms associated with the project, the project proposes a density transfer of a like-kind number of bedrooms from the nearby Mammoth Crossing property that is also owned by the project Applicant. Since density transfers between zones (i.e., from the MC zone to the RG zone) are not currently allowed under the NVSP, the project proposes to amend the NVSP. More specifically, the NVSP would be amended to allow for a maximum density of 72 rooms per acre at the 8050 Site if the Mammoth Crossing project transfers 30 rooms of its available density to Area 19A (formerly Phase C of the 8050 project). Although approval of the amendment would allow for an increase in density above the 55 rooms per acre for the project site, the maximum density of 48 rooms per acre for the entire RG district would not be exceeded. Also, the density remains below the higher intensity Plaza Resort zone of the NVSP, and the density is transferred to a location that is closer to the Village Plaza, Village transit hub, and the Village gondola station. Further, approval of the proposed amendment would ensure that the density transfer would occur prior to development of the project. Thus, the project would not conflict with the NVSP standards and regulations and impacts would be less than significant in this regard.

Site Coverage. The NVSP allows for maximum site coverage of 70 percent, including all buildings and paved or otherwise developed impervious surfaces for the RG district. The site coverage of the existing on-site buildings and parking structure is approximately 62 percent of the total lot area. The proposed project would be constructed on top of the parking podium with similar site coverage.

⁴ 1.832 acres multiplied by 55 rooms per acre equals 100.75 rooms, which is rounded up to 101 total rooms allowed.

However, the project would also provide enhanced street frontage improvements along Minaret Road (such as the pedestrian entry feature and public kiosk), which would increase the maximum lot coverage to 70 percent, as allowed within the NVSP RG district.

Building Area. The maximum building floor area for all developments within the RG district is 87,000 square feet per acre. As proposed, the overall floor area would be approximately 139,446 square feet for the approximately 1.83-acre site (which includes the 8050 Buildings A, B, and the proposed C), resulting in a building area of 76,200 square feet per acre, consistent with the NVSP.

Building Heights. The maximum permitted height within the NVSP RG district is 40 feet and the maximum projected height is 50 feet with an additional three feet for roof appurtenances. The project proposes a maximum height of seven stories (80 feet), when measured from the top of the existing parking structure podium, with an additional 4 feet, 6 inches, for roof appurtenances; refer to Exhibit 3-4, North and South Building Elevations and Exhibit 3-5, East and West Building Elevations. In order to allow for the additional height, the project proposes to amend the NVSP to allow for a maximum permitted height for the project (Area 19 A) of 80 feet, when measured from the top of the existing parking structure podium and a maximum projected height of 84 feet, 6 inches including roof appurtenances, when measured from the top of the existing parking structure podium.

As indicated in Section 5.2, Aesthetics/Light and Glare, although increased building heights are proposed, these building heights would be similar to another structure in the NVSP area (specifically the Westin to the west). In addition, the height increase would not extend substantially above the tree canopy present in the area (5 to 13 feet above the typical and average tree height in the area)⁵, and the increased height would not result in increased view blockage of the Sherwin Range when compared to the permitted 8050 Building C. Although the proposed project would increase building height compared to that analyzed in the 1999 SPEIR, impacts pertaining to the long-term degradation of character/quality would be reduced and a resultant less than significant impact would result after implementation of the recommended 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b; refer to Section 5.2, Aesthetics/Light and Glare. Further, shade/shadow impacts associated with the proposed project would be less than significant, as shadow-sensitive uses would not be significantly shaded. The Town Planning and Economic Development Commission would conduct an architectural design review as part of the site plan review process. The design review would consider design features, including building height. Thus, with approval of the proposed NVSP amendment and Design Review, the proposed project would not conflict with the NVSP standards and regulations. Impacts would be less than significant in this regard.

Building Setbacks. Required side and rear setbacks for the RG district are a minimum of 10 feet. Along Minaret Road, setbacks are based on the height of the building. Between 35 and 54 feet, a setback of 30 feet is required. A setback of 40 feet is required for a structure greater than 55 feet. The proposed project would conform to the minimum 10-foot side and rear yard setbacks. As stated, the project proposes a building height of 80 feet, requiring a setback of 40 feet along Minaret Road. The project would be consistent with the front yard setback requirements for levels one through five. However, levels six and seven would extend into the front yard setback 10 feet for building heights from 55 feet to 73 feet (i.e., maintain a 30-foot setback) and building heights above 73 feet would maintain a 40-foot setback; refer to Exhibit 3-6, Proposed Setbacks. The setback

⁵ Typical and average tree heights in the vicinity of the Mammoth Crossing project were found to be 67 to 75 feet with maximum heights of up to 90 feet.

amendment would also allow the pedestrian entry element to encroach up to nine feet into the required 10-foot setback, subject to review and approval of the Planning and Economic Development Commission.

As indicated in Section 5.2, *Aesthetics/Light and Glare*, the reduced setbacks along Minaret Road compared to the permitted 8050 Building C would not result in increased view blockage of the Sherwin Range. Although the proposed project would reduce setbacks compared to that analyzed in the 1999 SPEIR, impacts pertaining to the long-term degradation of character/quality would be reduced after implementation of the recommended 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b (refer to Section 5.2, *Aesthetics/Light and Glare*), and a less than significant impact would result. Further, shade/shadow impacts associated with the proposed project would be less than significant, as shadow-sensitive uses would not be significantly shaded. The Town Planning and Economic Development Commission would conduct an architectural design review as part of the site plan review process. The design review would consider design features, including setbacks. Thus, with approval of the proposed NVSP amendment and Design Review, the proposed project would not conflict with the NVSP standards and regulations. Impacts would be less than significant in this regard.

Overall, with approval of the proposed amendments to the NVSP and Design Review, the proposed project would not conflict with the NVSP. Impacts would be less than significant in this regard.

Applicable 1999 SPEIR Mitigation Measures: No additional 1999 SPEIR mitigation measures are applicable to this topical area; refer to Section 5.2, *Aesthetics/Light and Glare*.

Additional Mitigation Measures: No additional mitigation measures are required.

Level of Significance: Less Than Significant Impact.

TOWN OF MAMMOTH LAKES MUNICIPAL CODE

LAND-3 PROJECT IMPLEMENTATION WOULD NOT CONFLICT WITH THE TOWN OF MAMMOTH LAKES MUNICIPAL CODE STANDARDS OR REGULATIONS.

Impact Analysis: The project is subject to the NVSP, and Municipal Code standards shall only apply to the project when such standards are not specified in the NVSP. The project does not include a request to amend any Municipal Code provisions. The project components include a Tentative Tract Map, Conditional Use Permit; Design Review Permit; and Final Map, among others. The following is an analysis of the project's consistency with applicable sections of the Municipal Code.

Title 16, Subdivisions

The project requires a Tentative Tract Map (TTM) in order to supersede the existing 8050 Building C approvals (TTM 36-229), which allow a fractional ownership condominium project. Although the project requests flexibility in the ownership structure, the project does not propose fractional ownership. As part of the Town's land use entitlement process, the proposed TTM would be evaluated and required to demonstrate compliance with the Subdivision Map Act and Municipal

Code Title 16. Approval of a Final TTM by the Town would result in the project's compliance with the Subdivision Map Act and Municipal Code Title 16.

Title 17, Zoning

Chapter 17.68, Use Permits. Chapter 17.68 establishes the procedures for the review and approval or denial of Use Permits. The process includes the review of the location, design, configuration, and potential impacts of the proposed use. The Planning and Economic Development Commission is required to make findings in order to approve a Use Permit. The project requests a Use Permit to supersede the existing 8050 Building C approvals, which include Use Permit (2005-01), allowing fractional share condominium ownership. As stated, the project does not propose fractional ownership. Approval of the Use Permit would result in the project's compliance with Chapter 17.68.

Chapter 17.88, Design Review. Chapter 17.88 implements the design review procedural requirements of the Town's Design Guidelines (including the North Village Design Guidelines). Design review considers the design of the site plan, structures, lighting, landscaping, and other physical features of a proposed project. The review authority would evaluate the project to ensure that it satisfies the criteria established in Chapter 17.88, as well as its conformance to the policies of the 2007 General Plan and any applicable specific or master plan, the Town's Design Guidelines, and any other policies or guidelines the Town Council may adopt for this purpose. Approval of the Design Review Application would result in the project's consistency with Chapter 17.88.

Chapter 17.116, Specific Plans. Chapter 17.116 establishes the procedures for adoption and amendment of a specific plan. An adopted specific plan may be amended through the same procedure as adoption of a specific plan, which includes making specific findings and an affirmative vote of a majority of the total membership of the Council. Development of the project would be required to comply with the NVSP, as amended. Thus, the project would be consistent with Chapter 17.116. The proposed NVSP amendments are further analyzed in the *North Village Specific Plan* Section, which follows.

Resolution No. 09-76. The Town's interim housing policy requires that 10 percent of the total project units be provided for on-site affordable housing; however, an Affordable Housing Mitigation Plan (AHMP) may be approved instead of providing on-site housing if a substantial additional affordable housing benefit is achieved.

The Applicant proposes to construct up to 67 bedrooms in Building C. Pursuant to the Town's interim housing policy, those 67 bedrooms would require the Applicant to provide 6.7 bedrooms (6.7 Employee Housing Units [EHU]) on the project site.

As indicated in Section 3.0, Project Description, on November 5, 2003, the Town Council adopted Resolution No. 2003-63, by which the Town Council identified the "value of cost gap per Employee Housing Unit (EHU)" in the amount of \$52,802. This resulted in the establishment of an Affordable Housing Mitigation In-Lieu Fee of \$30,889 per Full Time Employee Equivalent (FTEE), which equates to the \$52,802 per EHU. On August 12, 2004, Mammoth 8050, LLC, the original developer of the 8050 project, and the Town entered into an In-Lieu Fee Agreement for the EHUs (AH In-Lieu Fee Agreement) to mitigate the impact the proposed 8050 project would have on the availability of workforce housing within the community, and to provide additional housing credits to

the original developer. The AH In-Lieu Fee Agreement confirmed that at the time, the Town's value of each EHU was \$52,802. Nonetheless, the AH In-Lieu Agreement provides that in exchange for credit for 30 EHUs, the original developer would pay the Town \$3,000,000 (\$100,000 per EHU credit), in three separate payments of \$1,000,000, in connection with each phase of the proposed project (e.g., Buildings A, B, and C). Pursuant to the AH In-Lieu Fee Agreement, the original developer paid the Town in-lieu fees totaling \$2,000,000. The original developer, however, did not construct Building C at 8050 and did not pay the Town the final payment of \$1,000,000 when it became due.

At the rate of \$100,000 per EHU, the \$2,000,000 that the original developer paid the Town in mitigation fees yielded credits for 20 EHUs. In addition, the original developer received credit for two EHUs for demolishing two commercial buildings on the project site, for a total of 22 EHUs. The construction of Buildings A and B by the original developer generated a demand for 17.5 EHUs. Therefore, the 8050 project maintains a credit of 4.5 EHUs.

Since each of the project's 4.5 existing EHU credits was generated at the rate of \$100,000 per EHU (which is 189 percent of the then-value of \$52,802 per EHU), the Town has already achieved a substantial additional affordable housing benefit for each of the project's 4.5 EHU credits. Therefore, the Applicant would apply for an AHMP which confirms that no additional housing mitigation is required beyond the Application of the project's existing credit of 4.5 EHUs. The Town and Mammoth Lakes Housing, Inc. would evaluate the Applicant's AHMP request. Approval of the AHMP would ensure consistency with the Town's Municipal Code. Impacts would be less than significant in this regard.

The development review process is intended to ensure that the performance standards identified in the Town's Zoning Code are maintained and implemented. Thus, with approval of the Conditional Use Permit, Design Review Permit, Specific Plan Amendment, and AHMP, the project would not conflict with the Zoning Code.

Overall, as is evidenced by the discussions presented above, the project would not conflict with the Town of Mammoth Lakes Municipal Code and a less than significant impact would occur in this regard.

Applicable 1999 SPEIR Mitigation Measures: No 1999 SPEIR mitigation measures are applicable to this topical area.

Additional Mitigation Measures: No additional mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.1.6 CUMULATIVE IMPACTS

TOWN OF MAMMOTH LAKES GENERAL PLAN 2007

- **DEVELOPMENT ASSOCIATED WITH THE PROPOSED PROJECT AND RELATED CUMULATIVE PROJECTS WOULD NOT CONFLICT WITH THE 2007 GENERAL PLAN POLICIES OR REGULATIONS.**

TOWN OF MAMMOTH LAKES MUNICIPAL CODE

- **DEVELOPMENT ASSOCIATED WITH THE PROPOSED PROJECT AND RELATED CUMULATIVE PROJECTS WOULD NOT CONFLICT WITH THE TOWN OF MAMMOTH LAKES MUNICIPAL CODE STANDARDS OR REGULATIONS.**

Impact Analysis: The 1999 SPEIR considered impacts associated with buildout of the NVSP, together with cumulative projects. Cumulative impacts were concluded to be less than significant.

Development projects within the Town undergo a similar plan review process, in order to determine potential land use planning policy and regulation conflicts. Each cumulative project would be analyzed independent of other projects, within the context of their respective land use and regulatory setting. As part of the review process, each project would be required to demonstrate compliance with the provisions of the applicable land use designation(s) and zoning district(s). Each project would be analyzed in order to ensure that the goals, objectives, and policies of the 2007 General Plan, and regulations and guidelines of the Municipal Code are consistently upheld. The project would be consistent with the 2007 General Plan and Municipal Code. Thus, the proposed project would not result in significant cumulatively considerable impacts in this regard.

Applicable 1999 SPEIR Mitigation Measures: No 1999 SPEIR mitigation measures are applicable to this topical area.

Additional Mitigation Measures: No additional mitigation measures are required.

Level of Significance: Less Than Significant Impact.

NORTH VILLAGE SPECIFIC PLAN

- **DEVELOPMENT ASSOCIATED WITH THE PROPOSED PROJECT AND RELATED CUMULATIVE PROJECTS WOULD NOT CONFLICT WITH THE NORTH VILLAGE SPECIFIC PLAN STANDARDS OR REGULATIONS, AS AMENDED.**

Impact Analysis: The 1999 SPEIR considered impacts associated with buildout of the NVSP, together with cumulative projects. Cumulative impacts were concluded to be less than significant.

Mammoth Crossing (Cumulative Project #7 as identified on Exhibit 4-1, Cumulative Project Locations) is located to the south, adjacent to the project site, within the NVSP. District Zoning and General Plan Amendments have been approved for Mammoth Crossing; however the project is not currently entitled. Development of the Mammoth Crossing project would be consistent with the NVSP.

The project is requesting to amend the NVSP in order to increase the allowed density and building heights at the site and reduce the setbacks along Minaret Road. As discussed, the proposed amendments would not result in significant impacts. Once approved, the proposed project would be consistent with the NVSP. Thus, the proposed project would not result in cumulatively considerable impacts in this regard.



Applicable 1999 SPEIR Mitigation Measures: No 1999 SPEIR mitigation measures are applicable to this topical area.

Additional Mitigation Measures: No additional mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.1.7 SIGNIFICANT UNAVOIDABLE IMPACTS

Implementation of the proposed project would not result in any significant impacts pertaining to land use and relevant planning.



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