

RESOLUTION NO. 10-25

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPTING GENERAL
PLAN AMENDMENT 10-002, 2007-2014 HOUSING ELEMENT
UPDATE AND NEGATIVE DECLARATION**

WHEREAS, California Government Code Section 65588 requires that local governments conduct periodic review and update of the Housing Element of their General Plan; and

WHEREAS, the Town of Mammoth Lakes Housing Element was scheduled for revision by the State of California on August 31, 2009; and the Draft Housing Element was submitted for review by the State Department of Housing and Community Development on February 11, 2010; and

WHEREAS, comments from HCD were received on April 15, 2010 and those comments incorporated into a revised Draft Housing Element; and;

WHEREAS, the Planning Commission conducted a Noticed Public Hearing on the application request on June 9, 2010 at which time all those desiring to be heard were heard; and

WHEREAS, the Planning Commission recommended that the Town Council adopt a Negative Declaration and General Plan Amendment 2010-02, for the 2007-2014 Housing Element Update; and

WHEREAS, the Town Council conducted a Noticed Public Hearing on the application request on June 23, 2010 at which time all those desiring to be heard were heard; and

WHEREAS, the Town Council considered, without limitation:

1. The Agenda Report to the Town Council with exhibits;
2. The General Plan and Municipal Code;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing;
5. The Draft Initial Study and Negative Declaration, Initial Study Addition and Response to Comments (collectively the Initial Study/Negative Declaration)

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mammoth Lakes, California, as follows:

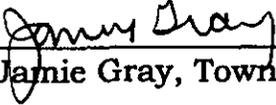
1. That the Town Council finds the above recitations are true and correct.
2. The Town Council incorporates by reference all exhibits and attachments cited in this Resolution.
3. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the Town Council makes the following findings and takes the following actions:
 - a. That the Town Council, in its independent judgment, has reviewed the Draft Initial Study and Negative Declaration for the Town of Mammoth Lakes Draft Housing Element (SCH#2010052018), and the Initial Study Addition and Response to Comments (Exhibit 1 of this Resolution), and finds that the documents were prepared in compliance with the CEQA Guidelines, and that the proposed project would have a less than significant impact on the environment.
 - b. That the Town Council hereby adopts the Negative Declaration for the 2007-2014 Housing Element Update.
4. General Plan Amendment 2010-02 would comply with provisions of Government Code 65358 and Section 17.040.070 of the Mammoth Lakes Municipal Code, based on the findings in Exhibit 2 of this Resolution.
5. Based on all of the findings, and all the evidence in the record or proceedings in this matter, the Town Council hereby adopts General Plan Amendment 2010-02, for the 2007-2014 Housing Element Update, included as Exhibit 3 of this Resolution.
6. The documents and other materials that constitute the record of proceedings upon which the Town Council's decision is based are located in the Town Offices of the Town of Mammoth Lakes, at 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546 and Jamie Gray, Town Clerk, is hereby designated as the custodian of these records.

APPROVED AND ADOPTED this 23rd day of June 2010.



NEIL MCCARROLL, Mayor

ATTEST:



Jamie Gray, Town Clerk

NOTE: This action is subject to Chapter 17.68 of the Municipal Code, which specifies time limits for legal challenges.

EXHIBIT 1 TO ATTACHMENT A

Resolution No. 10-25

Case No. GPA 2010-02

**DRAFT INITIAL STUDY AND NEGATIVE DECLARATION FOR THE
2007-2014 HOUSING ELEMENT UPDATE (SCH#2010052018)**

AND

**ADDITION TO THE DRAFT INITIAL STUDY AND NEGATIVE
DECLARATION AND RESPONSE TO COMMENTS**



Town of Mammoth Lakes
Draft Housing Element 2007-2014

Initial Study/Negative Declaration

DRAFT
May 6, 2010

Lead Agency:
Town of Mammoth Lakes
PO Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

Contact: Ellen Clark, Senior Planner
(760) 934-8989 ext. 269



COMMUNITY DEVELOPMENT
P.O. Box 1609, Mammoth Lakes, CA 93546
(760) 934-8989
fax (760) 934-8608

NEGATIVE DECLARATION

Project Description:

The Town of Mammoth Lakes proposes to adopt revisions to the Housing Element of the General Plan.

Project Location:

The proposed project applies to all land within the Urban Growth Boundary (UGB) of the Town of Mammoth Lakes.

Proposed Finding:

The Town of Mammoth Lakes, as Lead Agency under the California Environmental Quality Act, has determined that the project could not have a significant effect on the environment, based on the analysis included in the attached Initial Study.

Mitigation Measures:

Since the project was determined to have no significant effect on the environment, no mitigation measures are proposed.

Initial Study/Environmental Checklist:

A copy of the Initial Study/Environmental Checklist is attached.

Signed:

A handwritten signature in black ink, appearing to read "Ellen Clark", written over a horizontal line.

Ellen Clark, Senior Planner
Town of Mammoth Lakes

May 6, 2010



1.0 INTRODUCTION

This Initial Study has been prepared by the Town of Mammoth Lakes in order to assess the potential environmental impacts of implementing the proposed 2007-2014 Housing Element Update. Following preliminary review of the proposed Project, the Town of Mammoth Lakes determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects associated with the Project, as proposed. This Initial Study includes a project description, environmental checklist, and discussion focused on issues identified in the checklist.

The Initial Study was based on review of the Draft Housing Element for the 2007-2014 planning period, the Town of Mammoth Lakes General Plan (2007) and 2007 General Plan Final Program EIR, and other Town planning documents, as outlined in Section 1.3 below.

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with the *California Environmental Quality Act (CEQA)* (Public Resources Code Sections 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations (CCR), the Town of Mammoth Lakes, acting in the capacity of Lead Agency, is required to undertake the preparation of an Initial Study to determine whether the proposed project would have a significant environmental impact. If the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration (or Mitigated Negative Declaration) for that project. Such determination can be made only if “there is no substantial evidence in light of the whole record before the Lead Agency” that such impacts may occur (Section 21080(c), Public Resources Code).

The environmental documentation, which is ultimately approved and/or certified by the Town of Mammoth Lakes in accordance with *CEQA*, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not, however, a policy document, and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

1.2 PURPOSE

Section 15063 of the *CEQA Guidelines* identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:



- A description of the project, including the location of the project;
- Identification of the environmental setting;
- Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries;
- Discussion of ways to mitigate significant effects identified, if any;
- Examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls; and
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study.

1.3 INCORPORATION BY REFERENCE

The references outlined below were utilized during preparation of this Initial Study and are incorporated by reference under Title 14 California Code of Regulations Section 15150. The documents are available for review at the Town of Mammoth Lakes Community Development Department, located at 437 Old Mammoth Road, Mammoth Lakes, California 93546.

- *Town of Mammoth Lakes General Plan 2007 (August 2007)*. The Town of Mammoth Lakes Council adopted the *2007 General Plan* on August 15, 2007. Each element in the *2007 General Plan* 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;
 - Arts, Culture, Heritage and Natural History;
 - Community Design;
 - Neighborhood and District Character;
 - Land Use;
 - Mobility;
 - Parks, Open Space and Recreation;
 - Resource Management and Conservation;
 - Public Health and Safety;



- Housing;
 - Noise; and
 - Parks and Recreation.
-
- Town of Mammoth Lakes 2005 General Plan Update Final Program Environmental Impact Report (GPEIR) (May 2007) (State Clearinghouse Number 2003042155). The GPEIR involves the update of the Town's General Plan, which provides the Town's long-range comprehensive direction to guide future development and identifies the community's environmental, social, and economic goals. This document was prepared as a Program EIR, which is intended to facilitate consideration of broad policy directions, program-level alternatives and mitigation measures consistent with the level of detail available for the Plan. The GPEIR concluded significant and unavoidable impacts regarding aesthetics, air quality, biological resources, public safety and hazards, noise, public services and utilities, and recreation.

 - Clearwater Specific Plan Environmental Impact Report (State Clearinghouse Number 2006061254). The Clearwater Specific Plan EIR considered the adoption of a Specific Plan for the Clearwater site, a 6.09 acre property located on Old Mammoth Road. The EIR looked the impacts of redeveloping the site from its existing hotel and restaurant uses to a more intensive mixed use hotel, retail and housing project, with modifications to height and other site development standards. The EIR concluded that the future development of the site under the Specific Plan would potentially result in impacts to Land Use/Planning, Aesthetics/Light and Glare, Traffic; Air Quality; Noise; and Utilities and Service Systems. Of these, all impact with the exception of aesthetics (views, construction impacts, light and glare and shade/shadow), and short-term construction noise, were found to be reduced to a less than significant level with mitigation. The Clearwater Specific Plan EIR was certified in January, 2009. Since certification, a Vesting Tentative Tract Map (VTTM) and Use Permit have been approved for the Old Mammoth Place project, which is located within the Specific Plan area. Because the Use Permit application included a slightly different amount and mix of units compared to that analyzed in the Clearwater EIR, a conformance analysis was prepared by the Town, which found the revised project to be consistent with the previous EIR's analysis and that additional CEQA review was not required.

 - Snowcreek Master Plan Update 2007 Environmental Impact Report (State Clearinghouse Number 2006112015). The Snowcreek Master Plan Update 2007 EIR addressed the update of the Snowcreek Master Plan that was adopted in 1984. The Master Plan Update includes expansion of the existing 9-hole Snowcreek golf course and development of a resort hotel up to 120 feet in height; including 250 room/suites



and 150 private residence club units and several hundred residential units, among other features; up to 790 residential units, including 80 workforce housing units; small commercial/retail facility and a public mini-park; and complementary recreational uses and trails. The EIR concluded that development under the Snowcreek Master Plan could result in significant and unavoidable impacts in the areas of aesthetics (policy consistency, visual character, and light and glare) and construction-related and cumulative air quality. Other potential impacts to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, noise, population and housing, public services and recreation, transportation, and utilities and service systems were found to be less than significant with inclusion of specified mitigation measures.

- Shady Rest Master Plan Initial Study/Negative Declaration (State Clearinghouse Number 1991104314). The Town adopted a Negative Declaration for the Shady Rest Master Plan in January 1991, allowing for development of 172 affordable housing units on the 25-acre Shady Rest Site.
- Holiday Haus Project Initial Study/Mitigated Negative Declaration (State Clearinghouse Number 2008082061). The Holiday Haus MND considered the redevelopment of a 1.55 acre site with a 120 room hotel and 15 housing units. The site is the location of the existing Holiday Haus Motel. The document identified potentially significant impacts for air quality, aesthetics, biological resources, cultural resources, geology/soils, hazards and hazardous materials, noise, public services, transportation/traffic, and utilities/services systems. All of the impacts identified in the Initial Study would be reduced to a less than significant level with incorporation of the specified Mitigation Measures. The Mitigated Negative Declaration was adopted by the Town on October 22, 2008.
- Lodestar Master Plan Environmental Impact Report (State Clearinghouse Number 1991105212). The Lodestar Master Plan EIR addresses the development of a 210 acre master planned destination resort oriented around a 110 acre, 18-hole golf course. The project included up to 40 single family dwellings, 735 multi-family condos/townhomes, 100 lodging rooms and apartments for employee housing, 515,600 square feet of full service hotels with 500 hotel rooms and 200 condominium units. The EIR found that impacts to geology and soils, hydrology, utilities, traffic and transportation, aesthetics (visual character), and public services could be mitigated to a less-than-significant level through measures specified in the EIR. Significant, unavoidable biological and fiscal impacts were noted in the EIR. The EIR was certified in February 1991. A Tentative Tract Map and Use Permit, along with an amendment to the Lodestar Master Plan to allow for some modifications to previously approved development standards was adopted in 2005; a



Negative Declaration for this Use Permit and Plan Amendment was adopted in 2005 (SCH#2005022049).

- *Town of Mammoth Lakes Municipal Code (Municipal Code)*. The *Municipal Code* consists of regulatory, penal, and administrative ordinances of the Town of Mammoth Lakes. It is the method the Town uses to implement control of land uses, in accordance with *General Plan* goals and policies. The Town of Mammoth Lakes Zoning Ordinance, Title 17, of the *Municipal Code*, identifies land uses permitted and prohibited according to the zoning category of particular parcels. The Buildings and Construction Ordinance, Title 15, specifies rules and regulations for construction, alteration, and building for uses of human habitation. Subdivisions are regulated under separate ordinances not contained within the Municipal Code.



2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION AND SETTING

Mammoth Lakes is located within Mono County, on the eastern side of the Sierra Nevada Range, south of Lake Tahoe, in California (see Exhibit 2-1, Regional Location). The proposed project applies to all land within the Urban Growth Boundary (UGB) of the Town of Mammoth Lakes. US Highway 395 and State Route 203 provide the major access to the town. Exhibit 2-2, Town Boundaries, shows the Town's municipal boundary and the Urban Growth Boundary.

Land within the Town's municipal boundary equals approximately 25 square miles; the area within the UGB is much more limited, covering approximately 4.5 square miles (2,880 acres). Land outside of the UGB and the municipal boundary is principally under public ownership, primarily by the United States Forest Service.

EXISTING CONDITIONS

Mammoth Lakes is a resort community, with a local economy dominated by tourism, focused around outdoor recreation and the nearby Mammoth Mountain Ski Area. The Town's permanent population was estimated at 7,400 in 2008, with 3,140 households and an average household size of 2.44 persons. During peak visitor periods, the local population can increase by up to five times.

Mammoth Lakes' housing characteristics are strongly affected by its resort character. A significant proportion (58 percent) of its total housing stock is vacation homes rented or occupied seasonally. The town had an estimated total of 9,245 housing units in 2008, of these, 39.2% were single family homes, and 58.3% were multifamily units (rental apartments and condominiums).

The majority of land within the UGB is between 7,900 and 8,100 feet above sea level, rising towards the south and west. Some land within the west and south portions of the municipal boundary lies considerably higher, up to over 11,000 feet at Mammoth Mountain. Mammoth Creek is the major drainage within the urbanized part of the community, flowing from the Lakes Basin to the west, through the south part of the town. Several smaller drainages also exist. While much of the land within the UGB is relatively level, some steeper areas with slopes over 30 percent are found in portions of Old Mammoth (particularly the Bluffs), Mammoth Slopes, and Mammoth Knolls.

The climate within Mammoth Lakes is strongly affected by the community's altitude and location. The Town receives an average of over 300 inches of snow annually; summer conditions are generally dry and warm.



2.2 PROJECT CHARACTERISTICS

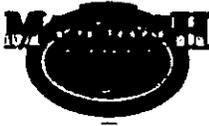
The Town of Mammoth Lakes proposes to adopt an update to the General Plan Housing Element, pursuant to California Government Code Section 65580. State law requires the Housing Element to be updated approximately every five to seven years to ensure that the Town can accommodate its fair share of the State's projected housing need.

In order to accomplish this, the Town has prepared an analysis of housing needs and identified sites that can accommodate future housing development, including the development of affordable housing units. The Housing Element includes a series of goals, policies, and actions that are intended to meet future housing needs of all segments of the community. The update addresses the 2007-2014 planning period. Although the Housing Element proposes some revisions to the Town's codes and requirements as specified in the Town's Municipal Code, the Element does not introduce or propose new development beyond growth that has been planned for and analyzed under the 2007 General Plan and General Plan Final Program EIR. The specific goals, policies and actions proposed under the Revised Housing Plan are identified below under Section 2.2.2.

The amount of residential development, including infill and increased density that may result from new policies included in the Housing Element Update, was also included in the buildout assumptions analyzed in the General Plan EIR. Because the Housing Element for this planning period consists of growth that has been planned for under the General Plan, the potential environmental impacts analyzed in the General Plan FPEIR have been previously reviewed and disclosed as required under CEQA. Therefore, this Initial Study draws on analysis and conclusions from the General Plan FPEIR, in accordance with CEQA Guidelines Section 15150 Incorporation by Reference. CEQA requires that, when documents are incorporated by reference, the location where such files are available for review is indicated and the State Clearinghouse number is referenced. The full citation and location of this document are as follows:

Town of Mammoth Lakes 2007. Town of Mammoth Lakes 2005 General Plan Update, Program Environmental Impact Report. State Clearinghouse No. 2003042155, Mammoth Lakes, California. Available upon request from Town of Mammoth Lakes, 37 Old Mammoth Road, Suite R, Mammoth Lakes, CA, 93546, and online at <http://www.ci.mammoth-lakes.ca.us/General%20Plan/GP%20FPEIR/index.htm>

The Housing Element update would revise the Town's Housing Element consistent with the requirements of State law. California Government Code Section 65583 requires that the Housing Element include the following components:



- A review of the previous element's goals, policies, programs, and objectives to ascertain the effectiveness of each of these components, as well as the overall effectiveness of the Housing Element;
- An assessment of housing needs and an inventory of resources and constraints related to the meeting of these needs;
- An analysis and program for preserving assisted housing developments;
- A statement of community goals, quantified objectives, and policies relative to the preservation, improvement, and development of housing;
- A program which sets forth a schedule of actions that the Town is undertaking or intends to undertake, in implementing the policies set forth in the Housing Element. The program must do all of the following:
 - Identify actions that will be taken to make adequate sites available to accommodate the Town's share of the regional housing need, if the need could not be accommodated by the existing inventory of residential sites;
 - Assist in the development of adequate housing to meet the needs of extremely low, very low, low, and moderate income households;
 - Address and, where appropriate, remove governmental constraints to the maintenance, improvement, and development of housing;
 - Conserve and improve the condition of the existing affordable housing stock;
 - Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability; and
 - Preserve assisted housing developments for lower income households.

As part of these requirements, the Housing Element must show that the Town has adequate sites available to accommodate its Regional Housing Needs Allocation (RHNA), which represents the estimated "fair share" of units needed to accommodate the projected regional population increase, for various levels of affordability. Table 1 summarizes Mammoth Lakes' RHNA, as determined by HCD.



Table 1 Mammoth Lakes Regional Housing Need Allocation by Income Group, 2007-2014

Extremely Low ¹	27	10%
Very Low ¹	28	10%
Low	56	20%
Moderate	58	21%
Above Moderate	110	39%

Source: Town of Mammoth Lakes, 2008.
¹ Mammoth Lakes projects 30 or 31 households qualify as extremely low-income households. This estimate presumes 50 percent of the very low-income households qualify as extremely low-income households.

As shown in the table, the Town's RHNA equals 279 units, which is well within the residential development envelope analyzed in the General Plan FPEIR. Based on the buildout model developed by the Town, total residential units (excluding hotel rooms) within the Town at buildout are estimated at 12,660; this would represent an increase of 3,415 units over the 2008 level. Because of the Town's resort community characteristics, the Town uses Population at one Time (PAOT) as a basis for describing population intensity. PAOT includes permanent residents, as well as seasonal residents, employees and visitors. PAOT at buildout is required, by policy, to be limited to 52,000 PAOT; current PAOT is estimated at 35,000. Since PAOT is a function, in part, of the number of residential units, future population would also be within the range assumed in the General Plan FPEIR.

Between 2007 and 2009, the Town constructed 146 affordable housing units, satisfying over half of the RHNA requirement. As shown in Table 2, the Housing Element identifies specific sites that could provide up to 1,030 housing units; however, only a fraction of this number (about 13 percent) would be needed to satisfy the remaining 133 units in the RHNA. For the purposes of this Initial Study's analysis, all of the specific sites identified in the Housing Element are considered. These include sites subject to approved use permits, Master Plans or Specific Plans, or Affordable Housing Overlay Zoning, as well as one site owned by Mammoth Mountain Ski Area (MMSA) and identified by MMSA as a site for a future employee housing development. The development anticipated on each of the sites is consistent with the General Plan's land use designations and, thus, within the envelope of development considered by the General Plan FPEIR. With the exception of the MMSA employee housing site, all of the sites have been subject to a prior environmental review under CEQA. Each of the specific sites is described in the following section.



2.2.2 Housing Sites

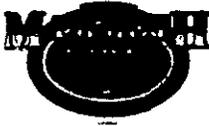
Table 2 provides a summary of sites identified in the Housing Element as potential locations for housing development to accommodate Mammoth Lakes' share of the regional housing need. The sites are also shown in Exhibit 2-3. The following narrative discussion describes each site that would accommodate a portion of the housing needs and potential population increase identified in the RHNA. However, the Draft Housing Element does not include specific development proposals for these sites, nor does it create entitlements that would allow development on these sites.

1. Holiday Haus	CL	0	0	0	15	0	15
2. Shady Rest Master Plan	AH	0	50	70	52	0	172
3. Clearwater Specific Plan	SP	0	0	0	8	0	8
4. MMSA Arrowhead Road	RMF-2	5	5	5	0	0	15
5. Sierra Star 4A Site	R	5	5	10	10	0	30
6. Snowcreek Master Plan ²	R	0	0	0	0	790	790
RHNA		27	28	56	58	110	279
<i>Units Constructed 2007-2009</i>		<i>0</i>	<i>12</i>	<i>72</i>	<i>17</i>	<i>45</i>	<i>146</i>
Balance with Construction of Projected Housing Units (Number in parentheses indicates surplus of units beyond RHNA allocation)		17	(44)	(105)	(44)	(725)	(897)
¹ Proposed hotel rooms are not included in residential unit totals shown in this table. ² The Snowcreek Master Plan allows for 790 total units, of which 80 would be deed-restricted as workforce housing units. Currently, all of the deed-restricted units are expected to be at 120% AMI or greater.							
Source: Town of Mammoth Lakes Community Development Department, 2009							

Each of the sites is briefly described as follows, keyed to the numbers shown in Exhibit 2-3 and Table 2.

1. Holiday Haus

The Holiday Haus project site is located on Main Street in the Commercial Lodging (CL) Zone, which permits both residential and commercial uses. A use permit for the Holiday Haus project was approved in October 2008; although the project has not yet broken ground, it is expected to be under construction within the next five years. The project includes a 120-room condominium hotel. In conformance with the Town's on-site affordable housing mitigation requirements, 14 moderate-income affordable housing units



and one unit reserved for the hotel manager would also be provided. The project was awarded a State housing density bonus to allow for the 14 affordable housing units to be included on-site. The site currently houses an existing hotel, and utilities and infrastructure are, therefore, fully available for a future development. An Initial Study/Mitigated Negative Declaration for the project was adopted by the Town in August 2008 (Mammoth Lakes 2008).

2. Shady Rest Master Plan

The Shady Rest site is a 25-acre property, under private ownership, located south of Center Street and west of Old Mammoth Road. The site is currently vacant, forested with a large number of trees, and includes an approximately 7-acre area that has been delineated as a wetland. Although it retains a natural character, the site is completely surrounded by other urbanized development and is considered by the Town to be an infill site. A Master Plan for the site was approved in 1991, which allows for up to 172 units of housing, with those units to include 50 units of very-low, 72 units of low-, and 52 units of moderate income housing.

The site was obtained from the US Forest Service as part of a land exchange. The land exchange and preparation of the 1991 Master Plan were treated as mitigation for the affordable housing demand of the Trails Subdivision, and the entire site is subject to an "Affordable Housing" (AH) overlay that requires any housing on-site to be restricted to very low, low-, or moderate income residents. A Negative Declaration for the Shady Rest Master Plan was adopted by the Town in 1991 (Mammoth Lakes 1991a).

3. Clearwater Specific Plan/Old Mammoth Place

The Town adopted a Specific Plan for the 6.09 acre Clearwater site, located along Old Mammoth Road, in January 2009; adoption of the Specific Plan entailed a re-zoning of the site from Commercial General (CG), to Specific Plan (SP). The density allowed for by the Specific Plan (up to 80 hotel rooms per acre, based on the provision of appropriate community benefits), is the same as permitted by CG zoning.

The site currently houses a 156-room motel and two restaurants. The Specific Plan allows for the construction of a more intensive mixed-use project than the existing on-site development, that includes a hotel, ground level commercial space, and which requires that all of the project's workforce housing demand be accommodated on site. The Specific Plan allows the on-site workforce housing to be exempt from the density calculation for the site. Following approval of the Specific Plan, a tentative tract map and a use permit application were filed in mid-2009 and approved in March 2010. As a redevelopment site, the Specific Plan area is fully served by all needed infrastructure. Consistent with the Specific Plan, the Use Permit includes 8 units of workforce housing that would be built in conjunction with the project. The Clearwater Specific Plan was the subject of an Environmental Impact Report, which was certified by the Town in January 2009 (Mammoth Lakes 2009a).



4. MMSA Arrowhead Road Site

Mammoth Mountain Ski Area owns this vacant 1.24 acre site, which is located near the intersection of Arrowhead Road and Chaparral Road, just south of the Shady Rest site. The site is zoned Residential Multi-Family 2 (RMF-2) and is immediately adjacent to an existing MMSA employee housing development. The Housing Element assigned an estimated development capacity of 15 units to this site, based on the maximum zoning density in the RMF-2 zone of 12 units per acre. The RHNA component of the Draft Housing Element identifies this site as one of the locations that could accommodate housing needs, but the Draft Housing Element does not contemplate or approve any specific development proposal for this site.

5. Sierra Star/Lodestar 4A Site

The Sierra Star/Lodestar 4A site is 3.6 acres in size and is located at the northeastern corner of the the Lodestar Master Plan area, at the south terminus of Callahan Way and just south of the San Joaquin Villas, which was developed as a workforce housing project by Intrawest. The site is currently undeveloped. The 1991 Lodestar Master Plan identifies the 4A site as a location dedicated to affordable housing in order to accommodate the future housing mitigation demands associated with the buildout of the Master Plan and other Intrawest resort development projects.

Some development constraints, including the presence of a golf flyway easement, do limit the maximum developable area of the site, as do Town development standards for lot coverage, height, setbacks and snow storage requirements. Thus, although a higher density is assigned to this site in the Master Plan, the 30 units of housing assigned to the 3.6 acre site (an effective density of 8.3 units/acre) represents a realistic and conservative estimate of the total potential units that the site could yield, taking into account the above constraints; although more units may ultimately be possible. The site is proximate to other development and to water, sewer, and other infrastructure, and extending utilities on to this site would not be a constraint to development. The Lodestar Master Plan was the subject of an Environmental Impact Report, which was certified by the Town in 1991 (Mammoth Lakes 1991). In addition, buildout of this project is consistent with potential growth analyzed in the General Plan EIR (Mammoth Lakes 2007).

6. Snowcreek Master Plan

The Snowcreek Master Plan update was approved in July 2009; it addresses a 143-acre site located at the southern boundary of the Town's UGB. The site is the location of the eighth and final development phase of the Snowcreek Master Plan, originally adopted in 1981. (Phases I through VI of the Snowcreek Master Plan have already been built, and Phase VII is under construction.) The update includes expansion of the existing 9-hole golf course to 18 holes, development of a resort hotel, and a total of 790 residential units, of which a proportion, estimated at 80 units, are required by the Master Plan to be dedicated to workforce housing to partially satisfy Town's workforce housing mitigation requirements.



The site is currently undeveloped. An EIR was prepared for the Master Plan Update and was certified by the Town in July 2009 (Mammoth Lakes 2008b).

2.2.3 Housing Element Goals, Policies and Programs

The Draft Housing Element includes a series of goals, policies and programs intended to guide the development, rehabilitation, and preservation of a balanced inventory of housing to meet the needs of all segments of the population.

Goals and Policies

The six goals and related policies of the Housing Element are:

H.1. Assure adequate sites for housing development with appropriate land use and zoning designations to accommodate the Town's share of the Regional Housing Need.

H.1.A. Policy: Provide for a sufficient amount of land designated at appropriate residential and mixed use densities to accommodate the Town's share of the regional need for affordable housing, including land to accommodate extremely-low, very-low, low- and moderate income housing.

H.1.B. Policy: Allow housing development as part of infill and mixed-use development in commercial zoning districts.

H.1.C. Policy: As part of the District Plans and their subsequent codification, develop incentives to encourage residential mixed use and infill development. Such incentives may include:

- Relaxation of development standards such as reduced parking requirements, modified setbacks or lot coverage, and height concessions.
- Allowances for shared parking, particularly for mixed use projects and those proximate to transit and services.
- Provisions to support the non-residential component of such projects such that the financial feasibility of the residential portion is increased.

H.1.D. Policy: Allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and 2007 General Plan policy L.2.D. Projects that have applied for and received State, Town, or other housing-related density bonuses shall not be permitted to subsequently move or transfer qualifying units off-site.



H.1.E. Policy: 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.

H.1.F. Policy: Through the Town's zoning standards, provide opportunities for development of housing to serve special needs populations, including seniors, the physically disabled, homeless, at-risk youth, seasonal employees and female-headed households.

H.2. Promote construction of an adequate supply of housing to meet the needs of all sectors of the community, including the conservation and improvement of existing housing supplies.

H.2.A. Policy: Utilize a range of strategies to facilitate a diverse range of housing types, consistent with Town design and land use policies, to meet the needs of all local residents, particularly the local workforce.

H.2.B. Policy: Update the Town's workforce housing mitigation requirements to ensure that they meet the following objectives:

- Respond to a technically sound Workforce Housing Needs Assessment that reflects the existing housing resources, seasonality, commuting patterns, and affordability categories.
- Meet current legal mandates and can be successfully implemented by the Town.
- Ensure that new development mitigates an appropriate portion of workforce housing demand that it generates, through requirements and standards that can be reasonably achieved by the development community.
- Meet documented community housing needs and gaps in terms of unit affordability levels, type, tenure, size, amenities, and configuration.
- Achieve quality, livable housing units that are successfully integrated into neighborhoods and the broader community.

H.2.C. Policy: Support the development of market-rate and affordable rental housing.

H.2.D. Policy: Encourage the renovation and conversion of existing non-workforce units, such as condominiums currently used as second homes, to become part of the workforce housing supply.

H.2.E. Policy: Encourage local homeowners and owners/managers of rental housing properties to upgrade and improve older units, particularly those that do not meet current standards and codes.



H.2.F. Policy: Continue to enforce Municipal Code requirements that preserve the existing supply of non-transient rental housing units.

H.2.G. Policy: Avoid the inadvertent loss of deed-restricted units.

H.2.H. Policy: Support the provision of affordable housing for the seasonal workforce.

H.3. Maintain High Quality, Livable Housing Units and Neighborhoods in Mammoth Lakes.

H.3.A. Policy: Ensure that units built as affordable and workforce housing units meet minimum standards for design, amenities, and livability, and prioritize livability as a criteria in assessing any housing mitigation, or alternate housing mitigation proposal.

H.3.B. Policy: Support code enforcement activities, and the work of public safety personnel, to ensure that Town neighborhoods are safe, attractive and livable.

H.3.C. Policy: Improve livability, infrastructure public safety, and mobility conditions within the Sierra Valley Sites neighborhood and other neighborhoods with a high proportion of older structures.

H.4. Reduce Governmental Constraints to Housing Production and Affordability

H.4.A. Policy: Periodically review and update permit and development fees to ensure that they appropriately reflect the cost of processing applications and providing services to new development, without unduly increasing costs to build housing.

H.4.B. Policy: Consider reduction or waiver of permit and development impact fees for projects that dedicate some or all of their units to affordable housing.

H.4.C. Policy: Ensure that the Zoning Code meets State Law requirements and does not unduly restrict certain types of housing to be developed.

H.4.D. Policy: Expand the Town's existing provisions that currently limit second units to granny units (deed restricted to seniors) and caretaker units only, to allow for second units more generally within single family residential zones, provided that parking, design, and other Town development standards can be met:



H.4.E. Policy: Periodically review and update Town codes, ordinances, fee programs and procedures to ensure that they do not unduly constrain housing development.

H.4.F. Policy: Prioritize workforce and affordable housing when considering future development proposals relative to Town policies that limit overall population growth.

H.5. Provide Equal Housing Opportunities for all residents of Mammoth Lakes.

H.5.A. Policy: Support fair housing laws and regulations that prohibit discrimination in the sale and rental of housing units.

H.5.B. Policy: Provide public information regarding fair housing practices.

H.5.C. Policy: Continue to promote and support fair housing practices in the town of Mammoth Lakes and through the work of Mammoth Lakes Housing.

H.6. Balance the need and provision of housing in the community with its impacts on the environment.

H.6.A. Policy: Encourage residential development that promotes energy-efficient and sustainable building practices, including the use of alternate energy sources such as geothermal.

H.6.B. Policy: Review all projects for energy efficiency in site design and planning and for conformance with State and Town building codes.

H.6.C. Policy: Support efforts to weatherize and retrofit existing home to be more energy efficient.

Programs/Actions

The Housing Element's programs or actions to implement the above goals and policies are as follows:

H.1.A.1. Maintain an up to date, GIS-based inventory of potential sites available for future housing development, and provide this information to Mammoth Lakes Housing and prospective developers.

H.1.A.2. As part of the annual planning report to the Town Council, provide an update on progress to meeting the Housing Element, to ensure that adequate sites remain available to meet the RHNA.



H.1.A.3. Ensure that updates and amendments to existing and future Master Plans and Specific Plans provide development capacity and supporting policy to help meet the Town's housing needs.

H.1.B.1. As part of the amendments to the Housing Ordinance, analyze the implications and benefits of excluding required on-site affordable and workforce housing from density calculations in all mixed-use projects in the Commercial General and Commercial Lodging Zones, and lodging and residential projects in the Residential Multi-Family 2 zones. Any exclusion of such units from density calculations would require findings to be made that the total project density did not result in unacceptable site plan, character, livability or environmental impacts. If adopted into the Municipal Code, this provision shall only be applicable to projects ineligible for Town- or State- housing density bonuses.

H.1.C.1. Include a section in each District Plan specifically addressing residential uses and workforce housing, and the quantity, quality and livability of that housing. This may reflect any incentives determined to be appropriate as outlined in Policy H.1.D., and should include:

- A District Plan for the "Downtown Area" including Main Street and adjacent areas, including specific policies and/or incentives to support the development of mixed use and infill commercial/residential projects along Main Street, and infill residential-only development on sites that do not front directly on Main Street.
- Codification of the North Old Mammoth District Plan and Downtown District Plans, including specific incentives to encourage residential mixed use and infill development, and refined zoning standards that promote mixed use residential and commercial development.

H.1.D.1. As part of Housing Ordinance amendment, reflect the density bonus provisions of General Plan policy L.2.D, ensuring the amendment remains consistent with State density bonus law.

H.1.E.1. Work with Mammoth Lakes Housing to develop criteria, standards and thresholds by which Alternative Housing Mitigation Plans (AHMPs) can be assessed and approved. Such standards should be sufficient to demonstrate the achievement of "greater housing benefit" from off-site housing or payment of in-lieu fees, in the form of creating additional units, "deeper" affordability to Extremely-Low or Very Low income households, additional units suitable for large families, units provided sooner than might otherwise be the case, or units that better meet an identified community housing need.



H.1.F.1. Action: Continue to apply zoning standards that allow for the following types of special needs housing in Mammoth Lakes:

- Emergency shelters and transitional housing facilities in the Commercial Lodging (CL) and Commercial General (CG) districts.
- Group living quarters, including dormitory type residential uses, boarding houses, and Single Room Occupancy units in multi-family residential zones.

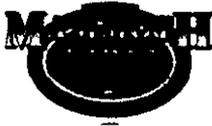
H.2.A.1. Dedicate one percentage point of all revenues from Transient Occupancy Tax to fund affordable and workforce housing programs, and the work of Mammoth Lakes Housing.

H.2.A.2. Pursue available grant funds, in cooperation with Mammoth Lakes Housing, to support and facilitate the provision of workforce and affordable housing.

H.2.A.3. Develop and adopt a Community Housing Strategy in collaboration with Mammoth Lakes Housing that promotes housing construction and conservation necessary to meet the Town's affordable and workforce housing needs on a short-, medium- and long-term basis. The Housing Strategy shall provide for periodic updates of short- and medium range priorities and program objectives based on current data and conditions. The Housing Strategy shall include a broad range of programs and activities, including:

- Acquisition of land for affordable housing.
- Direct construction of new affordable and workforce housing units.
- Participation in joint projects with private developers, the Town, and local agencies to develop housing.
- Homebuyer assistance loans and grants.
- Education and outreach concerning affordable and workforce housing opportunities.
- Rental housing assistance.
- Review of Housing Mitigation proposals.
- Monitoring of deed restricted units.
- Funding strategies to guide how the Housing Strategy will be financed and prioritized.
- An Administration component to guide roles and responsibilities for program implementation.

H.2.B.1. Amend and adopt a revised Housing Ordinance that reflects the November 2009 Interim Housing Mitigation Policy, incorporates refinements to meet legal mandates; addresses aspects not fully articulated in the Interim Housing Mitigation



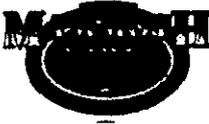
Policy; and provides needed clarification. The amended housing ordinance shall meet the objectives outlined in policy H.2.B, and should include the following components:

- An inclusionary housing provision that requires most new residential and lodging projects to provide, on-site, a fixed proportion of total units as below market-rate deed-restricted affordable or workforce housing units. The specific requirement shall be based on documented community housing needs and reviewed and updated on a regular basis.
- A workforce housing mitigation requirement such as a fee to contribute to affordable housing production.
- A list of project types exempted from housing mitigation requirements.
- A list of project types for which providing on-site units would be undesirable or infeasible, and which may pay in-lieu fees rather than providing units on-site. This may include small multifamily residential and lodging projects, industrial and some commercial projects.
- Provisions defining alternate housing mitigation proposals for projects that wish to propose alternative mitigation to construction of on-site units, and findings for approval of such proposals.
- Specification of the means and method by which in-lieu fees, affordability levels, unit types, tenure (if legally permissible), livability criteria, and other pertinent criteria not otherwise dictated by the Housing Ordinance shall be established, maintained and updated.
- Density bonus provisions pursuant to State Housing Density Bonus law and to Town General Plan policies and related Housing Element policies.
- A definition of and provisions for ensuring the "livability" of workforce housing units.

H.2.D.1. As part of the Housing Strategy, work with Mammoth Lakes Housing to acquire and renovate units that can be added to the workforce housing inventory. Program creation will include an evaluation of program costs, benefits, and opportunities.

H.2.E.1. As part of the Housing Strategy study potential strategies to incentivize and encourage upgrades of existing multi-family rental properties, and how code enforcement techniques may be improved used to correct building violations that pose a threat to residents' safety or wellbeing.

H.2.G.1. As part of the Housing Strategy work with Mammoth Lakes Housing to study and develop procedures that will avoid the inadvertent loss of deed-restricted units, including:



- Improved structuring of deed restriction agreements so as to ensure their long term availability to the local workforce.
- Development of a more effective monitoring program for existing deed restricted units, including a system of enforcement and penalties for illegal conversion of deed-restricted units.

H.2.H.1. As part of the Workforce Housing Needs Assessment, update the 2006 Employee Housing study and use the results of the update to target efforts aimed at increasing the supply of housing for winter and summer seasonal employees, including cooperative efforts with MMSA and other major local employers to house their employees.

H.3.A.1. As part of the Housing Strategy, work with Mammoth Lakes Housing, Inc., to develop and adopt minimum design and livability standards for affordable and workforce housing units, including tailored standards for different unit types and tenure. Standards should address aspects such as minimum quality of fixtures and furnishings; indoor and outdoor open space; storage space, energy efficiency, and resident amenities.

H.3.C.1. Complete a District Plan for the Sierra Valley Sites, including a special focus on the livability, mobility and infrastructure issues of this workforce neighborhood, and the preservation of this district as a mixed single- and multi-family workforce neighborhood.

H.4.C.1. Amend the Municipal Code to allow residential care and assisted living facilities within high-density residential and commercial zones.

H.4.C.2: Amend the Municipal Code to permit licensed group homes for the disabled and small residential care facilities serving six or fewer residents in zones that permit single-family residences [Note: as required by state law].

H.4.C.3. Amend the Municipal Code to clarify that manufactured housing is permitted in all residential zones, subject to conformance with State and local building code standards.

H.4.D.1. Allow additional types of secondary housing units within the Rural Residential and Residential Single Family Zone, addressing issues such as parking and site planning, as well as neighborhood compatibility.

H.4.E.1. Complete the update of the Municipal Code to bring it into conformance with the 2007 General Plan and the Housing Element Update.



H.4.E.2. Amend the Town's development impact fee ordinance to assure that impact fees to not create an economic impediment that deters construction of housing needed to meet the Town's Regional Housing Needs Allocation or workforce housing objectives.

H.4.E.3. Update and amend the Town's parking standards to allow for reduced parking requirements for affordable housing units, and other housing types (such as mixed use and high density infill projects close to transit) where appropriate.

H.6.A.1. Update and revise local building codes in accordance with State Green Building requirements, and consider adoption of an ordinance that includes incentives for use of green building technologies that exceed building code requirements.

H.6.B.1. Work with Inyo Mono Advocates for Community Action (IMACA) and Mammoth Lakes Housing to increase the number of weatherization retrofits and other upgrades of owner occupied and non-transient rental housing units in Mammoth Lakes Strategies to accomplish this may include development of an informational flyer or brochure, posting information on the Town's website, and direct outreach to property owners.

2.4 PREVIOUSLY ADOPTED HOUSING ELEMENT GOALS, POLICIES AND PROGRAMS

Mammoth Lakes previously adopted a Housing Element in 1992 (updated in 2003) (Mammoth Lakes 2003) that identified housing needs and patterns of housing use and employment patterns, including a Regional Housing Needs Allocation Plan (RHNA). Collectively the goals and policies of the previous Housing Element form the baseline against which proposed policy changes must be assessed to determine if the policies in the Draft Housing Element would result in significant environmental effects. The 1992 Housing Element identified the following goals:

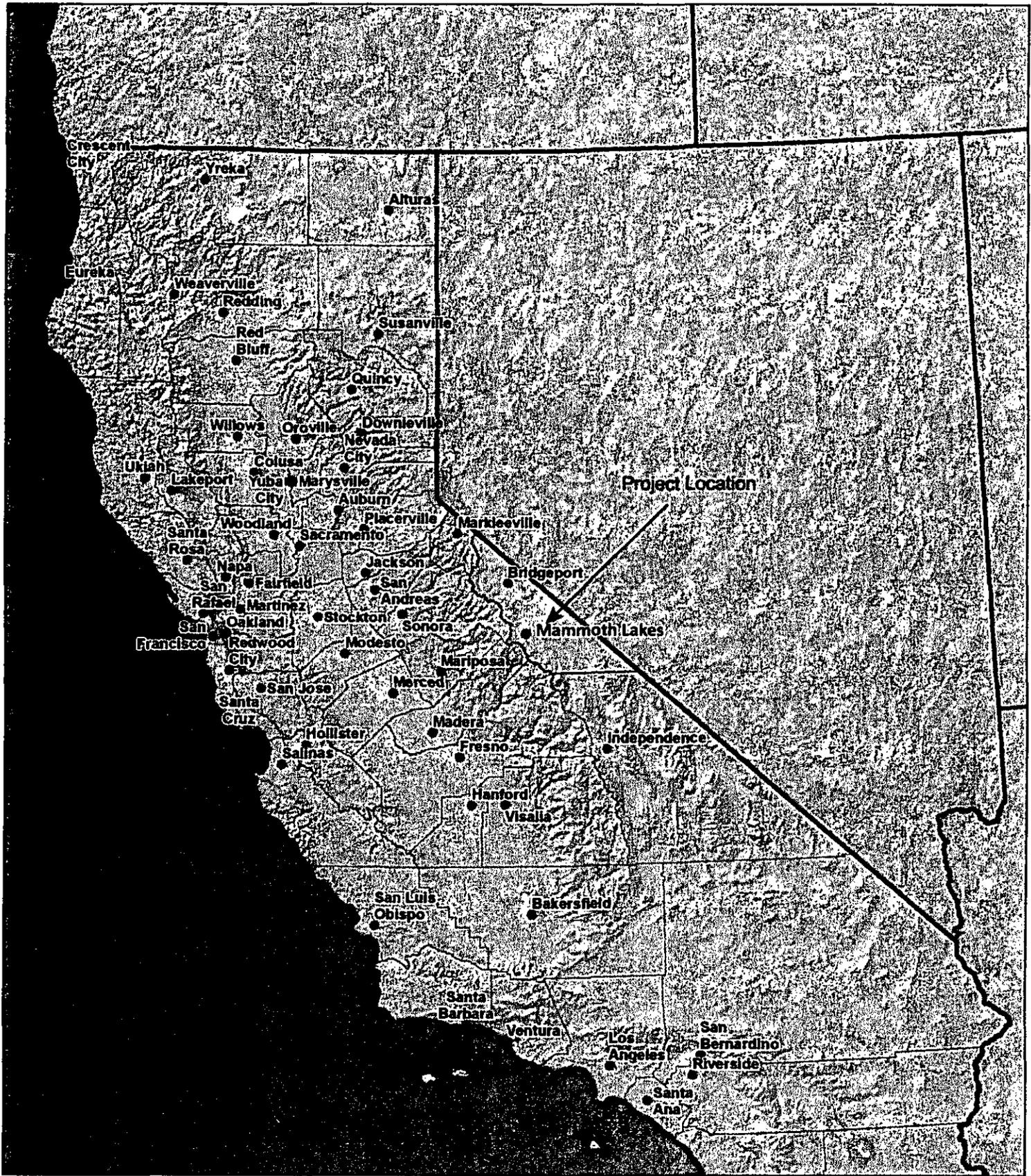
- Goal 1. To ensure the provision of a variety of housing types suitable to the needs of the different social and economic segments of Mammoth Lake's Population.
- Goal 2. Housing Programs and opportunities that maximize choice, avoid discrimination based upon age, ethnic background, sex, marital status, handicaps, or family size.
- Goal 3: Energy efficient structures and sites.
- Goal 4. Maintenance or enhancement of the quality and availability of existing residential units (Mammoth Lakes 1993:38-39).



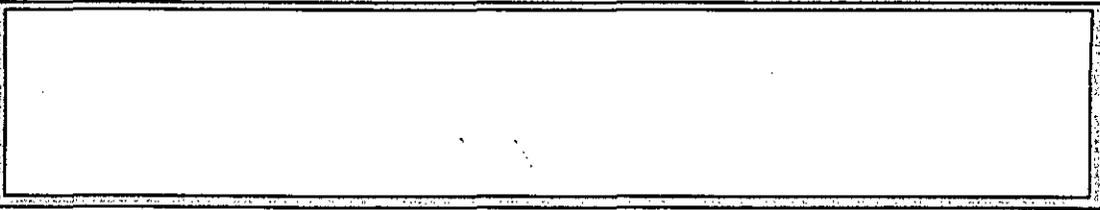
The contents of the previous housing element are incorporated by reference and are available from the Town of Mammoth Lakes upon request.

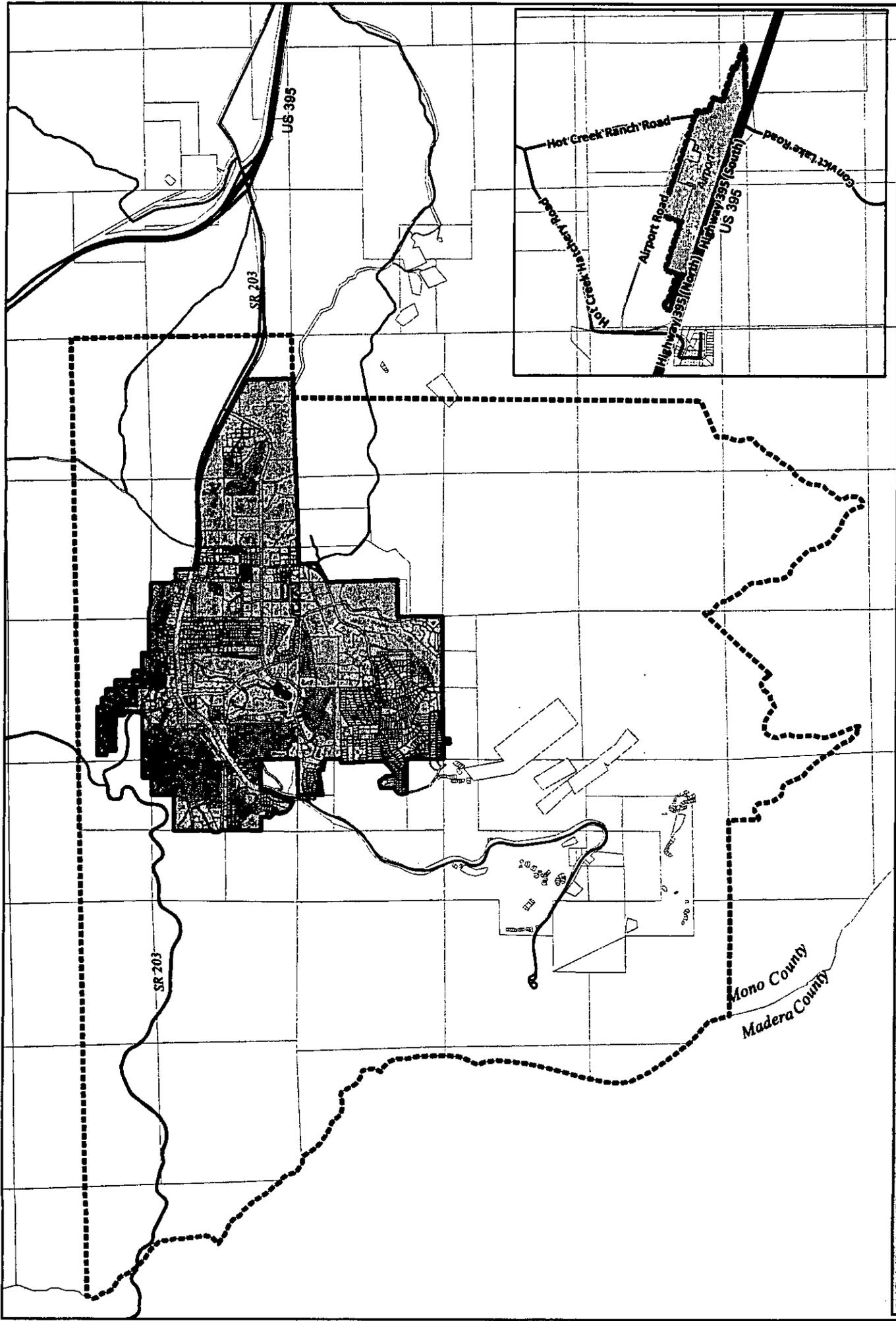
2.5 PROJECT PHASING

The Housing Element addresses the planning period January 2007 to July 2014. The Housing Element is a policy level document, which outlines policies and programs that will allow the Town to achieve its housing objectives within the identified planning period. The Housing Element does not approve or otherwise commit the Town to a specific project, construction plan, or timing.



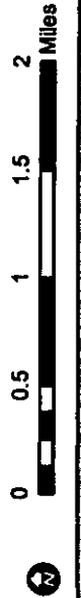
Town of Mammoth Lakes
Draft Housing Element
Initial Study
 Exhibit 2-1
 Regional Location

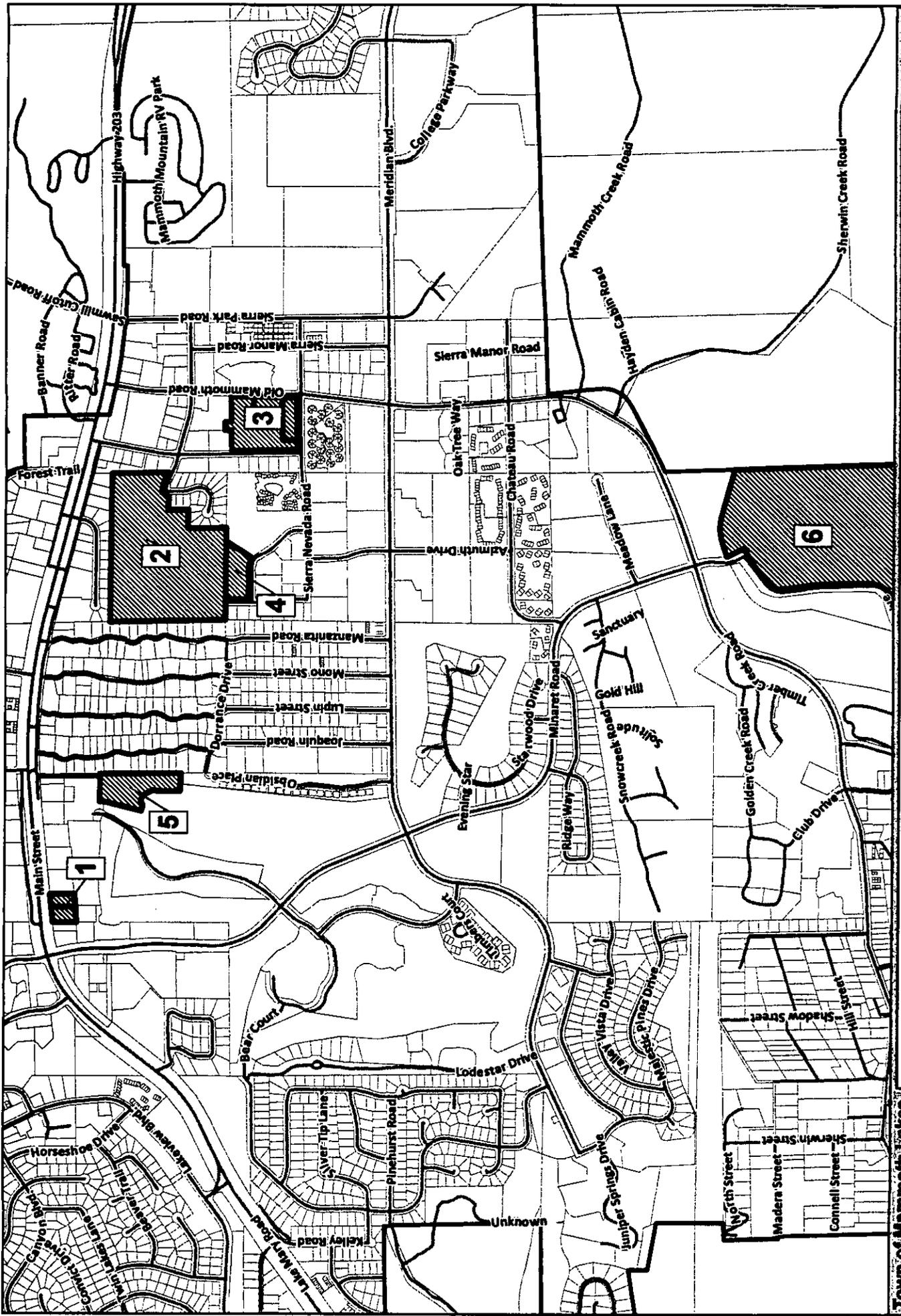




**Town of Mammoth Lakes
Drain Modeling Element
Final Study
Exhibit 2.7
Town Boundaries**

-  County Boundary
-  Mammoth Lakes Urban Growth Boundary
-  Mammoth Lakes Municipal Boundary





Affordable Housing Sites

Urban Limit



Town of Mammoth Lakes
 Draft Housing Element
 Initial Study
 Exhibit 2.3
 Housing Sites



3.0 INITIAL STUDY CHECKLIST

1. **Project Title:** Draft 2007-2014 Housing Element Update
2. **Lead Agency Name and Address:** Town of Mammoth Lakes
P.O. Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546
3. **Contact Person and Phone Number:** Ellen Clark
Senior Planner
(760) 934 8989 ext. 269
4. **Project Location and Setting:**

The proposed project applies to all land within the Urban Growth Boundary (UGB) of the Town of Mammoth Lakes. Mammoth Lakes is located in Mono County, approximately 60 miles north of Bishop, California, and 130 miles south of Reno, Nevada. US Highway 395 and State Route 203 provide the major access to the Town.

Land within the Town's municipal boundary covers approximately 25 square miles; the area within the UGB is much more limited, covering approximately 4.5 square miles (2,880 acres). Land outside of the UGB and the municipal boundary is principally under public ownership, primarily by the United States Forest Service.

The Town's permanent population was estimated at 7,400 in 2008, with 3,140 households and an average household size of 2.44 persons. Mammoth Lakes is a resort community, and a significant proportion (58 percent) of its total housing stock consists of vacation homes rented or occupied seasonally. The Town had an estimated total of 9,245 units in 2008, of these 39.2% were single-family homes, and 58.3% were multifamily units (rental apartments and condominiums).

Also see Chapter 2, Project Description.
5. **Project Sponsor:** Town of Mammoth Lakes
6. **Description of Project:** See Chapter 2, Project Description
7. **General Plan Designation:** Various. See Chapter 2, Project Description.
8. **Zoning:** Various. See Chapter 2, Project Description.
9. **Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement):** The Town of Mammoth Lakes, which would also adopt the Housing Element, will certify this Initial Study. Certification of the Housing Element by the State Department of Housing and Community Development is also required.



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

None of the environmental factors listed below would be potentially affected by this project, based upon the analysis provided in this study (affected factors would be designated with a check (✓)).

✓	Aesthetics	✓	Greenhouse Gas Emissions	✓	Population/Housing
✓	Agricultural and Forestry Resources	✓	Hazards and Hazardous Materials	✓	Public Services
✓	Air Quality	✓	Hydrology/Water Quality	✓	Recreation
✓	Biological Resources	✓	Land Use/Planning	✓	Transportation/Traffic
✓	Cultural Resources	✓	Mineral Resources	✓	Utilities/Service Systems
✓	Geology/Soils	✓	Noise	✓	Mandatory Findings of Significance

LEAD AGENCY DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	✓
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Ellen Clark

Signature

May 6, 2010

Date

Ellen Clark
 Printed Name

Town of Mammoth Lakes
 For



EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures "Earlier Analysis," as described in (5) below, may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:
 - (a) Earlier Analysis Used. Identify and state where they are available for review.
 - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.



- (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

- 9. The analysis of each issue should identify:
 - (a) the significance criteria or threshold, if any, used to evaluate each question; and
 - (b) the mitigation measure identified, if any, to reduce the impact to less than significance.



The following is a discussion of potential Project impacts as identified in the Initial Study and Negative Declaration. Explanations are provided for each item.

3.1 AESTHETICS

a. Have a substantial adverse effect on a scenic vista?			✓	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓	
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			✓	

Mammoth Lakes' setting includes an urbanized area, confined to the 4.5 square miles within the UGB, set within a much larger landscape of forestlands and dramatic peaks of surrounding mountain ranges. Urban development comprises a variety of built environments, most intensively developed around the commercial corridors of Main Street and Old Mammoth Road which include a number of shopping centers with paved surface parking. Residential neighborhoods constitute much of the remaining urban environment, including numerous condominium projects (concentrated in the central and western part of the Town adjacent to ski portals) and subdivisions of single-family residences. Several large open spaces exist within the urban area, including the Sierra Star and Snowcreek Golf Courses, Bell-shaped Parcel, and open space along Mammoth Creek. The North Village area is a mixed use, visitor-oriented district that incorporates a number of lodging and commercial developments focused around a gondola station.

The General Plan identifies major view corridors and scenic vistas within the Town, which include views to Mammoth Mountain, to the Sherwin Range and Mammoth Rock, Mammoth Crest, the Mammoth Knolls, and to the White Mountains. Development proposed by the Draft Housing Element reflects growth that was planned for in the 2007 General Plan, or subsequent amendments to the General Plan. Project-specific aesthetic impacts for housing sites Snowcreek Master Plan, Clearwater Specific Plan, Holiday Haus, Shady Rest, and Lodestar Master Plan, were addressed in the environmental documents for



those projects. The Draft Housing Element does not revise previously adopted mitigation measures or City ordinances that were analyzed in General Plan EIR; the General Plan EIR evaluated the potential for the growth patterns identified in the General Plan to result in aesthetic impacts and impacts related to new sources of light and glare (Mammoth Lakes 2007, Section 4.1, *Aesthetics, Light and Glare*).

a) *Have a substantial adverse effect on a scenic vista?*

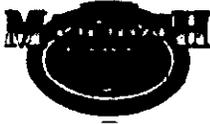
Policy H.1.C of the Housing Element does suggest that future District Plans incorporate incentives and development concessions to encourage mixed use and infill development, particularly within Mammoth's commercially-zoned areas, including potential relaxation of height standards. Any such changes to development standards would need to be further studied and incorporated as amendments to the Zoning Code, which would be subject to separate environmental review. It should be noted that current State Housing Density Bonus law requires a community to grant development concessions (within certain parameters), which may include height concessions, to facilitate the development of affordable housing. Because the Housing Element does not grant entitlements for specific mixed use or infill housing projects, it would be too speculative at this point to determine whether such development could potentially impact a scenic vista, even with the application of the Town's Zoning Code and current height standards.

In addition, the Draft Housing Element does not grant entitlements for new projects or include site-specific proposals, nor would it otherwise directly result in new development within the Town. Future housing development projects would be required to undergo separate environmental review under CEQA and would be subject to the Town's applicable review process, including design review. Adoption of the Draft Housing Element, in and of itself, would not result in visual obstructions of scenic views, nor would it have impacts upon scenic vistas within Mammoth Lakes; thus it would result in a ***less than significant impact*** on scenic vistas.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

US Highway 395, which lies to the east of the Town limits, is designated as a State Scenic Highway in the Mammoth Lakes vicinity; Highway 203, which runs through the Town, is eligible for designation as a scenic highway but has not been formally established as such. A number of other scenic resources are found within the Town, including rock outcroppings, and numerous tree stands as well as individual specimen trees.

The Housing Element would not amend policies or development standards that would affect developments within the viewshed of a State Scenic Highway, nor would it grant



entitlements for any specific projects that would have the potential to result in such impacts. Given the distance of the areas where future residential development may occur from Highway 395, it is unlikely that future housing development will be visible from the scenic highway. Furthermore, all development would be subject to the Town's applicable review processes, including policies and standards that limit tree removal to the extent possible and which seek to promote development that is consistent with the Town's character as a "Village in the Trees." As previously noted, the Draft Housing Element does not grant entitlements for new projects or include site-specific proposals, nor would it otherwise directly result in new development within the Town. Future housing development projects would be required to undergo separate environmental review under CEQA and would be subject to the Town's applicable review process, including design review. Therefore, the Draft Housing Element would have a *less than significant effect impact* on scenic resources.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The Draft Housing Element allows for lot coverage and height concessions under Policy H.C.1. where it would encourage infill development. Increased building height or intensity, or introduction of new residential uses on previously undeveloped parcels, may result in changes to the visual character of neighborhoods in a manner that would degrade the existing visual quality. However, such development would be subject to the policies and implementation measures of the General Plan, including I.5.A.a.1 which requires the Town to review new development for consistency with Town design guidelines with regard to building height, massing, and placement. As previously noted, the Draft Housing Element does not grant entitlements for new projects or include site-specific proposals, nor would it otherwise directly result in new development within the Town. Thus the project would have a *less than significant impact* on the visual character or quality of Mammoth Lakes and its surroundings.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

The Town of Mammoth Lakes' existing and future development, including new residential development cited in the Housing Element, includes lighting that causes or may cause glare. Given the Town's rural setting, views of the night sky, in particular, are an important contributor to the Town's scenic environment. The Town's outdoor lighting ordinance (Municipal Code Chapter 17.34) includes a range of requirements for outdoor lighting that are intended to minimize nuisance and hazards from inappropriate or poorly-designed lighting and avoid impacts to views of the night sky.



The Draft Housing Element does not include new goals, policies, or implementation programs related to reducing light and glare impacts, nor does it propose to amend or rescind existing related policies or regulations. In addition, the Draft Housing Element does not grant entitlements for new development, nor would it otherwise directly result in new development within the Town. Future housing development projects not already approved would be subject to separate environmental review, as well as review against Town codes and standards, including those related to light and glare such as the outdoor lighting ordinance. Therefore, the Draft Housing Element would have a *less than significant impact* related to light and glare.

3.2 AGRICULTURE AND FOREST RESOURCES

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?			✓	
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓	



This section analyzes the potential for the adoption of the Draft Housing Element to result in impacts on farmland and forest resources. The Draft Housing Element does not include new goals, policies, or implementation programs related to agriculture or forest resources, nor does it propose to amend or rescind existing related policies or regulations that govern these resources.

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No property within the Town's UGB is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the Housing Element would have *no impacts* related to the conversion of farmland to non-agricultural use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No locations within the Town's UGB upon which housing development would occur are zoned for agricultural uses, and no land within the UGB is subject to Williamson Act contracts. Therefore, the Housing Element would have *no impacts* related to conflicts with zoning for agricultural use or Williamson Act contracts.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Public Resources Code section 12220(g) defines "Forest land" as land "that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." "Timberland" is defined by Public Resources Code 4526 as "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees."

No property within the Town of Mammoth Lakes' UGB is zoned for timberland as defined by PRC 4526. A number of properties within the UGB have designations of Open Space (OS) or have the Open Space/Stream Corridor (OSSC) overlay applied. The OS zone is intended for areas of Town where it is desirable and necessary to provide permanent open space and to provide for the location and preservation of scenic areas and recreation areas. Outside of the UGB, the majority of land is zoned "National Forest" and would meet the



above definition of Forest Land. The OSSC overlay applies to properties along portion of Mammoth Creek, intended to protect environmentally sensitive areas associated with the stream corridor. These properties, many of which include significant tree cover, may meet the definition of forest land described above, as would some properties zoned for residential uses that are currently undeveloped.

Residential development considered in the Draft Housing Element would only occur within the UGB and would not affect any National Forest zoned property. Within the UGB, the Draft Housing Element does not propose to re-zone and does not otherwise include goals, policies or implementation programs that would conflict with properties with Open Space or OSSC zoning or that otherwise qualify as "Timberland" or "Forestland." Therefore, there would be *no impacts* related to forest or timberland.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

See 3.2(c) above. Some of the properties considered in the Housing Element as suitable sites for residential development do include tree cover and may meet the definition of forest land provided in PRC 12220(g). The Shady Rest site, in particular, is undeveloped and contains a large number of trees and also includes an identified wetland area that may be managed for its aesthetic, wildlife and water quality values. The Shady Rest site was previously a USDA Forest Service property that converted to private ownership through a land swap, expressly to allow its development with residential uses. In the 2002 Environmental Assessment conducted by the USDA Forest Service for the land exchange, it was concluded that conversion of the Shady Rest parcel from forest land to non-forest uses was a less than significant impact, due to the fact that it would allow for the permanent preservation of several hundred acres of more important forest-land in other areas (USDA 2002). The current zoning of this site, Residential Multi-Family 2 (RMF-2), reflects the long-standing intent for this site to be developed with residential uses rather than be used as a managed forest resource.

The Draft Housing Element does not include new goals, policies, or implementation programs related to forest land, nor does it propose to amend or rescind existing related policies or regulations that seek to preserve forest resources. In addition, the Draft Housing Element does not grant entitlements for new development, nor would it otherwise directly result in new development within the Town, including upon the Shady Rest site. While the Shady Rest site is identified as a location that could accommodate growth, the Draft Housing Element does not contemplate specific proposals to develop this site.

Future housing development projects not already approved would be subject to separate environmental review, as well as review against Town codes and standards, including those related to tree removal and protection of forest resources. Specific policies that would be



enforced include the Town's tree removal ordinance which requires that the planning director approve removal of trees over six inches in diameter, and which may require mitigation of this removal through their replanting or replacement elsewhere (Town of Mammoth Lakes Municipal Code Section 17.16.050[b]), and Action R.1.C. of the General Plan which requires that development projects mitigate impacts to mature trees (Mammoth Lakes 2007a, *Resource Management and Conservation Element*). Therefore, the Draft Housing Element would have a *less than significant impact* related to the loss of forest land or conversion of forest land to non-forest uses.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Please refer to responses 3.2(a) through (d) above. No other changes to the existing environment would be caused by the Draft Housing Element that would result in conversion of Farmland or forest land; therefore, there would be *no impact* in this regard.

3.3 AIR QUALITY

a. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d. Expose sensitive receptors to substantial pollutant concentrations?			✓	
e. Create objectionable odors affecting a substantial number of people?			✓	

The Town of Mammoth Lakes and Mono County are located within the Great Basin Valleys Air Basin, which also includes Inyo County and Alpine County. Air quality in the Town is



governed by the Great Basin Unified Air Pollution Control District (GBUAPCD) and the California Air Resources Board (CARB). Effective July 23, 2005, the Mono County portion of the GBVAB has a non-attainment status for O₃ (State standards only). All of the GBVAB is designated non-attainment for the PM₁₀ State standard. The Mammoth Lakes area is designated non-attainment of the federal PM₁₀ standard, which is less stringent than the State standard.

Although Mono County is categorized as non-attainment for the state O₃ standard, there is no ozone implementation plan for attainment in Mono County, nor is one required under State law. As outlined in the 2001 CARB Ozone transport review, the CARB classifies the contribution of transported pollution from one air basin to another to be either overwhelming, significant, inconsequential, or some combination of the three. The CARB Ozone Transport Review is a statewide assessment of ozone transport between air basins. The study states that "transport from the central portion of the (San Joaquin) Valley is responsible for ozone violations in Mammoth Lakes" and that the resulting impacts on the Town's air quality were classified as "overwhelming." According to the CARB, ozone levels should improve in the air basin only when substantial mitigation measures are more fully implemented in upwind air basins. Local sources are not considered to have a considerable impact on ambient levels due to the climactic patterns of the eastern slopes of the Sierra Nevada Mountains.

The Air Quality Management Plan (AQMP) for the Town (adopted by the Town Council and APCD Board of Directors in November and December 1990 [Ono et al. 1990]) is the primary document for the Town to satisfy the Clean Air Act requirement to develop a State Implementation Plan (SIP) to demonstrate how the Mammoth Lakes area will attain and maintain the National Ambient Air Quality Standards (NAAQS) for PM₁₀. The AQMP includes analyses of PM₁₀ sources, their impact, and the effectiveness of control measures to improve the PM₁₀ levels, concluding that the primary sources of PM₁₀ emissions in the Town are generated by wood smoke and road cinders. Control measures contained in the AQMP include, but are not limited to, vacuum street sweepers for cinders and road dust, reduction in vehicle traffic, wood stove replacement, opacity limits, fees, and penalties. A Progress Report on the Implementation of the Mammoth Lakes AQMP was prepared by the APCD in April 1995, which documents the progress of the 1990 Plan control measures.

Although the Federal PM₁₀ standard has not been violated since 2003, the State standard has been violated on several occasions each year over the past several years. State PM₁₀ standards were exceeded on twenty occasions between March 2008 and March 2009 and on 25 occasions between March 2009 and March 2010. Major sources of PM₁₀ in Mammoth are smoke from wood burning and re-entrainment of cinders used for traction control on winter roads; the most significant violations of the State standard occur when high calm



winter days coincide with peak visitor period on winter holidays and weekends. Despite the continued exceedance of the stringent State PM10 standard, the overall trend since 1990 has been a significant reduction in PM10 levels, due in part to actions taken by the Town to reduce pollution from woodstoves by limiting their installation, requiring new EPA certified appliances to be used, and instituting a street sweeping program.

In addition to the policies and impact analysis in the AQMP, the General Plan EIR analyzed the potential for the growth patterns identified in the General Plan to result in impacts on air quality (Mammoth Lakes 2007, Section 4.2, *Air Quality*). The Draft Housing Element does not include new goals, policies or implementation programs related to air quality, nor does it propose to amend or rescind existing related policies or regulations that govern air resources.

a) Conflict with or obstruct implementation of the applicable air quality plan?

As noted above, the Town is subject to the 1990 Air Quality Management Plan that identifies various strategies to help the Town comply with the Federal Air Quality standard. Consistent with the AQMP, Section 8.30.110 requires the Town to incorporate measures in project review that reduce projected Vehicle Miles Traveled (VMT), with the goal of reducing total VMT to 106,600 on any given day. In addition to the VMT limit, the Town has implemented a street sweeping/vacuuming program to reduce road cinders and dust. Finally, the Municipal Code (Section 8.30.030) prohibits solid fuel-burning appliances from being installed within multi-unit developments.

A development project would be considered inconsistent with the local air quality plan if it would cause VMT to exceed the 106,600 VMT threshold established by the AQMP and Town Municipal Code. The Draft Housing Element encourages residential development in the Town of Mammoth Lakes in order to demonstrate that the Town can meet its fair share of the regional housing need. The Draft Housing Element does not grant entitlements for new projects or include site-specific proposals, nor would it otherwise directly result in new development in the Town. All of the sites identified in the Housing Element rely on existing zoning designations and/or development previously considered or analyzed in the General Plan PEIR or in other project-specific CEQA review, which analyzed and specified measures to help attain specified PM10 thresholds. All such developments have been or will be subject to Town review and requirements, including prohibitions on installation of wood-burning appliances, as well as to CEQA review that would specify measures as necessary related to construction and operational emissions of PM10. Adoption of the Housing Element would not, in and of itself, conflict with the applicable air quality plan, violate air quality standards, result in cumulatively considerable net increase of PM10, or create objectionable odors affecting a substantial number of people; thus it would result in a *less than significant impact* on the implementation of the AQMP.



b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Also see Section 3.3.b). The Draft Housing Element provides a policy framework that governs existing and foreseeable housing and housing needs within the Town of Mammoth Lakes. The Draft Housing Element, however, does not propose or approve new entitlements for construction or development, or contemplate development beyond that considered previously in the General Plan EIR. Because the Draft Housing Element would not allow or induce new development with commensurate constructions or VMT-related emissions it would not contribute to air quality violations. This impact would be *less than significant*.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less than Significant Impact. See Section 3.3a and 3.3b., above.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. See Section 3.3a and 3.3b., above.

e) Create objectionable odors affecting a substantial number of people?

Less than Significant Impact. See Section 3.3a and 3.3b., above.

3.4 BIOLOGICAL RESOURCES

a. Have a substantial adverse effect, either directly or indirectly through habitat modifications on any species identified as candidate, sensitive or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	



b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act?			✓	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or impede the use of native wildlife nurseries?			✓	
e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?			✓	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?			✓	

The Town of Mammoth Lakes is situated on the eastern slope of the Sierra Nevada mountain range where the Sierra Nevada and Great Basin biotic communities converge. Major vegetation communities within this region consist of plants that have adapted to cold, snowy winters and arid summers. Major plant communities include Mixed Conifer Fir, Upper Montane Mixed Shrub, Basin Sagebrush, Wet Meadow, and Alder Riparian. Special animal status species known to occur within the municipal boundary include American pine marten, bald eagle, golden eagle, great gray owl, northern goshawk, northern harrier, Pacific fisher, prairie falcon, Sierra Nevada mountain beaver, Willow flycatcher, and Yosemite toad. Special status plant species within the planning area include Mono Lake lupine, several taxa of Moonwort, Pine City sedum, Pinzl's rockcress, Subalpine and fireweed. Non-special status game and fish species are also abundant in the surrounding countryside.

The General Plan EIR analyzed the potential for the growth patterns identified in the General Plan to result in impacts on biological resources (Mammoth Lakes 2007, Section



4.3, *Biological Resources*). The Draft Housing Element does not include new goals, policies or implementation programs related to biological resources, nor does it propose to amend or rescind existing related policies or regulations that govern such resources.

a. Have a substantial adverse effect, either directly or indirectly through habitat modifications on any species identified as candidate, sensitive or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The Draft Housing Element provides policies to maintain and improve the diversity and quality of the Town of Mammoth Lakes' housing stock. The Draft Housing Element also identifies sites where additional housing could be constructed to accommodate foreseeable future growth and the Town's RHNA. Because the Draft Housing Element does not directly propose development of raw land or create entitlements for development, the adoption of the Draft Housing Element would not result in significant impacts on special status species, or natural communities including wetlands, vernal pools or riparian corridors. The Draft Housing Element does not contemplate or approve physical development that would affect natural communities, migratory corridors, or waterways, nor does the Draft Housing Element propose policies that affect tree management or revise existing Town of Mammoth Lakes tree ordinances. Additional residential development that is contemplated in the Draft Housing Element has been previously analyzed under CEQA in the General Plan EIR and is consistent with the template for growth disclosed in that document (Mammoth Lakes 2007). This impact would be *less than significant*.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less than Significant Impact. See Section 3.4a above.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act?

Less than Significant Impact. See Section 3.4a above.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, or impede the use of native wildlife nurseries?

Less than Significant Impact. See Section 3.4a above.

e. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?



Less than Significant Impact. See Section 3.4a above.

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

There are neither Habitat Conservation Plans nor Natural Community Conservation Plans in place within the planning area; therefore, this impact would be ***less than significant***.

3.5 Cultural Resources

a. Cause a substantial adverse change in the significance of a historical resource as defined in 14 California Code of Regulations Section 15064.5?			✓	
b. Cause a substantial adverse change in the significance of a unique archaeological resource as defined in 14 California Code of Regulations 15064.5?			✓	
c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?			✓	
d. Disturb human remains including those interred outside of formal cemeteries?			✓	

Cultural resources consist of historic-era and prehistoric archaeological sites, dwellings, and structures that may be significant for their data potential, architectural merit, or association with important persons or themes. Engineered works may also be significant for their design or workmanship. Paleontological resources consist of fossils, including the remains or traces of prehistoric animal or plant life. Fossils are typically associated with geological formations that are contemporaneous with the preserved animal or plant remains.

Prehistoric archaeological sites are common within the Mono Basin and Long Valley region, with the prehistoric occupation beginning in the early Holocene (circa 10,000 years ago). Some prehistoric sites tend to be clustered near obsidian sources, such as Casa Diablo, but are also found in other locations. Other sites, such as occupation deposits, temporary



encampments, and resource procurement stations, also occur across the biotic communities within the region.

Documented historic-era sites occur within the Town of Mammoth Lakes but outside of the Urban Growth Boundary (UGB); thus, these resources would not be affected by growth within that is regulated by the Draft Housing Element. The General Plan EIR analyzed the potential for the growth patterns identified in the General Plan to result in impacts on cultural resources (Mammoth Lakes 2007, Section 4.14, *Cultural Resources*). The Draft Housing Element does not include new goals, policies, or implementation programs related to cultural resources, nor does it propose to amend or rescind existing related policies or regulations that govern cultural resources.

a. Cause a substantial adverse change in the significance of a historical resource as defined in 14 California Code of Regulations Section 15064.5?

Historical resources consist of cultural resources listed on the California Register of Historical Resources (CRHR) and resources determined to be eligible for listing on the CRHR by the CEQA lead agency based upon substantial evidence (14 California Code of Regulations Section 15064.5). A substantial adverse change occurs when the significance of the resource is damaged by alteration of the resource or its setting in a manner that impairs the significance or integrity of the resource. As the Draft Housing Element does not propose specific development activity or create entitlements for new development the approval of the Draft Housing Element would not result in any ground-disturbing construction or alteration of the physical environment that could cause a substantial adverse change in the significance of a historical resource, or other cultural or paleontological resources, including interred human remains. This impact would be *less than significant*.

b. Cause a substantial adverse change in the significance of a unique archaeological resource as defined in 14 California Code of Regulations 15064.5?

Less than Significant Impact. See Section 4.5a above.

c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?

Less than Significant Impact. See Section 4.5a above.

d. Disturb human remains including those interred outside of formal cemeteries?

Less than Significant Impact. See Section 4.5a above.



3.6 Geology and Soils

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: ii) strong seismic ground shaking iii) seismic-related ground failure, including liquefaction, or; iv) landslides?			✓	
b. Result in substantial soil erosion or loss of topsoil?			✓	
c. Be located on a geologic unit or soil that is unstable or would become unstable as a result of the project?			✓	
d. Be located on an expansive soil as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?			✓	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available?			✓	

The Town of Mammoth Lakes is situated on the eastern flank of the Sierra Nevada mountain range along a system of normal faults that produced the Owens Valley. The Long Valley Caldera, a remnant valley formed by a volcanic event 760,000 years ago, occurs to the north of the Town of Mammoth Lakes. The vicinity is still volcanically active on geological time scales, with at least 30 volcanic events in the last 2,000 years.

The Mono Lake and Long Valley region is one of the most seismically active regions in the United States. Low and moderate earthquakes are occasionally felt by local residents. The main sources of seismic activity (earthquakes) consist of tectonic fault movement and magma movement under the Long Valley Caldera and associated geological systems.

Local faults include the Hilton Creek Fault (approximately ten miles east of Town), the Owens Valley Fault (48 miles south of Town), and the Chalfant Valley Fractures (approximately 36 miles east of Town).



Erosion prone soils occur variably throughout the Town, where loose sandy soils are unconsolidated by vegetation or steep slopes make exposed landforms more erosion prone. In general, erosion within the Town is limited by ground cover such as vegetation and the built environment.

The risks posed by the seismic hazards in the region and the potential for development to result in erosion and infrastructure impacts were previously analyzed in the General Plan EIR (Mammoth Lakes 2007, Section 4.4, *Geology, Seismicity, Soils and Mineral Resources*).

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - ii) strong seismic ground shaking*
 - iii) seismic-related ground failure, including liquefaction, or;*
 - iv) landslides?*

The Draft Housing Element does not propose or directly allow construction of housing or other structures and, thus, would not lead to human exposure to seismic or other natural disaster risks. The Draft Housing Element would regulate potential development that was identified in the Mammoth Lakes General Plan EIR (Mammoth Lakes 2007), which would be subject to the existing Public Health and Safety Element of the 2007 General Plan (Mammoth Lakes 2007a). The Draft Housing Element does not propose changes the policies of the Public Health and Safety Element. Because the Draft Housing Element would not directly result in new construction, nor would it revise existing policies or ordinances related to safety, it would not expose people or structures to seismic risk or other natural disaster hazards and would not affect the viability of waste disposal infrastructure. In addition, because no ground-disturbing work is proposed, the project would not result in erosion or loss of topsoil. This impact would be *less than significant*.

b. Result in substantial soil erosion or loss of topsoil?

The Draft Housing Element does not include specific development proposals nor would it create entitlements that would allow construction. As no ground-disturbing work is proposed, the project would not result in erosion or loss of topsoil. This impact would be *less than significant*.

c. Be located on a geologic unit or soil that is unstable or would become unstable as a result of the project?

Less than Significant Impact. See Section 3.6a above.

d. Be located on an expansive soil as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?



Less than Significant Impact. See Section 3.6a above.

c. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available?

Less than Significant Impact. See Section 3.6a above.

3.7 Greenhouse Gas Emissions

a. Generate greenhouse gas emissions either directly or indirectly that may have a significant impact on the environment?			✓	
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases.			✓	

Greenhouse gasses (GHGs) consist of gases that increase heat trapped by the earth's atmosphere that is not radiated back out into space. For municipalities, by far the largest single-source (by mass) of GHGs consists of carbon dioxide (CO₂) emissions. Municipal sources of CO₂ emissions include energy production; this energy is consumed by all developed land-use types, vehicles used for personal travel and transportation of goods, and construction-related emissions caused by heavy equipment.

The Draft Housing Element inventories and analyzes the existing housing stock and also regulates how future housing would be developed within the Town. The Draft Housing Element itself does not propose any policies that relate directly to emissions of GHGs. The Draft Housing Element does provide incentives for certain kinds of development, such as infill and workforce housing, but the Draft Housing Element does not by itself propose new construction or create entitlements for such construction. While new construction would increase energy demands and might result in additional vehicle use within the Town, no specific construction projects are contemplated within the Draft Housing Element.

Future projects would be subject to review by the Town for entitlements necessary for construction. Because the Draft Housing Element does not directly allow or propose development, adoption of the Draft Housing Element would not directly result in GHG



emissions nor would it conflict with any law or policy related to GHG emissions. While future infill projects incentivized under the Draft Housing Element may result in GHG emissions, such projects cannot be identified at this time and, thus, are not ripe for analysis. Under the Draft Housing Element, such analysis would require speculation, which is not useful or required under CEQA (14 California Code of Regulations Section 15145). The policies of the Draft Housing Element would, however, reduce GHG emissions compared to land use planning patterns that do not encourage energy efficiency and infill. Policies H.6.A, H.6.B and H.6.C encourage energy efficient building practices, retrofitting of existing structures, and review of proposed projects for energy efficiency. These policies would reduce the impact of growth on energy demand that generates GHG emissions. The Draft Housing Element policies and programs, such as Action H.2.D.1, encourage infill that would increase the stock of worker housing for potential employees in local businesses. When workers live near employment locations, fewer vehicle miles are travelled resulting in reduced GHG emissions compared to development patterns that place workers far from employment. Thus, impacts related to GHG emissions would be *less than significant*.

3.8 Hazards and Hazardous Materials

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b. Create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous chemicals into the environment?			✓	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, and as a result, would it create a significant hazard to the public or environment?			✓	

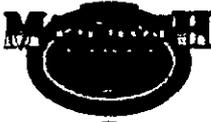


e. For a project located within an airport land use plan, or where such plan has not been adopted, within two miles of a public or private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓	
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

A hazardous material is defined by the California Department of Toxic Substances Control as a material that poses a significant present or potential hazard to human health or safety if the substance is released into the environment (26 California Code of Regulations Section 25501). Hazardous materials and hazardous wastes are classified to determine if the substances are toxic, ignitable, corrosive, or reactive (22 California Code of Regulations Chapter 11, Article 3). Common hazardous materials include petroleum products, pesticides, volatile organic compounds, and certain metals. In addition, radioactive and explosive materials are considered hazardous.

The Town has some businesses and activities that transport, store, and use hazardous substances such as the businesses in the industrial park, the high school and college laboratories, gasoline fueling stations, the Mammoth Yosemite Airport, and the Mammoth Mountain Ski Area (MMSA). There are no sites within the Town that are listed on the federal Comprehensive Environmental Response, Compensation, Liability Information System Database (CERCLA) within the planning area.

The General Plan EIR analyzed the potential risks and impacts associated with hazardous materials and airport land uses that may result from buildout of the General Plan (Mammoth Lakes 2007, Section 4.5, *Public Safety and Hazards*). The Draft Housing Element does not include new goals, policies or implementation programs related to hazardous materials, nor does it propose to amend or rescind existing related policies or regulations that govern these substances.



Response to questions (a) through (d):

The Draft Housing Element does not propose any specific activities that would require the use of hazardous materials that would lead to public or environmental hazards, release into the environment via accidents, proximity to schools, or construction on hazardous materials sites. In addition, the Draft Housing Element does not revise the existing Public Health and Safety Element of the adopted General Plan, nor does it revise or affect existing emergency response plans or evacuation routes. Thus, this impact would be ***less than significant***.

e) For a project located within an airport land use plan, or where such plan has not been adopted, within two miles of a public or private airstrip, would the project result in a safety hazard for people residing or working in the project area?

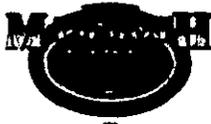
The potential for hazards associated with General Plan buildout in the proximity of the Mammoth Yosemite Airport were previously identified in the General Plan EIR (Mammoth Lakes 2007:4-135). The Mammoth Yosemite Airport lies approximately eight miles east of the main urbanized areas within the Town's UGB, which does not fall within the airport land use plan area. With this, and with compliance with federal regulations and the Airport Land Use Plan, impacts regarding safety for people working or residing in the area of the Mammoth Yosemite Airport would be ***less than significant*** (Mammoth Lakes 2007:4-135).

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Town has adopted an Emergency Operations Plan (EOP) (Mammoth Lakes 2001) for emergency response within the Town. The Plan meets the Standardized Emergency Management System (SEMS) requirements for state law. Development regulated under the Draft Housing Element will not impair implementation or physically interfere with the EOP because no circulation changes are being proposed which conflict with the procedures set forth in the plan. Therefore, this impact would be ***less than significant***.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Wildland fires in the vicinity of the Town pose a risk to public safety because of the Town's proximity to heavily wooded National Forest lands and the extensive interface between the urban environment and forest vegetation. Due to these local conditions, the entire Town has been designated as a Very High Fire Severity Hazard Zone by the California Department of Forestry, meaning that the community is very susceptible to wildland fire risk. Fire risk is managed by public information strategies such as the Eastern Sierra Region Fire Safe



Council (ESRFSC) and the mandates of state law, such as California Public Resources Code Section 4291 which provides fuel break standards for residences and other fire-risk reduction measures. These measures are enforced locally by the Mammoth Lakes Fire Protection District and by the Town as part of the development review process. While new development regulated by the Draft Housing Element would be subject to existing fire risk reduction strategies, the adoption of the Draft Housing Element would not directly lead to construction of new structures or create entitlements allowing construction on lands vulnerable to wildland fires. This impact would be *less than significant*.

3.9 Hydrology and Water Quality

a. Violate any water quality standard or waste discharge requirements?			✓	
b. Substantially deplete groundwater supplies or interfere with groundwater recharge?			✓	
c. Substantially alter drainage patterns or result in erosion?			✓	
d. Substantially increase flooding via alterations of drainage or surface runoff patterns?			✓	
e. Create or contribute to runoff which could exceed existing or foreseeable stormwater drainage systems?			✓	
f. Otherwise substantially degrade water quality?			✓	

The Town is located within the 45,000 acre Mammoth Hydrologic Basin. This approximately 71 square mile basin is part of the Long Valley Subunit of the Owens Valley Hydrologic Unit on the Lahontan Drainage Province. The Mammoth Hydrologic Basin includes many alpine lakes, surface streams, and springs, which are all tributary to Mammoth Creek or Hot Creek.

Existing drainage facilities are located throughout the town. In 1975, a major storm drainage project established the area's storm drain system from Mammoth Slopes to Mammoth Ranger Station via Canyon Boulevard, Berner Street, Alpine Circle, and Main Street in the North Village Specific Plan area. This system, set forth in the Mammoth Lakes Storm Drainage Master Plan (SDMP), discharges into Murphy Gulch just east of the Mammoth Ranger Station. A 43,560 square foot (one-acre) siltation basin was constructed at the



downstream end of Murphy Gulch channel in conjunction with these drainage improvements.

Potential flood hazard areas in the Town include Murphy Gulch and the Mammoth Creek drainage area, which are located in the south central portion of the community. Murphy Gulch, which is located in the northeast quadrant of the Town, is a seasonal stream and has very little or even no flow during dry months. However, Murphy Gulch carries runoff during the spring snowmelt, as well as during heavy rainfall. The Murphy Gulch area is a designated within a 100-year flood zone by the FEMA. The 100-year estimated flood flow peak within the Murphy Gulch Area is approximately 550 cubic feet per second (cfs). Mammoth Creek has an average annual flow of 20 cfs with peak 100-year flows estimated at about 640 cfs. Flows of these magnitudes create flood conditions and a danger to portions of the town.

The Town is located on the margin of Long Valley Ground Water Basin. The Basin is bordered to the west and southwest by the Sierra Nevada mountain range, to the north by Bald and Glass Mountains, and to the east by Round Mountain. Recharge occurs around the Long Valley Caldera rim, within the western portion, and beneath the resurgent area in the northwestern central portion of the Caldera. Groundwater discharge also occurs in springs located around the Caldera rim and along the south and east sides of the resurgent area (the region affected by swelling within the magma chamber beneath the Long Valley Caldera).

Potential impacts on water quality, waste discharge requirements, groundwater recharge, drainage patterns, and stormwater capacity associated with buildout of the General Plan were previously identified in the General Plan EIR (Mammoth Lakes 2007, Section 4.6, *Hydrology and Water Quality*). The Draft Housing Element does not include new goals, policies or implementation programs related to hydrology, water quality, or water rights management, nor does it propose to amend or rescind existing related policies or regulations that govern water resources or water quality.

Responses to questions (a) through (f):

Erosion and water quality impacts typically occur when development projects require excavation that alter surface permeability of the landscape, alter drainage channels, or reduce natural ground cover that holds soil in place. Flood risk may be increased when construction projects reduce the floodwater capacity of surface water channels or decrease the permeability of the landscape through the construction of impermeable surfaces. These same actions may increase the incidence of surface runoff that is channeled through storm drainage systems. Ground water recharge may also be affected when projects reduce the permeability of the surface landscape thus reducing water flow into aquifers or when projects alter drainage patterns that contribute to recharge. The Draft Housing Element does not propose ground-disturbing construction or alteration of existing land surfaces or



SERVING INYO AND MONO COUNTIES
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INYO-MONO TITLE COMPANY
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June 30, 2010

Accommodation No.: 131738-03

ACCOMMODATION RECORDING INSTRUCTIONS

TO: INYO-MONO TITLE COMPANY

The following document(s) are handed to you for recording in the office of the recorder of MONO County, State of California, as an accommodation only.

You are not to issue any title insurance policy in regard to those documents or the land described herein, if any. The undersigned understand and hereby agree that Inyo-Mono Title Company has made no representation and does not assume any liability or responsibility of any kind whatsoever as to the validity or effect of any of the subject documents or any provision contained therein.

You are to make no demand in connection therewith, and you are relieved of any liability and responsibility as to the condition of title to the property herein described and as to the validity, sufficiency and effect of said documents.

It is understood that the following recital will be affixed to the document prior to recording:

"This document filed for record by Inyo-Mono Title Company as an accommodation only. It has not been examined as to its execution or as to its effect upon the title. No liability assumed."

No Documentary Transfer Tax is to be paid unless so indicated below. We understand there is no charge for this service other than recording fees, document preparation, Documentary Transfer Tax, and any other charges incurred by your company.

➤ Bill File Number: 129643.

Document Description	Dated Date of Document	Documentary Transfer Tax	Document Preparation Fee	Recording Fee
GRANT DEED (LOT LINE ADJUSTMENT)	January 9, 2009	-0-	-0-	\$32.00
COMMUNITY DEVELOPMENT DIRECTOR'S DETERMINATION		-0-	-0-	\$53.00
GRANT OF CONSERVATION EASEMENT	August 20, 2009	-0-	-0-	\$29.00

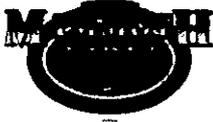
Signed By: _____
MARK WARDLAW, COMMUNITY DEVELOPMENT DIRECTOR, TOML

Signed By: _____
JAMES J. SMITH, EAGLE LODGE MAMMOTH, LLC

Signed By: _____
THOMAS R. SMITH, MAMMOTH COMMUNITY WATER DISTRICT

Signed By: _____
ROBERT CLARK, TOWN MANAGER, TOML

PLEASE SIGN AND RETURN



drainage patterns, and as a result would not affect water quality, flood risk, stormwater capacity or ground water recharge. Groundwater use is currently governed by the *Groundwater Management Plan for the Mammoth Basin Watershed* (Mammoth Community Water District [MCWD] 2005).

The proposed Policy H.1.D, which implements Goal H.1, would allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and 2007 General Plan Policy L.2.D. This incentive for land uses that increase density could increase the impermeability of the urban landscape, thereby increasing runoff which could strain existing stormwater conveyance capacity. However, the General Plan contains implementation measures that would reduce and control surface runoff (Mammoth Lakes 2007:4-162, Measures I.1.A.a.1 through II.4.A.a.3); such measures would be applied through the development review process undertaken by the Town for projects at the time they are proposed.

The proposed Policy H.3.C, which implements Goal H.3, of the General Plan requires the Town to improve livability, infrastructure public safety, and mobility infrastructure within the Sierra Valley Sites neighborhood and other neighborhoods with a high proportion of older structures. The Sierra Valley Sites, in particular, has known issues with flooding and storm drain capacity; the policy stated in the Draft Housing Element is intended, among other aspects, to allow for these issues to be further studied and addressed. While the Housing Element does not propose any specific development project or activity that would, in and of itself generate potential impacts to hydrology and water quality, future residential and other development would be subject to the implementation measures specified in the General Plan FEIR, including best management practices (BMPs) to avoid erosion, siltation, and flooding (Mammoth Lakes 2007:4-157). Consequently, this policy would not result in impacts to water quality. These impacts would be *less than significant*.



3.10 Land Use and Planning

a. Physically divide an established community?				✓
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

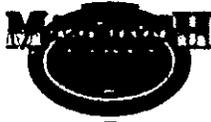
The Town boundary (Municipal Boundary) includes approximately 24.4 square miles of land. The Municipal Boundary includes two separate and distinct areas of land: (i) the portion of the Town that includes the majority of the developed community; and (ii) an entirely separate “island” area (not physically connected with the rest of the Town) that surrounds the Mammoth Yosemite Airport (Airport) and which is located north of Highway 395 and approximately 10 miles east of the portion of the Town described in (i) above.

Of the total 24.4 square miles within the Municipal Boundary, approximately 4.6 square miles, or approximately 2,500 acres, lies within the urban growth boundary (UGB). The urbanized portion of the Town, as well as the entirety of the Town “island” surrounding the Airport, lies within the UGB. Within the UGB, approximately 3.5 square miles of land has been developed, leaving only 1.1 square miles of vacant developable land out of the total 4.6 square miles within the UGB (Mammoth Lakes 2007:4-177).

The land outside the UGB but inside the Municipal Boundary consists largely of public lands administered by the Inyo National Forest. Non-federal lands outside the UGB include approximately 80 acres of patented mining claims on top of the Sherwin ridge, the Valentine Camp of the University of California, and the City of Los Angeles’ Camp High Sierra.

The land use designations that apply to the urbanized portions of the Town consist of low density residential (LDR-1 and LDR-2), high density residential (HDR-1 and HDR-2), resort (R), commercial (C) (C-1 and C-2), open space (O), institutional public (IP), specific plan (NVSP), industrial (I), national forest (NF) and low-density residential/airport (LDR-2, A).

Land use within the Town is regulated by the General Plan (Mammoth Lakes 2007), the municipal code which implements the policies of the General Plan, and specific and master



plans that further define land uses identified in the General Plan. The General Plan and its constituent elements, including the Draft Housing Element, provide for orderly growth and regulate how growth will occur. A Housing Element is a required component of each municipality's General Plan under state law (California Government Code Section 65580). The Draft Housing Element would implement the requirements of state law and further define how growth would be managed as analyzed in the General Plan EIR (Mammoth Lakes 2007). The previous General Plan EIR analyzed potential impacts of buildout of the General Plan on land use (Mammoth Lakes 2007, Section 4.7, *Land Use*).

a.) *Physically divide an established community?*

The Draft Housing Element does not propose construction of any infrastructure and would not divide the Town; thus, there would be ***no impact***.

b.) *Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect?*

The Draft Housing Element further regulates growth analyzed in the General Plan EIR and incentivizes patterns of land use that would include infill and avoidance of the development of raw land where feasible. As required by State Law, and as documented in the Draft Housing Element, the Housing Element's Goals, Policies and Programs would be consistent with those included in the Land Use Element and other elements of the General Plan. As such, it implements rather than conflicts with the policies and growth blueprint provided in the General Plan; thus, this impact would be ***less than significant***.

3.11 Mineral Resources

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			✓	
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use planning document?			✓	



Mineral resources in the planning area include industrial minerals (clay, aggregate, cinders, etc.) and precious metals associated with volcanic rocks and hot spring and geothermal activity. A deposit of precious and base metals is located within the Municipal Boundary in the southern portion of the Town; however, this deposit occurs well outside of the Town and area defined by the UGB where buildout of the General Plan would take place. A geothermal lease area is located in the northeastern portion of the Town and in the northern and central portion of the planning area. A deposit of aggregate and a deposit of precious metals are located in the eastern portion of the planning area to the north of the Mammoth-June Lakes Airport. There are no cinders within the planning area. Cinders used in the area are imported from Mono Basin. The potential impacts on mineral resource extraction and availability, as well as geothermal energy development associated with buildout of the General Plan, were analyzed in the General Plan EIR (Mammoth Lakes 2007, Section 4.4, *Geology, Seismicity, Soils and Mineral Resources*). The Draft Housing Element does not include new goals, policies, or implementation programs related to mineral resources, nor does it propose to amend or rescind existing related policies or regulations that govern these resources.

Responses to questions (a) and (b):

Development of new mineral resource extraction is not contemplated in the Draft Housing Element. Such activities would also be subject to review under the Surface Mining and Reclamation Act (SMARA, California Public Resources Code Section 2710 et seq.). SMARA review is a discretionary action under CEQA that also would require the SMARA lead agency (Mono County) to review the project under CEQA. In addition, no identified mineral resources occur within the UGB. Thus, the adoption of the Draft Housing Element would not result in the depletion of a mineral resource of statewide or local significance. This impact would be ***less than significant***.

Implementation of the Draft Housing Element may have the potential to impede geothermal exploration and development because residential land uses are typically inconsistent with large scale geothermal energy development. However, the Town is currently exploring ways to utilize geothermal energy for smaller scale projects, such as heating and snowmelt on streets and sidewalks. The General Plan EIR requires that future development be managed to minimize conflicts with geothermal energy use and development and encourages development of additional geothermal energy (Mitigation Measures 4.4-1 and 4.4-1, Mammoth Lakes 2007:4-112). Compliance with these measures would avoid conflicts between residential and geothermal land uses, thus impacts on geothermal energy would be ***less than significant***.



3.12 Noise

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b. Exposure of persons to or generate excessive groundborne noise or vibration levels?			✓	
c. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d. For a project within an airport land use plan or within two miles of an airport where such a plan has not been adopted would the project expose people to excessive noise levels?			✓	

Noise is most often defined as unwanted sound. Although sound can be easily measured, the perceptibility of sound is subjective, and the physical response to sound complicates the analysis of its impact on people. People judge the relative magnitude of sound sensation in subjective terms such as “noisiness” or “loudness.” Sound pressure magnitude is measured and quantified using a logarithmic ratio of pressures, the scale of which gives the level of sound in decibels (dB).

Vibration is an oscillatory motion through a solid medium in which the motion’s amplitude can be described in terms of displacement, velocity, or acceleration. The peak particle velocity (PPV) or the root mean square (RMS) velocity is usually used to describe vibration amplitudes. PPV is defined as the maximum instantaneous peak of the vibration signal, while RMS is defined as the square root of the average of the squared amplitude of the signal.

The most significant noise sources in the Town are traffic on State Route 203 and major town roadways, aircraft operations at the Mammoth Yosemite Airport, helicopter operations at Mammoth Hospital, the intermittent noises associated with construction, snow removal activities, snowmaking operations, avalanche control operations, industrial activities near State Route 203 and Meridian Boulevard, and recreation activities (Mammoth Lakes 2007:4-203). In addition, construction activity required for development contemplated under the General Plan would generate noise and vibration. These activities are regulated under



Chapter 8.16 of the Mammoth Lakes Municipal Code and the goals and policies of the General Plan.

Noise impacts associated with patterns of growth identified in the General Plan were analyzed in the General Plan EIR (Mammoth Lakes 2007, Section 4.8, *Noise*). The Draft Housing Element does not include new goals, policies, or implementation programs related to noise, nor does it propose to amend or rescind existing related policies or regulations that govern noise standards.

a.) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The Draft Housing Element promotes construction of an adequate quantity and diversity of housing to meet the variety of housing needs in the community (Goal H.2). The same document allows infill of residential land uses within certain commercial districts such as Main Street (Policy H.1.B, Action H.1.C.1). The placement of residential infill adjacent to non-residential land uses could result in noise impacts on the residential land uses because of the differences in the manner in which residential and commercial land uses occur. As identified in the General Plan EIR, the Town would require development projects to incorporate design measures as appropriate during the environmental review process. Such measures may include the following:

- Incorporating buffers and/or landscaped earthen berms to screen adjoining land uses from elevated noise levels;
- Orientating windows and outdoor living areas away from unacceptable noise exposure;
- Using acoustic building materials;
- Incorporating traffic calming measures, alternative intersection designs (roundabouts), and lower speed limits; and
- Incorporating state-of-the-art structural sound attenuation and setbacks (Mammoth Lakes 2007:4-210).

In addition the General Plan EIR identified implementation measures that would require acoustical analysis and identification of appropriate of noise-reducing mitigation measures for future buildout prior to issuance of building permits where a project could place a noise-sensitive land use adjacent to noise sources to ensure that new land uses would not be exposed to noise levels that are inconsistent with the municipal code or the Noise Element (Mammoth Lakes 2007:4-211 and 212). Thus, this impact would be *less than significant*.



b.) Exposure of persons to or generate excessive groundborne noise or vibration levels?

The Draft Housing Element does not propose specific construction projects nor does it create entitlements for construction. While the policies in the Draft Housing Element both shape and encourage residential construction, the adoption of the Draft Housing Element does not include identifiable construction projects that would result in ground-borne noise or vibration or ambient noise levels. Future projects that would be subject to the review identified under (a) above. This impact would be *less than significant*.

c) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than Significant Impact. See Section 3.12a and 3.12b above.

d.) For a project within an airport land use plan or within two miles of an airport where such a plan has not been adopted would the project expose people to excessive noise levels?

The Mammoth Yosemite Airport is located approximately eight miles from the Town, and the airport has a relatively small area where noise levels exceed acceptable levels. Buildout under the General Plan would be required to comply with applicable regulatory requirements (e.g. Title 24 (Building) California Code of Regulations Section T25-28), which would preclude locating sensitive receptors within an appropriate radius near the airport. Thus, any development regulated under the Draft Housing Element would not result in significant impacts related to airport noise levels. This impact would be *less than significant*.

3.13 Population and Housing

a. Induce substantial population growth in an area, either directly or indirectly?			✓	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			✓	
c. Displace substantial numbers of people, necessitating the construction of housing elsewhere?			✓	



Mammoth Lakes is a resort community, with a local economy dominated by tourism, focused around outdoor recreation and the nearby Mammoth Mountain Ski Area. The Town's permanent population was estimated at 7,400 in 2008, with 3,140 households and an average household size of 2.44 persons. During peak visitor periods, the local population can increase by up to five times due to the recreational land uses in the vicinity such as the MMSA.

Mammoth Lakes' housing characteristics are strongly affected by its resort character. A significant proportion (58 percent) of its total housing stock is vacation homes, which are rented or occupied seasonally. The town had an estimated total of 9,245 housing units in 2008, of these 39.2 percent were single family homes and 58.3 percent were multifamily units (rental apartments and condominiums).

The Town's RHNA, as described in Chapter 2, equals 279 units, which is well within the residential development envelope analyzed in the General Plan EIR (Mammoth Lakes 2007). Based on the buildout model developed by the Town, total residential units (excluding hotel rooms) within the Town at buildout are estimated at 12,660; this represents an increase of 3,415 units over the 2008 level.

The Draft Housing Element identifies specific sites that could provide up to 1030 housing units; however, only a fraction of this number would be needed to satisfy the remaining 133 units in the RHNA. For the purposes of the analysis of population, employment, and housing, all of the specific sites identified in the Housing Element, including sites subject to approved use permits, Master Plans or Specific Plans, or Affordable Housing Overlay Zoning, are considered. The development anticipated on each of the sites is consistent with the General Plan's land use designations and, thus, within the envelope of development considered by the General Plan EIR (Mammoth Lakes 2007).

Most jobs in the Planning Area depend directly or indirectly on tourism and recreation. According to the 2000 Census, the largest employment sectors included the following: arts, entertainment, recreation accommodation, and food services industries (37.1 percent of the workforce); educational, health, and social services (11.2 percent of the work force); finance, insurance, real estate, and rental and leasing (10.8 percent of the workforce); and retail (9.8 percent of the workforce). Median per capita income was \$24,526 in 1999 with 14.4 percent of individuals and 8.7 percent of families below the poverty level. As of 2008, the median household income in Mammoth Lakes was \$53,892 and \$58,621 in Mono County.

The demographic and employment profile of the town indicates a need for a range of housing, including rental units to accommodate workers that make the resort and recreation



economies viable. The Draft Housing Element encourages infill, including the construction of worker housing; this limits growth that might otherwise occur elsewhere, as well as decreases commuting from nearby communities to employment opportunities in the Town. The Draft Housing Element would regulate growth previously analyzed in the General Plan EIR (Mammoth Lakes 2007, Section 4.9, *Population, Employment and Housing*).

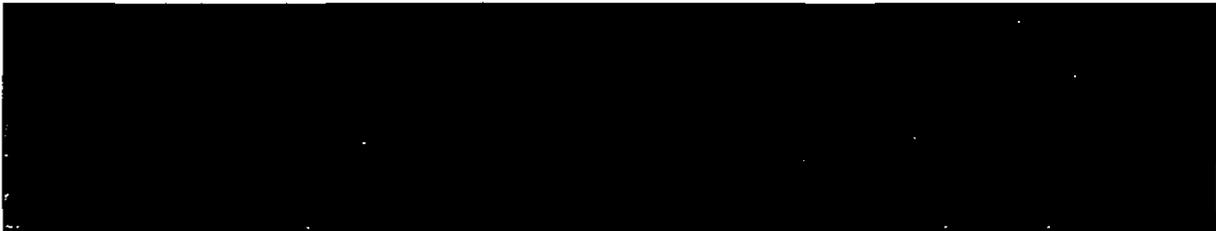
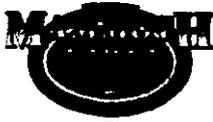
Responses to questions (a) through (c) above.

Population growth may be induced by the construction of housing, the creation of jobs, or the construction of infrastructure that removes impediments or limits on growth. Population growth, by itself, does not result in environmental effects; however, growth can drive commensurate needs for infrastructure or residences that causes significant environmental effects. The adoption of the Draft Housing Element would provide incentives for infill development and regulates how new housing would be constructed throughout the town. It would not by itself lead to growth or remove impediments to growth. Thus, impacts related to population growth would be ***less than significant***.

The Draft Housing Element identifies where development, especially infill development could occur. Infill sites and approved master and specific plans provide a template for additional growth but would not displace substantial numbers of people in a manner that would require growth elsewhere. Any displacement that would occur, could be accommodated within the new housing opportunities that would be regulated by the Draft Housing Element. Furthermore, the Draft Housing Element is explicitly developed to broaden the opportunities for housing for all segments of the community, thus accommodating, rather than displacing, members of the community who desire to live in Mammoth Lakes. Therefore, impacts related to displacement of population and housing would be ***less than significant***.

3.14 Public Services and Parks and Recreation

a. Fire protection?			✓	
b. Police protection?			✓	
c. Schools?			✓	



d. Parks or recreation?				
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The Mammoth Lakes Fire Protection District (MLFPD) provides fire protection and emergency response to the Planning Area including the Lakes Basin, Camp High Sierra, and the Mammoth Mountain Ski Area (MMSA). Additionally, MLFPD provides fire protection services and emergency response to the upper middle fork of the San Joaquin, Red's Meadow, and Devil's Postpile National Monument (DEPO) located in Madera County. The MLFPD currently utilizes approximately 60 volunteer and four full-time fire fighters (Mammoth Lakes 2007:4-238).

Police protection and law enforcement in the Town of Mammoth Lakes are provided by the Mammoth Lakes Police Department (MLPD), the Mono County Sheriff's Department (MCSD), and the California Highway Patrol (CHP). The MLPD provides all non-traffic related services for the areas within the Town's incorporated boundary, including the Mammoth Yosemite Airport.

The Town is located within the jurisdiction of the Mammoth Unified School District (MUSD). The MUSD provides education to students in grades kindergarten (K) through grade 12 with facilities that include Mammoth High School, Mammoth Middle School, Mammoth Elementary School, Sierra High School, and the Mammoth Olympic Academy for Academic Excellence.

Recreational opportunities in the vicinity of the Town are extremely high with both commercial and public resources available such as the MMSA and the adjacent Inyo National Forest.

Buildout of the General Plan, including growth that would be regulated by the Draft Housing Element, would increase the need for fire, police, educational, and recreational services. The environmental consequences of this foreseeable increase in demand for services were analyzed in the General Plan EIR (Mammoth Lakes 2007, Section 4.10, *Public Services*). The Draft Housing Element does not include new goals, policies or implementation programs related to fire, police, school or park services, nor does it propose to amend or rescind existing related policies or regulations that govern these services.



Responses to questions (a) through (d):

Adoption of the Draft Housing Element by itself would not lead to population growth; thus, it would not lead to increased demand for public services. The Draft Housing Element regulates how housing would be developed and shapes the profile and diversity of housing that would be built under the blueprint provided by the existing General Plan. The potential for growth identified in the General Plan to strain public services was analyzed in the General Plan EIR (Mammoth Lakes 2007). This document identified implementation measures, including development fees that would be imposed upon new development to ensure that new development adequately mitigates its own impact on public services (Mammoth Lakes 2007:4-241 through 4-251). The Town is currently in the process of revising and updating its Development Impact Fee schedule to ensure that fees continue to fairly and accurately reflect the costs of providing public services to meet demand from new growth and development. As the Draft Housing Element would only regulate growth patterns previously analyzed and identified under the General Plan EIR, and the Town will continue to levy fees, or require such impact to be otherwise mitigated at an adequate level by new development, the impact on demands for public services, including police, fire, school and hospital services would be *less than significant*.

The Town of Mammoth Lakes is surrounded by public land where abundant recreational opportunities are available, including camping, cycling, hiking, fishing, and skiing. The larger region, including Inyo and Mono counties, includes numerous other similar opportunities. While growth that would be regulated under the Draft Housing Element would increase the demand for parks and recreational opportunities, the regional setting makes this increase in demand insignificant in relation to recreational venues. The impact on demand for parks and recreation would be *less than significant*.

3.15 Transportation and Traffic

a.	Conflict with policies, plans or regulations establishing measures for the effectiveness of the circulation system?			✓	
b.	Conflict with congestion management programs including level of service standards?			✓	



c. Substantially increase hazards due to a design feature (such as sharp roadway curves) that are incompatible for planned or foreseeable uses?			✓	
d. Result in inadequate emergency access?			✓	
e. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or decrease the performance of such facilities?			✓	

The major access into the Town is via SR 203, which intersects with U.S. Highway 395 just east of the Town limits. SR 203 (also named Main Street) is a four-lane road from U.S. Highway 395 through the majority of the developed portion of the Town. SR 203 narrows to two lanes north of the intersection of Main Street and Minaret Road. The highway continues from the developed area of the Town to the Mammoth Mountain Ski Area (MMSA) and terminates at the Mono-Madera county line. Portions of SR 203 are augmented by frontage roads. According to Caltrans' classification system, SR 203 is a minor collector for the 0.7 miles west of Mammoth Mountain Ski Area Main Lodge. The Mammoth Scenic Loop, a two-lane road off of SR 203, provides secondary access from the Town to U.S. Highway 395 to the north.

Level of service (LOS) is commonly used as a qualitative description of intersection operation and is based on the type of traffic control and delay experienced at the intersection. The LOS is expressed as a ranking of the intensity and duration of delays measured at intersections from A to F with A being the highest or best LOS and F consisting of a high level of congestion and or delay. The majority of intersections in the Town operate at LOS A through C, with a few intersections falling below this level (Mammoth Lakes 2007:4-305).

The Draft Housing Element shapes housing development that would occur under the existing General Plan. The traffic impacts associated with buildout of the adopted General Plan were analyzed in the General Plan EIR (Mammoth Lakes 2007, Section 4.13, *Transportation and Circulation*).



Responses to questions (a) through (c):

The Draft Housing Element does not alter existing General Plan policies that govern circulation patterns, nor would the adoption of the Draft Housing Element by itself alter circulation patterns or increase traffic. The General Plan EIR identified implementation measures, in the form of policies in place under the General Plan that would be enforced to ensure that new development does not significantly reduce LOS, the effectiveness of the circulation system, transportation safety, or circulation facilities including bicycle and pedestrian facilities. Relevant implementation measures identified in the General Plan EIR include but are not limited to:

- III.C.a.2 As part of the project review process, conditions of approval and implementation of the Development Impact Fee schedule, the Town Shall require that new development adequately mitigates its impact on: fire protection, water availability, public safety, transit services, parking availability, street capacity, workforce housing availability, road capacity, and pedestrian connectivity (Mammoth Lakes 2007:4-317);
- VII.1.B.a.4 At intersections on arterial roads, ensure that traffic control devices and other traffic safety and operational improvements are installed for the safe and efficient movement of all types of traffic and pedestrians, and provide levels of service that conform to these policies. Lighting will be evaluated to ensure it meets safety standards and conforms to adopted Town standards (Mammoth Lakes 2007:4-322);
- VII.1.B.b.4 Require new development to dedicate right-of-way consistent with adopted road standards. New development, as warranted, shall pay its fair share of roadway, pedestrian, transit, bicycle, and airport improvements (Mammoth Lakes 2007:4-324); and
- VII.1.B.c.4 To aid the access of emergency vehicles and the evacuation of residents and visitors, secondary access routes should be provided and maintained to all portions of the community, consistent with the Mammoth Lakes Fire Protection District requirements (Mammoth Lakes 2007:4-332).

Because growth regulated by the Draft Housing Element would be subject to these policies, these impacts would be *less than significant*.

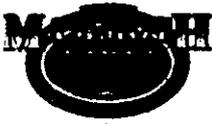


3.16 Utilities and Service Systems

a.	Exceed the wastewater treatment capacity of the applicable Regional Water Quality Control Board?			✓	
b.	Require or result in the construction of new water or wastewater treatment facilities or storm water drainage facilities which could cause significant environmental effects?			✓	
c.	Result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected demand in addition to existing commitments?			✓	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new entitlements required?			✓	
e.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
f.	Comply with federal, state and local statutes related to solid waste?			✓	

MCWD owns, operates, and maintains the sewage collection systems for the Town, including pump stations and over 35 miles of sewer mains and interceptors. There are four main trunks of the District's sewer collection system located on the following streets: Old Mammoth Road, Meridian Boulevard, Sierra Star Golf Course to Center Street, and Main Street. The inceptor lines vary in diameter from 18 to 21 inches. MCWD also operates and maintains 13 pump stations and 11 miles of sewers for the USFS. Raw wastewater is delivered to the MCWD wastewater treatment facility, located near the intersection of Meridian Boulevard and SR 203, through two 18-inch interceptor sewer lines.

Existing drainage facilities are located throughout the town. In 1975, a major storm drainage project established the area's storm drain system from Mammoth Slopes to Mammoth Ranger Station via Canyon Boulevard, Berner Street, Alpine Circle, and Main Street in the North Village Specific Plan area. This system, set forth in the Mammoth Lakes Storm Drainage Master Plan (SDMP) and described below, discharges into Murphy Gulch just east of the Mammoth Ranger Station. A 43,560 square foot (one-acre) siltation basin was



constructed at the downstream end of Murphy Gulch channel in conjunction with these drainage improvements. A comparison of the design flow capacities versus the tributary discharge values found that 50 of 445 storm drain pipes did not meet the required capacity for the 20-year event. The 100-year event was analyzed only on pipes that run parallel to the street and found that 16 of 82 pipes are undersized.

Water supply is provided by local surface water as well as groundwater sources. Surface water within the Mammoth Basin is generally supplied by snowmelt. The diversion point for surface water is located at Lake Mary in the Lakes Basin. In 2006, based on actual water supply, about 67 percent of potable water for the community came from surface water diverted from the Mammoth Creek watershed and 33 percent came from groundwater pumped from wells, located within Town boundaries. When lower than normal precipitation years are experienced, the use of groundwater is increased, as less surface water supply is available. As growth in the community occurs, the District will become more dependent on the use of groundwater supplies to meet future increased demand for water. The MCWD has water entitlements from Mammoth Creek for domestic uses, storage rights in Lake Mary, and operates eight groundwater production wells within the MCWD service area.

Solid waste collection service for the Town is provided under a franchise agreement with Mammoth Disposal, Incorporated. Solid waste collection service is provided via community trash bins at a centralized collection station on Commerce Drive and by individual customer pickup by Mammoth Disposal, Incorporated. All solid waste generated by the Town is transferred to the Benton Crossing Landfill for disposal. The General Plan EIR analyzed the potential for the buildout of the growth template in the General Plan to result in impacts on utilities and service systems (Mammoth Lakes 2007, Section 4.11, *Public Utilities*). The Draft Housing Element does not propose new policies that would govern these services or reduce the availability of such services.

Responses to questions (a) through (c):

The Draft Housing Element does not propose specific development that would increase the burden on wastewater or stormwater conveyance nor would it create entitlements that would require the use of these facilities or increase pollutant concentrations. The General Plan EIR identified the following measure to reduce the burden on utilities and service systems resulting from buildout, including growth that would occur under the Draft Housing Element:

- II.1.C.a: Ensure that new development densities do not exceed the capacity of public service infrastructure and utility systems. Require new development to upgrade or fund facilities to meet increased demand or require reduced density or project redesign for any project that would result in deterioration of service levels or



cause available capacity to be exceeded if capacity expansion is infeasible (Mammoth Lakes 2007:4-279).

Because new development regulated under the Draft Housing Element would be self-mitigating with respect to impacts on wastewater and stormwater capacity and treatment standards, this impact would be *less than significant*.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new entitlements required?

The General Plan EIR identified this implementation measure from the General Plan that would mitigate the impacts of future growth on water supply:

4.11-1 The Town shall not approve new development applications that would result in a water demand in excess of available supplies as determined by the MCWD. The Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to respective development approvals. This shall be made a policy of the Updated General Plan (Mammoth Lakes 2007:4-279).

Because this implementation measure would govern new housing development and because the Draft Housing Element does not by itself generate housing or demand for water, this impact would be *less than significant*.

Response to questions (e) and (f):

The Draft Housing Element does not directly allow growth that will generate solid waste disposal demand. With the existing capacity in the Benton Crossing Landfill, as well as the option for disposal for five years at the Pumice Valley Landfill, there is adequate landfill capacity for the population that would occur as a result of buildout of the General Plan (Mammoth Lakes 2007:4-282). The adoption of the Draft Housing Element by itself would not generate solid waste and would not be regulated by federal, state or local laws related to solid waste disposal. These impacts would be *less than significant*.



3.17 Mandatory Findings of Significance

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

Response to questions (a) and (b):

The potential for buildout of the General Plan to result in any of the impacts that trigger a mandatory finding of significance was previously analyzed in the General Plan EIR (Mammoth Lakes 2007), including impacts on wildlife, cultural resources, and the contribution of buildout to cumulatively considerable impacts. The adoption of the Draft Housing Element would order and shape growth anticipated under the General Plan EIR but would not directly stimulate or lead to such growth. In addition, the Draft Housing Element would promote infill and density within the Town that would reduce the need for the conversion of raw land that might otherwise contribute to or result in cumulative impacts or impacts on the natural environment, including cultural resources. Specific policies under Goals H.1 and H.2 include:



H.1.B. Policy: Allow housing development as part of infill and mixed-use development in commercial zoning districts.

H.1.C. Policy: As part of the District Plans and their subsequent codification, develop incentives to encourage residential mixed use and infill development.

H.2.D. Policy: Encourage the renovation and conversion of existing non-workforce units, such as condominiums currently used as second homes, to become part of the workforce housing supply.

H.2.E. Policy: Encourage local homeowners and owners/managers of rental housing properties to upgrade and improve older units, particularly those that do not meet current standards and codes.

These policies would encourage infill development rather than “greenfield” development, where significant environmental impacts would be greater. In addition, these policies would promote a suitable range of housing that could accommodate workers, reducing trips for workers commuting in from outlying locations and thereby reducing VMT and GHG emissions. Therefore, these impacts would be *less than significant*.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The analysis above has demonstrated that adoption of the Draft Housing Element would not result in significant environmental effects; thus, no adverse effects on human beings would occur. This impact is *less than significant*.



4.0 REFERENCES

- Mammoth Community Water District. 2005. *Groundwater Management Plan for the Mammoth Basin Watershed*.
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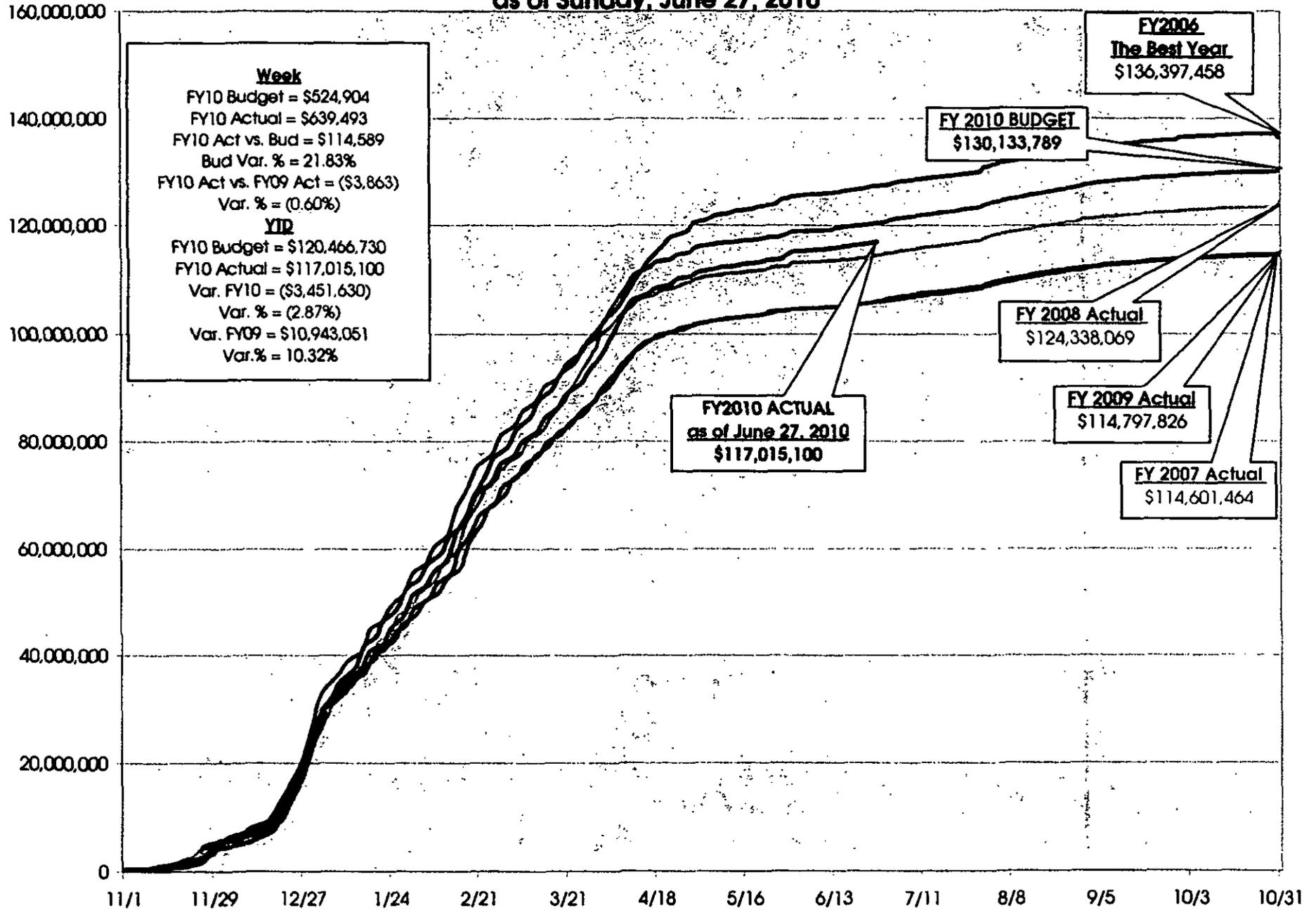


Prepared by Christopher A. Joseph Associates, Mammoth Lakes
California.

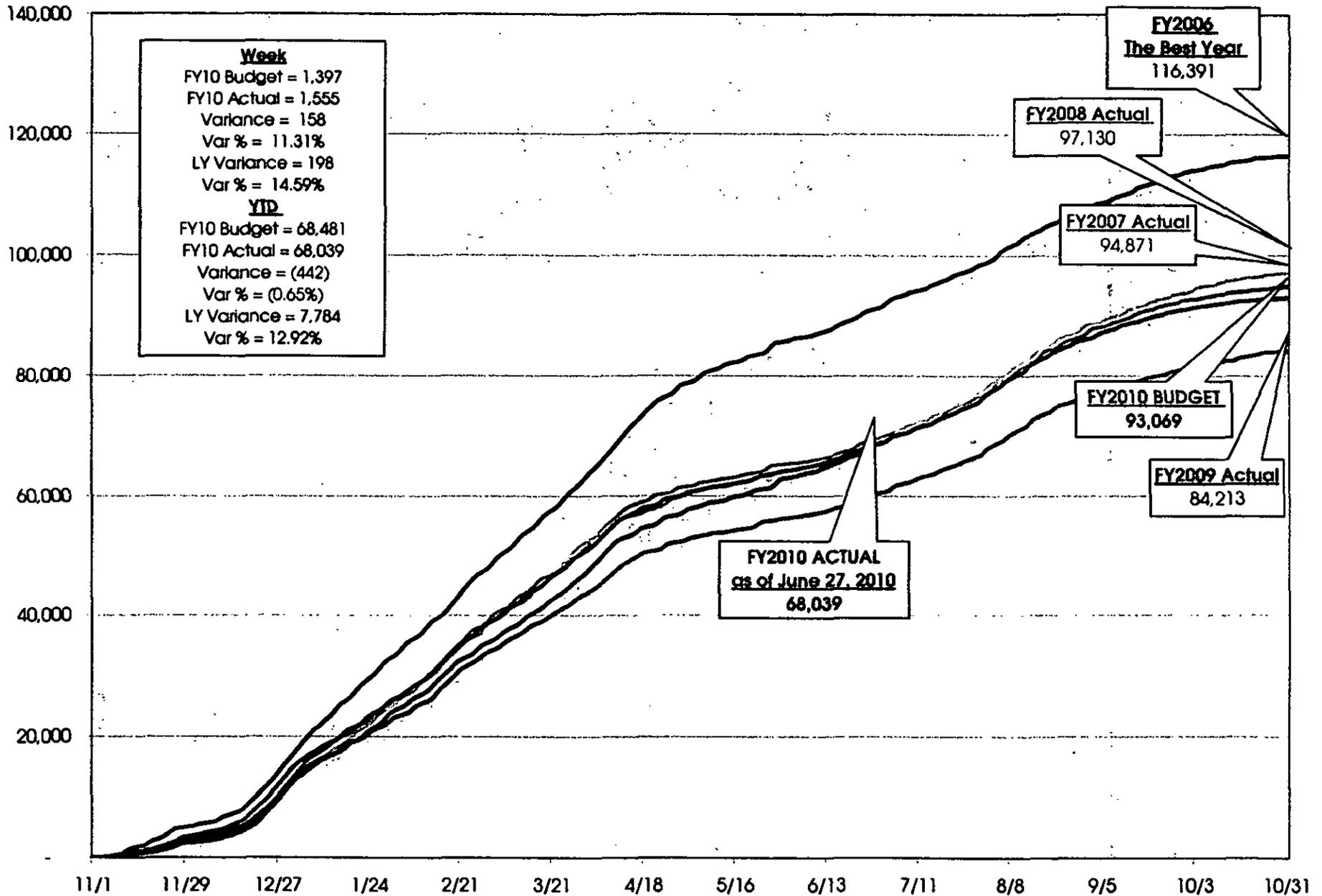
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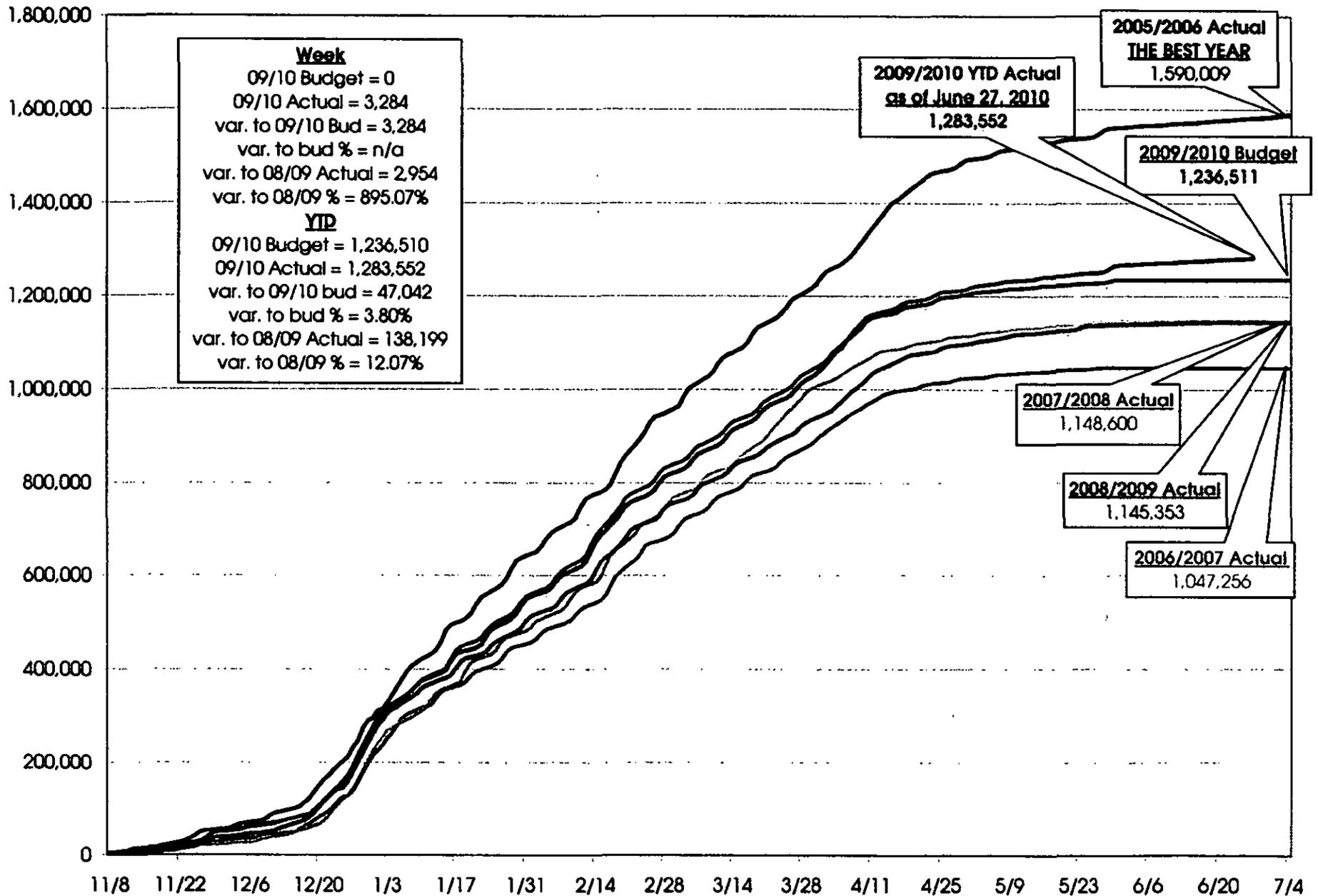
Total Company Revenue as of Sunday, June 27, 2010



Hospitality Room Nights as of Sunday, June 27, 2010



2009/2010 Season: Total Skier Visits as of Sunday, June 27, 2010



**ADDITION AND RESPONSE TO COMMENTS
INITIAL STUDY/NEGATIVE DECLARATION**

**Town of Mammoth Lakes
Housing Element Update 2007-2014**

SCH# 20100052018

LEAD AGENCY:

**Town of Mammoth Lakes
437 Old Mammoth Road, Suite R
PO Box 1609
Mammoth Lakes, CA 93546**

**Contact: Ellen Clark
760 934-8989 ext. 269**

June 1, 2010

1.0 INTRODUCTION

The Town of Mammoth Lakes Draft Housing Element Initial Study/Negative Declaration (IS/ND) has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) see Public Resources Code Sections 21000-21177, as well as the State CEQA Guidelines, see Title 14 of the California Code of Regulations, Section 15063.

The IS/ND was made available for public review and comment pursuant to State CEQA Guidelines Section 15070. The public review and comment period commenced on May 10, 2010, and expired on June 1, 2010. The State Clearinghouse granted a shortened (20 Day public review) consistent with the criteria set forth in the Office of Planning and Research guidelines for shortened reviews and Section 21091 of the Public Resources Code.

The IS/ND and supporting documents were available for review by the general public at the offices of the Town of Mammoth lakes Community Development Department, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California. A notice of Intent to Adopt/Notice of Availability was printed in the local newspaper and sent to agencies of interest.

During the public review and comment period, one comment was received on the IS/ND from the California Department of Transportation (Caltrans), on May 17, 2010. (Attachment 1)

Even though CEQA and the State CEQA Guidelines do not require a Lead Agency to prepare written responses to comments received on a IS/ND, as a contrasted with a Draft Environmental Impact Report (see State CEQA Guidelines Section 15088), the Town of Mammoth Lakes has elected to prepare the following written response in the spirit and with the intent of conducting a comprehensive and meaningful evaluation of the proposed project.

2.0 CHANGES TO THE PROPOSED PROJECT SINCE PUBLICATION OF THE DRAFT INITIAL STUDY

The Draft Initial Study was published on May 10, 2010. Since that time, minor revisions have been made to the Draft Housing Element in response to comments provided to the Town by HCD as part of their required review. These include the following:

A. Housing Sites Analysis

The Housing Element is required to identify specific sites where the Town is able to accommodate its share of the Regional Housing Need. The Town's RHNA for the 2007-2014 planning period is 279 units, distributed among the range of income levels from

Extremely-Low (<30% of Area Median Income or AMI) to Above Moderate (>120% AMI). 146 units of deed-restricted housing were built between 2007 and 2009, leaving 133 units that remain to be built.

HCD's review of Housing Elements has paid increasing attention to the adequacy of local jurisdictions' sites analysis, particularly for sites that can accommodate housing for lower-income residents. More detailed analysis is typically required where residential densities are comparatively low, as is the case in Mammoth Lakes, because HCD equates higher densities (typically 15 units per acre and above) with affordability.

The Town was requested to provide additional information and analysis as the basis for an adequate sites analysis. This supplemental detail was needed to document, to HCD's satisfaction, that sufficient land in Mammoth Lakes is available, appropriately zoned, with adequate infrastructure and services, and/or with approvals in place that would suggest these sites can be developed in the next five years.

Therefore, the draft housing sites analysis was revised to:

- Provide additional detail on timelines and project/approval status for each of the site.
- Present a more realistic (conservative) projection about how many units might be built under the Snowcreek Master Plan and on the Shady Rest site by 2014.
- Include a program to emphasize the Town's commitment to working with a future developer of the Shady Rest site to update the Master Plan and potentially streamline development consistent with the updated plan.
- Include specific information about three additional approved residential projects; the Ettinger, Tihana Townhomes, and Saraf projects, all of which are likely to move forward in the next five years.
- Provide additional analysis of large parcels in the RMF-1 zone that are either vacant or only contain a single family residence, that can accommodate additional density as the zoning allows.

As was the case for the sites analysis contained in the February 2010 draft, the Housing Element merely considers these sites as potential locations for residential development; it would not construct or cause any particular project or site to be developed. Therefore, the revised sites analysis would not result in any new or different impacts from those that were analyzed in the Draft Initial Study.

B. Analysis and Programs for Special Needs Housing.

State Law includes a number of requirements for certain types of housing, including transitional and supportive housing (such as group homes and residential care facilities), emergency shelters, and housing for "Extremely Low Income" (ELI) households that earn less than 30 percent of the Area Median Income. The State considers such housing types to be similar to and consistent with other residential uses, and does not permit a jurisdiction to impose more stringent review standards on such uses as would be required of similar uses in that zone.

HCD's comments requested some additional detail to be added to the analysis, and that some additional programs (actions) should be added to ensure that the Town is meeting the needs of these special groups. In some cases the Town's zoning code is not completely consistent with State law requirements. Therefore, the Housing Element was revised to include additional actions to amend the code, to meet these mandates.

The proposed Zoning Code amendments would clarify Town requirements and potentially make it easier to develop certain types of housing within zones that allow residential development. These uses by their nature and scale would be compatible and consistent with other permitted residential uses (in the case of transitional and supportive housing such as small group homes), or with commercial uses (as is the case for emergency shelters in the Commercial zones). Therefore, they would not generate different or more significant environmental impacts beyond those that would be expected to occur with any similar development in these areas; the findings and conclusions of the Initial Study remain as previously analyzed.

3.0 RESPONSE TO COMMENTS

This section includes responses to comments received on the Initial Study/Negative Declaration during the period of public comment. The number designation in the response is correlated to the bracketed and identified portions of each comment letter.

1. RESPONSES TO COMMENTS FROM CALIFORNIA DEPARTMENT OF TRANSPORTATION MAY 17, 2010.

- 1-1 This comment expresses a concern that Housing Element H.4.B., in which the Town would consider reduction or waiver of development impact fees for projects that dedicate some or all of their units to affordable housing, may not be consistent with the General Plan, since such fees are required to ensure that new development mitigates its impact on public infrastructure and facilities.

Policy H.4.B. as proposed suggests that the Town consider such reductions or waivers, and does not require or mandate that they be granted. Consideration of the ability of the project to mitigate impacts to facilities and infrastructure would be a consideration prior to granting of such waivers, as would the Town's ability to alternately fund the improvements. In addition, it should be noted that the Town's Municipal Code currently permits the Town Council to grant a waiver or reduction of Development Impact Fees under certain conditions; thus, the policy does not represent a significant change or departure from the existing Code. Finally, where a CEQA-required analysis shows that a future project would have significant environmental impacts, mitigation of those impacts is required, regardless of any waiver or reduction of Development Impact Fees.

4.0 CONCLUSION

The Draft Housing Element 2007-2014 CEQA public review and comment period has provided an opportunity to obtain additional information that could be used to revise or modify the proposal. The information received, and the revisions made to the Housing Element since publication of the Draft Initial Study, did not warrant any substantial change or revision to the project that would alter the conclusions of the Initial Study or lead to a significant impact to the environment.

DEPARTMENT OF TRANSPORTATION

District 9
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Bishop, CA 93514
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*Flex your power!
Be energy efficient!*

May 17, 2010

Ellen Clark, Senior Planner
Community Development Department
P.O. Box 1609
Mammoth Lakes, California 93546

File: 09-MNO
IS/ND
SCH #: 2010052018

Dear Ms. Clark:

Draft Mammoth Lakes Housing Element Update 2007-2014

The California Department of Transportation (Caltrans) appreciates the opportunity to review the draft Housing Element Update. We have the following comment:

- Ensure that Housing Element Policy H.4.B. is not inconsistent with the existing General Plan. This policy includes "Consider reduction or waiver of ... development impact fees for projects that dedicate some or all of their units to affordable housing." (page 2-10)

General Plan Implementation Measure IL1.C.a.2. includes "As part of the project review process, conditions of approval and implementation of the Developer Impact Fee schedule, the Town shall require that new development adequately mitigate its impact on ..." (page 3-39)

Regardless of housing type included in new development, transportation impacts must be mitigated. Since developer impact fees are often the only way offsite and cumulative impacts can be mitigated, the Town may not wish to state that it would "consider" the reduction or waiver of such fees.

We value our cooperative working relationship regarding transportation issues with the Town of Mammoth Lakes. If you have any questions, you may call me at (760) 872-0785.

Sincerely,

Handwritten signature of Gayle J. Rosander in cursive.

GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
Steve Wisniewski, Caltrans

1-1

EXHIBIT 2 TO ATTACHMENT A

Resolution No. 10-25

Case No. GPA 2010-02

FINDINGS FOR GENERAL PLAN AMENDMENT 2010-02

1. General Plan Amendment 2010-02 would not result in a change or conflict with the Community Vision identified in the 2007 General Plan because the change would ensure that the Town is able to meet its fair share of the Regional Housing Needs Allocation, and provide adequate and appropriate housing that residents and workers can afford, as called for in the Vision Statement.
2. The amendment is consistent with the policies of the General Plan since it would continue to support residential development within the urbanized area of town on properties designated for such uses, and would promote infill development that would not result in sprawl or conflicts with the Urban Growth Boundary. Therefore, General Plan Amendment 2010-02 would contribute to the achievement of the purposes of the General Plan.
3. General Plan Amendment 2010-02 is consistent with the intent of the 2007 General Plan and its land use policies, because it would not amend or revise the density and development standards contained in the Land Use Element of the General Plan, and would not increase development beyond the amount anticipated in the 2007 General Plan. Therefore, GPA 2010-02 would not change the policy direction or intent of the General Plan.
4. General Plan Amendment 2010-02, through the policies and actions of the updated Housing Element, supports creation of new housing and preservation of the existing housing stock within areas of the town designated for residential and mixed use development, that are physically suitable for such development, including, but not limited to access, provisions of utilities, compatibility with adjoining land uses, and absence of physical constraints.

EXHIBIT 3 TO ATTACHMENT A

Resolution No. 10-25

Case No. GPA 2010-02

2007-2014 HOUSING ELEMENT UPDATE

Town of Mammoth Lakes
Housing Element
2007-2014



Adopted June 2007

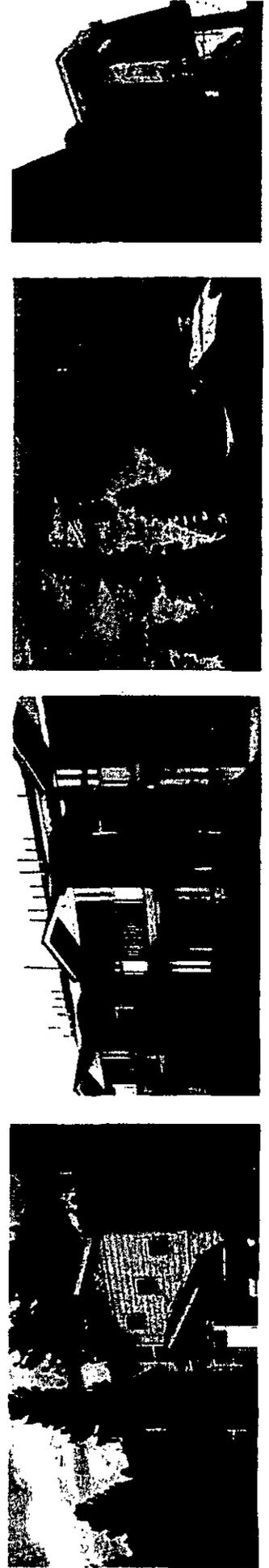


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ACKNOWLEDGEMENTS

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1 INTRODUCTION

1.1 HOUSING ELEMENT PURPOSE AND CONTENT

The Housing Element of the Town of Mammoth Lakes General Plan 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. It addresses the planning period 2007-2014, and meets the two purposes identified by State law, including assessment of current and future housing needs and constraints in meeting those needs; and providing a strategy that establishes housing goals, policies and programs. The Housing Element addresses the statewide housing goal of "attaining decent housing and a suitable living environment for every California family."

The Housing Element has been structured to meet the needs of State Housing Element law, and includes the following major components:

- An analysis of housing needs, including a community and housing profile (demographics, housing characteristics, and affordable housing needs analysis).
- An inventory of resources and constraints that are relevant to meeting the identified housing needs, including analysis of governmental and non-governmental constraints, units "at risk" of conversion, and an inventory of land zoned for residential uses.
- A statement of the Housing Plan, including goals, policies and a schedule of actions the Town of Mammoth Lakes in undertaking or intending to take to implement those goals and policies.

1.2 COMMUNITY CONTEXT

The Town of Mammoth Lakes is a resort community of approximately 7,400, located in Mono County in California's Eastern Sierra region. The Town incorporated in 1984 to become Mono County's only incorporated community. Mammoth Lakes contains over half (approximately 54 percent) of the County's resident population, and is the County's primary employment and service center. The

Town's boundaries encompass approximately 24 square miles; of this, all but approximately four square miles, defined by an Urban Growth Boundary, are public lands administered by the US Forest Service. The local economy is driven by recreation-based tourism, with visitors drawn to the area's spectacular natural setting and summer and winter outdoor recreation opportunities, including Mammoth Mountain Ski Area (MMSA), a major California ski resort and local employer.

The Town has a total housing stock of around 8,000 units. Based on the 2000 Census, an estimated 57.5 percent of the entire housing stock is dedicated to seasonal, recreational or occasional use, reflecting the popularity of Mammoth Lakes as a location for second-home ownership. This trend also has an impact on housing affordability, since housing prices are driven by relatively affluent second-home buyers; the rental market is also affected by the higher prices commanded for seasonal and nightly rentals of homes and condominiums. Meanwhile, many local residents work in the service sector, creating a considerable gap between housing affordability and housing costs. In addition, Mammoth Lakes has a large seasonal workforce of winter employees who service the ski area and associated influx of visitors, and summer construction labor.

This context creates a number of housing issues that must be addressed through the Housing Element period, including:

- Meeting demands for housing by ensuring adequate sites are available.
- Allowing for a range of housing types at a variety of affordability levels, particularly housing for the local workforce and seasonal employees.
- Preserving existing affordable housing units and improving the condition of other units.
- Removing governmental and other constraints to affordable housing
- Promoting fair and equal housing opportunities.

1.3 CONSISTENCY WITH STATE PLANNING LAW

The State of California has mandated that all cities and counties prepare a housing element, intended to support the Statewide housing goals of “attaining decent housing and a suitable living environment for every California family.” The housing element is one of the seven State-mandated elements of the General Plan, with specific direction on its content set forth in Government Code Section 65583.

One of the most specific requirements of the Government Code is the clear responsibility it places on local jurisdictions to accommodate a fair share of the regional housing need, as identified in the Regional Housing Need Allocation (RHNA). The State Department of Housing and Community Development provided the RHNA for Mono County and Mammoth Lakes, the county’s only incorporated community. The RHNA is for the period January 1, 2007 to June 30, 2014. Therefore while the Housing Element is a five-year document covering August 31, 2009 to August, 2014, the Town has approximately seven and a half years (January 2007 to August 2014) to fulfill the RHNA.

1.4 GENERAL PLAN CONSISTENCY

The Town of Mammoth Lakes General Plan, which was updated in 2007, includes eleven elements that guide conservation, growth and development within the Town. The elements of the General Plan encompass the seven elements required by State law, as well as optional elements adopted by the Town to address issues of local importance and concern. The eleven elements of the Town's General Plan are:

- Economy
- Arts, Culture, Heritage and Natural History
- Community Design
- Neighborhood and District Character
- Land Use
- Mobility

- Parks, Open Space and Recreation
- Resource Management and Conservation
- Public Health and Safety
- Noise
- Housing

As one of these eleven elements, and as required by State law, the Housing Element's goals, policies and programs relate directly to, and are consistent with all other elements of the Town of Mammoth Lakes General Plan. Appendix A summarizes policies from other General Plan Elements that are related to housing issues. At this time, the Housing Element does not propose to modify other elements of the General Plan.

1.5 DATA SOURCES AND AGENCIES CONSULTED

The Town consulted with various agencies during the preparation of this Housing Element, including Mono County Community Development Department, Mammoth Lakes Housing, and Inyo Mono Advocates for Community Action. A number of data sources were used in preparing this Housing Element. Specific sources are referenced throughout the document.

1.6 PUBLIC PARTICIPATION

The Town of Mammoth Lakes encouraged participation from all sectors of the community in the preparation of the Housing Element. These included a combination of publicly-noticed special study sessions with the Board of Mammoth Lakes Housing, the Town's Planning Commission and Town Council, two public workshops in January 2009 held in both English and Spanish, and three special workshops conducted by Mammoth Lakes Housing, who also conducted a town-wide mail in survey.

In total, 47 members of the public attended the community meetings, and 87 survey responses were received. Key issues discussed during the meetings with Town Council, Planning

Commission and MLH Board included the need to utilize livability¹ as a guiding principle in all workforce housing development; the importance of maintaining sufficient sites to accommodate workforce housing needs by continuing to require projects to provide on-site housing mitigation; having a wide range of strategies to meet the community's housing needs available in a flexible housing "toolbox"; and targeting those strategies to meet the gaps that State and federal funding, and the private market cannot fulfill. This Housing Element addresses a number of the issues raised during the community outreach process, including an action to develop a Housing Strategy focusing on a toolbox of programs to meet local housing needs, policies that include a focus on livability, and update of the existing Housing Ordinance to more effectively target the gaps in housing affordability.

Public comments received at the community meetings and through the survey focused on the difficulties in affording housing locally, particularly for single adults, the need to create high quality affordable units, with amenities such as access to outdoor space and adequate storage space for bicycles, skis and other outdoor equipment. A number of participants noted that living in smaller units could be desirable as long as there was light, good storage and outdoor access. The biggest barrier to homeownership cited was difficulty securing a loan and the size of required down payments. Mammoth Lakes Housing has established a first-time homebuyer assistance program which has helped a number of households to become homeowners; this Housing Element continues to support this and other programs to address housing needs.

Other concerns expressed were the need to ensure a range of affordability in different projects and not to over concentrate lower-income and rental units, as well as ensuring that affordable housing projects are compatible with neighborhoods. Some expressed concern with the fact that many of the town's older and more affordable units, particularly rental units, are often in disrepair or are very energy inefficient, and don't meet the needs of the individuals and families trying to rent them. Anecdotally, some noted a concern about overcrowding of rental units, sometimes with multiple families, and by seasonal employees.

The Town conducted public hearings before the Planning Commission and Town Council on June 9, 2010, and June 23, 2010, respectively, on the draft Housing Element to collect public

¹ "Livability" was defined as those aspects such as units size, configuration of rooms, location, and amenities that appropriately meet the needs of their targeted residents.

comments in conjunction with submittal of the Department of Housing and Community Development for mandated State review.

Written notices were sent to public agencies, community organizations, and Mammoth Lakes Housing, and public notices were placed in the Mammoth Times and The Sheet, and posted at Town offices. The Town notified these organizations of the availability of the Housing Element and provided copies electronically and in hard copy by request for review. Mono County, Mammoth Lakes Housing, and Inyo Mono Advocates for Community Action, who are the other principal agencies dealing with housing issues in the Mammoth Lakes area, were also contacted during the course of the preparation of the Housing Element.

1.7 SUMMARY OF KEY FINDINGS AND HOUSING PROGRAM

This section summarizes the key issues and findings related to the availability and maintenance of housing adequate to meet the needs of all sectors of the Mammoth Lakes population. The issues listed below are discussed in greater depth in the various chapters of this Housing Element.

- Housing Affordability
- Housing Production to Meet Regional Need Allocation
- Housing Rehabilitation and Conservation
- Governmental Constraints to Affordable Housing
- Energy Conservation

HOUSING AFFORDABILITY

The housing market in Mammoth Lakes is substantially driven by demand for vacation units and second homes from Southern California buyers, with close to sixty percent of the housing stock as seasonal or occasional use units. Regionally, housing in Mammoth Lakes is substantially more expensive than in neighboring communities such as Bishop. Utilities costs are also high, related to the need to heat homes in Mammoth's cold winter climate. Based on 2008 data, just under half of Mammoth Lakes' households are in the extremely-low, very-low and low-income categories, and cannot afford market rate rental or owner-occupied housing in the town. Housing options are

greater for those in the moderate- and above-moderate categories, but most for-sale housing units are unaffordable to households making less than 120% of Area Median Income (AMI). 45 percent of renters and those owning homes in Mammoth Lakes experience some degree of cost burden related to housing; these impacts are more severe in families of five or more. Although the downturn in the housing market may make some units more affordable, this trend has been accompanied by other effects of the economic recession, such as an increase in the unemployment rate and associated reduction in income that may counter these positive effects. Housing affordability is expected to be an ongoing issue in the Town of Mammoth Lakes through this Housing Element period.

To address this issue, the Housing Element includes a number of policies and programs to facilitate the production and preservation of affordable housing. In particular, programs include:

- Update and ongoing implementation of the Town's housing ordinance, which mandates provision of workforce and affordable housing units
- Continued funding (including dedication of Transient Occupancy Tax monies), partnership, and support for the work of Mammoth Lakes Housing, who have successfully built several dozen income-restricted housing units in the past several years

HOUSING PRODUCTION

The Town's adopted Urban Growth Boundary, reflecting the extensive public lands immediately surrounding its urbanized area, limit Mammoth Lakes' ability to expand geographically. Thus, dedicating sufficient land within the UGB for residential uses at appropriate densities, and encouraging efficient use of land resources will remain critical over the housing element period. In addition, the town has a number of properties that are planned for affordable and workforce housing; ensuring that these sites develop appropriately will be important to meeting Mammoth Lakes' fair share of the regional housing need. Programs to ensure that sufficient sites are available for housing include:

- Continued use of State and Town density bonuses for affordable housing, and study of ways in which such housing production can be facilitated.

- Developing and codifying district plans for commercial areas that will encourage mixed use and infill development.
- Ensuring that large new development provides on-site workforce housing in conjunction with market rate units, through implementation of the Town's Housing Ordinance.

HOUSING REHABILITATION AND CONSERVATION

Compared to many California communities, the town's housing stock is relatively new, with almost 90 percent of Mammoth Lakes' housing stock having been built since 1970. However, there are an increasing number of older units, which will require continued investment, repair and upgrade to remain in good condition. As noted below, improving energy efficiency of older housing units is an important to important component of reducing housing costs in Mammoth's climate. Some of the community's most affordable units are older rental apartments, mobile homes and condominiums, and preserving these units is an important goal of this Housing Element. Policies and programs that support this goal include:

- Investigating opportunities to acquire, rehabilitate and dedicate existing housing units as affordable housing.
- Continued code enforcement efforts, and study of incentives to rental property owners to upgrade properties.
- Continued application of Municipal Code standards that protect rental housing and mobile home parks.
- Improved quality and enforcement of deed restrictions to avoid conversion of existing deed-restriction units to market rate units.

GOVERNMENTAL CONSTRAINTS

The Town's property development standards, fee programs, and other regulations and requirements regulate new development, and are intended to ensure it meets standards for public safety and welfare; to uphold neighborhood and community character; and to ensure that development pays its fair share of costs to mitigate demands on infrastructure and services. Although some development standards, such as those for on-site parking, lot coverage and setbacks may be more stringent than in other

communities, they are appropriate in the town's local context, particularly the need to deal with large amounts of winter snowfall.

The analysis of governmental constraints found that the Town's permitting, development review processes and fees represent actual staff costs and time to process applications, and are not unduly restrictive to new residential development. Recently, the Town undertook a review of its development impact fees, including housing mitigation in lieu fees, and, as a result, lowered fees substantially in 2009. One area identified for improvement is the Zoning Code, which has not been updated since adoption of the General Plan update in 2007; this may add potential complexity to the interpretation of policies and standards. Programs identified to reduce governmental constraints to housing production include:

- Completion of a comprehensive Zoning Code update in 2010 and 2011, which will:
 - Bring the Code into conformance with the General Plan.
 - Provide an opportunity for the Town to codify recently adopted policies related to incentive zoning, housing mitigation.
 - Introduce streamlining of administrative procedures and permitting requirements where appropriate.
- Continued periodic review of planning procedures, planning and development impact fees to ensure that they do not create an undue cost burden to housing development.

ENERGY CONSERVATION

Energy efficiency is a significant contributor to lowering housing costs, particularly in Mammoth Lakes with its extreme winter climate. The Housing Element identifies programs to support additional energy conservation including:

- Working with a local non-profit that offers low-cost retrofits to improve program participation among qualified homeowners.
- Adopting State Green Building Code requirements as they come into force, and studying additional strategies, such as developer incentives, to improve energy conservation.

**HOUSING ELEMENT
CHAPTER 1: INTRODUCTION**

2 HOUSING NEEDS ASSESSMENT

The Housing Needs Assessment serves as the foundation for developing the Town of Mammoth Lakes' housing goals, policies, and programs outlined in *Chapter 5, Housing Program*, of this Housing Element. This chapter analyzes relevant population and housing aspects to determine the specific housing needs of Mammoth Lakes' residents. Important characteristics include: demographics, household characteristics, special housing need populations, and housing characteristics. The information provided in this chapter covers the breadth of analysis suggested by HCD in their Housing Element guidelines; additional information or detail has been provided in some areas to reflect Mammoth Lakes' local characteristics and housing needs.

In order to examine population and housing characteristics, this chapter references the most recently updated official government data and private market data. The U.S. Decennial Census and Claritas are the primary sources for the majority of the data collected. The most recent U.S. Census data is from 2000, and Claritas, a private demographic vendor, which provides updates of Census data. Other data sources were cited where appropriate, such as the California Department of Finance (DOF) for 2008 population household estimates, the California Employment Development Department (EDD) for local employment trends, RealQuest for real estate data, and housing affordability estimates by special needs population from the U.S. Department of Housing and Urban Development (HUD). Most of the data in this chapter was compiled by EDAW/AECOM, the consultant firm retained by the Town to assist with preparation of the Housing Element.

2.1 REGIONAL POPULATION AND ECONOMIC CONTEXT

The Town of Mammoth Lakes is a resort-oriented community and experiences large seasonal fluctuations in population. During the peak ski season, the Town estimates that on any given weekend the influx of visitors to Mammoth Lakes can result in a total "Population at One Time" (PAOT) that is up to five times the year-round resident population. This fluctuation in population also results in significant seasonal variation in employment and housing demand, leading to unique housing pressures.

In 2007, approximately 4,100 people were employed within the town. Services and visitor-oriented businesses related to the Mammoth Mountain Ski Area (MMSA) employ the most persons annually, but this employment demand varies seasonally, with the peak occurring during the winter ski season. Furthermore, wages in Mammoth Lakes' primary employment sector, hospitality and leisure, tend to be fairly low. Despite low local wages, many high income persons own homes (often seasonal vacation homes) and recreate in Mammoth Lakes. Of the over 9,000 homes in Mammoth, approximately 60 percent are vacation units. This results in an inflated housing market that is not tied to local incomes and employment.

2.2 POPULATION CHARACTERISTICS

The town’s population characteristics help to inform the nature and extent of its housing needs. Be it age distribution, population growth, employment, or education, these factors indicate the type and amount of housing needed as well as residents’ ability to pay. This section describes the most recent population characteristics available from the California Department of Finance (2008), Claritas, Inc. (2008), and U.S. Census (2000).

POPULATION TRENDS

Mammoth Lakes, a town of roughly 7,400 full-time residents, is the only incorporated area in Mono County and makes up a significant share (roughly 54 percent) of the County’s population. As previously discussed, the Town of Mammoth Lakes experiences large fluctuations in its population, with the peak occurring in the winter ski season. During this time, the population of Mammoth Lakes on any given weekend is known to quintuple, reaching an estimated peak of around 35,000 people.

Table 2-1 Population Growth: 2000-2008

Town of Mammoth Lakes	7,093	7,413	0.55%
Mono County ¹	12,853	13,759	0.86%

¹Includes the Town of Mammoth Lakes

Source: U.S. Census, 2000; DOF, 2008; EDAW, 2008.

As shown in Table 2-1 above, from 2000 to 2008, the population of Mammoth Lakes increased at a slightly slower average annual rate than Mono County. California Department of Finance projected population growth is not available for the Town of Mammoth Lakes. However, the Department of

Finance anticipates Mono County to grow at an average annual growth rate of 2.6 percent, reaching a total population of just over 16,000 people by the end of this Housing Element planning period in 2014 (Table 2-2). If Mammoth Lakes grows by its Regional Housing Need Allocation (RHNA) of 279 units, or 681 people (at an average household size of 2.44), its average annual growth rate will be 0.68 percent during the planning period, significantly less than the growth rate predicted for Mono County by the California Department of Finance.¹

Table 2-2 Projected Population Growth: 2008-2014

Mono County ¹	13,759	16,065	2.62%
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¹Includes the Town of Mammoth Lakes

Source: DOF, 2008; EDAW, 2008.

AGE

Housing needs are also impacted by the population’s age characteristics since needs and preferences change as people age. Different age groups also have housing needs dependent on a variety of factors, including family type and size, income, and housing preference. Understanding these characteristics is essential in determining Mammoth Lakes’ appropriate housing needs.

Evident by Mammoth Lakes’ median age (Table 2-3), the town has a slightly younger population than the County. However, Mammoth Lakes’ population is slightly older than California as a whole; the median age of California residents was just nearly 35 years of age in 2008.

¹ This population estimate assumes that all of these future units would house permanent residents of Mammoth Lakes. However, based on the town’s existing housing profile it is likely that a significant proportion of the above-moderate units constructed would be used as second or vacation homes, and related permanent population growth would therefore be less than 681 people.

Table 2-3 Median Age: Town of Mammoth Lakes and Mono County, 2000 & 2008

Mammoth Lakes	32.2	35.7
Mono County ¹	36.0	38.0
California ²	33.3	34.9

¹Includes the Town of Mammoth Lakes

² California's 2008 estimate is from the American Community Survey, whereas Mammoth Lakes and Mono County 2008 estimates are from Claritas.

Source: U.S. Census, 2000; Claritas, 2008; American Community Survey, 2008.

As shown in Table 2-4, a large proportion of Mammoth Lakes' and Mono County's population are children; approximately 20 percent of Mammoth Lakes' residents and 21 percent of Mono County residents are under the age of 18. The town's largest age group is 25 to 34, while the largest segment of Mono County's population is 45 to 54. The town's large proportion of persons aged 25 to 34 is likely influenced by the presence of the Mammoth Mountain Ski Area, which employs younger adults during the ski season. The town's active outdoor environment is also attractive to younger adults. Mono County has a larger proportion (11%) of persons age 65 and older than Mammoth Lakes (8%), perhaps attributable to the fact that the town's climate, with heavy annual snowfall, is less attractive to seniors than other communities in the county.

Table 2-4 Age Distribution: Town of Mammoth Lakes and Mono County, 2008

Under 5	475	6.1%	805	6.1%
5-17	1,115	14.3%	1,953	14.7%
18-24	722	9.2%	1,192	9.0%
25-34	1,501	19.2%	2,113	15.9%
35-44	1,307	16.7%	1,911	14.4%
45-54	1,283	16.4%	2,270	17.1%
55-64	778	10.0%	1,570	11.8%
65+	625	8.0%	1,458	11.0%

¹Includes the Town of Mammoth Lakes
 Source: Claritas, 2008; EDJAW, 2008.

As seen in Table 2-5, the most significant population increases in Mammoth Lakes and Mono County between 2000 and 2008 occurred in residents aged 45 years and above. In Mammoth Lakes, this age group comprised slightly less than 30 percent of the town's population, but rose significantly to reach nearly 35 percent in 2008. A likely explanation for this increase lies in Mammoth Lakes' relatively close proximity to the greater Los Angeles metropolitan area, and the increasing number of aging baby-boomers choosing the town for retirement.

Table 2-5 Age Distribution: Town of Mammoth Lakes and Mono County, 2000 - 2008

Under 5	402	5.7%	475	6.1%	18.2%	727	5.7%	805	6.1%	10.7%
5-17	1,192	16.8%	1,115	14.3%	-6.5%	2,226	17.3%	1,953	14.7%	-12.3%
18-24	943	13.3%	722	9.2%	-23.4%	1,330	10.3%	1,192	9.0%	-10.4%
25-34	1,332	18.8%	1,501	19.2%	12.7%	1,932	15.0%	2,113	15.9%	9.4%
35-44	1,389	19.6%	1,307	16.7%	-5.9%	2,366	18.4%	1,911	14.4%	-19.2%
45-54	1,020	14.4%	1,283	16.4%	25.8%	2,064	16.1%	2,270	17.1%	10.0%
55-64	508	7.2%	778	10.0%	53.1%	1,232	9.6%	1,570	11.8%	27.4%
65+	307	4.3%	625	8.0%	103.6%	976	7.6%	1,458	11.0%	49.4%

¹Includes the Town of Mammoth Lakes

Source: U.S. Census, 2000; Claritas, 2008; EDAW, 2008.

EDUCATION

Educational attainment is often positively correlated with type of employment and level of income earned and, therefore, the type of housing residents are able to afford. In 2008, 11.5 percent of Mono County residents and 12.2 percent of Mammoth Lakes' residents had less than a high school degree, a significantly lower proportion than that of California as a whole (Table 2-6). At the upper end of the educational attainment spectrum, over one third of the population of Mammoth Lakes and just over 30 percent of Mono County has a bachelor's or graduate degree; this proportion is very similar to that of California (29.5%). Residents with the uppermost levels of educational attainment are likely to receive the highest wages in the town. It is important to keep in mind that these percentages address the resident population of Mammoth Lakes and do not take into account the seasonal workers that were not in Mammoth Lakes or did not respond to U.S. Census in March of 2000.

Table 2-6 Educational Attainment (Population 25 years and over), 2008

Less than High School	669	12.2%	1,072	11.5%	4,612,748	19.8%
High school graduate	988	18.0%	1,866	20.0%	5,396,253	23.1%
Some college	1,579	28.7%	2,897	31.1%	4,657,119	20.0%
Associate's degree	367	6.7%	682	7.3%	1,782,118	7.6%
Bachelor's degree	1,286	23.4%	1,811	19.4%	4,425,024	19.0%
Graduate degree	605	11.0%	994	10.7%	2,458,500	10.5%

¹Includes the Town of Mammoth Lakes

²California data is from the American Community Survey, 2007.

Source: Claritas, 2008; EDAW, 2008.

EMPLOYMENT

Claritas reports that there were 4,800 Mammoth Lakes' residents in the workforce in 2008. However, the size of the total workforce (including non-residents) fluctuates with seasonal demand from 3,300 to 5,300 employees (seasonal employment is discussed in more detail on page 26). As shown in Table 2-7, service, sales and office occupations combined comprise over 47 percent of the working residents in Mammoth Lakes and 44 percent of the working residents of the County; these residents are apt to work in the large hospitality and retail sectors of the area. A large share of both Mammoth Lakes and Mono County residents also fall into the Management/Professional occupational sector. This sector likely employs a substantial portion of Mammoth Lakes and Mono County's college graduates.

Table 2-7 Occupations of Mammoth Lakes Residents, 2008

Management and Professional	1,662	34.6%	2,739	36.0%
Service	1,229	25.6%	1,735	22.8%
Sales and Office	1,046	21.8%	1,624	21.3%
Farming, Fishing, and Forestry	4	0.1%	18	0.2%
Construction, Extraction, and Maintenance	535	11.1%	981	12.9%
Production, Transportation, and Material Moving	325	6.8%	517	6.8%

¹Includes the Town of Mammoth Lakes

Source: Claritas, 2008; EDAW, 2008.

EMPLOYMENT GROWTH

The California Employment Development Department (EDD) does not report data for the Town of Mammoth Lakes separately from the rest of Mono County. Therefore, data for the County was used as a proxy for the industrial make-up and employment growth trends for the town.

The majority of jobs in Mono County are found in the Leisure and Hospitality sector, primarily due to the large employment needs generated by the Mammoth Mountain Ski Area and other jobs that service the town and county's recreation and tourism-based economy. According to data from the EDD, as shown in Table 2-8, leisure and hospitality accounts for roughly 40 percent of employment in Mono County. Other major employment generators in the County are government (20%), retail trade (11%), financial activities (6%), and professional and business services (5.5%).

Table 2-8 Employment Growth by Industry in Mono County, 1992-2007

Retail Trade	570	11.0%	690	10.8%	740	10.7%	1.8%
Financial Activities	310	6.0%	380	5.9%	410	5.9%	1.9%
Professional & Business Services	220	4.2%	340	5.3%	380	5.5%	3.7%
Leisure & Hospitality	2,190	42.2%	2,710	42.3%	2,830	40.9%	1.7%
Government	1,060	20.4%	1,330	20.8%	1,530	22.1%	2.5%

¹Includes the Town of Mammoth Lakes

Source: CA EDD, 2008; EDAW 2008.

Employment growth has been relatively steady in the leisure and hospitality sector, as all other industries have averaged faster annual growth rates between 1992 and 2007, particularly professional and business services and government (Table 2-8). However, despite its modest growth rate, the

leisure and hospitality sector added 640 jobs to the County between 1992 and 2007, more than retail trade, financial activities, and professional and business services combined. Government also added a significant number of jobs (470) during the same period. Professional and business services has expanded the fastest, at an average rate of 3.7 percent per annum, but still makes up less than 6 percent of total employment.

Due to the 2008 recession, it is anticipated that employment levels have retracted since 2007. In July 2007, EDD reported Mono County's unemployment rate at approximately five percent with a total estimated employment of 7,500 employed residents. In July 2009, EDD reports Mono County's unemployment rate at approximately 11 percent with a total estimate employment of approximately 7,100 employed residents. Thus, it could be expected that much of the gains experienced from 2000 to 2007 have been lost in 2008 and 2009.

JOBS AND EMPLOYED RESIDENTS

Ideally, a community would have the same number of full-time jobs available as the number of employed residents, thereby reducing work commutes and externalizing housing pressures to surrounding communities. Mammoth Lakes' employment dynamics are unique in contrast with many cities in California, as there are a number of seasonal and part-time jobs in the town that can necessitate residents taking multiple jobs over a year. As a result, a more balanced recreation community would likely have a higher ratio of jobs per employed residents to counteract the effect of part-time and seasonal labor. According to the Eastern Sierra Housing Needs Assessment released in March of 2005, there are approximately 1.2 jobs per employed person in Mammoth Lakes, depending on the season. Based on the most recent data available, the inverse is true for Mono County overall, estimated to have approximately 0.9 jobs per employed resident. This ratio implies that the County exports a portion of its employed residents to surrounding communities and neighboring counties.

SEASONAL EMPLOYMENT

The employment opportunities in Mammoth Lakes vary drastically by season. Employment demand for most industries peaks in the snow season (Table 2-9).

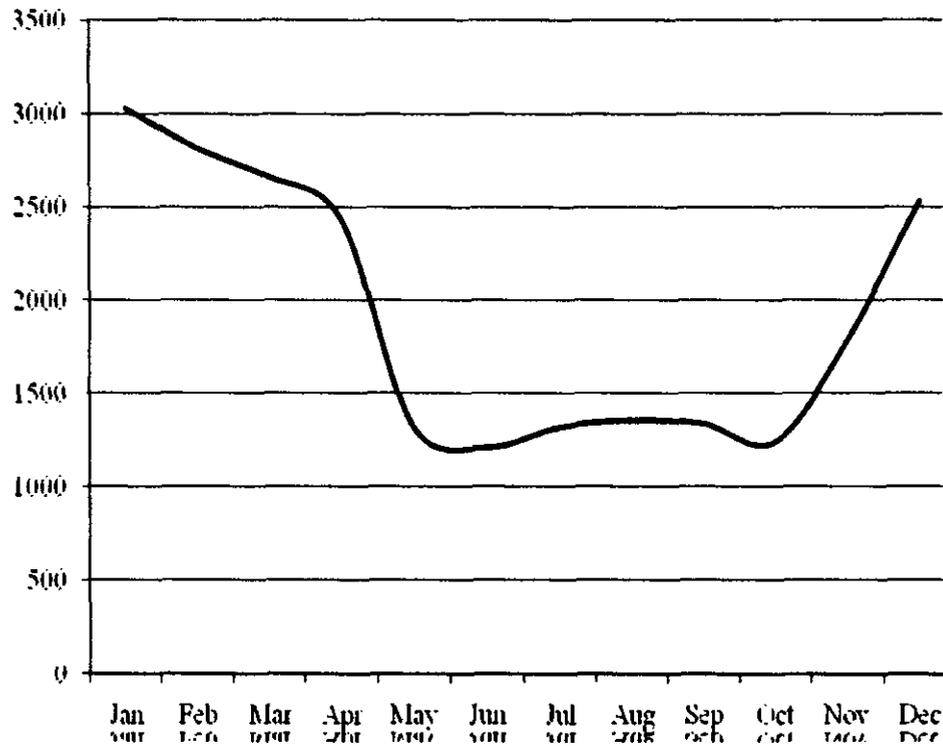
Table 2-9 Mammoth Lakes Employment by Industry by Month, 2007

Construction	319	324	282	305	344	338	356	352	330	326	302	268	321
Retail Trade	505	496	480	503	446	441	443	451	428	386	399	439	451
Real Estate and Rental and Leasing	362	329	332	277	245	239	275	285	274	272	269	282	287
Accommodation and Food Services	3,031	2,817	2,663	2,436	1,319	1,210	1,320	1,357	1,338	1,241	1,778	2,533	1,920
Government	585	602	578	589	591	594	592	589	583	590	581	595	589
Other	525	523	499	561	541	542	543	535	506	517	508	523	527

Source: California EDD, 2008; EDAW, 2008.

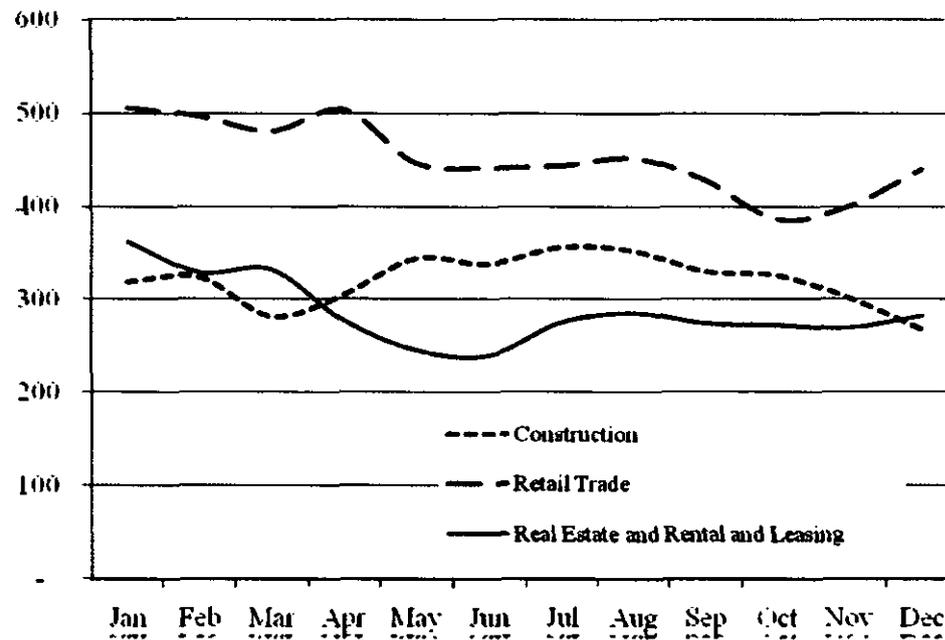
As shown in Table 2-9 and Chart 2-1, the largest seasonal employment fluctuations occur in the Accommodation and Food Services Industry, dipping to approximately 1,200 jobs in the off-season and increasing to over 3,000 jobs at its peak.

Chart 2-1 Mammoth Lakes Seasonal Employment: Accommodation and Food Services, 2007



Source: California EDD, 2008; EDAW, 2008.

Chart 2-2 Mammoth Lakes Seasonal Employment: Other Industries, 2007

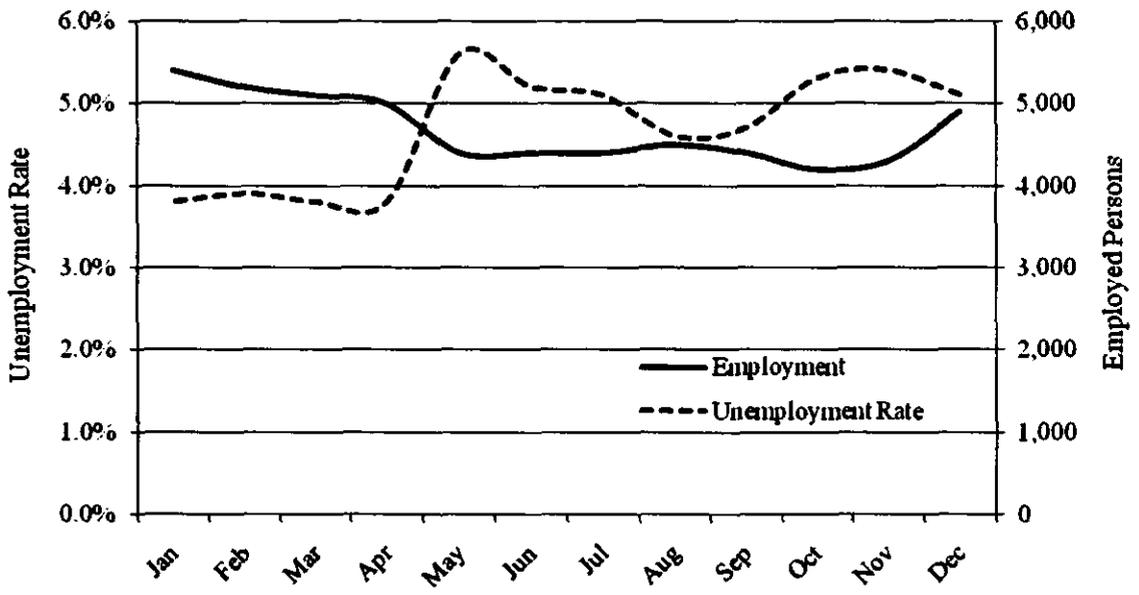


Source: California EDD, 2008; EDAW, 2008.

Construction, Retail Trade, and Real Estate employment also varies seasonally (Chart 2-2). The seasonal employment fluctuations in Real Estate, Rental and Leasing activity is tied to visitors and temporary workers arriving at various times of the year. Retail activity follows a similar a pattern, but its fluctuations are somewhat less severe. Construction employment peaks in the summer months between June and September before falling again during the colder months when harsh weather

conditions make construction activity difficult. Overall, employment fluctuated from a high of 5,330 jobs in January to a low of 3,330 jobs in October.

Chart 2-3 Mammoth Lakes Employment & Unemployment, 2007



Source: California, EDD, 2008; EDAW, 2008.

The unemployment rate in Mammoth Lakes is inversely related to seasonal employment fluctuations, as shown in Chart 2-3. According to the California Employment Development Department (EDD), the average annual unemployment rate for Mammoth Lakes was 4.6 percent in 2007, with a high of 5.6 percent in May of that year.

2.3 HOUSEHOLD CHARACTERISTICS

Household characteristics, including household type and size, income levels, as well as other characteristics, determine the type of housing needed and desired by Mammoth Lakes residents. For example, family households, particularly those with children, have less flexibility in their housing needs and typically require larger units. This section describes prevailing household characteristics in Mammoth Lakes and how those characteristics impact housing needs.

HOUSEHOLD TYPE

According to data from Claritas, the Town of Mammoth Lakes had 3,140 households in 2008. As shown in Table 2-10, Mammoth Lakes has a lower percentage of family households (54.4%), compared to Mono County (61.2%). This percentage is also significantly lower than that of California as a whole; according to the 2007 American Community Survey, families make up 68 percent of households in California. Mammoth Lakes' larger share of non-family households is likely a result of the large number of younger recreation employees. In both geographies, singles make up the majority of non-family households. The majority of family households in both the Town of Mammoth Lakes and Mono County were comprised of married couples, of which Mono County also houses a larger percentage.

Table 2-10 Household Characteristics: Town of Mammoth Lakes and Mono County, 2008

Family households:				
<i>Married-couples</i>	1,380	80.7%	2,732	82.4%
<i>Male householder, no wife present</i>	140	8.2%	227	6.8%
<i>Female householder, no husband present</i>	<u>189</u>	<u>11.1%</u>	<u>355</u>	<u>10.7%</u>
Total Family households	1,709	54.4%	3,314	61.2%
Nonfamily households:				
<i>Singles</i>	1,414	98.8%	2,078	99.0%
<i>Other</i>	<u>17</u>	<u>1.2%</u>	<u>22</u>	<u>1.0%</u>
Total Nonfamily households	1,431	45.6%	2,100	38.8%

¹Includes the Town of Mammoth Lakes

Source: Claritas, 2008; EDAW, 2008.

HOUSEHOLD INCOME

Income is a critical characteristic in determining residents' housing opportunities and affordability. Income affects a household's decision when it comes to tenure, type, and location of housing.

According to data from the U.S. Census and Claritas, Mono County and California had a higher median household income than the Town of Mammoth Lakes (2-11). Furthermore, adjusting for inflation, both Mammoth Lakes' and Mono County's median household incomes declined between 1999 and 2008, while incomes rose in California as a whole. This indicates that incomes in these areas

have not kept pace with the cost of living, and as home prices and rents typically increase in real terms over time, Mammoth Lakes and Mono County’s housing affordability to residents has likely decreased.

Table 2-11 Median Household Income: 1999 & 2008 (2008 Dollars)

Mammoth Lakes	\$58,530	\$53,892
Mono County ¹	\$59,085	\$58,621
California	\$61,739	\$62,617

¹Includes the Town of Mammoth Lakes

Source: U.S. Census, 2000; Claritas, 2008; American Community Survey, 2007; EDAW, 2008.

HOUSEHOLD INCOME DISTRIBUTION BY INCOME CATEGORY

The State requires each jurisdiction to address its housing needs by the following income categories:

- Extremely low-income, defined as annual household incomes of 30 percent or less of Area Median Income (AMI).
- Very low-income, defined as annual household incomes of 31 to 50 percent or lower of AMI.
- Low-income, defined as annual household incomes 51 to 80 percent of AMI.
- Moderate-income, defined as annual household incomes 81 to 120 percent of AMI.
- Above moderate-income, defined as annual household incomes above 120 percent of AMI.

Certain housing subsidies and housing policies use these categories to set income limits or to qualify certain segments of the population, adjusting for household size. It is also used to allocate housing need to local jurisdictions as part of the housing element update process.

As Mammoth Lakes’ home prices well exceed the affordability of above moderate-income households, this Needs Assessment also evaluates middle and upper income categories, which are

defined specifically for evaluating their ability to afford housing in Mammoth Lakes. For the purposes of this Housing Element, “middle” income households are those households with incomes between 121 and 150 percent of AMI, “upper” income households are those households with incomes between 151 and 200 percent of AMI. “Above upper” income households are households with incomes greater than 200 percent of AMI

Table 2-12 displays the household income distribution for the Town of Mammoth Lakes and Mono County consistent with the California Department of Housing and Community Development (HCD) income categories and the Town-defined categories. The income distributions of the two geographies are fairly similar. However, Mammoth Lakes has a slightly higher proportion of households in the lower income categories; 49 percent of Mammoth Lakes households and 45 percent of Mono County households have incomes in either the extremely low, very low, or low income categories, while 37 percent of Mammoth Lakes residents and 42 percent of Mono County households have incomes in either the moderate, middle, or upper income categories. As will be discussed later in the chapter, lower-income households often have difficulty finding decent and affordable housing within Mammoth Lakes.

Table 2-12 Household Income Distribution by Income Category, 2008 Estimates

Extremely Low	<30%	\$19,750	12%	11%	373	600
Very Low	31-50%	\$32,950	16%	13%	487	707
Low	51-80%	\$52,700	22%	21%	679	1,123
Moderate	81% -120%	\$79,100	21%	22%	650	1,191
Middle	121% - 150%	\$98,850	11%	13%	333	702
Upper	151% - 200%	\$131,800	6%	7%	185	382
Above Upper	>200%	>\$131,800	14%	13%	432	710

Note: Income limits are 2008 HCD Income Limits, but the income distribution is based on 2008 Claritas data. The estimates do not adjust for household size.

¹Includes the Town of Mammoth Lakes

Source: CHAS Databook, State of Cities Database System, 2000; HCD Income Limits, 2008; EDAW, 2008.

2.4 SPECIAL NEEDS GROUPS

Special need populations often have unique housing needs beyond affordability. Their specific condition can require on-site services, specific housing design, or both to meet their day to day household needs. For example, disabled persons often require accessible ground floor units, and seniors sometimes need on-site care. Homeless persons often require transitional housing and may require treatment services before placement in more stable permanent housing.

State Housing Element Law defines “special needs” groups to include the following: senior households, female-headed households, large households, disabled persons, homeless persons, and

agricultural workers. This section describes the housing needs of each of these groups in the Town of Mammoth Lakes. Table 13 summarizes the estimated number of special needs households in Mammoth Lakes.

Table 2-13 State-identified Special Needs Groups, 2008

Seniors (65 years and older)	625 residents	8%	1,458 residents	11%
Female Householder	277 households	9%	547 households	10%
Large Households (5+ person)	280 households	9%	439 households	8%
Disabled ²	1,263 residents	19%	2,612 residents	20%
Homeless ³	5-10 residents	--	20-30 residents	--
Agricultural Workers	0 employees	0%	30 employees	0.43%

¹Includes the Town of Mammoth Lakes

²U.S. Census (2000) is most recent data.

³Homeless population is an estimate only, since more precise data is unavailable.

Source: U.S. Census, 2000; Claritas, 2008. EDAW, 2008.

SENIOR HOUSEHOLDS

The special needs of senior households are due to three primary concerns: seniors generally live on a fixed income, have higher health care costs, and are more likely to have some form of disability. According to 2008 Claritas data, 8 percent of Mammoth Lakes residents were seniors, defined as 65 years of age or older. Approximately 43% of Mono County's senior residents live within Mammoth Lakes. Mammoth Lakes contains a lower proportion of seniors compared to the State overall, which had approximately 11 percent of its population 65 years and older. This is likely due to the harsher weather conditions in Mammoth Lakes.

The frail elderly, defined as persons over age 75, are a particularly important group of seniors to assess, as older seniors are more likely to face mobility issues and higher medical costs than their younger counterparts. Mammoth Lakes has a small percentage (1.9%) of frail elderly, in contrast with Mono County (3.7%) and the state of California (5.4%).

There are special concerns for senior citizens that need to be considered during project design review. The most significant concerns include:

- Senior citizens are less mobile than younger age groups; consideration for accessibility should be given a high priority.
- Senior citizens generally prefer to be autonomous and maintain independent living lifestyles. In order to support this lifestyle choice, seniors need convenient and close access to services, including shopping and health care facilities, social service and activity centers, and public transportation.
- Senior citizens are often on fixed incomes and require stable housing arrangements without the risk of significant increases in rent.
- Senior citizens generally prefer to be a part of a community.
- Senior citizens are concerned about physical and psychological security, more so than younger age groups.

The U.S. Department of Housing and Urban Development (HUD) reports on senior household needs based on 2000 U.S. Census data through the State of Cities Database System. Table 2-14 presents the number of seniors with housing problems by income classification and household type. A household is considered to have a housing problem if it spends more than 30 percent of its gross monthly income on housing, lives in overcrowded conditions, and/or lives in a housing unit that lacks adequate cooking facilities.

≤30% Median Family Income (MFI)	0	0
% with any housing problems	N/A	N/A
% Cost Burden >50%	N/A	N/A
>30% to ≤50% MFI	14	10
% with any housing problems	100%	0%
% Cost Burden >50%	100%	0%
>50 to ≤80% MFI	0	10
% with any housing problems	N/A	0%
% Cost Burden >50%	N/A	0%
>80% MFI	25	144
% with any housing problems	0%	31%
% Cost Burden >50%	0%	10%

Sources: State of Cities Database System, HUD, 2000; EDAW, 2008.

Senior households with housing problems within Mammoth Lakes differ by income level and tenure. One hundred percent of senior renters in the 30 to 50 percent of median family income had housing problems, whereas no homeowners in this income category had problems. Furthermore, no senior renters in the 50 to 80 percent category had housing problems, unlike 32 percent of senior homeowners in this category. This indicates a lack of affordable rental housing for lower income households (though the population of senior renters in the town is very small) and presents the possibility that some seniors with higher incomes have purchased retirement homes slightly outside their affordability level. Defined as severely cost-burdened, 14 senior renters (36 percent of the total senior renter population) and approximately 14 senior homeowners (9 percent of Mammoth Lakes' total senior homeowners) spent more than half of their income on housing in Mammoth Lakes. Severely cost-burdened senior households are most at risk of being displaced from their housing and often have to make tough decisions on whether to pay for rent and utilities or essential needs like food and medical care.

FEMALE-HEADED HOUSEHOLDS

Female-headed households need special consideration and assistance to accommodate their housing needs. Female-headed households are those households with no male adult present and contain multiple related persons. National statistics indicate that female-headed households are significantly more likely than the population overall to be in poverty. These households often struggle with balancing full-time employment while providing quality care for their children. As such, their needs often include affordable housing and accessible day care.

Based on Claritas data, there were 277 female-headed households in Mammoth Lakes, 9 percent of all households, in 2008. Of those female-headed households, more than half (142) were households with children. These families with children are most likely to require on-site affordable child care, thereby reducing barriers to full-time employment. Female-headed households living in poverty comprised 31 percent of all households living in poverty in Mammoth Lakes.

LARGE HOUSEHOLDS

Large households are family households with five or more people. Large households are considered a special needs group for housing because there is typically a limited supply of adequate and appropriately sized housing that is also affordable. Large households on a limited budget may be more at risk of overcrowding in the home. These households may choose a smaller home in an effort to save money to pay for other necessities including transportation, food, and clothing. According to Claritas data, there were 280 large households in Mammoth Lakes, approximately 9 percent of all households, in 2008 (Table 2-15). Mono County's distribution of household size was very similar, with 8 percent of all households considered large.

Table 2-15 Household Size, 2008

1-2 Person Households	2,021	64.4%	3,546	65.5%
3-4 Person Households	839	26.7%	1,429	26.4%
5+ Person Household	280	8.9%	439	8.1%

¹Includes the Town of Mammoth Lakes

Source: Claritas, 2008; EDAW, 2008.

HUD and the U.S. Census define overcrowding as having more than one person per room, excluding kitchens, bathrooms, garages, and hallways. Thus, a large five-person household would require at least a three-bedroom unit if it also had a dining room and a living room. In 2000, approximately 43 percent of Mammoth Lakes' total housing units (both owned and rental) had three or more bedrooms, slightly less than Mono County's portion of large units (48%) (Table 2-16). Yet, of this 43 percent, only 23 percent of these larger units (10% of total units) were rental, indicating that large families that rent

may have difficulty finding an appropriately sized unit. Furthermore, single family homes offered for rent can be sold, and the new owner may choose to no longer rent the unit. As single family homes typically have more bedrooms than apartment units and other multi-family housing options, the number of large rental units has the potential to be reduced even further.

Table 2-16 Bedroom Mix by Tenure, 2000

0-1	176	489	665	23.6%	403	674	1,077	21.0%
2	387	565	952	33.8%	805	802	1,607	31.3%
3	564	242	806	28.6%	1,377	506	1,883	36.7%
4+	360	32	392	13.9%	501	69	570	11.1%

¹Includes the Town of Mammoth Lakes

Source: U.S. Census, 2000; EDAW, 2008.

DISABLED PERSONS

Disabled persons may have special housing needs for several reasons, such as living on a fixed income, lack of housing choices that are both affordable and accessible, and higher health care costs. There are primarily five different types of disability:

- **Sensory and Physical Limitation:** Difficulty seeing, difficulty hearing, or difficulty walking (even with glasses and hearing aids)
- **Mental Disability:** Difficulty in learning, remembering, or concentrating
- **Going Outside Home Limitation:** Difficulty going outside the home alone to shop or visit a doctor's office

- **Employment Limitation:** Difficulty working at a job or a business
- **Self-Care Limitation:** Difficulty dressing, bathing, or getting around inside the home

Approximately 18 percent of the population of Mammoth Lakes and 20 percent of the population of Mono County classified themselves as disabled in 2000. Examining both Mammoth Lakes' and Mono County's disabled persons by age group reveals a very similar percentage breakdown in both geographies (Table 2-17). In both the town and the county, the 16 to 64 year age group had the highest percentage of disabled residents.

Table 2-17 Disabled Persons by Age Group, 2000

People 5 to 15 years	19	0.3%	37	0.3%
People 16 to 64 years	1,105	15.6%	2,066	16.1%
People 65 years and over	139	2.0%	509	4.0%

¹Includes the Town of Mammoth Lakes

Source: Census, 2000; EDAW, 2008.

There is a broad range of conditions that are considered a disability, and housing needs can vary by disability type. Many disabled persons are still able to live at home independently or with friends or family members, while others need to reside in a special care facility. In order to maintain an independent lifestyle, a home may need to be modified to increase accessibility.

The Inyo-Mono Association for the Handicapped operates a group home in Bishop and provides other services for the handicapped. Neither this agency nor the Mono County Department of Social Services is aware of any handicapped persons in Mammoth Lakes currently in need of housing assistance, nor did they identify any special housing needs for the handicapped in Mammoth Lakes.

The Town of Mammoth Lakes adopted a Reasonable Accommodations ordinance to help facilitate the construction of special facilities for persons with disabilities. In order to ensure accessibility by all persons, the Town of Mammoth Lakes requires that all new developments and rehabilitations of housing units meet the requirements of Title 24 of the California Code of Regulations (Building Code).

HOMELESS

The State of California's 2005 – 2010 Consolidated Plan states that on any given day, there are 360,000 homeless individuals in California (1.1 percent of the State's total population). Based on average family size, it is estimated that between 80,000 and 90,000 children are homeless. The exact number of homeless individuals in Mammoth Lakes is unknown, but is estimated at 5 to 10 individuals. Due to the harsh winter conditions, very few, if any, homeless persons stay in Mammoth Lakes year-round, yet it can be assumed that a small portion of California's homeless (and potentially the nearby state of Nevada's homeless) live in Mammoth Lakes at some point during the year. The Mammoth Lakes Police Department and Fire Protection District have reported instances of individuals illegally occupying vacant buildings. However, the majority of those without permanent shelter are transients who (legally or illegally) camp during the summer but then relocate to a warmer climate during the winter months. Because camping is popular, even within the Town of Mammoth Lakes, it is difficult to determine who is in need of emergency shelter and who is camping for recreation.

At this time, development of an Emergency Shelter is not a priority and alternate resources can be accessed in the community if a family or an individual needs help with temporary shelter. Inyo Mono Advocates for Community Action (IMACA), located in Bishop, provides emergency food and shelter services for Mono and Inyo Counties. IMACA's hotel/motel voucher program, created in partnership with the Salvation Army, pays for individuals without shelter to stay in a local hotel or motel for a few nights. This program is used by between 60 and 100 individuals each year.

FARM LABOR

Farm workers are considered by the State to have special housing needs due to their limited income, restricted housing choices, seasonal nature of employment, and an increased likelihood of housing problems such as overcrowding and substandard housing conditions. The Town of Mammoth Lakes

has no farm employment, though farm workers may reside in Mammoth Lakes and work elsewhere in the region. That said, farm employment for the mountain region is also negligible. Mono County has approximately 20-30 persons working in the industry, or roughly less than 1 percent of the County's labor force.

SEASONAL WORKERS

Due to the unique fluctuations in employment needs within Mammoth Lakes, seasonal workers are a special needs population in the town, though not a state-identified special needs group. Mammoth Lakes' employment peaks in January at approximately 5,300 workers and drops to a low of 3,300 employees in October. The difference is approximately 2,000 jobs from peak employment to low employment months. Assuming an average household size of 2.0 jobs per household, housing need fluctuates by approximately 1,000 housing units, representing approximately 11 percent of the total housing stock. Qualitative information from the Town indicates that many workers live in overcrowded conditions during the peak employment season due to the high costs and lack of available housing. Compounding the seasonal housing need is that the peak months of employment coincide with higher vacation rental occupancy, which means vacation homes are normally not available for seasonal workers.

According to an employer survey carried out on behalf of the Eastern Sierra Council of Governments², seasonal employment fluctuations in Mammoth Lakes have direct implications on housing needs. The survey indicated that a shortage of seasonal employee housing, coupled with downward salary pressures, has resulted in employees residing in inadequate housing conditions and/or has forced employees to seek housing options located at a significantly far distance from their place of work in Mammoth Lakes. Employers reported absenteeism, tardiness, unfilled jobs, and high turnover as frequent problems.

In 2003, the average annual income for the Leisure and Hospitality industry in Mammoth Lakes was approximately \$20,800 (\$24,500 in 2008 dollars), which places most workers in the very low-income household income category. Consequently, seasonal employees are often heavily burdened by housing

²“Eastern Sierra Housing Needs Assessment,” March 2005.

costs and must either seek more affordable accommodations outside of Mammoth Lakes or are forced to over-crowd local housing units. The Mammoth Lakes Winter Seasonal Employee Survey (2005) reported that about 66 percent of winter seasonal resident employees are cost-burdened (pay more than 30 percent of their income on housing) and 44 percent of seasonal residents share a bedroom with someone other than their spouse/significant other. Furthermore, 56 percent of winter employees surveyed stated that it was difficult to find housing (most frequently due to cost or availability); this was particularly true for single parent employees, as 100 percent of those surveyed reported difficulty.

Mammoth Mountain Ski Area (MMSA) provides 607 beds for its workforce within 34 different properties. All units are located within a 4.5 mile radius of the ski area. Rental rates (including utilities) vary from \$16.00 per person per night for 2-bedroom to \$21.00 per person per night for 6-bedroom. As MMSA rents 2-bedroom units to 4 people, the rental rate for the typical MMSA 2-bedroom workforce unit is \$1,984 per month, a rate comparable to many market rate units in Mammoth Lakes (Mammoth Lakes rental rates are discussed in more detail on page 60). A contact at MMSA reported that the majority of tenants are single individuals, though married couples are occasional tenants as well. Children are not allowed to reside in MMSA housing units, eliminating these units as a housing option for families.

2.5 HOUSING STOCK CHARACTERISTICS

Mammoth Lakes' housing stock contains a large number of vacation or second-home units that reduce housing opportunities for the local workforce, who often have incomes significantly lower than second-home owners. The result is inflated home prices that do not match local employment opportunities. At the same time, the large share of vacation homeowners is a main economic driver for the town, injecting external dollars into the community. Given that about half of all rental vacation units are occupied in the winter months and the typical occupancy of transient units is four persons per unit, the town's population increases by approximately 9,200 persons, more than doubling the population and likely having a greater proportional impact on local retail and recreation spending.³ Furthermore, the Town estimates the typical winter weekend population to be approximately 35,000 people, almost 5 times the year-round resident population.

A recreation-oriented community has to balance the demands of visitors with the needs of its workforce. Ideally, a town's housing stock should align with the needs of its local and visitor population, able to supply both small and large units, and offer housing affordable to its workforce and special needs populations, while allowing for second home purchasing opportunities. Market and political realities often result in housing supply outcomes that do not meet the needs of the local population or the part-time tourist population. This section describes housing stock characteristics in Mammoth Lakes and Mono County.

³ Occupancy information from the Town of Mammoth Lakes Department of Finance and the General Plan FEIR.

HOUSING TYPE

The Town of Mammoth Lakes has a greater percentage of multifamily housing than Mono County (Table 2-18), primarily because of the large number of vacation condominiums present in Mammoth Lakes. The majority (58%) of the housing stock in Mammoth Lakes is comprised of multifamily housing, whereas Mono County's proportion of this housing type is less than half (45%). Single family units make up 39 percent of the housing stock in Mammoth Lakes and 48 percent of the stock of Mono County.

Table 2-18 Housing Stock, 2008

Single Family:				
<i>Detached</i>	2,496	27.0%	4,994	39.0%
<i>Attached</i>	1,132	12.2%	1,132	8.8%
Single Family Total	3,628	39.2%	6,126	47.8%
Multifamily:				
<i>2-Units</i>	338	3.7%	491	3.8%
<i>3+ Units</i>	5,052	54.6%	5,285	41.3%
Multifamily Total	5,390	58.3%	5,776	45.1%
Other	227	2.5%	914	7.1%

¹ Single Family Detached - 1-unit structure detached from any other house, with open space on all four sides.

Single Family Attached - 1-unit structure that has one or more walls separating it from adjoining structures.

Multifamily - structures containing 2 or more housing units.

Other - Mobile homes, boats, RVs, vans, and other housing types.

² Includes the Town of Mammoth Lakes

Source: Claritas, 2008; EDAW, 2008.

TENURE

As shown in Table 2-19, approximately 54 percent of full-time Mammoth Lakes households own their property while 46 percent rent. The proportion of owner-occupied homes is slightly higher among Mono County full-time households, representing 60 percent of total occupied dwellings. The higher proportion of renter households in Mammoth Lakes is likely a reflection of its seasonal workforce, which may not desire to or cannot afford to purchase a home in the town, and the high proportion of second homeowner units, units whose owners may chose to rent to longer-term tenants.

Table 2-19 Tenure, 2008 (Occupied Housing Units)

<i>Owner-occupied housing units</i>	<i>1,689</i>	<i>53.8%</i>	<i>3,232</i>	<i>59.7%</i>
<i>Renter-occupied housing units</i>	<i>1,451</i>	<i>46.2%</i>	<i>2,182</i>	<i>40.3%</i>
Occupied housing units	3,140	100%	5,414	100%

¹ Includes the Town of Mammoth Lakes

Source: Claritas, 2008.

OCCUPANCY

Due to Mammoth Lakes' resort-oriented economy, approximately 58 percent of all housing units in Mammoth Lakes were categorized as being for recreational, temporary or occasional use in 2000 (Table 2-20). Additionally, these units accounted for nearly 90 percent of the town's vacant housing units. Accounting for approximately 4,600 units of Mammoth Lakes' total housing supply, vacation homes exceed those occupied by full-time residents. Mammoth Lakes also had a larger share of vacation units compared to the County, accounting for 58 percent of Mammoth Lakes' housing supply versus 50 percent for the County overall.

As mentioned earlier, the disproportionate number of second homes for non-residents and vacation rentals has a large impact on Mammoth Lakes' home affordability, as vacationers increase the demand for housing in Mammoth Lakes beyond what would be typical for a non-resort-oriented town of its size and income levels.

Table 2-20 Total Vacant Housing Units, 2000

<i>Occupied</i>	2,814	35.4%	5,137	43.7%
<i>Vacant</i>				
For Rent	445	5.6%	483	4.1%
For Sale	37	0.5%	125	1.1%
Unoccupied (Rented or Sold)	24	0.3%	66	0.6%
Seasonal, Recreational, Occasional Use	4,613	58.0%	5,856	49.8%
For Migrant Workers	0	0.0%	10	0.1%
Other Vacant	24	0.3%	80	0.7%

¹ Includes the Town of Mammoth Lakes

Source: U.S. Census, 2000; EDAW, 2008.

HOUSING GROWTH

According to data provided by the California Department of Finance, approximately 1,934 new housing units were built in Mono County from 2000 to 2008. Approximately 66 percent of these units (1,275 units) were built in Mammoth Lakes. The Town of Mammoth Lakes experienced an increase of approximately 1,275 housing units from 2000 to 2008, averaging 160 new homes per year and increasing Mammoth Lakes' total housing supply by 16 percent. While data is not available for the proportion of new homes constructed that were occupied by permanent residents, based on the population increase between 2000 and 2008 (Table 2-1) and an average household size of 2.44, approximately 130 of the new homes (10 percent of all new units) are occupied by full-time residents. This underlines the trend of second home construction from 2000 to 2008; construction was predominantly in second homes during this time period, with estimated ratio of nine second homes for every one primary residence compared to a 2000 estimated ratio of approximately 2 second homes for every one primary residence.

Mammoth Lakes built a significantly higher proportion of multi-family units (82%) than the county (54%) overall. Approximately 18 percent of new housing built in Mammoth Lakes during this period was single-family, compared to 38 percent for the county. This is likely more an indication of the availability and price of land, as there are few single-family parcels available in Mammoth Lakes and land prices remain high compared to the County overall. Table 2-21 compares housing production for the Town of Mammoth Lakes and Mono County.

Table 2-21 Estimated Housing Growth, 2000-2008

Single Family ²	3,087	233	18.3%	0.9%	5,773	738	38.2%	1.5%
Multifamily	4,678	1,042	81.7%	2.5%	5,048	1,053	54.4%	2.4%
Mobile Homes	183	0	0.0%	0.0%	858	143	7.4%	1.8%
Total		1,275	100%	1.9%		1,934	100%	1.9%
Percent of County		65.9%						

¹ Includes Town of Mammoth Lakes

² Single family includes both detached and attached units.

Source: DOF, 2008; EDAW, 2008.

HOUSING AGE AND CONDITIONS

Housing age is often an indicator of housing conditions in a given community. As units age, they require maintenance and modernization. Without proper maintenance, homes will deteriorate and in certain cases, negatively impact the values of surrounding properties. A general rule of thumb in the housing industry is that structures older than 30 years begin to show signs of deterioration and require reinvestment to maintain the initial quality. Homes older than 50 years require major renovations to keep the home in good working order unless they have been properly maintained. Further compounding housing conditions are severe weather conditions, which help to speed the need for housing rehabilitation.

Table 2-22 Housing Units by Tenure and Age, 2008

Built 1999 to 2008	1,497	16.2%	2,038	15.6%
Built 1995 to 1998	550	5.9%	830	6.4%
Built 1990 to 1994	481	5.2%	1,017	7.8%
Built 1980 to 1989	2,033	22.0%	2,620	20.1%
Built 1970 to 1979	3,698	40.0%	4,287	32.9%
Built 1960 to 1969	783	8.5%	1,376	10.5%
Built 1950 to 1959	92	1.0%	342	2.6%
Built 1940 to 1949	22	0.2%	259	2.0%
Built 1939 or earlier	89	1.0%	278	2.1%

¹ Includes Town of Mammoth Lakes

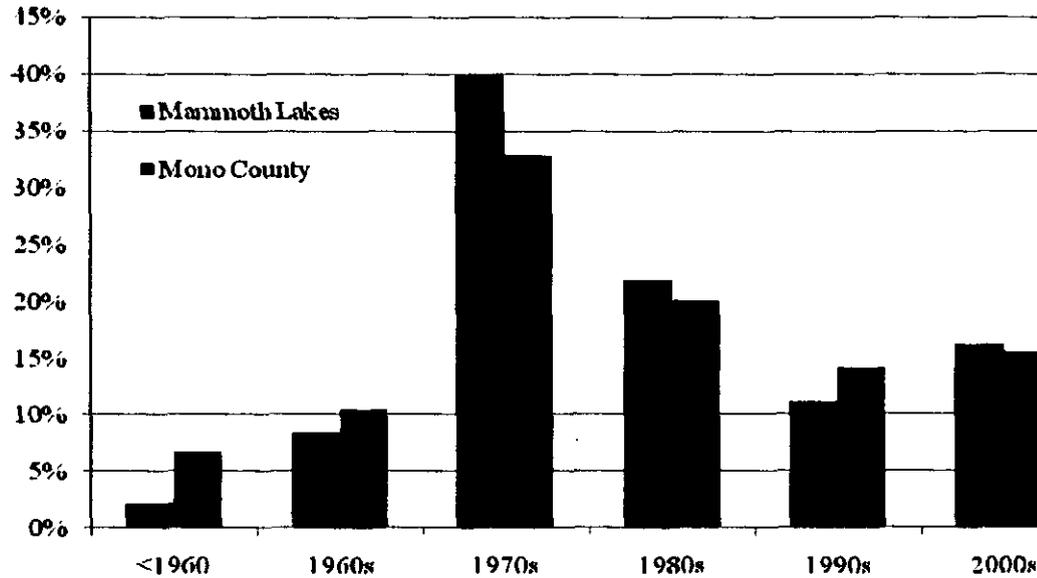
Source: Claritas, 2008; EDAW, 2008.

As shown in Table 2-22, approximately 2 percent of the housing stock in Mammoth Lakes was built before 1960 (and now at least 48 years of age) and about half was built before 1980 (and now at least 28 years of age). Mono County's housing stock is similar to Mammoth Lakes', with approximately 50 percent of its housing stock built before 1980, but with a higher concentration of units built prior to 1960 (7%).

Those homes constructed prior to 1980 represent the maximum potential housing population in need of rehabilitation. Considering high land values and equally high home prices, it is expected that many have been renovated and/or consistently maintained, remaining in relatively good condition. Thus, the overall housing rehabilitation need is expected to be smaller than the estimated 4,700 homes constructed prior to 1980.

In 2005 and 2006, the Town undertook a visual survey of property conditions in Mammoth Lakes focusing on neighborhoods with a higher concentration of older properties, including the Old Mammoth area, Sierra Valley Sites, Main Street and Shady Rest area. Based on the survey of exterior conditions, an average of 5 to 7 percent of properties were identified as dilapidated or deteriorated. If applied community-wide, this would indicate that 500 to 600 homes in Mammoth may be in need of some degree of rehabilitation.

Chart 2-4 Percent Housing Units by Year Built



Source: Claritas, 2008.

2.6 HOUSING COSTS AND AFFORDABILITY

The cost of housing relative to the income of residents in a given area serves as an indicator of the extent of housing problems in a given community. For example, if housing costs are high relative to median household income, there tends to be a prevalence of excessive cost burden and overcrowding. As mentioned earlier, the town struggles to find a balance with accommodating second homeowners and vacation homeowners while meeting the needs of its workforce. Natural market forces have placed significant cost burdens on local residents, limiting opportunities to both rent and own in Mammoth Lakes. This section summarizes the costs and affordability of the housing stock to Mammoth Lakes' residents.

HOME SALES TRENDS

Table 2-23 and Table 2-24 compare home sales in the Town of Mammoth Lakes and the City of Bishop for one year (October 2007 to October 2008). During this period, the median price for homes sold within the Town of Mammoth Lakes containing 1-, 2-, 3- and 4-bedrooms was \$365,000, \$225,000, \$575,000 and \$625,500, respectively.⁴ The median price for all homes sold in Mammoth Lakes during this period was \$575,000. However, homes in nearby Bishop, a 45-mile drive south of Mammoth Lakes, were considerably less expensive with a median price of \$357,500. While the commuting distance is significant, more affordable home prices steer many Mammoth Lakes employees to live in Bishop with a median home price approximately 38 percent lower than Mammoth Lakes. Many residents also commute from other nearby communities such as Crowley Lake and June Lake, for similar reasons.

⁴ The median home price for a 1-bedroom home is greater than that of a 2-bedroom home due to the wider range of 2-bedroom home sales and the limited number of sales of 1-bedrooms recorded during the time period examined.

Table 2-23 Town of Mammoth Lakes Sale Prices, October 2007- October 2008

1	2	\$365,000	\$308	\$365,000	\$308	\$345,000	to	\$385,000
2	5	\$225,000	\$208	\$333,000	\$280	\$163,500	to	\$599,000
3	11	\$575,000	\$356	\$612,136	\$394	\$400,000	to	\$975,000
4	9	\$625,000	\$348	\$615,000	\$330	\$295,000	to	\$795,000
5 +	2	\$1,563,250	\$439	\$1,563,250	\$439	\$1,115,000	to	\$2,011,500

Source: RealQuest, 2008; EDAW, 2008.

Table 2-24 City of Bishop Home Sale Prices, October 2007- October 2008

1	1	\$179,000	\$210	\$260,917	\$233	\$100,000	to	\$692,500
2	17	\$310,000	\$227	\$315,353	\$234	\$150,000	to	\$600,000
3	47	\$355,000	\$218	\$378,019	\$222	\$165,000	to	\$862,500
4	13	\$396,000	\$230	\$420,662	\$229	\$325,000	to	\$650,000
5 +	1	\$440,000	\$124	\$440,000	\$124	\$440,000	to	\$440,000

Source: RealQuest, 2008; EDAW, 2008.

As shown in Table 2-25 and Table 2-26, the price per square foot of homes in Mammoth Lakes and Mono County increased at an average annual growth rate of 9.4 and 7.4 percent, respectively (not accounting for 3 percent annual inflation) between 2001 and 2008. While homes appreciated above the rate of inflation during the seven year period, household incomes have not kept pace with inflation. The result is reduced home affordability over time, assuming equivalent interest rates and downpayment requirements. In 2000, a Mammoth Lakes household earning the median household income could purchase a home with a purchase price of \$220,500 in 2008 dollars. In 2008, a Mammoth Lakes household earning the median household income could afford a \$203,000 home, approximately 65 percent below the median priced home in Mammoth Lakes.

Table 2-25 Home Sale Prices, Town of Mammoth Lakes, 2001, 2008

2001	56	\$293,722		\$174	
2008	12	\$612,500	9.6%	\$356	9.4%

¹ The rate of inflation was 3% from 2001 – 2008.

Source: RealQuest, 2008; EDAW, 2008.

Table 2-26 Home Sale Prices, Mono County, 2001, 2008

2001	146	\$257,264		\$183	
2008	41	\$565,000	10.3%	\$326	7.4%

¹ Includes Town of Mammoth Lakes.

² The rate of inflation was 3% from 2001 – 2008.

Source: RealQuest, 2008; EDAW, 2008.

The RealQuest data collected did not distinguish single-family homes from condominium sales. Therefore, data from Century 21 was used to provide a sample of condominium sales within Mammoth Lakes and the surrounding area. As presented in Table 2-27, the average price of condominiums sold by Century 21 in Mammoth Lakes was \$616,000 in 2008, while prices outside of town were considerably lower. The average price of condominiums has fallen between 2007 and 2008, as expected considering the recent financial crisis facing the United States (and the world). However, it is improbable that prices of condominiums and single-family homes will decline to the degree necessary to match current incomes.

Table 2-27 Mammoth Lakes Condominium Sales by Century 21, 2006 - 2008

Mammoth Lakes	371	\$662,680	278	\$651,113	88	\$616,014	-5%
North of Mammoth Lakes	6	\$441,166	2	\$575,000	1	\$490,000	-15%
South of Mammoth Lakes	7	\$312,750	3	\$382,500	--	--	--

¹ Data as of March 31, 2008.

Source: <http://www.mammothcountry.com>, 2008.

Since the data in Tables 2-23 to 2-27 was compiled, the economic downturn has had an overall impact on the housing market in the State, including housing prices in Mammoth Lakes. Table 2-28 provides a summary of median single family home prices in 2008 and 2009; Table 2-29 shows the same data for condominiums (including townhomes). As shown in the table, the median price of all single-family homes sold dropped by an average of 20 percent from 2008 to 2009, and median cost per square foot by 17 percent. The drop has not been uniform – three, four and five bedroom homes have seen a drop of less than 10 percent, while the median price of a two bedroom home has dropped by over 25 percent.

Table 2-28 Mammoth Lakes Single Family Home Sale Price Comparison: 2008 and 2009

Category	Sales	Median Price	Median Price / SF	Sales	Median Price	Median Price / SF	Price % Change	Price/SF % Change
1	2	\$567,500	\$415	0	na	na	na	na
2	3	\$450,000	\$424	7	\$329,000	\$229	-27%	-46%
3	12	\$562,500	\$332	18	\$535,000	\$284	-5%	-14%
4	17	\$940,000	\$374	25	\$885,000	\$329	-6%	-12%
5 +	10	\$1,542,982	\$391	10	\$1,432,500	\$353	-7%	-10%

Source: Multiple Listing Service, 2010; Town of Mammoth Lakes 2010.

Table 2-29 Mammoth Lakes Condominium Sale Price Comparison: 2008 and 2009

Category	Sales	Median Price	Median Price / SF	Sales	Median Price	Median Price / SF	Price % Change	Price/SF % Change
Studio	10	\$223,250	\$316	7	\$166,750	\$284	-25%	-10%
1	43	\$315,000	\$350	59	\$215,000	\$272	-32%	-22%
2	65	\$445,000	\$368	114	\$366,250	\$301	-18%	-18%
3	30	\$714,950	\$405	58	\$637,500	\$341	-11%	-16%
4	6	\$1,357,268	\$441	27	\$279,000	\$229	-79%	-48%

Source: Multiple Listing Service, 2010; Town of Mammoth Lakes 2010.

The drop in condominium sale prices has been similar when considered across all unit sales, with a drop in median price of 20 percent. The median sale price of studio and one-bedroom units fell by 25 percent and 32 percent respectively; two and three bedroom units saw a less precipitous, but still significant drop in prices by 18 percent and 11 percent respectively. Change in value per square foot is relatively consistent, but more modest for the smaller units, with the largest drop in cost per square foot for four bedroom units.

The data indicates a very large drop (79 percent) in prices for four bedroom condo units. However, it should be noted that this data is skewed by the sale of 17 four-bedroom units in the San Joaquin Villas project. San Joaquin Villas was constructed by Intrawest as a mitigation housing project, with units intended to be sold at a price point of 120% AMI. The units failed to sell as hoped due to the change in market conditions, and per the terms of the Town's agreement with the project's owner, sold as non-deed restricted units at market rate. The low sales price of these four bedroom units (between \$250,000 and \$300,000) depresses the median cost of four bedroom units for 2009; when these units are excluded from the data, the median cost of a four bedroom unit in 2009 was \$647,000, which is nonetheless a 52 percent decrease from year to year.

FORECLOSURES

Subprime mortgages—granted to borrowers with weak, or subprime, credit histories—have played a major role in the over inflation of housing prices and have led to an increase in foreclosures in the United States over the last year when initial “teaser” lending terms⁵ began to expire and housing prices began to decrease, or readjust. While many homebuyers and speculators were able to make mortgage payments under initial loan terms and banked on the continued appreciation of their homes to insulate them from future rate increases, many homeowners struggled to make ends meet when their mortgage payments doubled or tripled and the housing market began to slow. As a result, many homeowners found themselves unable to pay rising mortgage payments and were forced to begin the foreclosure process, flooding the market with homes for sale at below market rate prices. Furthermore, lenders began adjusting their lending practices, making credit less available to those with blemished

⁵ Some “teaser” terms included little or no downpayment, and/or low interest rates. Often these low interest rates would expire and become adjustable rates, resulting in a doubling or tripling of initial mortgage payments.

credit or little downpayment. The residual impact to second home housing markets is likely to be significant as homeowners can no longer pull equity out of their primary home to purchase a second unit elsewhere.

Despite these macroeconomic factors, foreclosure is currently not a major issue in Mammoth Lakes. As of February 1, 2010, there were 76 homes in zip-codes 93546 (Mammoth Lakes) facing one of the three stages of foreclosure, accounting for over 91 percent all properties in Mono County facing foreclosure (Table 2-30) and 0.8 percent of the total number of homes in Mammoth Lakes. This is a relatively small number of properties in contrast with the many other communities in California. According to DataQuick, 1.6 percent of homes and condominiums in California received either of notice of default or had a deed of trust recorded (signaling homes lost to foreclosure) in the fourth quarter of 2009.

Table 2-30 Mammoth Lakes Homes Currently Facing Foreclosure, 2008

93546	38	97.4%	28	82.4%	10	100.0%
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Data retrieved February 1, 2010

Source: <http://www.foreclosuredata.com>

RENTAL HOUSING COST

Rental housing in the Mammoth Lakes is also relatively more expensive than the neighboring City of Bishop. As shown in Table 2-31 and Table 2-32, a loft/studio averages \$1,067 per month in Mammoth Lakes while a similar unit in Bishop is \$760 per month. Furthermore, an average 2-bedroom apartment in Mammoth Lakes rents for double the price of a 2-bedroom in Bishop. Unfurnished homes are generally more comparable between the two locations, at least for 2 and 4-bedrooms. However, a 3-bedroom home in Mammoth Lakes averages approximately a thousand dollars more per month than the average 3-bedroom home in Bishop. A large portion of Mammoth Lakes' rental stock are furnished homes intended for seasonal vacation renters, significantly increasing the average rents in town for units of all sizes. Mammoth Lakes rents also tend to vary throughout the year; rents tend to be higher in the winter months due to increased demand from seasonal employees and visitors.

Table 2-31 Town of Mammoth Lakes Rental Prices, October 2008

<i>Apartments</i>				
Loft/Studio	\$1,067	\$1,100	\$900 to	\$1,200
1 Bedroom	\$1,184	\$1,188	\$850 to	\$1,550
2 Bedrooms	\$1,756	\$1,800	\$1,100 to	\$2,350
3 Bedrooms	\$2,310	\$2,050	\$1,800 to	\$3,500
<i>House (unfurnished)</i>				
2 Bedrooms	\$1,294	\$1,300	\$1,125 to	\$1,500
3 Bedrooms	\$2,100	\$2,300	\$1,400 to	\$2,400
4+ Bedrooms	\$2,950	\$2,000	\$1,850 to	\$5,000
<i>House (furnished)</i>				
2 Bedroom	\$2,125	\$2,125	\$1,750 to	\$2,500
3 Bedroom	\$2,594	\$2,600	\$1,500 to	\$3,450

Source: Mammoth Times Real Estate Classifieds, 2008; EDAW, 2008.

Table 2-32 City of Bishop Rental Prices, November 2008

<i>Apartments</i>				
Loft/Studio/1 Bedroom	\$760	\$750	\$525 to	\$1,100
2 Bedrooms	\$863	\$875	\$800 to	\$975
<i>House (unfurnished)</i>				
2 Bedrooms	\$1,091	\$1,100	\$900 to	\$1,300
3 Bedrooms	\$1,163	\$1,190	\$975 to	\$1,400
4 Bedrooms	\$2,700	\$2,700	\$2,700 to	\$2,700

Source: Coldwell Banker, 2008; EDAW, 2008.

UTILITY COSTS

Utility costs can add a substantial amount to monthly housing costs, particularly in locations with cold winter climates like Mammoth Lakes. The U.S. Department of Housing and Urban Development (HUD) provides public housing authorities with utility allowances, the amount of money necessary to cover a resident’s reasonable utility costs. Table 2-33 presents the utility allowance for Mono County. According to HUD, monthly electricity costs (assuming electricity as the source for heating, cooking, air conditioning, and water heating) in Mono County in 2006 varied from \$58 for a studio to \$185 for a 5-bedroom unit. These costs are significantly more than those in more temperate climates in California. For example, HUD’s utility allowance for all electric utilities in Monterey County varied from \$22 per month for a studio to \$67 for a 5-bedroom unit, less than half that of Mono County. The high utility costs in Mammoth Lakes can be an enormous burden to households, particularly lower income households who may already have difficulty finding affordable housing in town.

Table 2-33 Mono County Utility Allowance, 2006

Heating	<i>Bottle Gas</i>	\$ 32	\$ 45	\$ 57	\$ 70	\$ 89	\$ 102
	<i>Electric</i>	\$ 16	\$ 23	\$ 29	\$ 36	\$ 46	\$ 52
Cooking	<i>Bottle Gas</i>	\$ 11	\$ 15	\$ 19	\$ 23	\$ 30	\$ 34
	<i>Electric</i>	\$ 5	\$ 7	\$ 9	\$ 12	\$ 15	\$ 17
Other Electric		\$ 15	\$ 22	\$ 28	\$ 34	\$ 43	\$ 50
Air Conditioning		\$ 5	\$ 6	\$ 8	\$ 10	\$ 12	\$ 14
Water	<i>Bottle Gas</i>	\$ 28	\$ 39	\$ 50	\$ 62	\$ 78	\$ 89
Heating	<i>Electric</i>	\$ 17	\$ 23	\$ 29	\$ 36	\$ 45	\$ 52
Water		\$ 63	\$ 63	\$ 63	\$ 63	\$ 63	\$ 63
Sewer		\$ 77	\$ 77	\$ 77	\$ 77	\$ 77	\$ 77
Trash		\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12
Range/Microwave		\$ 5	\$ 7	\$ 9	\$ 12	\$ 15	\$ 17
Refrigerator		\$ 2	\$ 3	\$ 4	\$ 5	\$ 7	\$ 8

Source: HUD, 2006.

HOUSING AFFORDABILITY

A community's housing affordability can be measured by evaluating market rate prices for homes compared to the home price residents are able to afford based on their income level. For purposes of the Housing Element and the California Department of Housing and Community Development (HCD), a home is affordable if it is suitably sized and costs the household 30 percent or less of its gross monthly income. In other words, suitable affordable housing should not result in a cost burden, requiring more than 30 percent of a household's gross monthly income, nor overcrowding, housing more than 1 person per room.⁶ Clearly, housing affordability varies by income group, with extremely

⁶ Rooms include living rooms, dining rooms, bedrooms, study, and other rooms, but does not include kitchens, hallways, or bathrooms.

low-income households having greater challenges in accessing housing versus above moderate-income households who are able to spend significantly more on housing. This analysis evaluates housing affordability by HCD income group (extremely low-, very low-, low-, moderate-income), as well the Town-defined income groups (middle, upper, and above upper-income).

Family median household income levels are estimated annually by HUD to provide updated income limits, which are used to set rents and qualify households for income-restricted housing. From the median household income estimates, HCD calculates income limits for very low-, low-, and moderate-income households. These income limits form the basis for evaluating housing affordability by income group.

To evaluate the affordability of the housing stock in Mammoth Lakes, housing costs information collected for 2008 (described in the previous section) was compared to household income limits in 2008. Table 2-34 presents the maximum amount that a household can pay for housing each month (e.g., rent, mortgage and utilities) without exceeding the 30 percent income-housing cost threshold.⁷

This amount can be compared to average market prices for single-family homes, condominiums, and apartments to determine what types of housing opportunities a household can afford. As previously discussed, from October 2007 to October 2008, the prices of 1-, 2-, 3- and 4-bedrooms were \$365,000, \$225,000, \$575,000 and \$625,500, respectively, and average rents ranged from \$1,100 for a loft/studio to over \$2,300 for a 3-bedroom.

In general, extremely low-, very low-, and low-income households cannot afford market rental or owner-occupied housing in Mammoth Lakes. Moderate-income households and above can afford market rates rents. However, home ownership is a limited possibility for all income levels examined, as the median home price in Mammoth Lakes exceeds the affordable home price even for upper income levels. That said, as shown in Table 2-23, there is a wide range of home prices in Mammoth Lakes, indicating that middle- and upper-income households may be able to find homes on the lower end of the home price range. Table 2-34 summarizes affordable rents and home prices by income category.

⁷ HCD and HUD defines cost burdened as paying more than 30 percent of a household's gross monthly income towards housing. The 30 percent standard is also applied to set affordable rents for income-restricted units.

Table 2-34 Mammoth Lakes Affordable Home Prices and Rental Rates, 2008

Extremely Low-Income - >30% of AMI					
1-Person	Studio	\$13,850	\$2,343	\$46,863	\$346
2-Persons	One-Bedroom	\$15,800	\$2,675	\$53,500	\$395
3-Persons	Two-Bedroom	\$17,800	\$3,014	\$60,272	\$445
4-Persons	Three-Bedroom	\$19,750	\$3,345	\$66,908	\$494
Very Low-Income - 31% to 50% of AMI					
1-Person	Studio	\$23,050	\$3,901	\$78,015	\$576
2-Persons	One-Bedroom	\$26,350	\$4,463	\$89,256	\$659
3-Persons	Two-Bedroom	\$29,650	\$5,018	\$100,363	\$741
4-Persons	Three-Bedroom	\$32,950	\$5,580	\$111,604	\$824
Low-Income - 51% to 80% of AMI					
1-Person	Studio	\$36,900	\$5,814	\$116,285	\$923
2-Persons	One-Bedroom	\$42,150	\$6,639	\$132,789	\$1,054
3-Persons	Two-Bedroom	\$47,450	\$7,471	\$149,419	\$1,186
4-Persons	Three-Bedroom	\$52,700	\$8,302	\$166,049	\$1,318
Moderate-Income - 81% to 120% of AMI					
1-Person	Studio	\$55,400	\$38,751	\$193,755	\$1,385
2-Persons	One-Bedroom	\$63,300	\$44,291	\$221,454	\$1,583
3-Persons	Two-Bedroom	\$71,200	\$49,803	\$249,013	\$1,780
4-Persons	Three-Bedroom	\$79,100	\$55,343	\$276,713	\$1,978
Middle-Income - 121% to 150% of AMI					
1-Person	Studio	\$69,200	\$48,404	\$242,019	\$1,730
2-Persons	One-Bedroom	\$79,100	\$55,343	\$276,713	\$1,978
3-Persons	Two-Bedroom	\$89,000	\$62,253	\$311,267	\$2,225
4-Persons	Three-Bedroom	\$98,900	\$69,192	\$345,961	\$2,473
Upper-Income - 151% to 200% of AMI					
1-Person	Studio	\$92,200	\$64,492	\$322,458	\$2,305
2-Persons	One-Bedroom	\$105,400	\$73,725	\$368,624	\$2,635
3-Persons	Two-Bedroom	\$118,600	\$82,958	\$414,789	\$2,965
4-Persons	Three-Bedroom	\$131,800	\$92,191	\$460,955	\$3,295

Source: EDAW, 2008.

Table 2-34 Mammoth Lakes Affordable Housing Calculation Notes and Assumptions, 2008

Notations:

AMI = Area Median Income

Income figures are based on the 2008 HUD area median income figure for Mono County (AMI) of \$65,900 for a family of four.

Calculation of affordable home sales prices based on an annual interest rate of 6.50% for a standard mortgage and 6.0% for a low-income household mortgage, 30-year mortgage, and monthly payments that do not exceed 30% of the household monthly income.

See Appendix B for a more detailed on affordability and qualifying home price assumptions.

Source: EDAW, 2008.

AFFORDABILITY BY HOUSEHOLD INCOME

This section describes housing affordability by income group in more detail. As previously discussed, the median sales price for a home in Mammoth Lakes was \$550,250 between October 2007 and October 2008, and on average, Mammoth Lakes residents pay between \$1,100 and \$2,300 to rent. These prices are compared to affordable home prices and rents for each income segment summarized in Table 2-34. Essential to these assumptions is the ability of very low-, low- and moderate-income households' ability to secure home financing, which has become increasingly difficult in the current financial climate. Households with poor credit histories or unsteady employment will struggle to secure home financing, regardless of whether they can afford to make payments on the home. It is assumed that financial markets will ultimately stabilize and supply reasonable home loans, akin to lending practices in the late 1990s.

Extremely Low-Income Households. Extremely low-income households in the Town of Mammoth Lakes have incomes of 30 percent or less of the AMI. Based on calculating the qualifying home prices with a 5 percent downpayment and 6 percent interest, the maximum affordable home price for an extremely low-income household ranges from \$46,900 for a one-person household to \$66,900 for a four-person household (Table 2-32). With 1-, 2-, 3- and 4-bedroom homes in Mammoth Lakes selling for median prices of \$365,000, \$225,000, \$575,000 and \$625,500, respectively, extremely low-income households cannot afford homeownership in Mammoth Lakes, regardless of household size.

In addition, market rents exceed the affordable housing payment for an extremely low-income household, which can afford to pay \$346 to \$494 in rent and utilities per month. In practical terms,

this means that a one-person household cannot afford an average priced studio or 1-bedroom without assuming a cost burden or doubling up. The problem is exacerbated for larger extremely low-income households.

Very-Low-income households. Very low-income households in the town earn between 31 and 50 percent of the Area Median Income (AMI). Assuming loan terms of 6 percent interest and a 5 percent downpayment, the maximum qualifying home price for a very low-income household ranges from \$78,000 for a one-person household to \$111,600 for a four-person household. Thus, similar to extremely low-income households, market rate homes in Mammoth Lakes are not attainable for most very low-income households without a significant downpayment.

Based on Table 2-32, a very low-income household can afford to pay \$576 to \$824 in rent and utilities per month, depending on the household size. With the average rents in Mammoth Lakes ranging from \$1,100 for a studio/loft to \$2,300 (and up) for a 3-bedroom, the average very low-income household cannot afford to pay the average rental price for a home, regardless of household size. In practical terms, this means that most very-low-income households cannot afford an average market rate unit without assuming a cost burden or over-crowding.

Low-income households. Low-income households earn between 51 and 80 percent of the AMI. Based on a 6 percent interest rate and a 5 percent downpayment, the maximum qualifying home price for a low-income household ranges from \$116,300 for a 1-person household to \$166,000 for a 4-person household. As with extremely low- and very low-income households, these prices are below prevailing market prices in Mammoth Lakes regardless of household size.

A low-income household can afford to pay \$923 to \$1,318 in rent (including utilities) per month, depending on the household size. With the average rents in Mammoth Lakes ranging from \$1,100 for a studio/loft to \$2,300 (and up) for a 3-bedroom, most low-income households cannot afford to pay the average rental price for an apartment in Mammoth Lakes. However, rental prices for apartments in Mammoth Lakes were found to range widely, with some 1-bedrooms as low as \$850 per month, indicating that some low-income households can find affordable rental units in Mammoth Lakes, assuming their monthly utility costs are not excessive.

Moderate-Income Households. Moderate-income households earn between 81 and 120 percent of the AMI. Based on a downpayment of 20 percent and an interest rate of 6.5 percent, the maximum qualifying home price for a moderate-income household ranges from \$193,800 for a one-person household to \$276,700 for a 4-person household. Thus, small and large moderate-income households cannot afford to purchase a median priced home in Mammoth Lakes without further increasing their

downpayment. However, as shown in Table 2-23, home prices in Mammoth Lakes range widely, with 2-bedrooms homes found at prices as low as \$163,500 and 4-bedrooms homes as low as \$295,000, indicating that some moderate-income households may be able to find a home to purchase at the lower end of the price range.

A moderate-income household can afford to pay \$1,385 to \$1,978 in rent plus utilities per month, adjusting for household size. With the average rents in Mammoth Lakes ranging from \$1,100 for a studio/loft to \$2,300 (and up) for a 3-bedroom, small moderate-income households are able to afford the average rental price for a home in Mammoth Lakes, as long as their utility costs are not exorbitant. Larger households can afford an apartment at the lower end of the rental price range (\$1,800 for a 3-bedroom), again as long as their monthly utility costs are not excessive. However, the average 3-bedroom in Mammoth Lakes is out of the price range affordable to most large moderate-income households.

Middle-Income Households. Middle-income households earn between 121 and 150 percent of the AMI, based on the Town's definition of this income category. Assuming a downpayment of 20 percent and an interest rate of 6.5 percent, the maximum qualifying home price for a middle-income household ranges from \$242,000 for a one-person household to \$346,000 for a 4-person household. With 1-, 2-, 3- and 4-bedroom homes in Mammoth Lakes selling for median prices of \$365,000, \$225,000, \$575,000 and \$625,500, respectively, small middle-income households may be able afford to purchase a median priced (2-bedroom) home in Mammoth Lakes without further increasing their downpayment. Larger middle-income households will have more difficulty finding an affordable home to purchase in town, but with 4-bedrooms as low as \$295,000, all households may be able to find an affordably priced home.

A middle-income household can afford to pay \$1,730 to \$2,473 in rent (including utilities) per month, adjusting for household size. With the average rents in Mammoth Lakes ranging from \$1,100 for a studio/loft to \$2,300 (and up) for a 3-bedroom, middle-income households are able to afford the average rental price for a home in Mammoth Lakes, as long as the utility costs for large households are not exorbitant.

Upper-Income Households. Upper-income households earn between 151 and 200 percent of the AMI, based on the Town's definition of this income category. Assuming a downpayment of 20 percent and an interest rate of 6.5 percent, the maximum qualifying home price for an upper-income household ranges from \$322,500 for a one-person household to \$461,000 for a 4-person household. With 1-, 2-, 3- and 4-bedroom homes in Mammoth Lakes selling for median prices of \$365,000, \$225,000,

\$575,000 and \$625,500, respectively, only small upper-income households can afford to purchase a median priced (2-bedroom) home in Mammoth Lakes without further increasing their downpayment. However, given the wide range of home prices in Mammoth Lakes, upper-income households of all sizes may be able to find a home to purchase at the lower end of the price range.

An upper-income household can afford to pay \$2,305 to \$3,295 in rent plus utilities per month, adjusting for household size. With the average rents in Mammoth Lakes ranging from \$1,100 for a studio/loft to \$2,300 (and up) for a 3-bedroom, upper-income households are able to afford the average rental price for a home in Mammoth Lakes.

Table 2-35 provides a representative summary of the gap between actual median home purchase prices and median rental costs, based on 2008 data. Because this table shows median values which represent a range of actual costs, as discussed above it may be possible for households in certain income categories to afford to purchase or rent homes that are available below the median costs. Furthermore, as discussed elsewhere in this chapter prices of single family homes and condominiums have dropped by an average of 20 percent between 2008 and 2009, likely making a larger number of units more affordable to local households.

Table 2-35 Median Home and Rental Cost "Gap" Summary 2008

Extremely Low-Income - >30% of AMI

2-Persons	One-Bedroom	\$53,500	\$365,000	(\$311,500)	\$395	\$1,188	(\$793)
3-Persons	Two-Bedroom	\$60,272	\$225,000	(\$164,728)	\$445	\$1,800	(\$1,355)
4-Persons	Three-Bedroom	\$66,908	\$575,000	(\$508,092)	\$494	\$2,050	(\$1,556)

Very Low-Income - 31% to 50% of AMI

2-Persons	One-Bedroom	\$89,256	\$365,000	(\$275,744)	\$659	\$1,188	(\$529)
3-Persons	Two-Bedroom	\$100,363	\$225,000	(\$124,637)	\$741	\$1,800	(\$1,059)
4-Persons	Three-Bedroom	\$111,604	\$575,000	(\$463,396)	\$824	\$2,050	(\$1,226)

Low-Income - 51% to 80% of AMI

2-Persons	One-Bedroom	\$132,789	\$365,000	(\$232,211)	\$1,054	\$1,188	(\$134)
3-Persons	Two-Bedroom	\$149,419	\$225,000	(\$75,581)	\$1,186	\$1,800	(\$614)
4-Persons	Three-Bedroom	\$166,049	\$575,000	(\$408,951)	\$1,318	\$2,050	(\$732)

Moderate-Income - 81% to 120% of AMI

2-Persons	One-Bedroom	\$221,454	\$365,000	(\$143,546)	\$1,583	\$1,188	None
3-Persons	Two-Bedroom	\$249,013	\$225,000	(\$24,013)	\$1,780	\$1,800	(\$20)
4-Persons	Three-Bedroom	\$276,713	\$575,000	(\$298,287)	\$1,978	\$2,050	(\$72)

Middle-Income - 121% to 150% of AMI

2-Persons	One-Bedroom	\$276,713	\$365,000	(\$88,287)	\$1,978	\$1,188	None
3-Persons	Two-Bedroom	\$311,267	\$225,000	None	\$2,225	\$1,800	None
4-Persons	Three-Bedroom	\$345,961	\$575,000	(\$229,039)	\$2,473	\$2,050	None

Table 2-35 Median Home and Rental Cost "Gap" Summary 2008 (Continued)

Upper-Income - 151% to 200% of AMI							
2-Persons	One-Bedroom	\$368,624	\$365,000	(\$3,624)	\$2,635	\$1,188	None
3-Persons	Two-Bedroom	\$414,789	\$225,000	None	\$2,965	\$1,800	None
4-Persons	Three-Bedroom	\$460,955	\$575,000	(\$114,045)	\$3,295	\$2,050	None

1. See Table 2-23

2. See Table 2-32

Source: EDAW, 2008; Town of Mammoth Lakes, 2010

OVERCROWDING

A limited supply of affordable housing affects lower-income households as they attempt to double-up or find smaller units to reduce their housing costs. Overcrowding can result in a unhealthy living conditions, accelerated housing deterioration, and greater pressures placed on infrastructure sized for smaller households. Overcrowding varies with income, size and type of household, but large families and lower-income households usually have the highest incidence of overcrowding.

The California Department of Housing and Community Development defines overcrowding as more than 1.01 occupants per room, and severe overcrowding as more than 1.51 occupants per room. Perhaps due to the fact that there are fewer rental housing units available for large households, overcrowding appears to be less of a problem in owner-occupied households in Mammoth Lakes, as 95 percent of those households had at most one occupant per room. In renter-occupied households, 83 percent had at most one occupant per room and 6 percent of households had 1.01 to 1.5 occupants per room (Table 2-36). There is also a high incidence of severe overcrowding among renter-occupied households in Mammoth Lakes, as 11 percent of all renter households had more than 1.51 occupants per room.

The Town of Mammoth Lakes has a larger percentage of severely overcrowded renter-occupied households (11%) than Mono County (2%). However, 2 percent of Mono County's owner-occupied households have more than 1.51 occupants per room, while less than 1 percent of owner-occupied households in Mammoth Lakes experience severe overcrowding. It is also important to note that the incidence of overcrowding reported by the 2000 U.S. Census does not take into account the seasonal workforce that were not in Mammoth Lakes during the time of the survey (March 2000) or chose not to participate in the Census. Particularly during the winter season, the incidence of overcrowding in Mammoth Lakes is likely more prevalent than presented in Table 2-33.

Table 2-36 Tenure by Occupants per Room, 2000

Owner occupied:	1,487	52.8%	3,086	60.1%
<i>1.00 or Less Occupants per Room</i>	1,415	95.2%	2,929	94.9%
<i>1.01 to 1.50 occupants per room</i>	61	4.1%	89	2.9%
<i>> 1.51 Occupants per Room</i>	11	0.7%	68	2.2%
Renter occupied:	1,328	47.2%	2,051	39.9%
<i>1.00 or Less Occupants per Room</i>	1,099	82.8%	1,782	92.5%
<i>1.01 to 1.50 occupants per room</i>	79	5.9%	109	5.2%
<i>> 1.51 Occupants per Room</i>	150	11.3%	160	2.3%

¹ Includes Town of Mammoth Lakes

Source: U.S. Census, 2000.

COST BURDEN

Though housing affordability by household income has already been discussed, another way to evaluate housing need in Mammoth Lakes is reviewing the incidence of cost burden. Housing cost burden is defined as a household paying more than 30 percent of their gross monthly income towards housing. Further, severely cost burdened is defined as a household spending more than 50 percent of a household's gross monthly income on housing.

HUD uses 2000 U.S. Census data to evaluate housing cost burden by income group. According to HUD data from 2000, renters and owners in the Town of Mammoth Lakes were similarly cost burdened, with 45 percent of renters and 44 percent of owners paying more than 30 percent of their income on housing (Table 2-37). These percentages are slightly higher than the state, as 40 percent of California renters and 30 percent of California homeowners were cost burdened in 2000. Large renter households (5 or more related individuals) in Mammoth Lakes tended to be more cost burdened than large owner households, as 77 percent of large renter families and 61 percent of large owner families had housing problems.

Table 2-37 Housing Problems by Income Classification and Household Type for Mammoth Lakes, 2000

≤30% Median Family Income (MFI)	0	29	14	143	0	20	0	80	223
<i>% with any housing problems</i>	<i>N/A</i>	<i>66%</i>	<i>100%</i>	<i>93%</i>	<i>N/A</i>	<i>100%</i>	<i>N/A</i>	<i>63%</i>	<i>82%</i>
<i>% Cost Burden >50%</i>	<i>N/A</i>	<i>66%</i>	<i>100%</i>	<i>93%</i>	<i>N/A</i>	<i>100%</i>	<i>N/A</i>	<i>63%</i>	<i>82%</i>
>30% to ≤50% MFI	14	91	34	224	10	35	20	98	322
<i>% with any housing problems</i>	<i>100%</i>	<i>96%</i>	<i>100%</i>	<i>83%</i>	<i>0%</i>	<i>100%</i>	<i>100%</i>	<i>59%</i>	<i>72%</i>
<i>% Cost Burden >50%</i>	<i>100%</i>	<i>22%</i>	<i>12%</i>	<i>30%</i>	<i>0%</i>	<i>71%</i>	<i>50%</i>	<i>55%</i>	<i>38%</i>
>50 to ≤80% MFI	0	97	34	311	10	82	20	192	503
<i>% with any housing problems</i>	<i>N/A</i>	<i>60%</i>	<i>100%</i>	<i>49%</i>	<i>0%</i>	<i>90%</i>	<i>50%</i>	<i>78%</i>	<i>60%</i>
<i>% Cost Burden >50%</i>	<i>N/A</i>	<i>0%</i>	<i>0%</i>	<i>0%</i>	<i>0%</i>	<i>37%</i>	<i>0%</i>	<i>31%</i>	<i>12%</i>
>80% MFI	25	215	49	619	144	574	50	1,118	1,737
<i>% with any housing problems</i>	<i>0%</i>	<i>16%</i>	<i>39%</i>	<i>19%</i>	<i>31%</i>	<i>31%</i>	<i>50%</i>	<i>33%</i>	<i>28%</i>
<i>% Cost Burden >50%</i>	<i>0%</i>	<i>0%</i>	<i>8%</i>	<i>2%</i>	<i>10%</i>	<i>3%</i>	<i>0%</i>	<i>6%</i>	<i>5%</i>

Sources: State of Cities Database System, HUD, 2000; EDAW, 2008.

2.7 ANALYSIS OF ASSISTED HOUSING PROJECTS AT RISK

The Housing Element is required to provide an analysis of existing multifamily rental housing that receives governmental assistance, since the loss of such units reduces the availability of housing to very-low and low-income households. At risk units are those whose funding programs would expire or be discontinued, allowing the units to convert to market-rate rents. As shown in Table 2-38, none of the assisted rental projects in Town have periods of affordability that would expire before 2040. Therefore, none are currently considered at risk of conversion.

Table 2-38 Assisted Affordable Housing Developments

Bristlecone Apartments	1996	30	2040	Not at Risk
Glass Mountain Apartments	1999	25	2038	Not at Risk
Jeffreys Apartments	2006	14	2061	Not at Risk
Manzanita Apartments	2008	14	2063	Not at Risk
Aspen Village Phase I	2007	48	2064	Not at Risk

Source: Town of Mammoth Lakes. 2010

2.8 REGIONAL HOUSING NEEDS

The California Department of Housing and Community Development (HCD) was responsible for determining the Town of Mammoth Lakes' Regional Housing Need Allocation (RHNA). This section presents the RHNA allocation for the Town of Mammoth Lakes for the current housing element period (January 2007 – 2014).

Table 2-39 Mammoth Lakes Regional Housing Need Allocation by Income Group

Extremely Low ¹	27	10%	30	10%
Very Low ¹	28	10%	30	10%
Low	56	20%	53	18%
Moderate	58	21%	69	23%
Above Moderate	110	39%	114	39%

Source: Town of Mammoth Lakes, 2008.

¹ Mammoth Lakes projects 30 or 31 households qualify as extremely low-income households. This estimate presumes 50 percent of the very low-income households qualify as extremely low-income households.

As shown in Table 2-39, the Town of Mammoth Lakes should plan for 279 new housing units between January 2007 and 2014. Approximately 20 percent of these units should be for very low-income households, 20 percent for low-income households, 21 percent for moderate-income households, and 39 percent for above moderate-income households. If Mammoth Lakes' construction kept pace with the previous seven years of housing production, the Town would be able to accommodate in number the amount of housing need allocated to Mammoth Lakes. More challenging is, and will likely remain, the production of units affordable to very low-, low-, and moderate-income households.

3 HOUSING CONSTRAINTS

The provision of adequate and affordable housing is an important goal of the Town of Mammoth Lakes. As a result, the Town has proactively implemented a variety of programs, incentives, and development standards to encourage the development, maintenance, and improvement of affordable housing. Even so, a variety of factors, including environmental, market mechanisms, and government regulations, influence or constrain the development of housing. This section identifies existing constraints that inhibit the production of affordable housing in the community.

3.1 MARKET CONSTRAINTS

Land costs, construction costs, and market financing contribute to the cost of housing reinvestment and can potentially hinder the production of new affordable housing. Although many constraints are driven by market conditions, jurisdictions have some leverage in instituting policies and programs to address these constraints.

LAND COST

A key component of residential development costs is the price of raw land. Land costs in Mammoth Lakes can vary considerably, depending on the location of the parcel. Based on input from local realtors, and available data at the time the Housing Needs Assessment was prepared, land offering views and/or located near golf courses or the ski resort list for up to approximately \$60 per square foot (\$2.6 million per acre). Land closer to the center of town without such vistas lists for up to approximately \$20 per square foot (\$870,000 per acre). Using tax assessor records for 2008, the value of residential land in Mammoth Lakes also varied by zoning designation: an average of \$14 per square foot (\$601,100 per acre) in Residential Multi-Family 2 (RMF-2), \$24 per square foot (\$1.1 million per acre) in Residential Multi-Family 1 (RMF-1), \$20 per square foot (\$854,000 per acre) in RR (Rural Residential), and \$33 per square foot (\$1.4 million per acre) in Residential Single Family (RSF). The average value of all residential land in 2008 was \$20 per square foot (\$887,500 per acre). Since the above data was compiled, the severity of the economic recession has impacted the entire property

market in Mammoth Lakes, likely resulting in decreases in the above costs of raw land for development.

SITE DEVELOPMENT COSTS

The costs to develop new housing involve both land improvement costs, expenses to prepare the site for housing construction, and the actual construction cost. A portion of the total cost to develop new housing is associated with governmental fees that mitigate the impact of new development on local infrastructure and services. In Mammoth Lakes, a portion of those development cost are those associated with required mitigations for affordable and workforce housing.

As may be expected, residential development costs vary greatly depending on land costs, construction type and amenities, and other variables. Costs associated with developer fees and other local government imposed costs are discussed in detail later in this chapter.

As shown in Table 3-1, based on the listed assumptions, a single-family unit on a 4,000 square foot lot would cost approximately \$471,200 to build, including land. An 8-unit multi-family apartment complex on a 0.66-acre lot would cost approximately \$2.76 million to build, with each 1,100 square foot unit costing approximately \$345,847.¹ As shown in the table, an inflation factor of 22 percent is added to baseline construction costs to reflect the actual typical costs to develop in Mammoth Lakes. Locally-specific factors contributing to these increased costs include the community's remoteness, which results in higher transportation and delivery costs for building materials, higher labor costs due to a more restricted labor pool, a shortened construction season that can cause a project's construction to extend over more than one season, and more stringent local building codes related to snow loads, wind, and seismic conditions.

¹ This analysis assumes that a single developer would purchase raw land, provide the necessary infrastructure and improvements for home construction, and build the homes. In many cases, the development process is performed by two separate entities: the land developer, who purchases, entitles, and makes site improvements, and the homebuilder who purchases the lots and builds the homes. In this scenario, overall costs may increase, as both the land developer and the homebuilder expect to achieve profits.

Table 3-1 Residential Development Costs Summary for Typical Home

<i>Development Program Assumptions</i>		
Lot Area (sq. ft.)	4,000	29,040
Unit Size (sq. ft.)	2,000	1,100
Building Area (sq. ft.)	2,000	8,800
<i>Costs</i>		
Improved Land Costs ¹	\$132,000	\$696,960
Government Fees (see Table 3-6)	\$39,967	\$371,104
Building Costs ²	\$225,000	\$1,161,000
Soft Costs ³	\$67,500	\$348,300

¹ Assumes the single family home would be built in zone RSF (\$33 per square foot), townhome and multi-family in zone RMF-1 (\$24 per square foot).

² Assumes one-story wood frame stucco construction of average quality and a two car attached garage for single family home and two-story wood frame stucco construction and surface parking for the multi-family building. Includes a 22 percent inflation factor to baseline construction costs to account for local conditions.

³ Assumes soft costs are 30 percent of hard construction costs. Soft costs include architecture and engineering costs, financing costs, developer overhead, legal and accounting, and contingencies.

Sources: Town of Mammoth Lakes, 2010; RS Means, 2008; EDAW, 2008.

While developer profit is a cost to the home purchaser, development profit is not included in Table 3-1 because of its variability and volatility. Normally, developers attempt to determine the potential profit that could be generated from a project before moving forward. In general, developers target projects that can earn profit of ten percent above total development costs but can move forward with lower projected profit depending on the strength of market, project financing, and a developer's willingness to take on higher risk

MORTGAGE AND REHABILITATION FINANCING

The availability of financing affects a person's ability to purchase or improve a home. In the early 2000s, mortgage interest rates reached new lows and access to mortgage financing expanded significantly. Many new homebuyers were able to purchase homes with little money down, lower credit scores, and/or with low initial monthly payments. In 2005, the average 30-year fixed mortgage was approximately 5.8 percent compared to 7.2 percent in 2001; by September of 2008, the average 30-year fixed loan had climbed back up to 6.7 percent annual interest.²

As a result of more lenient lending practices during the early to mid-2000s, changing economic conditions in the late 2000s, and falling home prices, many homeowners face difficulties in making their monthly mortgage payments and are unable to refinance their home loans or sell their homes to pay off their mortgages. In response, lenders have tightened their loan standards, returning to practices that prevailed prior to 2000. This has led to an increase in loan denials as lenders more closely scrutinize household income, credit history, and the overall risk of the loan. Thus, while interest rates have not climbed dramatically, access to home financing has reduced the pool of buyers able to purchase a home. Furthermore, the lack of credit not only affects homebuyers and homeowners but also developers and property owners who want to improve their properties. In particular, financing for projects perceived as "higher risk" by financial institutions, including housing projects, has become much harder to obtain since 2008, evidenced in the stalling of a number of local development projects in Mammoth Lakes.

Home Loans

Mortgages backed by the Federal Housing Administration (FHA) have increased in recent months as a result of the shoring up of available credit and more stringent loan requirements. Currently, many lending institutions require a 20 percent down payment, in addition to meeting income and credit history requirements. Lenders' stricter adherence to mortgage qualifications has decreased the opportunity for people to take out loans on those terms, and FHA-backed loans have become a popular

² HSH National Monthly Mortgage Statistics accessed October 2008. HSH Fixed-Rate Mortgage Indicator includes jumbo loans and second mortgages. This provides a combined average mortgage interest rate that is often higher than conventional loans that under \$300,000.

alternative. FHA-backed mortgages typically require a lower down payment (recent figures cite as little as 3 percent) and a good credit score is not essential.³

3.2 GOVERNMENTAL OPPORTUNITIES AND CONSTRAINTS

Local policies and regulations can impact the price and availability of housing and, in particular, the provision of affordable housing. Land use controls, site improvement requirements, fees and exactions, permit processing procedures, and various other issues may present constraints to the maintenance, development, and improvement of housing. However, other governmental policies or actions can also facilitate or encourage opportunities for the development of housing that meets the diversity of the community's needs. This section discusses potential governmental constraints, as well as policies that encourage housing development in Mammoth Lakes.

LAND USE CONTROLS

Land use controls can have a direct impact on the affordability of housing. The zoning regulations of the Town are designed to allow flexibility in design and permit a wide variety of residential uses and structures.

Zoning

The Town of Mammoth Lakes has eight zones that permit residential uses, and which are intended to accommodate existing and future housing development. They include four residential zones, a mobile home park zone, two commercial zones (in which residential uses are also permitted), a resort zone intended for larger scale master planned residential and commercial development, and two areas designed as Specific Plan, principally intended for mixed lodging, commercial and residential development. Beyond these eight zones, the town includes land zoned for non-residential uses including public facilities, industrial development, and open space.

³ <http://www.hud.gov/buying/loans.cfm>. Housing & Communities, U.S. Department of Housing and Urban Development. Retrieved: December 18, 2008.

Rural Residential (RR). This zone is intended as an area for single-family rural residential development with larger lots and lower density than the residential single-family zone. Uses permitted are those that are complementary to and can exist in harmony with a rural residential neighborhood. This zone permits a maximum density of two units per acre.

Residential Single-Family (RSF). This zone is intended as an area for single-family residential development. Only those uses are permitted that are complementary to, and can exist in harmony with, a residential neighborhood. This zone permits a maximum density of four units per acre.

Residential Multiple-Family 1 (RMF-1). This zone is intended as an area for the development of mixed residential uses (single-family dwellings, apartments, and other multiple-family developments). Only those uses are permitted that are complementary to, and can exist in harmony with, such residential developments. This zone permits a maximum density of 12 units per acre.

Residential Multiple-Family 2 (RMF-2). This zone is intended as an area for the development of primarily multiple-family developments. Transient occupancy, such as motels or hotels, shall be permissible in this zone, subject to the issuance of a use permit. Only those uses are permitted that are complementary to, and can exist in harmony with, such residential developments. This zone permits a maximum density of 12 units per acre.

Mobile Home Park (MHP). The mobile home park zone is intended for the exclusive development of mobile home parks. Mobile homes parks are intended to offer an alternative mode of housing to the residents of the community. The Town currently has two developed mobile home parks.

Commercial Lodging (CL). This zone is intended as an area designed primarily for the location of transient lodging facilities and supporting commercial uses such as restaurants and other commercial businesses that provide services to residents and visitors to the community. This zone is intended for medium-scale commercial mixed use and lodging, and permits residential density consistent with the RMF zones

Commercial General (CG). This zone is intended as an area for the location of office uses, retail, and wholesale commercial activities and such other business or activities that offer services to both permanent residents and visitors. This zone is intended for medium-and large-scale commercial mixed

use, and permits residential density consistent with the RMF zones; i.e. a maximum of 12 units per acre.

The commercial zones permit emergency and transitional housing by right and condominiums, apartments for rent, and single room occupancy units with an approved conditional use permit.

The permitted maximum residential density of 12 units per acre may constrain the development of affordable housing units; however, the Town has developed affordable workforce housing and has provisions for density bonuses or an increase in density, which has made previous development of affordable housing possible.

Resort (R). The Resort zone is intended to allow for large scale, coordinated planning of properties, accommodating a range of different uses including single-family residential developments, multiple housing projects, professional and administrative office uses, hotels including attendant support commercial activities, recreational facilities, and public or quasi-public uses.

A development plan (which has typically been in the form of a Master Plan) is required for all Resort zoned properties, allowing for greater flexibility and creativity in their planning. However, the Resort zone limits maximum density to eight units per acre, and requires the application of similar performance and environmental standards as similar uses in other zones. A number of master plans have been adopted for Resort-zoned properties. These include the Lodestar Master Plan, Greyhawk Master Plan, Altis Master Plan, Snowcreek Master Plan, and the Juniper Ridge Master Plan, which have variously included visitor-oriented lodging and housing associated with major recreational facilities such as golf course (Snowcreek and Lodestar Master Plans), or base lodges for Mammoth Mountain. In compliance with the Town's Housing Ordinance, development of these Master Plans has required mitigation of workforce housing demand, which has occurred through designation of sites within the Master Plan area, donation of land, and direct construction of housing units.

North Village Specific Plan (NVSP). The objective of the NVSP is to create a set of land use designations and development standards that will facilitate the development (or renovation) of "North Village" a 64-acre area in the northwest part of the town. The NVSP focuses on the creation of visitor services and attractions, while emphasizing pedestrian access and mobility; the Specific Plan designates a "pedestrian core" and series of land use zones of varying intensity, focused around a mixed use village and gondola station.

Clearwater Specific Plan (CSP). The Clearwater Specific Plan zone was created in conjunction with the adoption of a Specific Plan for a 6-acre site on Old Mammoth Road in early 2009. The Specific Plan allows for a mixed-use development including a major hotel, with ground floor commercial uses and on-site workforce housing.

Affordable Housing Overlay Zone

The Town of Mammoth Lakes Municipal Code includes a provision for an Affordable Housing Overlay Zone. The Affordable Housing Overlay helps facilitate the development of lower income units. In this zone, all units must be affordable to households with incomes ranging from very low-income up to moderate-income. The underlying zone sets density but increases are allowed per the density bonuses. Additionally, the Town Council may waive any or all fees normally imposed by the Town on development projects. Development standards for parking are relaxed in this zone and additional zoning concessions may be requested, consistent with the State Density Bonus Law.

Currently, this code provision has only been applied to one approximately 25-acre parcel known as the Shady Rest site. The underlying zone of this property is zoned RMF-1, with a maximum density of 12 units per acre. The land exchange of this parcel with the US Forest Service and its designation as an Affordable Housing Overlay zone was a mitigation requirement for the development of the Trails subdivision. A Master Plan was adopted for the site in 1991, designating the property for 172 units of housing limited to very-low, low- and moderate-income households.

Planned Residential Development Zone

The Town's Municipal Code allows for planned residential development regulations, which are intended to facilitate development of areas designated for residential use on the general plan by permitting greater flexibility and, consequently, more creative and imaginative designs for the development of such residential areas than generally is possible under conventional zoning or subdivision regulations. Historically, the Town has not utilized this section of code, instead utilizing Master Plans or Specific Plans to provide coordinated planning of larger residential and resort areas.

Residential Development Standards

As shown in Table 3-2, minimum lot sizes in residential zones range from 7,500 square feet in the RSF zone to 40,000 square feet in the RMF-2 zone. The relatively large minimum lot size in the RMF-2 zones is due to the fact that this zone is primarily used to build larger scale projects including transient rental and multi-family residential units. The RMF-1 zone also has a relatively large minimum lot size of 10,000 square feet. Lot coverage limits range from 30% in the RR zone to 60% in the RMF-1 zone. While these minimums may increase land costs, they result from constraints imposed by an alpine climate, and encourage development of multiple units on each lot. The minimum lot size requirements, coupled with relatively restrictive lot coverage requirements are necessary to maintain setbacks, accommodate snow storage on-site, and to minimize impermeable surfaces. The Town's minimum lot coverage requirements are sufficient to achieve the allowable densities in each zone and do not constrain development.

Appendix B provides a summary of multi-unit residential projects constructed within the Residential Multi Family and Commercial zones between 2001 and 2008, including the densities at which these projects were developed. As shown in the appendix, most projects have built at or above the permitted density of 12 units per acre for residential uses in these zones. In the case of projects building above maximum density, some obtained density bonuses by providing affordable housing units pursuant to State law and Town code; a number of other projects took advantage of a provision then in place in the Town's zoning code (since repealed), that allowed small residential units (one bedroom or studio units) to count as a half, rather than a full unit of density. Table 3-3 summarizes the average density of all existing multi-family projects by zone. As shown in the table, existing multifamily projects have, on average, been built at densities that meet or exceed the zoning standard of 12 units per acre in these zones.

Table 3-2 Residential Development Standards

Density Range per/acre	1-2	1-4	6-12	6-12	6-12	6-12
Setbacks (front/side/street side/rear)	25/10/20/20	20/10/20/10	20/10/20/10	25/10/20/20	20/0/20/0	20/0/20/0
Lot Coverage	30%	40%	50%	60%	60%	70%
Minimum Lot Size	15,000	7,500	10,000	40,000	10,000	10,000
Minimum Building Site Area	2,000	2,000	5,000	24,000		
Minimum Parking Requirements (in spaces)	3	3	1/studio or 1 bdr; 2/2-3bdr; 3/4 bdr+			
Height Maximum	35 feet as measured from natural grade. For any multiple-family structure where the majority of the ground floor is devoted to understructure parking, the Planning Commission may approve an increase in height of up to ten feet subject to a use permit. Please see "Development Permit Procedures" section later in this chapter for a discussion of the use permit process.					

Source: Mammoth Lakes Municipal Code, 2008.

Density bonuses are provided in accordance with the provisions of the State Density Bonus law. The Town also provides an additional density bonus that allows up to twice the permitted density where a project provides a higher percentage of qualifying affordable housing units. As shown in Appendix B, a large number of projects have taken advantage of these bonus provisions in recent years. As permitted by State Density Bonus law, the Town also grants concessions in the form of reduced development standards for projects that include affordable housing units. Please see Chapter 4 for an additional discussion of the Town's Housing Ordinance, which incorporates these and other provisions that are intended to facilitate the production of affordable housing units.

Table 3-3 Existing Residential Development Density by Zone

RMF-1	469	34.73	13.5	100	26.87	3.72	9.24
RMF-2	3854	232.66	16.56	25	7.31	3.42	16.16
CL	265	14.16	18.71	8	2.45	3.2	16.43
CG	393	14.63	26.86	1	0.36	2.7	26.27

1. Includes apartments, condominiums and townhomes.

Source: Town of Mammoth Lakes, 2010

Parking Requirements

Single-family residences must have a minimum of three spaces for each residence, at least one of which must be enclosed and one of which must be unenclosed. For residences with a floor area over 3,000 square feet (exclusive of garages and decks), a minimum of one additional space must be provided. The requirement of three parking spaces for single-family residences within the RR and RSF zone, in addition to snow storage requirements discussed next, may be a constraint to development on substandard sized or shaped lots.

Multiple-family residential projects must provide a minimum of one parking space for each studio or one-bedroom unit, two spaces for each two- or three-bedroom unit, and three spaces for unit with four or more bedrooms. At least 50 percent of the required parking is required to be covered (i.e. in a garage or carport). In addition to the spaces required per unit, each multiple family project must provide a minimum of two guest parking spaces for each four units up to twelve units, one space for

each four units for the thirteenth to the forty-eighth unit, and one space for each additional six units above forty-eight.

Notwithstanding this potential constraint, the Town's parking requirements are intended to ensure that adequate on-site parking is provided such that cars will not park on the street and interfere with winter snow removal operations. The parking requirement also reflect the resort-oriented nature of the community, where many of the housing units in town are rented to several vacationing individuals or families who travel to Mammoth Lakes in multiple vehicles. The guest parking requirements ensure there is adequate parking for Mammoth Lakes' ample number of visitors and decreases the tendency for visitors to park in areas designated for snow storage.

Recognizing the high cost associated with the provision of parking, the Town has routinely granted concessions in the form of reduced parking requirements for projects that incorporate affordable housing units, including application of the State-mandated ratio of parking spaces per unit. Parking concessions have been made in almost all of the recently constructed affordable and workforce housing projects constructed by Mammoth Lakes Housing and other private developers.

In addition, the Town has initiated a study to look at opportunities to reduce parking standards in mixed use areas such as the north Old Mammoth Road, North Village, and Main Street districts, and plans to include updated parking standards as a component of the planned Zoning Code update (see below).

Snow Storage

Given Mammoth Lakes winter conditions, with an average of over 300 inches of snowfall annually, proving adequate space for snow storage is an important development requirement. The Town requires an area equal to a minimum of 60 percent of all uncovered required parking and driveway areas to be provided for snow storage. Furthermore, all designated snow storage areas must be at least 10 feet wide and deep in the smallest dimension. These areas must also be unpaved and free and clear of obstructions. Snow storage requirements may be reduced if a maintenance district is formed for public snow removal, parking is located to the rear of the structure, the affected property participates in a snow removal maintenance district, and the property owner commits (in the form of a recorded document between the property owner and the Town) to permanently haul on-site snow from the property to an approved off-site storage area. This alternative method of compliance may help reduce

the potential cost impact and constraint of having to set aside land for snow storage, but may also increase maintenance costs.

ZONING CODE UPDATES AND AMENDMENTS

The Town has adopted updates to selected sections of the Zoning Code over recent years, reflecting relatively minor changes to development standards. In addition, the Town will be undertaking a comprehensive Zoning Code update by 2011, in order to ensure better consistency between the General Plan adopted in 2007 and the Code.

Recent Zoning Code Amendments for Development Standards

Two recent zoning code amendments pertaining to development standards applied to residential units do not appear to be constraints to residential development, as they provide greater clarification in definition and density calculations or better conformance to the Town's General Plan.

Zoning Code Amendment 2008-02 removed the definition of one-bedroom or studio units up to 850 square feet as half a dwelling unit in residential zones to instead count each of these as one full unit. The original provision had been intended to provide an incentive to developers to build smaller and more affordable units within the multi-family residential zones; in practice it led to "overbuilding" of some smaller parcels with an excessive number of units that created conflicts with parking, lot coverage and other Town standards, negatively affecting neighborhood character.

Zoning Code Amendment 2008-01 clarified the definition of lot area, which is used to calculate density and removed the terms "net" and "gross" as they had been found throughout the Code. Various sections of the Zoning Code had used these terms interchangeably, although in practice the Town used a single, standardized calculation method. The deletion of these terms reduced various points of ambiguity in the Code and reinforced the existing and prevailing method of calculating lot area.

Comprehensive Zoning Code Update

The Town adopted its General Plan update in 2007. The General Plan includes a number of new policy directives and concepts that are not reflected in the existing Municipal Code, which has not been comprehensively updated in many years. As a result, some areas of conflict and ambiguity exist

between the General Plan and Zoning Ordinance in particular, which has added additional complexity to some recent permit applications. To address this, the Town has initiated a comprehensive Zoning Code update, which it anticipates will be complete by 2011.

The Zoning Code update will include review of administrative procedures, as well as development standards, and will consider ways in which the Code can be made more user-friendly and processes more streamlined. For example, the design review process has frequently required projects to go before the Planning Commission, adding time and expense to the process. The Planning Commission has recently established a design subcommittee with which staff can consult, and based on input, approve a design review administratively. The Town also anticipates a revision and update to the sign code, and to the list of zoning districts and their allowed uses to reduce the degree to which Community Development Director or Planning Commission determinations are required.

Affordable Housing Mitigation Ordinance

Mammoth Lakes adopted an Affordable Housing Mitigation Ordinance in 2000, with updates and amendments made in 2004 and 2006. The Town's Affordable Housing Mitigation Ordinance has been instrumental in facilitating the production of moderately priced housing in Mammoth Lakes since 2000, by placing strict requirements on new development to mitigate its demand for affordable and workforce housing units. A copy of the Ordinance is included in Appendix C.

The driving principle of the ordinance is that development must provide housing for the workforce it generates. Formulas are applied in the Ordinance to match the type of development with its characteristic job generation to determine the number of Full Time Employee Equivalent (FTEE)⁴ housing units that must be provided. Table 4-2 shows the FTEE generation table by project type, which can then be used to calculate the total number of FTEEs generated by new development. This number can then be used either to determine the number of units to be constructed or the in-lieu fee a

⁴ The Full Time Equivalent Employee (FTEE) is a full time employee or combination of part time employees. When the employee generation calculation results in seasonal or part time employees, those employees are grouped together to form FTEEs. Full time year round employees equal one FTEE, part time year round employees and full time seasonal employees equal one-half FTEE, and part time seasonal employees equal one quarter FTEE.

developer will owe the Town for the project. Certain projects including small residential developments of less than five units and other small lodging and commercial developments are permitted to pay an in-lieu fee. (Rental housing and affordable housing projects are exempt from mitigation requirements).

When units are built the Ordinance includes a formula by which those units of different sizes (number of bedrooms and living area) may satisfy FTEEs. When in-lieu fees are paid, they are calculated by multiplying the total FTEE by the in-lieu fee, which is established by ordinance and periodically updated.

Mammoth Lakes' housing program requires that the FTEE units be developed on-site unless it can be demonstrated that the location is undesirable for the community or infeasible, or there is an alternative that would better achieve community affordable workforce housing goals. In such cases, the ordinance allows for Alternate Housing Mitigation Plans (AHMPs) that can include construction on a different location, land dedications, housing acquisition and rehabilitation, or payment of in-lieu fees. An AHMP requires approval by the Planning Commission.

Because many of the development projects in Mammoth in recent years have been less conducive to including on-site housing (lodging, luxury condominiums, etc), it has not been unusual for the Town to negotiate with developers and propose win-win alternatives to on-site construction. The Town has been able to reach agreements on AHMPs that include measures such as land dedications or in-lieu fees that result in more flexibility regarding the types and location of housing being produced. For these alternative proposals to work, it is essential that a local developer be in place to utilize the resources (e.g., fees and land) provided. For this reason, Mammoth Lakes Housing, Inc. (MLH), a non-profit housing development agency, was established in 2003, and has since been pivotal in facilitating the production of new affordable housing units in Mammoth Lakes. Mammoth Lakes Housing and its accomplishments are described in additional detail in Chapter 4.

Since 2003, a total of 195 below-market-rate (BMR) for-sale and rental units have been produced in the Town of Mammoth Lakes. The majority of these units have been built to satisfy the mitigation requirements of the Housing Ordinance, or have been constructed by Mammoth Lakes Housing using leveraged in-lieu housing mitigation funds. Over 75 percent of these units have been rented or sold at prices affordable to those making 120% of AMI or less.

The Town's Housing Ordinance is not a constraint to market rate housing development. As discussed in Table 2-34 in Chapter 2, although the median priced home or condominium is not affordable to most moderate-income families in Mammoth Lakes, there is wide variation in the cost of housing units, including some units priced at a level that offers homeownership opportunities for Mammoth Lakes' residents. Furthermore, while the sales price of a market rate single family home is out of reach of most moderate income household, the Town's Housing Ordinance cannot be held responsible for the high cost of housing in Mammoth Lakes. The credit environment of the early and mid-2000's, and ongoing pressure created by the market for second homes from affluent buyers outside of Mammoth Lake helped to drive a highly inflated local housing market. Given these conditions, it is likely that market rate prices would have been about the same in Mammoth Lakes with or without the Housing Ordinance in place.

Furthermore, it is likely that, without the Ordinance in place, many fewer affordable housing units would have been built in the last decade. It has facilitated the production of housing for many families that would not otherwise have been able to afford to rent or purchase units.

Despite its obvious merits and importance, the Town also recognizes that the Housing Ordinance, alongside other development fees, may contribute to increased costs for developers of future homebuyers. In light of this, and recent economic conditions, the Town completed a review of the Ordinance as part of a broader review of development fees. This review resulted in a recommendation that the Ordinance be significantly revised, including a restructuring and reduction of the housing mitigation requirements. These revisions are discussed further in the following section.

Interim Affordable Housing Mitigation Policy

In late 2008 and 2009, the national economy entered a serious downturn. In 2008, 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. A Town-commissioned study completed by an independent economic consultant found that the existing DIF and housing fees were a significant impediment to new development, and reflected a disproportionate

burden to new development in the funding of new facilities and infrastructure. Overall, the report 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.

Based on the study, the Town adopted interim policies for development impact fees and for housing mitigation and in-lieu fees in November 2009, which reduce fees for most development types by around 50 percent from previous levels. 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% of 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), 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 updated Housing Element includes policies that also direct these amendments, reflecting the interim policy, any additional policy direction related to a future Municipal Code Amendment, and as modifications needed as a result of recent judicial rulings on Inclusionary Programs.

Urban Growth Boundary

The Town adopted an Urban Growth Boundary (UGB) in 1993 to ensure a compact urban form, protect natural and outdoor recreational resources, and prevent sprawl. Of the total 24.4 square miles within the town's Municipal Boundary, approximately 4.6 miles lie within the UGB. The land outside of the UGB but within the Municipal Boundary consists largely of public lands administered by the Inyo National Forest, as well as 80 acres of patented mining claims on top of the Sherwin ridge, the Valentine Reserve of the University of California, Mammoth Mountain Ski Area, which is leased from Inyo National Forest, and the City of Los Angeles' Camp High Sierra. Lands beyond the Municipal Boundary consist primarily of public lands administered by the USDA Forest Service, Inyo National Forest, and the U.S. Department of the Interior, as well as land owned by the Los Angeles Department of Water and Power. A map of the Town's municipal boundary and the Urban Growth Boundary are shown in Figure 3-1.

The 2007 General Plan assumes the total number of residents, visitors, and workers on a winter weekend could grow up to 52,000 People at One Time (PAOT) by the year 2025. PAOT is used as a buildout measurement for the Town because of the large number of seasonal visitors and workers, which is significantly higher than the full-time population. Ultimately, the General Plan land designations could result in a build-out population over 52,000 but less than 60,000 if all land is built to its expected capacity.

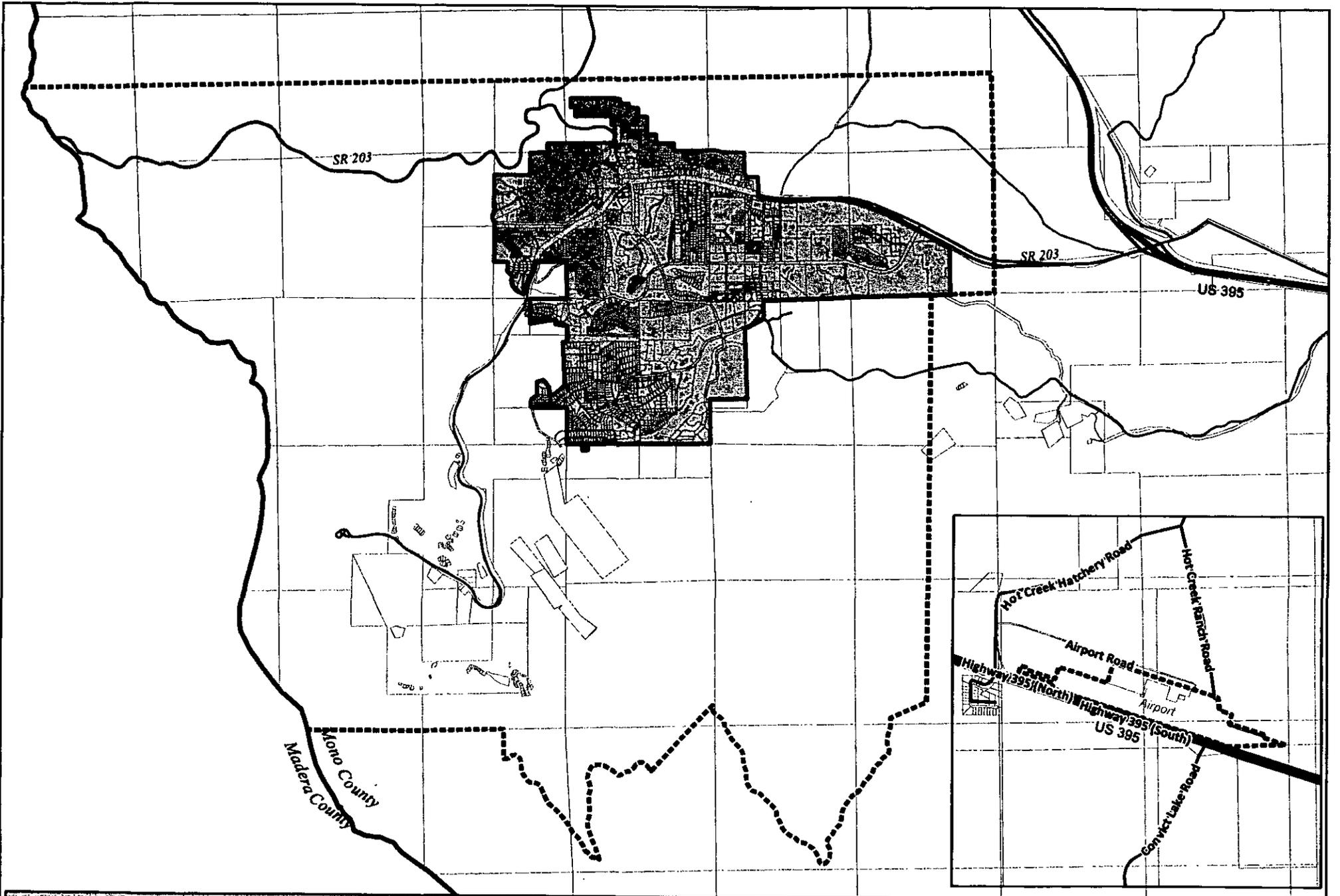
The estimate of PAOT at buildout is based on a number of assumptions, which are detailed in the General Plan:

- Development on individual parcels will be controlled by lot coverage limits, building height restrictions, floor area ratio limits, and implementation of community benefit and performance standards and policies in the various master and specific plans;
- The permanent population will grow at a rate of between 1.4 percent and 2.4 percent per year;
- The capacity of the ski area will remain constant over the next twenty years;
- The number of people engaged in activities other than skiing will increase as the town matures from 25 percent to between 35 percent and 45 percent; and

- Permanent resident units are assumed to accommodate 2.4 people per unit on average and all other units to accommodate 4 people per unit on an average winter Saturday.

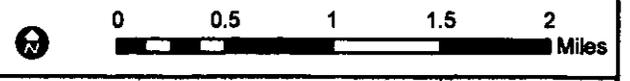
Other assumptions used may be found in the General Plan's Land Use Element on page 27. The Town has developed and maintains a GIS-based model, which can be used to track progress towards buildout of residential and lodging development and PAOT, and is reported along with all discretionary project approvals.

The UGB does not appear to be a constraint, as the General Plan's land use designations take into account the UGB and allows for growth in the town in the next 25 years. The Town's land inventory, described in Chapter 4 of this Housing Element, is also completely within the UGB. Therefore, the UGB does not adversely impact the Town's ability to accommodate its regional housing need allocation.



**Town of Mammoth Lakes
Housing Element
Figure 1-1
Town Boundaries**

-  County Boundary
-  Mammoth Lakes Urban Growth Boundary
-  Mammoth Lakes Municipal Boundary



PROVISIONS FOR A VARIETY OF HOUSING

Housing Element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population. This includes single-family housing, multi-family housing, factory-built housing, mobile homes, housing for the disabled, emergency shelters, and transitional housing, among others. Table 3-4 summarizes housing types permitted within the various zones.

The Town offers a diversity of housing types for all economic segments of the community, including more vulnerable members of the community, those earning lower incomes, seniors, the disabled, seasonal workers, and the homeless, among others.

Multi-Family Units

The Municipal Code permits multi-family housing in the residential multiple family zones (RMF-1 and RMF-2) by right. RMF-1 and RMF-2 zones allow a maximum of 12 dwellings per acre. Approximately 45 percent of the Town housing stock consists of multi-family residences.⁵

Condominiums

The Town requires a use permit for all condominium developments. Due to the resort-oriented nature of Mammoth Lakes, the Planning Commission must determine if the resultant ownership pattern is appropriate for the proposed use(s) and that the proposed development of the property conforms to all requirements of the Municipal Code. The use permit requirement does not adversely affect the cost or availability of ownership housing for moderate-income households since it represents a minimal portion of the overall costs to develop a project, most of which are contributed by the relatively high land and construction costs in Mammoth Lakes.

⁵ Source: Claritas, 2008; EDAW 2008. Multifamily refers to structures containing 2 or more housing units.

Table 3-4 Housing Types By Zones

Residential Uses						
Single family detached/attached	P	P	P	P		
Condominiums ¹			U	U	U	U
Multi-family (5 or more) ¹ /Apartments for Rent			P	P	U	U
Mobile homes	P	P	P	P		
Manufactured homes	P	P	P	P		
Mobile home parks	U	U	U	U		
Granny housing	P	P	P	P		
Caretaker's quarters	A	A				
Special Needs Housing²						
Group Living Facilities (including supportive housing)			U	U		
Residential care (other similar uses, including supportive housing)			U	U	U	U
Boarding houses			U	U		
Single room occupancy units			U	U	U	U
Emergency and transitional housing					P	P

¹Density shall be the same and calculated in the same manner as in the RMF zones and as specified in Section 17.20.040(B)(5). Within the CG zone, residential uses are not permitted as primary uses on properties fronting on arterial streets.

²Special needs housing (residential care facilities and group living facilities) are discussed more thoroughly in the "Housing for Persons with Disabilities section" beginning on page 115. As noted there, no local agency can impose stricter zoning or building and safety standards on group homes or residential care facilities serving six or fewer residents than otherwise required for homes in the same district. Therefore, this Housing Element includes a program to amend the Municipal Code to address this issue.

P = Permitted Use U = Use Permit A = Administrative Permit

Source: Town of Mammoth Lakes Municipal Code 2008

The Town's Municipal Code Chapter 17.52 includes provisions regarding conversion of rental housing units to condominiums, with the intent of preserving the rental housing stock. No conversion of existing rental apartments is permitted where the average vacancy rate over the prior three years is five percent or less; projects proposing to demolish existing rental apartments and replace them with condominium units are required to directly mitigate the loss of those units, in addition to any other required housing mitigation. Where condominium conversions can be approved, the applicant is required to provide a relocation plan for existing tenants, as required by the Subdivision Map Act and State law.

Secondary Units

The Town Council determined that second units (as defined in Section 65852.2(d)(3) of the Government Code), are not appropriate in the Town's two residential single-family zones based on the findings outlined in the Town's Municipal Code Section 17.32.110:

- That prohibition of second units may limit housing opportunities, adequate provisions are contained within this title for the establishment of housing for all economic segments of the community;
- That development of second units would create an increased need for off-street parking that reasonably could not be expected to be met on most properties. This is critical during the snow season since excess street right-of-way is needed for snow clearing operations. Second units also could impede the ability to meet snow storage needs on single-family lots;
- That development of second units would unduly tax the town's limited water supply and would impose an additional burden to meet water demands particularly during drought conditions;
- That the infrastructure, particularly the street capacities and utility facilities in existing single-family neighborhoods, are not capable of sustaining the additional demands that would be realized if second units were allowed.

Although second units are not generally permitted, in order to promote housing for seniors, and to facilitate the provision of on-site housing for a domestic employee or caretaker, both "Granny Housing" (secondary units for the elderly aged 62 and over) and caretakers units are permitted in all

residential zones if it conforms to the Town Municipal Code Section 17.16.140. The Housing Element includes a program to amend the Municipal Code to allow secondary units more generally, provided that other development standards, such as those for parking and lot coverage can be met and adequate water supply provided

Mobile Homes

Mobile and manufactured homes offer an affordable housing option to many low and moderate-income households. Mobile homes are defined in the Municipal Code as a single-family dwelling and are permitted in all residential zoning districts in the Town, according to the same development standards applies to site-built single-family homes. According to the California Department of Finance, 227 mobile homes, boats, RVs, vans and other housing were located in the town in 2008.

Mobile Home Parks

Mobile home parks are allowed in all residential zones with approval of a use permit. The use permit process is described below; as shown in Table 3-5, an application for a use permit for a major project can take an estimated nine months to a year to complete, and is intended to assure that certain land uses meets appropriate standards for design, site planning and use, consistent with Town policy.

The Zoning Code also includes a "Mobile Home Park" (MHP) zone, which specifies various development standards for mobile home parks. The Town of Mammoth Lakes has two mobile home parks, both of which were created before the Town was incorporated, and which are zoned MHP. Development standards for the MHP zone include:

- A minimum park area of ten acres.
- A minimum site area per unit of 5,000 square feet. (effective density of 8.7 units/acre)
- Minimum setback of 20 feet adjoining a street, and ten feet adjoining another lot line
- Maximum height of 35 feet.

The Zoning Code would allow the option of establishing a mobile home park as a conditional use within residential zones; however, it is likely that, since the MHP zoning standards are less restrictive (particularly for site area and setbacks) than those of the residential zones, it is likely that an applicant

hoping to develop a new mobile home park would apply for a rezoning to MHP. The Town estimates that review of the rezoning application would take approximately the same amount of time to be processed as a Use Permit, since similar issues would be involved; however, Town Council approval of the rezoning request is also required, adding approximately one month to the process.

The Town has not received any applications for a mobile home park since incorporation; it is uncertain why this is the case, but likely reasons are a shortage of large undeveloped residentially – zoned properties within the Urban Growth Boundary, and high local land costs, rather than the burden of the development review process. Both the Use Permit and re-zoning process reflect reasonable processes intended to ensure compatibility of any proposed mobile home park with surrounding uses, and that such a use would be designed and operated in a manner consistent with community standards and policies, similar to any other similar large-scale residential development.

Manufactured Homes

Per Section 65852.3 of California's Government Code 65852.3, a town or a city shall allow the installation of manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et seq.) on a foundation system, pursuant to Section 18551 of the Health and Safety Code, on lots zoned for conventional single-family residential dwellings.

The Town of Mammoth Lakes has approved several housing developments that have been constructed with modular buildings. Manufactured housing is not specifically mentioned in the Town of Mammoth Lakes' Municipal Code; however, it is permitted and expected to follow the same permitted process and regulations as buildings with traditional construction. Therefore, the Town will include a program in its Housing Plan to amend its Municipal Code to specifically allow manufactured housing, provided that meets snow load requirements and other Municipal and State Codes, in all residential zones, to ensure that manufactured housing is treated in a similar fashion as conventional single-family dwellings.

Section 17.28.030 of the Municipal Code precludes mobile homes, a form of manufactured housing, from being occupied or used for living or sleeping purposes unless located in a mobile home park. The Town's Code defines "mobile home" as a "moveable or transportable structure designed for use as a dwelling and as defined by State law." In order to reduce ambiguity and to ensure that Town code

complies with State law, this Housing Element includes a program to amend the Code to clarify, through revision to the definition of Mobile Home in Section 17.28.030 that the prohibition against sleeping in mobile homes applies only to pre-1976 manufactured homes and other factory-built homes that do not comply with the Manufactured Housing Act.

Farmworker Housing

The Town of Mammoth Lakes does not have any farm or agricultural land within its jurisdictional boundaries, or farmworkers living in the Town. Furthermore, there is not significant agricultural activity within the vicinity of Mammoth Lakes. Therefore, farmworker housing is not a need for this community.

Emergency Shelters and Transitional and Supportive Housing

As noted above, Mammoth Lakes does not have a large homeless population, due in large part to the harsh winter climate. The members of the Mammoth Lakes Ministerial Association have and will provide emergency shelter for homeless individuals. The Mammoth Lakes Police Department also assists homeless individuals in securing emergency shelter.

The Town Municipal Code permits emergency shelters and transitional housing facilities in the Commercial Lodging (CL) and Commercial General (CG) districts. The Town's zoning regulations pertaining to emergency shelters and transitional housing comply with SB 2 by permitting these uses in at least one zoning district by right without discretionary action, subject to the same development and management standards that apply to other uses within the CL and CG districts. However, as with commercial or industrial projects and any residential projects of two or more units, if the proposed shelter or transitional housing is new construction or requires significant exterior work to an existing building, a design review, either administrative or by planning commission, would be required. Pursuant to SB 2, the Town has included an action in the Housing Element specifying that this design review will be non-discretionary. Also, the Town's permit procedures and development and management standards do not specifically encourage and facilitate the development of or conversion to emergency shelters. Therefore, an action has also been added to Chapter 5 to specifically describe emergency shelters and transitional housing in the zoning code and to further examine the development standards to ensure the uses are not infeasible. Upon examination, the Town may choose

to establish written, objective development and management standards for emergency shelters, such as the maximum number of beds or persons permitted to be served nightly and the length of stay.

Analysis of available land use capacity in the CG and CL zones indicate that there are 24 vacant infill parcels, totaling 12 acres, in these two zones; all are served by water and sewer infrastructure. (Also see the discussion of Mammoth Lakes' land inventory in Chapter 4). Therefore, there is capacity for at least one emergency shelter or transitional housing development, which should be adequate to accommodate Mammoth Lakes' relatively small population in need of such services.

As indicated in Table 3-4, supportive housing is permitted in the RMF-1 and RMF-2 zones and requires a use permit. SB 2 requires supportive and transitional housing to be permitted as a residential use subject to only those restrictions that apply to other residential uses of the same type in the same zone. Therefore, an action has been added to Chapter 5 to modify the zoning code to allow transitional and supportive housing as a residential use, subject to only those restrictions that apply to other residential uses of the same type in the same zone.

Seasonal Worker Housing

Because of the shortage of rental units during the winter months, some seasonal workers have slept in cars or RVs as alternatives to living in cramped living quarters or leaving the area. Anecdotal evidence suggests that some seasonal workers have illegally occupied vacant buildings or camped on Forest Service land around the town (this is likely more common in summer than in winter, due to severe weather conditions). As previously discussed, in order to sufficiently mitigate the increased workforce housing demands created by new development, the Town's Municipal Code, and the recently adopted Interim Affordable Housing Mitigation Policy include provisions to require workforce housing as part of new development. The Housing Program also includes an action to update the Seasonal Employee Study completed in 2005 to ensure it accurately reflects the issues and demands for seasonal employee housing in Mammoth Lakes.

DEVELOPMENT PERMIT PROCEDURES

Development permit procedures are designed to facilitate orderly residential development to ensure public health, safety, and general welfare. The Town can encourage the ongoing construction, maintenance, and improvement of housing by reducing, to the extent possible, the time and

uncertainty involved in gaining approvals for various development permits. This section outlines the target time frames for planning entitlement review and approval of new residential projects.

The Town has a streamlined applications process to reduce impediments to housing provision. Currently, applications for a primary permitted use are processed in less than six weeks. Residential development, as a primary permitted use in the appropriate zones, may be permitted ministerially through staff design review and plan check. Table 3-4 indicates the permitted and conditional uses for residential development in the various residential and commercial zones.

The timeframe for development review in the Town of Mammoth Lakes depends more on the complexity of the project than the number of lots or units involved. In particular, projects seeking zone code changes, or that propose Specific Plans or Master Plans, require legislative approval and therefore have a longer timeframe for review. Furthermore, as the town is approaching build-out and available sites for development are more limited, the complexity of many projects may also be due to site constraints. As shown in Table 3-5, the planning, engineering, and design review phase, which usually runs concurrently with the CEQA process, requires the most time during the entitlement and planning phase but typically takes less than a year. The building review phase, necessary in order to achieve a certificate of occupancy, requires a maximum of two months. The Development Review Process is outlined in The Town of Mammoth Lakes Development Review Process Flowchart, Chart 3-1. Typically, processing time for an application to build a single-family home is no more than 30 days; a multi-family project requiring a use permit may take three to six months, including cumulative time to approve the use permit and building permit.

DISTRICT PLANNING

In June 2007, the Town Council adopted a policy that established district planning. District planning is a structured process that studies the wider geographic area and conditions relevant to a project application and its site, project alternatives, and how it fits into the General Plan Vision Statement, goals, and policies for the Town. The goal of planning by district is to provide the best and most current information to the community, Town staff, Commissions, and Town Council to assist with decisions and recommendations. This includes setting goals, policies, programs, and review of development applications. Achieving greater public participation through this process is also important to the Town.

Table 3-5 Development Review Timeframes

Administrative Permit (No Hearing)	0 Days	30 Days	7-14 Days	0 Weeks	NA	NA
Use Permit Application (Minor Project)	30-90 Days	90 Days	4-8 Weeks	0-4 Months ²	3 Weeks	NA
Use Permit Application (Major Project)	30-90 Days	90+ Days	8-16 Weeks	4-9 Months ³	3 Weeks	NA
Legislative Action (General Plan, Zoning Amendment, Master or Specific Plan)	30-90 Days	220 Days	4-12 Months	4-12 Months ⁴	3 Weeks	3+ Weeks
Tract Map/Parcel Map ⁵	30-90 Days	90+ Days	4-6 Months ⁶	0-9 Months	3 Weeks	NA
All Projects	30 Days	14 Days	7 Days each	Within 24 hours of request.	7 days	

All Timeframes reflect Town staff work periods only; applicant work periods or delays may lengthen these schedules. All timeframes also reflect calendar days, not working days.

¹ CEQA and project review typically run concurrently

² Assumes Categorical Exemption or Negative Declaration

³ Assumes Neg. Dec/MND or EIR

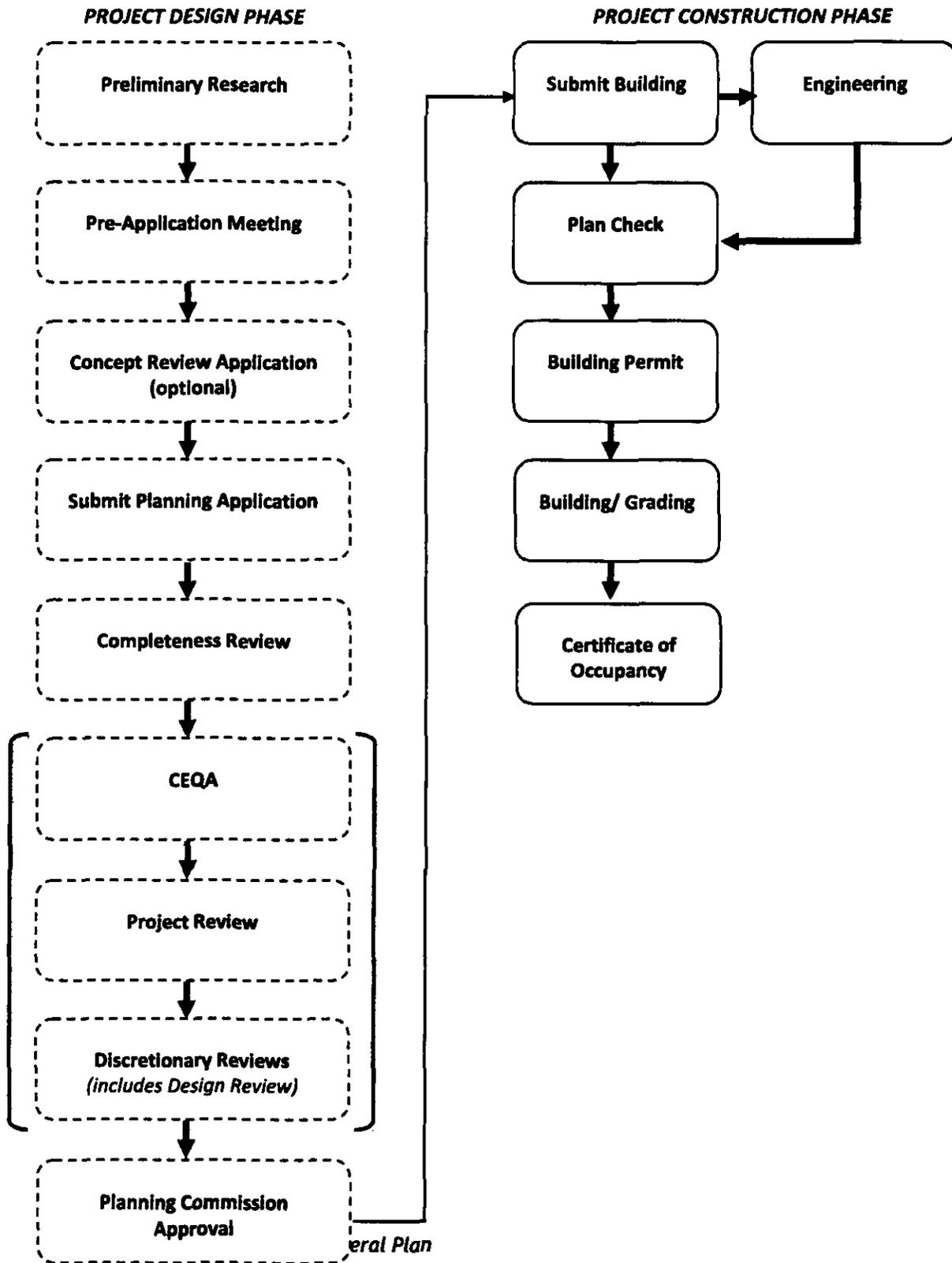
⁴ Assumes Neg. Dec/MND or EIR

⁵ TTM/TPM often processed concurrently with Use Permit or other entitlement

⁶ Timeframe depends on complexity of project (e.g. degree of offsite improvements, dedications or easements involved), rather than number of lots or units involved.

Source: Town of Mammoth Lakes, 2009.

Chart 3-1 Development Review Process Flow Chart



Major steps of district planning are the following, with public workshops held with each phase:

- Definition of the district boundaries and scope of work.
- Selection of a consultant to undertake the work to develop the district plan.
- Plan preparation (typically) in four phases:
 - Existing Conditions, Opportunities and Constraints Analysis.
 - Alternatives Development.
 - Alternatives Analysis and Selection.
 - Plan Development and "acceptance"

To date, district plans have principally been associated with major projects that request an amendment to their existing zoning. Recently, the Town initiated processes to complete district planning for other areas including the Main Street corridor and Shady Rest site. This effort is expected to provide more clear-cut guidance for development as it moves forward in this area, and to facilitate re-investment and redevelopment.

District planning is intended to complement, rather than replace, other established and legally required review processes for individual projects. Completion of district planning did add some time to the processing of some major applications that were initiated in 2007 and 2008. However, some major district plans are now complete, and the remainder are due for completion in 2010. Therefore, this is not expected to create long-term or ongoing delays for future development.

The accepted district plan represents a refinement of General Plan policies, and articulation in more detailed form of land use, mobility and urban design goals for individual areas. The district plan helps to clarify community expectations for development as projects move forward, including those related to the production of housing. Ultimately, the recommendations of all accepted district plans will be codified through the Zoning Code update, anticipated to be complete by 2011, and will thus not create an additional "layer" of review outside of the typical application of zoning and development standards.

DESIGN REVIEW

The Town's Design Guidelines apply to all commercial and multi-family development and single-family development within master plan areas. These Design Guidelines have been written to provide a greater level of detail regarding the design of development that promotes the Town's Vision Statement, General Plan and Municipal Code. All of the above-mentioned development projects are subject to review by staff, Planning Commission or the Advisory Design Panel (ADP) based on location and the regulations and guidelines set forth by the Town. As was shown in Table 3-4, the design review process is part of the overall planning review process. The overall planning process can take anywhere from seven days to a year, depending on the size and complexity of the project.

On a long-term basis, the Town's raised expectation for project design that has accompanied adoption of the existing design review procedures and design guidelines may have resulted in some overall increases in the cost to develop in Mammoth Lakes. For example, an articulated or pitched roof, which is preferred in the Design Guidelines, may be more expensive to design, engineer and construct than a flat roof. However, the Design Guidelines do not prescribe specific materials or design but detail a variety of options that the Town prefers. Historically, therefore, staff, the ADP and Planning Commission has been able to work constructively with applicants through the design review process to reach acceptable design solutions that do not typically require reductions in project density, or significant increases in construction costs. Typical findings for a design review approval are that the proposed project would be consistent and harmonious with the design of adjacent development, that the project would not cause excessive or unsightly grading or tree removal, to ensure that the design is visually harmonious with surrounding development and natural land forms, and that the project would maintain and enhance the image, attractiveness, and environmental qualities of the town.

USE PERMITS

In the various zones, certain uses are permitted subject to the granting of a use permit. Because of their unusual characteristics, these uses require special consideration so that they may be located properly with respect to their effects on surrounding properties. In order to achieve this purpose, the Planning Commission is empowered to grant or deny applications for use permits and to impose reasonable conditions upon the granting of such permits.

Within twenty-one days following the closing of the public hearing on a use permit application the Planning Commission shall act on the application. The Commission may either grant by resolution a

use permit as requested by the applicant, with modifications, or they may deny the application. A use permit may be revocable, granted for a limited time period, or granted subject to such conditions as the payment of drainage fees, requiring special yards, open spaces, buffers, fences, and walls; requiring installation and maintenance of landscaping, requiring street dedications and improvements, regulation of points of vehicular ingress and egress, regulation of traffic circulation, regulation of signs, regulation of hours and/or methods of operation, control of potential nuisances, prescribing standards for maintenance of buildings and grounds, prescription of development schedules and/or standards, and such other conditions as the commission may deem necessary to ensure compatibility of the use with surrounding developments and uses and to preserve the public health, safety and welfare.

The Planning Commission shall make the following findings before granting a use permit:

- That the proposed use is consistent with all applicable sections of the General Plan and Title 17 of the Municipal Code and is consistent with any applicable specific plan or master plan;
- That the proposed use and 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
- Other findings as the Commission deems necessary to support approval or denial of the proposed use.

Among the uses for which the Town requires a use permits are condominiums, mobile home parks, and most types of special needs housing such as group living and residential care facilities. Because the Town has not received any applications for mobile home parks or special needs housing, it is not possible to provide details on typical conditions that may be applied to these types of projects.

However, the Town would treat such projects as uses "similar to and no more detrimental than" existing permitted uses in any (residential or commercial zone); i.e. generally similar to other multifamily or condominium uses: Typical conditions applied to condominium projects include:

- "Standard" planning and engineering conditions such as requirements for dedication of public access or easements, such as sidewalks and trails, and installation of required infrastructure.
- Conditions related to environmental mitigation (e.g. storm water managements, CEQA-required traffic or infrastructure improvements)

- Life safety and health-related conditions including requirements from the Mammoth Lakes Fire Protection District for provision of fire access.
- Special planning conditions related to occupancy and operation (for example, whether transient use is permitted), and terms of deed-restricted units, if any.
- Special conditions related to site development standards, parking etc.; in most cases, such conditions are only applied where an applicant has requested a reduced standard, which necessitates detailing the conditions that ensure the reduction will not result in negative impacts to neighboring uses.

A discussion of requirements for licensed group homes and residential care facilities is provided later in this chapter under the discussion of "Housing for Persons with Disabilities." As noted in that section, to comply with State law, the Town will include a program in its housing plan to permit licensed group homes for the disabled and residential care facilities serving six or fewer residents in zones that permit single-family residences.

ZONING ADJUSTMENTS AND VARIANCES

Applicants may make requests for minor modifications or adjustments to certain requirements of the Town's zoning requirements when such requests constitute a reasonable use of property which is in the best interest of the town but not permissible under a strict literal interpretation of the zoning regulations. These adjustments are permitted under Chapter 17.76 of the Municipal Code, and include a decrease of the required lot area, width or depth; a decrease of the required width of a side yard or the yard between buildings; a decrease of the required front or rear yard; an increase in the permitted height of a structure, fence or wall; an increase of the permitted height or area of signs; a decrease in the number of required parking spaces; and, an increase in the maximum allowable lot coverage. Chapter 17.76 specifies specific degrees for each of the above permitted increases or decreases. Requests for adjustments are approved at the administrative level.

Variations from the terms of the Town's zoning requirements shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this title deprives such property of the privileges enjoyed by other property in the vicinity or under identical zoning classification. Any variance granted shall be

subject to such conditions as will assure the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity or zone in which such property is situated. All requests for variances must meet specific findings prescribed in California Government Code Section and must be approved by the Planning Commission.

FEES AND EXACTIONS

The Town collects fees and exactions from developments to cover the costs of processing permits ("planning fees") and providing the necessary services and infrastructure related to new development ("development impact fees").

Planning fees are calculated based on the average cost of processing a particular type of application. Table 3-6 summarizes planning, development, and other fees charged for residential development. Town policies do allow the waiving of processing fees upon application in special circumstances; the Town has typically waived planning fees for workforce and affordable housing projects. Impact fees are collected and, where necessary, to provide an adequate level of infrastructure, development projects may be required to construct or pay for the infrastructure.

The planning fees charged by the Town of Mammoth for residential development were increased in 2008, as the Town found that the fees were not high enough to cover the staff time required to process planning requests. The Town performed an extensive study of how much time staff spent by project type and increased fees accordingly. Though the development community was not pleased with the increased cost, the Town found this to be an essential action to take in order to maintain financial solvency.

The Town also levies fees on new development that are intended to mitigate the impacts of that development on community services and facilities. Historically, the number and amount of the Town-imposed Development Impact Fees (DIF) have been large, adding substantially to the cost to develop in Mammoth Lakes.

As discussed elsewhere in this chapter, in 2008 and 2009, the nationwide economic downturn prompted the Town to reconsider its development impact fees. In 2008, the Town enacted a short-term reduction in DIF fees for Single Family and Single Family Transient development, lowering them by an average of 49% (these reduced fees are applicable through August 2010). In 2009, the Town commissioned an independent assessment of the DIF program, which concluded that fees should be reduced substantially for all categories of development on a permanent basis. The Town adopted an

interim fee policy in November 2009, which reduced DIF by between 48% and 55% from its previous levels, depending on category. The Town will be undertaking more detailed study in order to refine the interim fees in 2010, and to enact a long-term reduced fee schedule. This fee schedule was adopted in May, 2010, and is substantially similar to the interim fee program.

Fees are based on an analysis of the cost of future improvements and facilities needed to accommodate growth and development, and an assessment of the fair share of that cost that should be borne by new development. The Municipal Code provides that DIF and other fees are to be regularly reviewed and updated to ensure that they are accurate and fair.

Table 3-7 provides a hypothetical comparison between fees charged per unit to develop an eight unit single-family development versus an eight-unit multi-family (condominium) development.⁶ The fees charged for multi-family residential development are less than those charged for single-family for building permits and plan check, water and sewer connections, and school fees. However, they are higher for development impact fees, and include fees associated with the need for a use permit and design review, as well as a housing in-lieu fee of \$23,222 per unit. (Since the table assumes the single family units would be less than 2,500 square feet, no housing fees are applied, as specified in the November 2009 interim fee policy.)

The above considerations result in a fee cost per unit that is greater for the 8-unit multi-family development than an 8-home single-family development. However, a significant portion of this is associated with the housing fees that would apply to the multi-family condominium development. If the 8-unit multi-family project were rental units, rather than condominiums, neither the affordable housing fee, nor the costs to process a use permit or tentative tract map would be incurred, which would reduce the total fee amount by half, from just under \$50,000 per unit to under \$25,000 per unit. As noted elsewhere in this chapter, recent revisions to the Development Impact Fee and Housing Mitigation Fee program have resulted in significant reductions in fees over previous levels, particularly for smaller residential projects.

⁶ This comparison is hypothetical only to provide a "per unit" comparison between single family and multi-family development. In practice, few opportunities exist in Mammoth Lakes to develop eight single-family lots as a single project.

Table 3-6 Planning and Development Fees

Building Permits	Fee varies according to valuation	
Design Review (Administrative – Major) ¹	\$743 - \$7,033	
Use Permit	Cost Accounted. \$2,500 Deposit	
Tentative Parcel Map	\$6,243	
Tentative Tract Map	Cost Accounted. \$6,000 Deposit	
General Plan Amendment	Cost Accounted. \$10,000 Deposit	
Zone Code Amendment/District Zoning Amendment	Cost Accounted. \$6,000 Deposit	
Environmental Review Fees ²	\$369 - Cost Accounted. \$10,000 Deposit	
Sewer and Water Connection (MCWD Fees)	Depends on meter size and number of fixtures	
Development Impact Fees³	Single Family	Multi-Family
Parkland & Recreation Fee	\$818 - \$1,367/unit	\$818 - \$1,367/unit
Storm Drainage ⁴	\$7,324 - \$7070/unit	\$2,062 - \$2,484/unit
General Facilities ⁴	\$698 - \$1,165/ unit	\$698 - \$1,165/ unit
Streets & Traffic Signals	\$2907 - \$1,483/unit	\$1,483 - \$2,762/unit
Law Enforcement	\$635 - \$1,061/unit	\$635 - \$1,061/unit
Fire	\$1,182 - \$1,560/unit	\$745 - \$1,561/unit
Transit & Trails ⁴	\$3,430 - \$5,728/unit	\$3,430 - \$5,728/unit
Library	\$340 - \$2,001/unit	\$340 - \$1,721/unit
Child Care	\$374 - \$624/unit	\$374 - \$624/unit
Airport	\$45 - \$75/unit	\$45 - \$75/unit
Public Art	Exempt	0.05 x Valuation
In-lieu Low Income Housing Fee	\$2.68/sf for area >2,500 sf	\$23,222/unit

¹ Administrative design review completed at staff level; Major Design Review requires Planning Commission approval¹

² Fee dependant on type of environmental review required (Exemption, Neg. Dec. or EIR).

³ Based on November 2009 Interim Fee Schedule

⁴ May be partially deferred through Mello Roos District

Source: Town of Mammoth Lakes, 2008-2009 Fee Schedule; 2009 Interim Development Impact Fee schedule

Table 3-7 Estimate of Planning and Development Fees and Costs (Based on November 2009 Interim Development and Housing Fee Policies)

Use Permit	Not required	\$750	One use permit required for 8 unit project; \$6000 (deposit only.)
Tentative Tract Map	Not Required	\$750	TTM required for 8 unit condo project; \$6000 (deposit only)
Building Permits/Plan Check	\$7,466	\$3,370	Per valuation based fee schedule
Design Review	\$0	\$336	Design review fee for 8 unit condo project \$2,695
Environmental Review	\$375	\$375	Design review fee for In-House/Negative Declaration
Development Impact Fees	\$19,414	\$8,520	Per November 2009 Interim Development Impact Fee Policy
MCWD Water Connection ³	\$5,155	\$4,124	Based on 1 SF unit = 1MEU; 1 MF Unit = Approx 0.75 MEU. (1 MEU = 39 fixture units; 1 Kitchen and Approx 3 Bathrooms)
MCWD Sanitary Sewer Connection ³	\$2,297	\$1,837	Based on 1 SF unit = 1MEU; 1 MF Unit = Approx 0.75 MEU. (Per MCWD: 1 MEU = 39 fixture units; 1 Kitchen and Approx 3 Bathrooms)
Housing In-Lieu Fee	\$0	\$23,451	Single-Family Residences <2,000 square feet exempt from housing mitigation requirements.
School Fees	\$5,260	\$2,873	

¹ 2,000 habitable square feet, and average construction costs per unit of \$235/sq ft = \$470,200

³ Assumes multifamily unit constitutes approximately 0.8 MEU Source: Town of Mammoth Lakes, 2009

BUILDING CODES AND THEIR ENFORCEMENT

The Town has adopted and enforces the Uniform Building Code. This ensures that all housing units are built to specific standards. The building code is developed by the International Conference of Building Officials and the State. The Town updates its Code according to Conference updates with some minor amendments to reflect local conditions, including seismic activity, wind, and snow loads. Some of these local amendments may result in additional construction costs, since they require additional engineering and structural elements to ensure that buildings will withstand heavy snow loads and other stresses.

The Building Division of the Community Development Department enforces building codes at the time of construction. Other Town staff usually address compliance actions after construction on a complaint basis. The identification and response to code violations is a cooperative effort within the community. Residents and visitors play an important role helping to identify a wide range of possible code violations such as illegal dumping or spillage of garbage and debris.

HOUSING FOR PERSONS WITH DISABILITIES

Review for Reasonable Accommodation Procedure

It is the policy of the Town of Mammoth Lakes to provide reasonable accommodation for persons with disabilities seeking fair access to housing in the application of its zoning and building regulations.

Any disabled person who requires reasonable accommodation in the application of a zoning or building regulation that may be acting as a barrier to fair housing opportunities may do so on a form provided by the Community Development Department. The applicant is required provide the following information:

- Applicant's name, address and telephone number;
- Address of the property for which the request is being made;
- The current use of the property;

- The Municipal Code provision, regulation or policy, or building code provision, regulation, or policy from which accommodation is being requested; and
- The basis for the claim that the individual is considered disabled under the Fair Housing Act and why the accommodation is necessary to make the specific housing available to the individual.

The Town of Mammoth Lakes makes information about requesting reasonable accommodation with respect to zoning, permit processing, or building laws readily available at the Town Community Development Department Office and accommodation is discussed as an option during pre-application consultations in appropriate situations. In an effort to remove constraints on providing housing for persons with disabilities, the Town has adopted reasonable accommodation regulations to allow zoning and building flexibility as needed on a case-by-case basis to facilitate retrofitting to meet accessibility requirements. As the Town of Mammoth Lakes does not have any special permitting requirements for group homes, the approval process is similar to that of a primary permitted use. Please see the discussion of "Use Permits" above, and of "Licensed Group Homes and Residential Care Facilities" below for additional information on this topic.

As part of this Housing Element, the Town has reviewed its Zoning Code and did not find any provisions that would inherently preclude or place a significant regulatory constraint on the ability to accommodate persons with disabilities.

Review Zoning and Land Use Policies and Practices

The Town periodically reviews its zoning laws, policies, and practices to ensure compliance with fair housing law. Currently, the Town Code reads that handicapped parking spaces shall be provided, designated, located, and signed in accordance with the California Administrative Code. The Town does not have special residential parking standards for persons with all disabilities, but the Town Code does allow for the reduction of parking requirements for special needs housing if a project proponent demonstrates the need for a reduction in parking, per the Town's reasonable accommodation provisions.

Neither the Land Use Element of the General Plan nor the Municipal Code impose special requirements for the siting of special needs housing, and thus minimum distances between two or more special housing needs developments are not required. However, setbacks and separations are

applied according to zone and would apply to special needs housing development in accordance with the zone in which it is developed.

The Town Municipal Code does not currently have occupancy standards that apply specifically to unrelated adults and not to families. The only occupancy standards included in the Municipal Code are those that allow or disallow “transient occupancy,” for the purpose of nightly resort/vacation rentals.

Licensed Group Homes and Residential Care Facilities

The Lanterman Developmental Disabilities Services Act (Sections 5115 and 5116) of the California Welfare and Institutions Code declares that mentally and physically disabled persons are entitled to live in normal residential surroundings. The use of property for the care of six or fewer disabled persons is a residential use for the purpose of zoning. A State-authorized, certified or licensed family care home, foster home, or group home serving six or fewer disabled persons or dependent and neglected children on a 24-hour-a-day basis is considered a residential use that is permitted in all residential zones. No local agency can impose stricter zoning or building and safety standards on these homes than otherwise require for homes in the same district.

The Town has never received an application for this type of project. However, the Town would evaluate any such proposal relative to similar uses that are allowed in the Code, which allows for “other uses” that are “similar to and no more detrimental than” existing permitted uses in any (residential or commercial) zone.

In residential zones, similar uses (hospitals and medical clinics, and group living quarters with shared facilities) are allowed with a use permit in the multi-family zones. In commercial zones, convalescent homes and hospitals are permitted with a use permit in the CG zone; emergency and transitional housing is a permitted use in both CG and CL zones; residential uses (rental apartments and condominiums) are also permitted in both commercial zones.

To comply with California law, the Town will include a program in its Housing Plan to amend its Municipal Code to permit licensed group homes for the disabled and residential care facilities serving six or fewer residents in zones that permit single-family residences.

Evaluation of the Permit and Processing Procedures

The Town of Mammoth Lakes does not have substantive barriers within its planning, zoning, and building permit processing procedures that effect the development of facilities for persons with disabilities.

The Town processes requests to retrofit homes for accessibility through a standard building permit. Reasonable accommodation is granted for requests that may require an accommodation of the zoning or building code for the retrofit project.

The Town does not have any special conditions or use restrictions for group homes. This allows for the conversion of an existing residence to a group home, without any special permits or approvals, other than a building permit which could be required for retrofit construction. Because the approval of group homes is treated the same as any residential development, the public input for the approval of a group home would occur at the Planning Commission meeting at which approval is considered. If the group home is in a zone where it is a primary permitted use that does not require Commission approval, public input is not sought.

Group homes that provide on-site services are treated the same as any other residential development so there are no special zoning or building permits required. Permits that may be required by the State or the Department of Health and Human Services are the responsibility of the group home owner/operator, and not an issue of planning and zoning.

Review of Building Codes

The Town of Mammoth Lakes adopted the Uniform Building Code most recently in 2007 and continues to update its Code according to the International Conference of Building Officials and the State updates. Although the Town of Mammoth has amended its Municipal Code to reflect local conditions, including seismic activity, snow loads, wind design, and cold weather construction, it has not made any amendments to the California Building Code (CBC) and the International Building Code (IBC) that would diminish the ability to accommodate persons with disabilities.

The Town's Reasonable Accommodations ordinance does provide for accommodation for persons with disabilities in the enforcement of building codes and issuance of building permits. The process for requesting reasonable accommodation in the enforcement of building codes and issuance of permits is the same as it is for zoning, as mentioned above. In making a determination regarding the reasonableness of a requested accommodation, the following factors are considered:

- Special need created by the disability;
- Potential benefit that can be accomplished by the requested modification;
- Potential impact on surrounding uses;
- Physical attributes of the property and structures;
- Alternative accommodations that may provide an equivalent level of benefit;
- In the case of a determination involving a one-family dwelling, whether the household would be considered a single housekeeping unit if it were not using special services that are required because of the disabilities of the residents;
- Whether the requested accommodation would impose an undue financial or administrative burden on the town; and
- Whether the requested accommodation would require a fundamental alteration in the nature of a program.

ON/OFF-SITE IMPROVEMENTS

Public improvements for new residential developments are integral to the planning and development process. Developers are required to provide public improvements to ensure the health, welfare and safety of the community and future residents of new developments. Minimum improvement standards are applied to ensure that new public improvements are adequate to serve new development. While the cost of providing public improvements, as well as specific construction standards and details regarding how they are built, may influence the cost of housing, they are a necessary component of providing quality and sustainable residential development.

Currently, the Sidewalk Master Plan and the Storm Drain Master Plan mandate on/off site improvements within the Town of Mammoth Lakes.

Street standards outlined in Section 17.16.260 of the subdivision regulations requires that the width of the right-of-way for an arterial or collector street or highway shall be a minimum of 80 feet, and the width of the local street shall be a minimum of 60 feet, with a minimum of 30 feet of pavement as determined by the Public Works Director. The Public Works Director may approve modifications including: a minimum dedicated right-of-way width of 40 feet, a minimum of twenty-24 feet of

paving, a minimum of 20 feet of snow storage easement, with 10 feet on each side of the street, within RR, RSF, and R zones.

Curb and gutter requirements are outlined in the Town of Mammoth Lakes Sidewalk Master Plan, Storm Drain Master Plan, and the Street Standards detailed above.

Sidewalk requirements are detailed in the Sidewalk Master Plan, Master Trail Plan, and other environmental and development mitigation documents.

Storm drainage requirements are outlined in the Master Storm Drain Plan, and when determined necessary due to the intensity and/or type of proposed development.

Sewer and water infrastructure development requirements are determined on a site-by-site basis as determined necessary to serve the needs of the project or as otherwise required by the Mammoth Community Water District.

Review of any project and improvements required will also be based upon applicable master or specific plans, environmental documentation, Caltrans review, district planning, and other adopted policies.

The Town is fully served with water and sewer infrastructure. The Mammoth Community Water District (MCWD) adopted an Urban Water Management Plan (UWMP) in 2005 and is due to complete an update to this document in 2010. The UWMP identifies a potential long-range shortfall in water supply under multiple dry year conditions; though various measures are identified that could address the shortfall (including conservation, pipeline replacement, recycled water use and development of new sources). However, this shortfall is not expected to affect development of housing within the near term planning period of the housing element.

MCWD also identified some deficiencies in sewer capacity during its 2005 connection fee study and several improvements/upgrades needed to the system including a new sewer trunk line along Meridian from Old Mammoth Road to the treatment plant; increase in sewer line capacity along Center Street for Manzanita Road to Main Street; and a new relief sewer through the Shady Rest site. Collection of connection fees from future development would fund these improvements and ensure that they would not prove to be a constraint to future development.

There is adequate capacity in existing wastewater treatment and solid waste disposal facilities to accommodate future housing development.

4 HOUSING RESOURCES

4.1 REGIONAL GROWTH NEEDS 2007-2014

In accordance with Government Code Section 65584.06, the Department of Housing and Community Development prepared a Regional Housing Need Allocation (RHNA) Plan to determine the projected housing needs for Mono County and the Town of Mammoth Lakes. The Town's share of the entire County RHNA is 48.9 percent; this allocation is based on demographic projections developed by HCD. The Plan allocates the projected Countywide housing need between the unincorporated County and the Town across the various income categories, based on demographic data and a "fair share" policy adjustment. The RHNA plan covers the 7 ½ year planning period of January 1, 2007 through June 30, 2014.

Table 4-1 summarizes the progress made by the Town in meeting the RHNA, counting all units constructed after January 1, 2007, and the net remaining growth need for the period 2009-2014. Table 4-2 summarizes the various affordable housing projects built in Mammoth since 2007. In addition to these affordable units, The Town has exceeded the RHNA for Low-income units as of 2009, but has a net remaining deficit of 27 Extremely-Low, 16 Low, 41 Moderate and 65 Above-Moderate units. The affordability levels cited in the table are based on actual purchase price and rental costs assigned to the various units through deed restrictions.

Table 4-1 Affordable Housing Units Completed 2007-2009

Tosca Townhomes	2007			1		1
Jeffries	2007	3	13			16
Nordica	2007	1				1
1401 Tavern Road	2007			1		1
Bigwood	2007		1			1
463 Mono Rd	2007				2	2
San Joaquin Villas	2008		4	10	24	38
Aspen Village Ph.1	2008	5	43			48
Manzanita Apts	2008	3	11			14
Aspen Village Phase II	2009			5	19	24

Source: Town of Mammoth Lake Community Development Departments, 2010

4.2 AVAILABLE LAND TO ACCOMMODATE HOUSING

As part of the Housing Element Update process, Town staff inventoried all lands within the Town's Urban Growth Boundary suitable for future residential development. As discussed in Section 4.3, expansion of the UGB is not anticipated to be necessary to accommodate the RHNA. State law requires that the community provide an adequate number of sites to allow for and facilitate production of the Town's regional share of housing. To determine whether the town has adequate sites to accommodate its share of regional housing needs for all income groups, the Town must first identify "adequate sites." Under State law, (California Government Code section 65583(c)(1)), adequate sites are those with appropriate development standards and with services and infrastructure needed to facilitate and encourage the development of a variety of housing for all income levels.

Table 4-2 Regional Housing Needs Allocation: Summary of Completed and Remaining Units

Regional Housing Needs Allocation	27	28	56	58	110
Units Completed 2007	0	4	14	2	26
Units Completed 2008	0	8	58	10	0
Units Completed 2009	0	0	0	5	19

Source: Town of Mammoth Lakes Community Development Department, March 2009

The State suggests a two-part analysis to determine if a locality's sites are adequate:

- a) Analysis of the realistic development capacity of suitable land, that is or will be served by infrastructure, to produce the town's total new construction need for each income group over the next five years.
- b) Analysis of relevant zoning standards for a variety of housing types, including single-family, multifamily, mobile homes) and at appropriate densities to meet the Town's regional housing need by income category, including very low and low-income households.

The residential sites identified and discussed in this chapter meet the criteria above, and are within the definition of adequate sites as provided by State law. As discussed in greater detail below, all of the sites have, or will have access to public facilities over the next five years.

4.3 LAND INVENTORY

The Town of Mammoth Lakes encompasses approximately 24 square miles, with the majority of that area comprising public lands administered by Inyo National Forest. Only about 4 square miles,

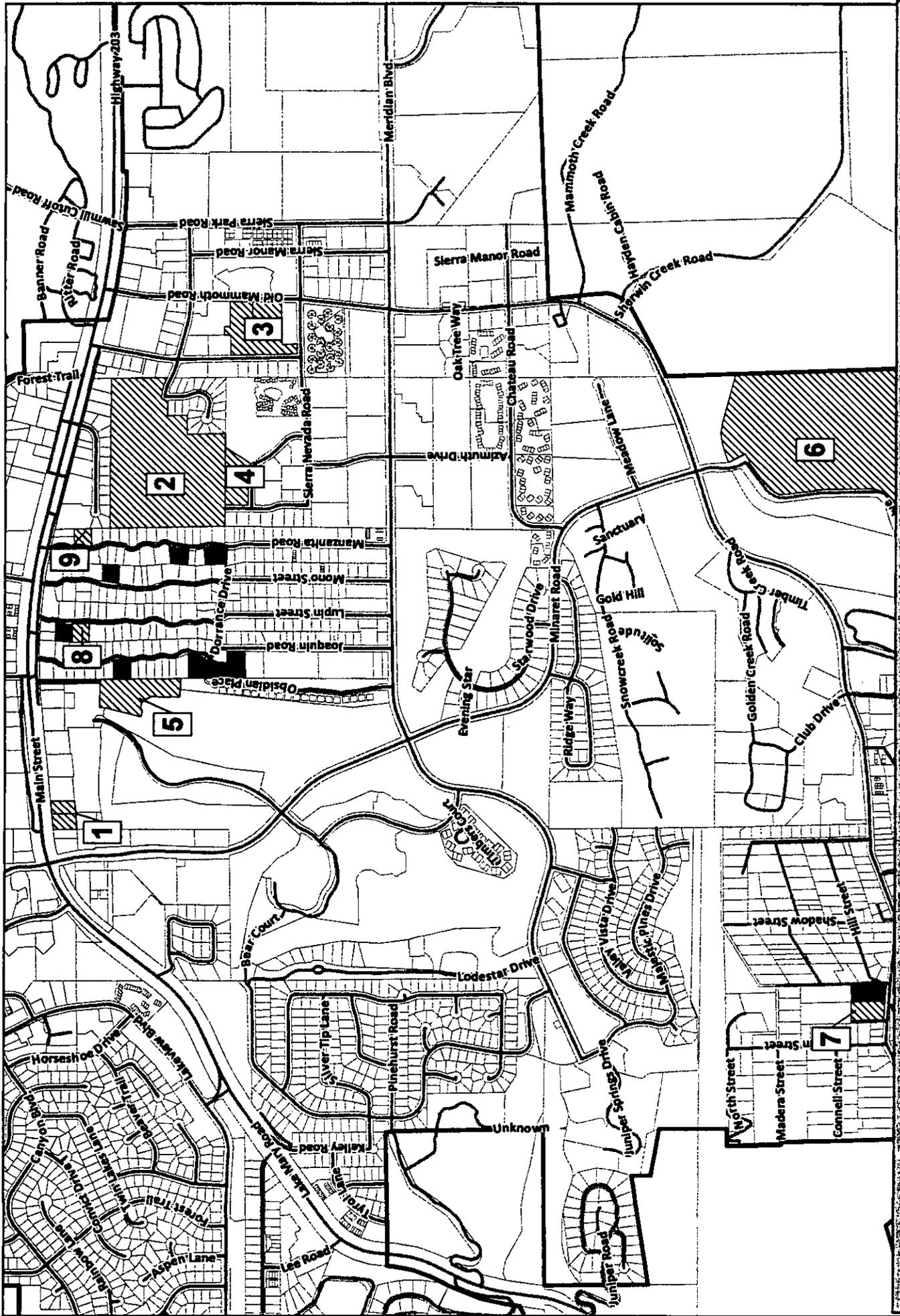
defined by the Town's Urban Growth Boundary, is under private ownership, and therefore developable. The Town does not anticipate that the Urban Growth boundary will be modified or expanded in the foreseeable future.

Two major components make up the Town's inventory of suitable sites.

- 1) Resort designated and Master Planned areas that include land allocated for affordable housing, approved housing projects, sites entitled for or otherwise committed to residential development, including affordable housing, and larger (>0.5 acre) vacant and underutilized sites in the Residential Multi-Family zone. Many of these are sites that will be required to provide housing as a result of the Town's inclusionary housing requirements, or are subject to the Affordable Housing Overlay zoning.
- 2) Other vacant land that is currently zoned for residential uses, as well as underutilized properties that are not developed to their full zoning capacity. .

RESORT DEVELOPMENT, MASTER PLANNED AREAS AND OTHER APPROVED PROJECTS

A number of sites within the Town of Mammoth Lakes have approved development plans that would include a range of housing types, including affordable housing. These include projects that are within approved Master Plans and Specific Plan areas, which are subject to an approved use permit, and/or which are otherwise committed to providing additional affordable housing units. The locations of these projects are shown in Figure 4-1, and the projects are summarized in Tables 4-3 and 4-4. Table 4-3 summarizes the reasonable estimate of each site's ability to accommodate a share of the regional housing need during the Housing Element Planning Period; Table 4-4 includes additional detail of the anticipated affordability levels of those units, based on actual approvals or on the Town's inclusionary housing requirement. It should be noted that several of the projects include a combination of lodging and residential units; in those cases, only the residential units are summarized in Table 4-4.



**Town of Mammoth Lakes
Draft Housing Element**

**Figure 4-1
Housing Sites**

Urban Limit
 Sites 1 to 9
 Site 10: Large RMF-1 Zoned Parcels

0 0.1 0.2 0.3 0.4 Miles

Table 4-3 Housing Sites Subject to Approved Permits, Plans, or Affordable Housing Overlay Zoning

1. Holiday Haus	1.55	33-10-017, 33-110-01	CL	C-1	12 Units/ 80 Rooms*	18.6 Units <u>or</u> 124 Hotel Rooms	15 Units
2. Shady Rest Master Plan	25.00	35-010-20	RMF-1 (AH)	HDR-1	12	172 Units	60 Units
3. Clearwater Specific Plan/Old Mammoth Place	6.09	35-230-06 35-230-07	CG	C-2	12 Units /80 rooms*	73 Units <u>or</u> 488 Hotel Rooms	8 Units
4. MMSA Arrowhead Road	1.24	35-16-083	RMF-2	HDR-2	12 Units	15 Units	15 Units
5. Sierra Star 4A Site	3.6	33-33-062	R	R	28 Units	100 Units	30 Units
6. Snowcreek Master Plan	143	40-07-011	R	R	8 Units	790 Units <u>and</u> 200 Hotel Rooms	200Units
7. Ettinger, 2144 Old Mammoth Road	1.05	22-242-14	RMF-1	HDR-1	12 Units	12 Units	12 Units
8. Tihana Townhomes, 48 Lupin Street	0.54	33-122-08	RMF-1	HDR-1	12 Units	9 units**	9 Units
9. Saraf, 41 Manzanita Road	0.49	33-125-01	RMF-1	HDR-1	12 Units	6 units	4 Units
10. Large Vacant/Underutilized RMF Sites (See Table 4-5 for detail)	5.83	Various (see Table 4-5)	RMF-1	HDR-1	12 Units	70 units	48 Units
						Total	401 Units

*The Town specifies permitted density for hotels and lodging uses in terms of rooms per acre.

** Nine units permitted by use permit, based on previous Town Code allowing one-bedroom units under 850 sf to equal one half unit of density

*** Two units exist on this site, for a net addition of four units

Source: Town of Mammoth Lakes Community Development Department, 2009

Table 4-4 Summary of Projected Housing Units 2009-2014, By Category¹

1. Holiday Haus	CL	0	0	0	15	0	15
2. Shady Rest Master Plan	AH	0	20	20	20	0	60
3. Clearwater Specific Plan/Old Mammoth Place	SP	0	0	4	4	0	8
4. MMSA Arrowhead Road	RMF-2	10	5	0	0	0	15
5. Sierra Star 4A Site	R	5	5	10	10	0	30
6. Snowcreek Master Plan ²	R	0	0			200	200
7. Ettinger, 2144 Old Mammoth Road	RMF-1	0	0	0	0	12	12
8. Tihana Townhomes, 48 Lupin Street	RMF-1	0	0	0	0	9	9
9. Saraf, 41 Manzanita Road	RMF-1	0	0	0	0	4	4
10. Other Large RMF-1-Zoned Sites (See Table 4-5 for Detail)	RMF-1	0	0	0	24	24	48
Total		15	30	34	49	205	333
Net Remaining RHNA (Table 4-1)		27	16	(16)	41	65	
Balance with Construction of Projected Housing Units (Number in parentheses indicates surplus of units beyond RHNA allocation)		12	(14)	(50)	(8)	(140)	

1. Proposed hotel rooms are not included in residential unit totals shown in this table.

Source: Town of Mammoth Lakes Community Development Department, 2010

Each of the sites is described below, keyed to the numbers shown in Figure 4-1. The discussion for each site includes an analysis of the realistic and viable development opportunities offered by each site, based on zoning and infrastructure conditions, as well as the status and timing of needed development approvals. Please also refer to Chapter 3, which provides a detailed discussion of applicable zoning and development standards, and their ability to facilitate or constrain the production of housing. As noted in that chapter, with some minor exceptions, which are addressed through policies and programs of this Housing Element, the Town's zoning densities and development requirements were found to be appropriate and not to unduly constrain residential development for any given sector of the population, including low- and very-low income residents.

1. Holiday Haus

The Holiday Haus project is located on Main Street in the Commercial Lodging (CL) Zone, which permits both residential and commercial uses. A use permit for the Holiday Haus project was approved in October 2008; although the project has not yet broken ground, it is expected to be under construction within the next five years. The project includes a 120-room condominium hotel, and in conformance with the Town's on-site affordable housing mitigation requirements, 14 moderate-income affordable housing units and one unit reserved for the hotel manager. The project was awarded a State housing density bonus to allow for the 14 affordable housing units to be included on-site. The site currently houses an existing hotel, and utilities and infrastructure are therefore fully available for a future development. Construction costs for the affordable housing units would be borne by the project developer; as permitted by the 2009 interim fee and housing policies, the affordable units would not be subject to Development Impact or Housing Mitigation fees, thus reducing their cost. Affordability of the units would be assured through deed restriction; which would be developed prior to issuance of a Certificate of Occupancy for the units. It is anticipated that, similar to past projects, a minimum 55-year deed restriction would be applied.

2. Shady Rest Master Plan

The Shady Rest Master Plan was approved in 1991, and allows for up to 172 units of housing on the approximately 25-acre site, with those units to include 50 units of very-low, 72 units of low-, and 52 units of moderate income housing. The site is also zoned RMF-1, with an Affordable Housing (AH)

overlay that requires the site to be developed with very-low, low- or moderate income housing. The site was obtained from the US Forest Service as part of a land exchange. The land exchange, and preparation of the 1991 Master Plan were treated as mitigation for the affordable housing demand of the Trails Subdivision. Without amendment of both the Municipal Code and the Master Plan, any development on this site would have to include this prescribed number of affordable housing units.

The relatively low number of units assigned to this large parcel (an effective density of 6.88 units/acre) is reflective of some of the environmental and other constraints associated with this site, including somewhat limited site access, the presence of a wetland area (approximately 7 acres), and its currently forested character, which the Town and community have an interest in retaining to a reasonable extent. At the same time, it reflects a realistic and conservative assessment of total development capacity.

The Town was in discussions with the current property owner in 2007 and 2008 regarding an application to update the existing Master Plan and to increase the number of allowed units on site. Although this application is on hold, due to the economic downturn, there is a continuing active interest in developing the site as a workforce-housing neighborhood. Since the creation of the Master Plan, the community has reaffirmed its support to see this site developed as anticipated in the plan, including the defeat of a 1996 voter initiative to modify the existing Master Plan.

The site is presently undeveloped, however, as an infill site, surrounded by existing development, extension of infrastructure on to the site would not be a significant constraint to its development, and extension of water, sewer and storm-drain infrastructure is contemplated in Town and Mammoth Community Water District infrastructure plans. Since the site is subject to a Master Plan and to the AH overlay, it would require a formal action of the Town to alter its zoning. Although extremely unlikely to occur, any re-zoning would be to restore the property to its underlying RMF-1 zoning, which would continue to allow multi-family residential development at up to 12 units per acre. This would allow for a minimum of 300 housing units, which exceeds the 172 currently allocated in the Master Plan.

In order for development of the Shady Rest Site to move forward, the Town will require the 1991 Master Plan to be updated to reflect the General Plan and new planning considerations that have arisen since adoption of the Master Plan. Although the Town has no control over when the site's owner may choose to proceed with the site's development, it recognizes the substantial opportunity presented

by the site and expects to work closely with the property owner to facilitate the Master Plan update. As a first step, the Town is working to complete a District Planning study (see Chapter 3), expected to be complete by fall of 2010, for the area that includes Shady Rest. The Planning Study identifies the major planning concepts for the site, including its development as "livable workforce neighborhood," that will be the basis of, and will facilitate the Master Plan update.

The Town's typical process would allow for the Master Plan update to be complete within 18 months of its initiation. It is expected that, in establishing zoning requirements for the property, the Master Plan would provide for streamlined and simplified review of future projects that conform to its requirements. To support this, the Housing Element includes a policy for the Town to work with the applicant to incorporate development standards, policies and procedures that will create a balanced mix of housing types and range of affordability for the local workforce; can create a livable workforce neighborhood; and streamline the approval process for subsequent projects brought forward under the Master Plan.

Because of the need for the Master Plan to be updated, it is probable that the entire 172 units allowed on this site would not be constructed during the Housing Element period. Therefore, Table 4-4 conservatively assumes that only about one-third of the units would be constructed by 2014, including a mix of very low, low and moderate income units.

Since no specific development proposal has been brought forward for this site, details of how construction of the units would be funded are yet to be determined. Given the affordability levels required by the existing Master Plan, it is likely that some form of partnership would be necessary to facilitate the construction of at least a portion of the units. The Town would be supportive of such a partnership, potentially with cooperation from Mammoth Lakes Housing, to develop this site as intended.

3. Clearwater Specific Plan/Old Mammoth Place

The Town adopted a Specific Plan for the 6.09 acre Clearwater site, located along Old Mammoth Road, in January 2009. The site currently houses a 156-room motel and two restaurants. The Specific Plan allows for the construction of a more intensive mixed-use project than the existing on-site development, that includes a hotel, ground level commercial space, and which requires that all of the project's workforce housing demand be accommodated on site. The Specific Plan allows that the on-

project's workforce housing demand be accommodated on site. The Specific Plan allows that the on-site workforce housing would be exempt from the density calculation for the site. Following adoption of the Specific Plan, tentative tract map and use permit applications for the Old Mammoth Place project were approved in March 2010, indicating the developer's intent to construct the project in the next one to three years. Demolition, grading and building permits would be required prior to construction, which may take two to three months to complete for a project of this size and complexity. As a redevelopment site, the Specific Plan area is fully served by all needed infrastructure. The development of the Specific Plan included the preparation of detailed conceptual plans that illustrated the feasibility of accommodating the proposed development intensity on this site; the Specific Plan also includes modified development standards for height, setbacks and lot coverage that would permit the proposed density on the site to be achieved. The Use Permit applies these standards to the proposed Old Mammoth Place project.

Consistent with the Specific Plan, the Old Mammoth Place project includes a proposed eight units of workforce housing that would be built in conjunction with the project. The Town's housing mitigation policy requires that these units be targeted at income levels of 120% AMI or less; therefore half of the units are assumed to be low-income and half for moderate income households.

A detailed financial analysis of the project has been provided to the Town, demonstrating the financial feasibility of the project as proposed, including the proposed number of on-site workforce housing units. The Town feels that the likelihood of this site developing as proposed is significant. The property is within the North Old Mammoth Road district, which the General Plan and a recently prepared district plan cite as an opportunity area for focused redevelopment as Mammoth's "town center", incorporating exactly the type of higher intensity infill and redevelopment as anticipated in the Specific Plan and included in the current development proposal.

Affordability of the units would be assured through deed restriction; which would be developed prior to issuance of a Certificate of Occupancy for the units. It is anticipated that, similar to past projects, a minimum 55-year deed restriction would be applied.

4. MMSA Arrowhead Road Site

Mammoth Mountain Ski Area owns this 1.24 acre site, which is included in their current land inventory as a site for a future employee housing project. As remaining Intrustwest properties build out

over the next 5 to 7 years, housing mitigation will be required, which is likely to include development of the Arrowhead Road site. Given the location of this site, the profile of other properties owned by MMSA, and the fact that it adjoins a similar MMSA-owned employee housing project, it is highly unlikely that MMSA elect to develop this site with anything other than employee housing units.

An estimated 15 units have been assigned to this site, based on the maximum zoning density in the RMF-2 zone of 12 units per acre. The units are projected to be in the extremely low, and very low - income categories, based on the typical wages for MMSA's seasonal workforce and current rental rates for existing MMSA employee housing units, which range from \$400 to \$650 per person per month.¹ Historically, and with similar projects developed by MMSA, including both dormitory-style and more traditional apartment-style developments, this maximum density has proven to be achievable. The site is surrounded by existing development and therefore has access to utilities and infrastructure. Since, as seasonal employee housing the units would be rental apartments or rooms, the Town would only require a design review of a future project. A stand-alone design review requires a Planning Commission approval, and typically takes three months to complete.

Affordability of the units would be assured through deed restriction; which would be developed prior to issuance of a Certificate of Occupancy for the units. It is anticipated that, similar to past projects, a minimum 55-year deed restriction would be applied.

¹ <http://jobs.mammothmountain.com/housing/rates/index.cfm>; accessed May 11, 2010

5. Sierra Star/Lodestar 4A Site

The Sierra Star 4A site is located within the Lodestar Master Plan area, also zoned Resort. The Resort Zone permits residential uses, including workforce housing, consistent with the adopted Master Plan. The 1981 Lodestar Master Plan identifies the 4A site as a location dedicated to affordable housing, to accommodate the future housing mitigation demands associated with the buildout of the Master Plan and other Intrawest resort development projects. An update to the Lodestar Master Plan was initiated in 2005 (project currently on hold), which continues to dedicate the 4A site for affordable housing. A second site within the Master Plan Area, immediately to the north of the 4A site was successfully developed with 40 units of affordable and workforce housing in 2007/8, at a density of approximately 18 units per acre. Therefore, the development of this site with affordable housing is consistent with both the zoning and Master Plan designations for this site.

Some development constraints, including the presence of a golf flyway easement, do limit the maximum developable area of the site, as do Town development standards for lot coverage, height, setbacks and snow storage requirements. Thus, although a higher density is assigned to this site in the Master Plan, the 30 units of housing assigned to the 3.6 acre site (an effective density of 8.3 units/acre) represents a realistic, and conservative estimate of the total potential units that the site could yield, taking into account the above constraints, although more may ultimately be possible. The site is proximate to other development and to water, sewer and other infrastructure, and extending utilities on to this site would not be a constraint to development. Based on similar recent projects, 10 of the 30 units are projected to be for extremely low and very low-income households, 10 for low-income households and 10 for moderate-income households.

Depending on whether the proposed units were rental apartments or for-sale units, the Town may require a Use Permit to be approved, or simply a design review. A Use permit would typically take six to nine months to complete; a design review takes approximately three months to complete. Following the design review or use permit process, grading and building permit submittals would be required, which may take two to three months for approval, assuming that more than one round of plan check comments would be needed.

Affordability of the units would be assured through deed restriction; which would be developed prior to issuance of a Certificate of Occupancy for the units. It is anticipated that, similar to past projects, a minimum 55-year deed restriction would be applied.

6. Snowcreek Master Plan

The Snowcreek Master Plan update was approved in July 2009. The Master Plan site is also zoned Resort, which permits a range of lodging and residential uses. The update includes a total of 790 residential units, of which a proportion are specified to be dedicated to workforce housing to meet the Town's workforce housing mitigation requirements. Since the Town's interim housing policy requires a project to provide workforce housing at a 10 percent inclusionary ratio, it is assumed that a minimum of 80 total workforce units will be built for the entire project, proportionate to each phase of development. Because the project proposes phased development, this analysis assumes that no more than one quarter of the total project, amounting to 200 units and including approximately 20 workforce-housing units, would be built during the 2007-2014 Housing Element period. A Use Permit would be required for each phase of the project's development, with an estimated processing time of four to six months, based on the complexity of this project.

Following approval of the Master Plan in 2009, a grading permit application was submitted to allow for preliminary mass grading of the site; this application review is still in process. The applicant is currently negotiating a Development Agreement with the Town, expected to be approved in June of 2010 that will include more specific details on the location, affordability levels and phasing of the workforce housing units. The applicant has preliminarily proposed the on-site units to be in the above-moderate category, although deed restricted to less than 200% of the AMI. Given the recent decline in housing prices, a 200% AMI unit is likely to be more costly than many market-rate units in Town, and so it is likely that the Town may require a lower affordability level to be applied to these units. Nonetheless, this analysis projects all of these units to be in the above-moderate category.

Although the site is currently undeveloped, the recent project EIR and Master Plan identified no constraints to development of the site in terms of extending infrastructure or services. The Master Plan includes preliminary infrastructure plans that demonstrate the feasibility of providing utility services. The Mammoth Community Water District has indicated its ability to serve the entire project with water, including the affordable housing units.

Affordability of the units would be assured through deed restriction; which would be developed prior to issuance of a Certificate of Occupancy for the units. It is anticipated that, similar to past projects, a minimum 55-year deed restriction would be applied.

7. Ettinger Project

The Ettinger project is a 12 unit town-home project, located on Lupin Street, for which a Use Permit and Tract Map was approved in October 2007. The site is zoned Residential Multi Family 1 (RMF-1), which permits a maximum density of 12 units per acre and is intended for non-transient residential development. Twelve units have been approved in the Use Permit for this 1.09-acre site. In its findings to approve the project the Planning Commission concluded that there was adequate infrastructure available and the site was able to accommodate the proposed number of units. All of the units would be for-sale at market rate (i.e. in the above-moderate category), with no deed restriction. A grading and construction permit would be needed prior to construction, which may take one to two months to complete. Since the Use Permit and Map continues to be valid, it is reasonable to assume that the project would be built in the Housing Element period.

8. Tihana Townhomes

The Tihana Townhomes project had a Use Permit and Tract Map approved in January 2008. The project is approved to construct 9 town-home condominium units on a 0.53-acre site on Old Mammoth Road. The site is zoned Residential Multi Family 1 (RMF-1), which permits a maximum density of 12 units per acre and is intended for non-transient residential development. The nine units were approved based on a previous zoning code provision that allowed small residential units under 850 square feet to be counted as one half unit of density. In the use permit approval, adequate infrastructure was found to be available and that the site was able to accommodate the proposed number of units. All of the units would be for-sale at market rate (i.e. in the above-moderate category), with no deed restriction. A grading and construction permit would be needed prior to construction, which may take one to two months to complete. Since the Use Permit and Map continues to be valid, it is reasonable to assume that the project would be built in the Housing Element period.

9. Saraf Apartments

The Saraf Apartments are a six-unit rental project located on Manzanita Road, for which the Planning Commission approved a Design Review in 2008. The site is zoned RMF-1, which permits non-transient residential uses at a maximum density of 12 units per acre. The six units approved for the

site is consistent with the zoned density allowed for the half-acre site. There are currently two units on the site, so the project would result in the net addition of four housing units. As a rental project, only a design review approval was required; demolition, grading and building permits will be required to develop the project. Findings for the design review approval included that the site could accommodate the proposed development and that adequate infrastructure exists. The applicant recently had approved a one-year extension of the Design Review approval, indicating his intent to begin construction of the site by 2011.

10. Other Large Residential-Zoned Properties

In addition to the nine sites listed above, staff performed an analysis of other suitable sites within the Residential Multiple 1 (RMF-1 Zone). The RMF-1 allows for higher density residential development at up to 12 dwelling units per acre, but does not permit transient or nightly rental, thus making it more likely that units developed within this zone will be available to meet the housing needs of local residents, rather than nightly visitors or second homeowners. The analysis considered properties of one half acre or more, that were either vacant or included only a single-family residence. As evidenced in the Saraf site listed above and for a number of other projects, it is reasonable to assume that such sites will redevelop more intensively in the future.

The inventory of sites is shown in Table 4-5, below. The maximum permitted density in the RMF-1 zone is 12 units per acre, and this density has been shown to be realistic and achievable based on similar multifamily projects in this zone. Table 3-3 in Chapter 3 includes a summary of existing residential density, showing that the average density of multi-family projects in the RMF-1 zone is 13.5 units per acre. Furthermore, a number of affordable housing projects have been built within this zone in the past decade, including three MMSA employee housing developments and Mammoth Lakes Housing's Jeffrey's apartment complex, showing that this zone is capable of accommodating housing affordable to lower-income households.

Nonetheless, in order to reflect a realistic development capacity, the analysis incorporates a more conservative assumption that the sites will develop at 75% of their maximum density (ie. at an average of nine units per acre), which allows that some site constraints may limit the ability of all properties to develop at their maximum density.

All of the sites are infill sites within an established residential neighborhood, are served by infrastructure that would allow for their development or intensification. As shown in the Table, based on these conservative assumptions, large vacant and underutilized sites have the potential to yield an additional 48 housing units during the Housing Element period.

While many of these projects would be for-sale condominiums, a certain proportion is likely to be developed as rental housing. As discussed in Chapter 2, some rental units are affordable to low-income and most to moderate-income and above households. Therefore, the Table 4-5 assigns half of the projected 48 units to the moderate-income category and half to the above-moderate income category.

Table 4-5 Residential Development Capacity Analysis, Large Sites in RMF-1 Zone

191 Dorrance	0.51	33-142-01	RMF-1	12 DU/Ac	9 DU/AC	5	1	4
262 Manzanita	0.63	33-147-07	RMF-1	12 DU/Ac	9 DU/AC	6	1	5
206 Manzanita	0.54	33-147-05	RMF-1	12 DU/Ac	9 DU/AC	5	1	4
26 Lupin Street	0.54	33-122-07	RMF-1	12 DU/Ac	9 DU/AC	5	1	4
97 Mono Street	0.53	33-134-04	RMF-1	12 DU/Ac	9 DU/AC	5	1	4
122 Joaquin Road	0.55	33-131-02	RMF-1	12 DU/Ac	9 DU/AC	5	1	4
324 Joaquin Road	0.85	33-170-01	RMF-1	12 DU/Ac	9 DU/AC	8	0	8
256 Joaquin R	0.65	33-141-03	RMF-1	12 DU/Ac	9 DU/AC	6	0	6
2116 Old Mammoth Road	1.03	22-242-26	RMF-1	12 DU/Ac	9 DU/AC	9	0	9
TOTAL	5.83						TOTAL	48

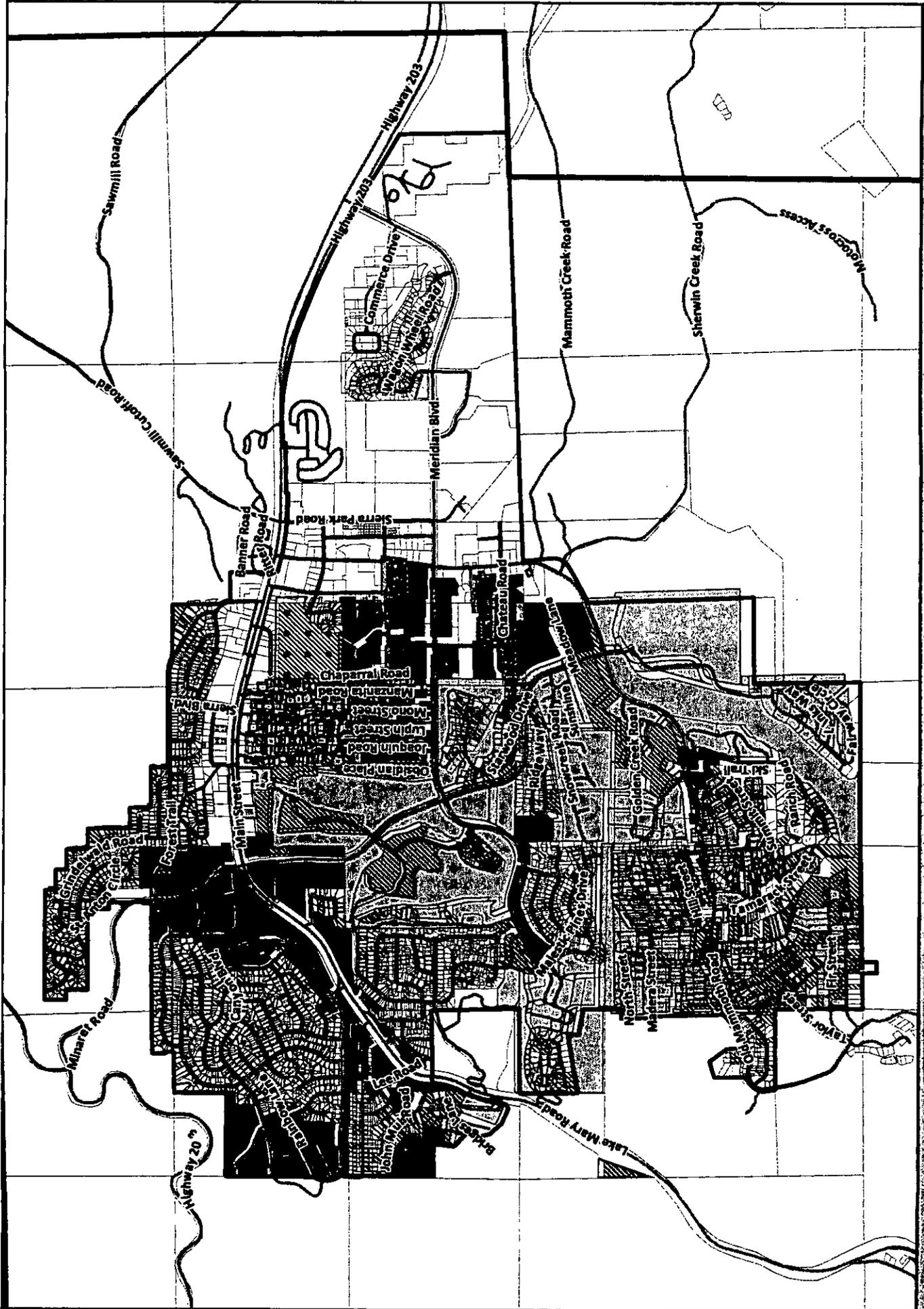
OTHER VACANT LAND ZONED FOR HOUSING

The Town defines four exclusively residential zones within its limits, and three other zones that allow for mixed resort, commercial and/or housing uses. Applicable development standards for these zones are outlined in Chapter 3, above.

As shown in the table, the Residential Single Family (RSF) and Rural Residential (RR) Zones are intended for single-family residential development on large lots of between one half and one quarter acre, equating to two and four units per acre, respectively. Two higher density residential zones, Residential Multi Family 1 (RMF-1) and Residential Multi Family 2 (RMF-2) allow for densities of up to twelve units per acre. The potential yield of units from large sites within the RMF-1 zone is described in more detail in the sites inventory above. The Town also has two sites zoned Mobile Home Park (MHP), which include existing mobile home developments. In addition, both of the Town's Commercial Zones (Commercial Lodging and Commercial General) permit multi-family residential uses, at up to 12 units per acre. Conservatively, the analysis in this section does not assume that any residential uses will be developed in the Commercial Zones, although in practice they may, particularly in the form of mixed-use projects. As noted above, several areas within the Town are zoned Resort (R) and two are zoned Specific Plan (SP). Although oriented towards recreation oriented and visitor-serving uses such as ski base lodge and golf-course facilities, lodging, and commercial development, residential uses including condominiums and single-family residential developments are also permitted. Because the Town's Housing Ordinance calls for projects to provide on-site housing mitigation, several of the adopted Master Plans include sites dedicated for affordable housing units.

Figure 4-2 shows vacant parcels in the town's Urban Growth Boundary that are zoned for residential development; these include a number of parcels within designated Master Plan and Specific Plan Areas, some which have approved entitlements associated with them; this is also the case for several of the vacant properties shown in other zones.

The inventory of vacant land is summarized in Table 4-6, and includes an estimate of the total number of residential units that might result from development of those sites. To avoid double counting, none of the units counted in the inventory of "Resort Development, Master Planned Areas and Other



- Zoning Designation**
- Residential Multi-Family 1
 - Residential Multi-Family 2
 - Affordable Housing Overlay
 - Rural Residential
 - Residential Single Family
 - Vacant

- Urban Limit
- Municipal Boundary
- Vacant

Town of Mammoth Lakes Housing Element
Figure 4-2
Vacant Residential Land



Table 4-6 Inventory of Vacant Residential Land

Resort Zone ²		R	Per Master Plan	
Altis Master Plan	n.a.	R	Per Master Plan	20
Greyhawk Master Plan	n.a.	R	Per Master Plan	18
Juniper Ridge Master Plan	n.a.	R	Per Master Plan	12
Lodestar Master Plan ³	n.a.	R	Per Master Plan	514
			48 to 80	50
North Village Specific Plan ⁴		SP	rooms/acre	
Rural Residential	65 acres	RR	2 DU/Acre	104
Residential Single Family Zone	59 acres	RSF	4 DU/Acre	270
Residential Multi-Family 2 ⁶	14 acres	RMF-2	12 DU/Acre	52

¹ Vacant acreage includes only privately held parcels with the potential to develop with new residential uses; a number of Town and other publicly-owned parcels are found within these zones, but have not been counted among the "available" acreage

² Includes remaining unbuilt units within Master Plan Areas. The Snowcreek Master Plan is also zoned Resort, but is included among the estimated development amounts in Table 3-2 and so is not included here.

³ Unit totals do not include the Sierra Star "4A" Site listed in Table 3-2

⁴ The North Village Specific Plan has an estimated remaining development capacity of 1,594 "rooms" (equivalent to approximately 797 residential units). Of these, 633 rooms are existing or entitled lodging rooms. The majority of the remaining properties expected to be developed as hotel or lodging uses; only an estimated 10 percent are assumed in this table to develop as residential uses (condominiums or rental housing).

⁵ Estimate of total residential potential assumes that half of available sites will develop with residential, rather than lodging, uses and that those parcels will develop at an average density of 9 units per acre (75% of maximum density) due to potential physical development constraints. Total excludes 15 units for Arrowhead Road site shown in Table 4-2 and 4-3.

Approved Projects" above, are included in Table 4-6. In the case of the residential zones, adjustments have been made to provide as realistic an assessment of development capacity as possible.

In particular, it is assumed that not 100 percent of vacant sites will develop, nor that those sites will develop at their maximum density (see footnotes in Table 4-5 for specific assumptions applied). These assumptions derive from a detailed study of vacant land capacity completed by the Town in 2009, used to develop a more refined buildout model to be used for estimates of future population. The inventory also excludes residentially zoned land that is not available for development, such as Town-owned property that has been identified as open space areas, condominium common areas, and properties subject to conservation easements.

As shown in the table, based on these conservative assumptions, there is the potential for up to 1,040 additional residential units. Conservatively, the table shows all of these units as falling into the above-moderate category. However, the recently-adopted Interim Housing Policy incorporates an inclusionary set-aside of 10 percent of all market rate units as workforce housing units, limited to an affordability level no greater than 120% AMI. Therefore, it may be reasonable to expect a portion of the 1,126 residential units to be dedicated for workforce housing. Assuming that approximately 25 percent of projects will comply with the inclusionary requirement by building units on-site, an additional 25 to 30 affordable housing units might be produced, in the extremely low, very low, low and moderate income categories.²

SUMMARY

As described in the above sections, and summarized in Table 4-7, the Town of Mammoth Lakes has a sufficient inventory of suitable sites to accommodate the remaining 136 units within the Regional Housing Needs Allocation that remain to be built over the Housing Element period. Based on the inventory of sites that are committed to development of affordable and workforce housing units, entitled projects with approved use permits, and capacity of large vacant and underutilized parcels in the RMF-1 zone, the Town can meet its fair share of the regional housing need in the very-low, low, moderate and above-moderate income categories. Other suitable sites planned for and dedicated to residential uses, including approved Master Plan areas, properties with existing use permits, and vacant residentially-zoned parcels, can easily accommodate the allocated number of above-moderate

² This estimate is based on the fact that the Housing Policy exempts certain residential project types from the inclusionary requirement, and the likelihood that a proportion of projects will satisfy their mitigation requirements through payment of in-lieu fees.

and market rate units. As discussed above, the Town's recently adopted interim housing policy would require at least a portion of these to be deed restricted below-market rate, thus contributing to the potential affordable housing supply.

Despite the fact that the capacity of these sites produces a number of units that exceeds the total RHNA, it will be more challenging for the Town to meet its fair share of extremely-low (ELI) units. In recent years, Mammoth Lakes Housing has proved successful in developing units to meet the needs of lower-income households, principally by constructing new housing units. Recently, MLH received grant funding to rehabilitate a triplex located on Old Mammoth Road and make it available as affordable housing. This Housing Element includes policies and programs that support the on-going work of Mammoth Lakes Housing to develop affordable housing opportunities, through allocation of substantial funding, and imposition of housing in-lieu fees intended to fund affordable housing programs and projects, including those aimed at ELI households. Furthermore, this Housing Element includes a number of policies and programs aimed at providing housing for Extremely Low-income households, including housing types such as mobile homes, supportive and transitional housing, seasonal employee housing (dormitory and SRO's) and other groups that are most likely to fall within the ELI category. Programs also include changes to the Zoning Code that remove regulatory barriers to the production of second units, emergency shelter and transitional and supportive housing, and which allow for development concessions that support infill and mixed-use housing.

Table 4-7 Summary of Projected Housing Units 2009-2014, by Category

Total Estimated Housing Units:					
Housing Sites Subject to Approved Permits or Plans, large RMF-1 sites	15	30	34	49	205
Total Estimated Housing Units: Vacant Residential Land	0	0	0	0	1,040
Net Remaining RHNA (Table 3-2)	27	16	(16)	41	65

Source: Town of Mammoth Lakes Community Development Department, 2009

4.4 FINANCIAL AND ADMINISTRATIVE RESOURCES

A number of different resources are available to landowners and developers seeking to provide housing in the Town of Mammoth Lakes, with certain of those resources targeted towards the provision of affordable and workforce housing. This section describes those various resources, including local non-profit agencies and State or federal programs.

LOCAL RESOURCES

The most important local financial resources available for housing are those associated with the Town's Housing Ordinance, which requires projects to mitigate their workforce housing demand through direct provision of workforce housing units, or payment of in-lieu fees, and the allocation of a proportion of Transient Occupancy Tax (TOT) revenues to housing. It should be noted that none of the projects listed in Table 4-3 are assumed to rely upon allocation of TOT or in-lieu housing fees to construct the affordable housing units that are shown, since (with the exception of Shady Rest), all are required mitigation units that would be built by their respective developer without input of Town or other non-private financial resources.

Affordable Housing Mitigation Ordinance and In-Lieu Fees

The Town's recently adopted Interim Affordable Housing Policy, which will be incorporated into an updated and amended Affordable Housing Mitigation Ordinance, constitutes a significant local resource for the provision of workforce and affordable housing. As discussed in greater detail in Chapter 3, through the Ordinance and policy, the Town requires most types of new development to mitigate a share of its affordable housing demand, by including on-site affordable units in conjunction with market rate units, or through payment of in-lieu fees that support affordable housing programs.

The Town receives payment of in-lieu fees for small residential and commercial projects based on the requirements set forth in Municipal Code Chapter 17.36 (and as recently modified in the Interim Affordable Housing Fee Policy). As allowed for in these regulations, projects that are required to directly provide workforce housing are permitted to pay in-lieu fees, subject to the approval of an Housing Mitigation Development Plan (HMDP). As directed by the Ordinance, these monies are deposited in a Housing Trust Fund that may be used for the purposes of planning for, administering, subsidizing or developing affordable housing. As of early 2009, the total funds available were approximately \$400,000.

With the recent economic downturn, development activity, and thus, fee revenues associated with that development have slowed dramatically. It is particularly difficult to quantify how much residential and commercial growth might be expected over the Housing Element period, given the degree of uncertainty in the development community overall. In the period 2004 to 2009, the

Town collected at total of \$3.23 million in housing in-lieu fees, an average of \$645,000 annually during the five-year period. Given the economic slow-down, as well as the revisions to the housing in-lie fee requirement recently adopted by the Town Council, it is expected that future revenues will drop from previous levels. Conservatively assuming that a quarter as much money will be collected going forward, the Town might expect \$150,000 to be available annually, or approximately \$1 million over the course of the seven year planning period.

Transient Occupancy Tax Allocation

In 2002, the Town adopted an Ordinance increasing the Transient Occupancy Tax (TOT) Rate to 12%, with a commitment that one half of the increase, amounting to approximately 7.7% of TOT revenues, be designated towards the development of workforce and affordable housing within the Town. As a resort community, TOT in Mammoth Lakes is a significant portion (over 60 percent) of local revenues. Between 2003 and 2008, the Town collected an average of \$9.2 Million annually in TOT, translating to an average of over \$700,000 annually for housing. TOT revenues have increased modestly over the past 6 years, and although the Town is projecting a decrease in overall room occupancy and revenues in the near future, due to the economic downturn, TOT will nonetheless continue to contribute substantially as a local resource for the provision of workforce and affordable housing.

Over \$800,000 was available in 2009 through the TOT allocation program for housing. As noted below, these monies are principally dedicated to funding the work and programs of Mammoth Lakes Housing, Inc., a non-profit organization formed by the Town with other participants in 2003.

Redevelopment

The Town of Mammoth Lakes does not have a Redevelopment Plan or Agency in place; therefore redevelopment funding is not a financial resource available to the Town.

NON-PROFIT ORGANIZATIONS

Mammoth Lakes Housing, Inc.

Mammoth Lakes Housing, Inc. (MLH) is a private, not for profit, organization that was established in 2003 by the Town of Mammoth Lakes. The agency received its initial start-up funds in 2003 through equal contributions from the Town of Mammoth Lakes, Mammoth Mountain Ski Area, and Intrust Mammoth. Mammoth Lakes Housing receives the majority of its current operating funding from the Town of Mammoth Lakes, which in turn derives this money from an allocation of 1/12 of all Transient Occupancy Tax revenues specifically dedicated to workforce housing.

MLH's Board of Directors currently includes the representation from the Town of Mammoth Lakes staff, Town Council, the Mono County Board of Supervisors, a representative from MMSA, and three at-large members.

Since its creation, MLH has successfully facilitated the construction of five separate affordable housing projects, including 107 units of deed-restricted rental and for-sale housing. Funding for these projects was achieved with a combination of resources, including pass-through grant funding applied for in cooperation with the Town, other State and Federal financing, and monies from developer housing impact fees. MLH also provides management of affordable rental housing, facilitating ownership and rental of affordable housing units, and providing technical and financial assistance to homebuyers and renters, as well as to entities seeking to develop affordable and workforce housing units.

In 2006, MLH brought 48 new for-rent units and 24 for-sale units onto the market. In both 2007 and 2008, MLH completed 14 new for-rent units. In 2009, 24 new for-sale units were completed.

Inyo Mono Advocates for Community Action (IMACA)

IMACA is a private non-profit organization active that provides a range of social services functions, including some aimed at housing. IMACA constructed and manages the Glass Mountain Apartments, a 25 unit affordable housing project in Mammoth Lakes. IMACA administers the Housing Choice Voucher Program, with 15 Section 8 vouchers available in Mono County, distributes vouchers for

emergency housing, and provides free weatherization and energy conservation services (such as heating upgrades) to qualifying households in Inyo and Mono Counties.

OTHER FINANCIAL RESOURCES

The Town and Mammoth Lakes Housing have actively pursued and been awarded grant funding for housing-related projects. These applications are expected to continue over the course of the Housing Element period. State and Federal grants available to the Town include low-income housing tax credits, multifamily housing program grants, Affordable Housing Program (AHP) grants, HOME, and others.

The Town and Mammoth Lakes housing have been awarded federal HOME funds for housing development over the past several years. HOME is a federally funded program that assists in the production and preservation of affordable housing for low and moderate-income families and individuals. The program funds a broad range of activities including new construction, acquisition and rehabilitation of rental properties. It is anticipated that additional applications will be made during the Housing Element period both for new construction of rehabilitation of existing units.

MLH also applies regularly for Community Development Block Grant (CDBG) funds, which are applicable to a range of activities including housing acquisition and rehabilitation and homebuyer assistance, among others. MLH also funds its down payment assistance program through a variety of grant funded sources including HOME, CalHome, Workforce Housing Program, and CalHFA HELP.

Although these applications are becoming increasingly competitive, it is anticipated that the Town and MLH will continue to apply for and receive these funds, approximately every other year.

HOUSING STRATEGY

As discussed elsewhere in this Housing Element, the Town of Mammoth Lakes faces a complex and diverse series of local housing challenges. As the Town's non-profit housing organization, Mammoth Lakes Housing plays a critical role helping to identify the community's housing needs, and develop targeted approaches and programs to address them. In 2008, the Mammoth Lakes Housing Board directed its staff to work with Town staff to develop a long-range strategic

planning document, including a “Housing Toolkit,” intended to focus and direct its efforts to facilitate and provide workforce housing in Mammoth Lakes. The Town expects to be closely involved with development of the Housing Strategy so that it can complement and effectively implement the Housing Element and Town housing ordinance. The Housing Program includes, as a key action to work with MLH to develop and adopt the Housing Strategy, in order to more effectively guide their work and allocation of resources towards development of workforce housing.

MLH and the Town anticipate that the Housing Strategy will be a guide for the Town and MLH in the administration and implementation of variety of housing programs conducted by MLH, and administration of regulations with which MLH has been assigned a review or advisory role, including the evaluation of workforce housing proposals, or Alternative Housing Mitigation Plans. The Community Housing Strategy will clearly outline the roles of Town staff as well as MLH staff so that the partnership can continue to function effectively and best serve the community.

4.5 ENERGY CONSERVATION OPPORTUNITIES

Energy conservation is important to housing affordability, since energy costs can constitute a significant proportion of housing costs. In Mammoth Lakes with its harsh winter climate, homes that are poorly insulated or that have inefficient heating systems, can drive up energy costs. Techniques such as use of passive solar construction (orienting buildings properly to gain solar heat energy), insulation treatments, and installation of energy efficient appliances such as on-demand heaters can result in dramatic energy savings.

State law has established "energy budget" standards through Title 24 of the California Administrative Code. Title 24 requirements apply to most building components that have an influence on energy consumption. It is the responsibility of builders and homeowners to comply with Title 24 standards, and for the Town to enforce those standards through plan check and code compliance inspections.

Southern California Edison (SCE), the local energy utility, offers a number of programs aimed at energy conservation to Mammoth Lakes' households, including home energy audits and rebates

for energy efficient appliances. SCE also offers an energy rebate program for residential developers and customers, and an Energy STAR new home program. The utility also publicizes other programs available to its customers such as the Federal Income Tax energy credit program.

The High Sierra Energy Foundation (HSEF) is a non-profit that is dedicated to promoting and supporting energy conservation in Mono and Inyo Counties. Among other sources, HSEF receives funding from the Town and from SCE. HSEF's programs have included publications on energy efficient practices and building strategies suitable for the Eastern Sierra climate, rebate programs, as well as an on-going public communication campaign to educate local residents about energy saving. As noted above, IMACA, a local non-profit, offers low cost weatherization and retrofit programs for qualifying households in Mono and Inyo Counties.

In addition to the above, Mammoth Lakes is situated in an area of high geothermal activity. Although not significantly utilized at present, geothermal resources present a tremendous opportunity for future heating needs. In anticipation of ground source heating being available in the foreseeable future, the Town has installed piping in several of its recent sidewalk construction projects that would allow them to use geothermal heat for snowmelt.

**HOUSING ELEMENT
CHAPTER 4: HOUSING RESOURCES**

5 HOUSING PROGRAM

This chapter includes the Town's strategy for meeting housing needs as described in Chapter 2 of this Housing Element, specifies the use of resources available to the Town, and the reduction of constraints to the availability of housing for all residents as described in Chapters 3 and 4. As required by State law, this chapter also contains quantified objectives for housing construction, housing rehabilitation, and the preservation of affordable housing. It specifies a five year action plan, that, among other aspects, identifies resources and strategies to support the development of affordable housing for all sectors of the community; to reduce governmental constraints to the provision of housing, conserve and improve the existing housing stock, and promote fair housing.

As described in Chapter 4, the Town's limited urban area, which is surrounded by public land, means that a decreasing amount of vacant land is available for new housing development. Much of that land is located within Master Plan areas that are intended for resort-oriented development, with the remainder consisting of infill development. The Town's requirement over the past decade for affordable housing to be placed on-site with new development has meant that a sizeable number of workforce and affordable housing units are planned as part of the development of these Master Plan areas, or will be built in conjunction with major projects. In addition to these resources, vacant residentially zoned property, including a large, 25-acre property zoned with an "Affordable Housing Overlay", have the potential to supply a significant number of new affordable housing units.

5.1 EVALUATION OF ACHIEVEMENTS (2003-2008)

This section documents the Town's achievements under the 2003 Housing Element. It identifies the programs contained in the Element and describes the relative success of the Town to achieve those programs.

SUMMARY OF ACHIEVEMENTS

During the period of the previous Housing Element (2003-2008) the Town implemented a number of actions to plan for, accommodate, and facilitate the construction, rehabilitation, and preservation of affordable housing. Among these actions were:

- Formation of Mammoth Lakes Housing, Inc. in 2003, a non-profit agency, largely funded by the Town, which is dedicated to the creation of affordable and workforce housing opportunities in the Town.
- Ongoing financial support for Mammoth Lakes Housing and their extensive program of services for direct provision and facilitation of workforce and affordable housing, through allocation of Transient Occupancy Tax revenues and housing in-lieu fees.
- Approval and support for Mammoth Lakes Housing's construction of 107 units of affordable housing for rent and for ownership in Mammoth Lakes, plus support and facilitation of the production of an additional 39 units of mitigation housing provided by private developers.
- Assistance to 52 households, amounting to \$3.5 million, for low-interest loans for purchase of local homes.
- Ongoing monitoring of deed-restricted housing units.

Table 5-1 summarizes the Town's progress towards achieving the various actions specified in the 2003 Housing Element.

Table 5-1 SUMMARY OF PROGRESS TOWARDS 2003 HOUSING ELEMENT GOALS

1. The Town has set a target of a minimum of 60 new units of very low-income housing, 53 units of low-income housing, and 69 units of moderate income housing for the five-year period ending in December 2008. This number corresponds to the fair share of the regional need. Assistance for development of these units shall be through Inclusionary Zoning, pursuit of Community Development Block Grants and HOME funds, continued allocation of one-twelfth of TOT revenues for housing, and partnership with public and private agencies

The following number of housing units were provided in the Housing Element period 2003-2008:

- Very Low: 19
- Low: 114
- Moderate: 25

In addition, 44 units of deed-restricted above-moderate income housing were developed during the period. The above-listed units were achieved through application of TOT-derived funds, housing impact fees, and pursuit of grants.

The Town significantly exceeded its RHNA target for Low-income housing, but fell short of the target for very-low and moderate-income units. However, a number of units in the Low-income category were deed restricted to 60% of AMI, at the lower end of the Low-income category. In part, this was due to the availability of grant funding for projects, which was more readily available in the 60% AMI category, and the challenge for private developers to provide units in the lowest income categories, because of the larger subsidy required.

The 2009 Housing Element should include an updated policy to meet the RHNA allocation for the 2007-2012 Housing Element period, and actions identifying the strategies that should be pursued to accomplish this goal

2. The Town shall review affordability levels, incomes, and market housing rates and may choose to pursue additional density

The Town initiated a zoning code amendment in 2005 (ZCA 2005-05), to amend the Housing Chapter of the Zoning Code. This amendment, approved in 2006, revised the density bonus section of

This action has been substantially accomplished through the General Plan

bonus provisions that will allow for bonuses on a case-by-case basis for development projects offering deed restricted units for households earning above 120 percent of the area median income.

the Code to be consistent with State Density Bonus Law provisions; however, this does not allow density bonuses for households earning above 120% of the area median income.

The Town adopted an update to its General Plan in 2007, including Policy L.2.D. Which states that *"For housing developments where all units are deed restricted to workforce housing (emphasis added), a density bonus may be granted in addition to any bonus granted pursuant to the State Density bonus law up to a combined bonus of twice the density identified for the designation in which the project is located."* The Municipal Code includes a definition of "workforce" housing as housing restricted for rent or purchase by individuals or households working within the community of Mammoth Lakes, and allows criteria including rent and sales price to be determined administratively. (17.36.020).

This provision, which is yet to be codified as part of Chapter 17.36, would allow for housing at affordability levels above State-defined criteria to qualify for an additional density bonus. The Town is initiating a Zoning Code update in 2009 to ensure that the Municipal Code is entirely consistent with the updated general plan, including the above.

update; however, this Housing Element should include an action to codify this provision as part of an update to the Housing Ordinance.

3. The Town shall research and review off-site density transfer provisions and the transfer of development rights as tools to encourage affordable housing development, and may choose to pursue one or both of these methods of permitting increased density for appropriate

In 2007, the Town adopted a new General Plan that includes density transfer policies, including Policy L.3.H: "Density may be clustered or transferred within clearly articulated district, master, and specific plans to enhance General Plan goals and policies"

An action in the 2007 General Plan is for the Town to *"prepare a transfer of development rights ordinance describing the methods*

Action has been substantially accomplished through General Plan update and will be implemented through the forthcoming Zoning Code update.

properties.

and findings for approving such density transfers." (Action L.3.H.1). Therefore, the Town has chosen to pursue the transfer of development rights; however, the implementation of this policy through an ordinance has not yet been completed. It is expected that this will be included in the Zoning Code Update.

4. The Town shall partner with private developers to facilitate the acquisition and development of work force housing at appropriate affordability levels through economic support and regulatory concessions.

The Town has implemented this Housing Element program during the past several in a number of ways, including the following specific examples:

- In 2003, a private developer deeded land to MLH for affordable housing. MLH has since developed 72 workforce-housing units on the site (Aspen Village). In addition, the Town has relaxed development standards for density, parking, lot coverage and setbacks for the Manzanita Apartments, and parking and stream setback requirements for the Aspen Village apartments, in order to facilitate these projects. In 2008, the Town approved the Holiday Haus project that includes 14 affordable housing units on-site. The developer of this project worked with the Town and MLH to configure the housing units and provide adequate amenities and storage. A building height concession and density bonus was provided per State requirements. These concessions were granted pursuant to State housing law.
- In 2006 and 2007 the Town and Mammoth Lakes Housing, working with an affordable housing developer, partnered on a proposal for an affordable housing project on the Tavern Road site, a town-owned parking lot. The

Actions should be included in the 2009 Housing Element Update for on-going economic and regulatory support for workforce housing.

Use Permit for the project was approved, although the project was subsequently determined to be financially infeasible.

- In 2004, the Town approved an Affordable Housing Mitigation Plan (AHMP) for the 80/50 development for \$3,000,000 to offset the project's affordable housing requirements.
- In 2006, the Town approved the Hillside project that included 36 bedrooms for the very-low income affordability level. Subsequently, the Town and MLH reviewed detailed construction plans with the developer and determined that this was not the best location or project for affordable housing. Therefore, an AHMP for this project was approved for \$5,586,000 to offset the project's affordable housing requirements.
- The Town's housing ordinance, as adopted in 2005, does not require housing mitigation for market-rate rental apartments, in order to encourage this needed type of workforce housing

5. The Town shall bi-annually review the Inclusionary Zoning and Linkage Fee regulations to ensure they accurately reflect the costs associated with building and providing affordable housing. Necessary revisions to the fee structure shall be proposed

The Town has substantially implemented this action through periodic review and revision of housing fees:

In 2003-4, the Town updated the Affordable Housing Ordinance originally adopted in 2000, and the Town's entire housing mitigation program, including fees, was reviewed and updated in

A similar action, to periodically review and update housing mitigation fees and policies should be included in the 2009 Housing

<p>to Town Council when appropriate.</p>	<p>2005. Housing fees have also been adjusted annually to reflect inflation and current construction costs. In 2009, the Town initiated a comprehensive review of its fee program, including fees associated with housing, to determine if they are in line with current economic conditions, costs, and community needs. As noted in Chapter 3, this study has resulted in the adoption of an Interim Affordable Housing Mitigation Policy which, among other aspects, adjusts previous mitigation requirements and in-lie fees to better respond to economic conditions, and not unduly restrict the production of housing</p> <p>The Town also reviews in-lieu fee proposals associated with submittal of Housing Development Mitigation Plans. The latter fees have been reviewed on a case-by-case basis with the MLH Board, and calculated based on actual construction costs for affordable housing.</p>	<p>Element.</p>
<p>6. The Town shall develop and/or support through partnership, homebuyer assistance programs.</p>	<p>This action has been implemented. Mammoth Lakes Housing launched a homebuyer assistance program in 2006, and since that date has provided approximately \$3.5 million to assist 52 households with low-interest loans for purchase of local homes.</p>	<p>Action has been substantially accomplished. Ongoing support for a range of programs operated by MLH, including the homebuyer assistance programs should be included as an action of the Housing Element.</p>
<p>7. The Town shall develop and/or support through partnership, a rental acquisition and/or rehabilitation program.</p>	<p>Although neither the Town or Mammoth Lakes Housing have acquired/rehabilitated units during the Housing Element period, the Town has made progress towards implementing this action through</p>	<p>Ongoing support for a range of programs operated by MLH, including a rental</p>

its support of the programs of Mammoth Lakes Housing, and implementation of its affordable housing Ordinance. The Town has allowed two private developers to purchase and rehabilitate condo units (two) to serve as mitigation housing. However, this has proven to be relatively costly compared to other means of providing affordable units. , MLH adopted a “Housing Toolbox” in 2008 that includes deed restriction of existing condominiums and apartment units for workforce housing. To date, however, the purchase, deed restriction and rehabilitation of rental units has not been a priority for Mammoth Lakes Housing, for the above-mentioned reason.

In addition, and as documented in the Housing Needs Assessment Chapter, rental housing units already built provide a relatively affordable supply of housing in the community.

acquisition and/or rehabilitation programs should continue to be included as an action of the Housing Element. The cost-benefit of acquiring affordable rental units should be balanced against that of other programs that might more effectively increase overall affordable housing supply.

8. The Community Development Department shall continue to review site design to assure maximum efficiency including building placement and orientation to maximize passive solar heat, snow removal, and circulation.

The Community Development Department's review procedure includes analysis of energy efficiency and solar access/shade. In 2007, the Town's Planning Application Form was updated to require a description of energy saving techniques used in design, construction or ultimate operation of the project. The Community Development Department coordinates development project plan review with the Public Works Department to ensure adequate snow storage and circulation design of all projects.

The 2007 General Plan includes numerous policies and programs to encourage quality site design. The Town is initiating a Zoning Code Update in 2009 to implement these updated policies.

As required by the State, the Town will adopt the California Green

Reviewing projects for energy efficiency in site design and planning should be included in the Housing Element as an ongoing program, updated to reflect recent regulatory changes and consistency with other elements of the General Plan.

Building Code standards and implement these in project review.

9. The Town shall continue to work with local utility companies, and other area partners offering home weatherization programs.

The Community Development Department regularly routes development project plans to Southern California Edison for review and comment. On January 18, 2005, the Town adopted a resolution supporting a partnership between Southern California Edison and the Town of Mammoth Lakes, and creating the High Sierra Energy Foundation, to which the Town provides ongoing financial support. HSEF has developed a number of resources supporting energy efficiency in residential and commercial project, including Mammoth Energy Smart, an informational guide to energy efficiency. HSEF's programs in 2009 are anticipated to include implementation of SCE energy efficiency programs, with supporting local advertising and implementation assistance, and development of unique programs for electric heating efficiency in the high alpine areas of Mono County

IMACA, a local non-profit provides low-cost home weatherization services to qualifying households in Mammoth Lakes, although there has not been significant uptake of these services.

The Housing Element should update this program to describe more specifically the actions the Town will take to publicize and encourage uptake of IMACA and HSEF energy efficiency and home weatherization programs.

10. The Town shall identify neighborhoods needing concentrated housing rehabilitation assistance and public facility improvements.

This action has substantially been implemented. In 2005 and 2006, a property conditions survey was conducted over a significant portion of the Town. The survey was focused on and cataloged property conditions in older residential neighborhoods including the Sierra Valley Sites, portions of the Old Mammoth neighborhood, and neighborhoods along and adjacent to Main Street. Since completion of the survey, the Town adopted an updated General Plan, which includes the concept of "district

The Housing Element should include an updated action that employs district planning, updates to infrastructure studies and plans, and ongoing cooperation with Mammoth Lakes Housing and other non-profits to target improvements

planning" for various areas of the Town, and which will allow for better-defined policies and programs for upgraded infrastructure and neighborhood improvements.

In addition, in 2007, the Town's Public Works Department identified the Sierra Valley Sites, a high-density residential neighborhood, as an area that may need storm drain infrastructure improvements. As a result, a report was prepared in 2008 that included recommendations for updating the Town's Storm Drain Master Plan. These recommendations included storm drain enhancements/ improvements and new storm drains in different areas of town, including various residential neighborhoods.

The Town's Sidewalk Master Plan and Bikeway Master Plan also identify areas where infrastructure improvements are needed for non-motorized modes of transportation. The Town is currently developing a town-wide Mobility Plan based on a town-wide survey of existing transportation infrastructure that will identify targeted public improvements and priorities.

and assistance to identified neighborhoods.

The Town shall continue to allow existing, non-conforming residential uses, and will allow for the rehabilitation of those units, rather than conversion.

This action has been implemented during the past housing element period. During this time, the Town has continued to allow existing non-conforming residential uses in non-residential zones, and to permit upgrades of non-conforming structures to a value of 100% of the assessed value, without correcting the non-conformance. Existing legal residential uses may be reinstated if they are destroyed, provided that current property development standards are met when the structure is rebuilt.

The ongoing application of existing Town Codes will ensure that existing non-conforming residential uses may continue, subject to certain requirements.



The Town shall promote equal housing for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status or disability.

The Town has not instituted a program to actively promote fair and equal housing to all. However, Mammoth Lakes Housing, the Town-funded non-profit that provides housing and housing-related services, adheres to fair housing requirements in the administration of its programs and makes available information on equal housing laws to its clients.

This should be included in the Housing Element as an ongoing program and amended to note specific actions the Town may take to promote fair housing, and to cooperate with Mammoth Lakes Housing in this regard.

5.2 HOUSING POLICIES AND PROGRAMS

The intent of the Housing Element is to ensure that the housing needs of all economic segments of the community can be adequately met. The Town of Mammoth Lakes' goals and policies related to housing are presented in this section along with the programs that implement the goals and policies. The goals and policies are established to guide the development, rehabilitation and preservation of a balanced inventory of housing to meet the needs of present and future residents of the Town. The programs specified constitute the Town's housing program, which relies upon a wide variety of mechanisms to implement the Town's goals and policies.

The goals, policies and programs are presented below. A summary of the housing programs is provided in Table 5-2 at the end of this section, indicating the entity responsible for implementing the program, funding source, timeframe to accomplish, and overall program objective.

H.1 GOAL: Assure adequate sites for housing development with appropriate land use and zoning designations to accommodate the Town's share of the Regional Housing Need.

H.1.A. Policy: Provide for a sufficient amount of land designated at appropriate residential and mixed use densities to accommodate the Town's share of the regional need for affordable housing, including land to accommodate extremely-low, very-low, low- and moderate income housing.

H.1.A.1 Action: Maintain an up to date, GIS-based inventory of potential sites available for future housing development, and provide this information to Mammoth Lakes Housing and prospective developers.

H.1.A.2. Action: As part of the annual planning report to the Town Council, provide an update on progress to meeting the Housing Element, to ensure that adequate sites remain available to meet the RHNA.

H.1.A.3. Action: Ensure that updates and amendments to existing and future Master Plans and Specific Plans provide development capacity and supporting policy to help meet the Town's housing needs.

H.1.B. Policy: Allow housing development as part of infill and mixed-use development within commercial zoning districts.

H.1.B.1 Action: As part of the amendments to the Housing Ordinance, analyze the implications and benefits of excluding required on-site affordable and workforce housing from density calculations in all mixed-use projects in the Commercial General and Commercial Lodging Zones, and lodging and residential projects in the Residential Multi-Family 2 zones. Any exclusion of such units from density calculations would require findings to be made that the total project density did not result in unacceptable site plan, character, livability or environmental impacts. If adopted into the Municipal Code, this provision shall only be applicable to projects ineligible for Town- or State- housing density bonuses.

H.1.C. Policy: As part of the District Plans and their subsequent codification, develop incentives to encourage residential mixed use and infill development. Such incentives may include:

- Relaxation of development standards such as reduced parking requirements, modified setbacks or lot coverage, and height concessions.
- Allowances for shared parking, particularly for mixed use projects and those proximate to transit and services.
- Provisions to support the non-residential component of such projects such that the financial feasibility of the residential portion is increased.

H.1.C.1. Action: Include a section in each District Plan specifically addressing residential uses and workforce housing, and the quantity, quality and livability of that housing. This may reflect the any incentives determined to be appropriate as outlined in Policy H.1.D., and should include:

- A District Plan for the “Downtown Area” including Main Street and adjacent areas, including specific policies and/or incentives to support the development of mixed use and infill commercial/residential projects along Main Street, and infill residential-only development on sites that do not front directly on Main Street.
- Codification of the North Old Mammoth District Plan and Downtown District Plans, including specific incentives to encourage residential mixed use and infill development, and refined zoning standards that promote mixed use residential and commercial development.

H.1.D. Policy: Allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and 2007 General Plan policy L.2.D. Projects that have applied for and received State, Town, or other housing-related density bonuses shall not be permitted to subsequently move or transfer qualifying units off-site.

H.1.E.1.Action: As part of Housing Ordinance amendment, reflect the density bonus provisions of General Plan policy L.2.D, ensuring the amendment remains consistent with State density bonus law.

H.1.E. Policy: 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.

H.1.E.1.Action: Work with Mammoth Lakes Housing to develop criteria, standards and thresholds by which Alternative Housing Mitigation Plans (AHMPs) can be assessed and approved. Such standards should be sufficient to demonstrate the achievement of “greater housing benefit” from off-site housing or payment of in-lieu fees, in the form of creating additional units, “deeper” affordability to Extremely-Low or Very Low income households, additional units suitable for large families, units provided sooner than might otherwise be the case, or units that better meet an identified community housing need.

H.1.F. Policy: Through the Town's zoning standards, provide opportunities for development of housing to serve extremely low-income and special needs populations, including seniors, the physically disabled, homeless, at-risk youth, seasonal employees and female-headed households.

H.1.F.1. Action: Continue to apply zoning standards that allow for the following types of special needs housing in Mammoth Lakes:

- Emergency shelters and transitional housing facilities in the Commercial Lodging (CL) and Commercial General (CG) districts. Emergency shelters will continue to be allowed by right without discretionary action, subject to the same development and management standards that apply to other uses within the CL and CG districts.
- Group living quarters, including dormitory type residential uses, boarding houses, and Single Room Occupancy units in multi-family residential zones.

H.1.F.2. Action: Pursuant to SB 2, modify the Municipal Code to:

- Specify that design review required for the new construction of an emergency shelter or for significant exterior building modifications to create an emergency shelter will be non-discretionary;
- Allow transitional and supportive housing as a residential use, subject to only those restrictions that apply to other residential uses of the same type in the same zone; and to
- Specifically describe emergency shelters and transitional housing in the zoning code. The Town will also further examine the development standards to ensure the uses are not infeasible.

H.I.G. Policy: When a proposal is brought forward to update the Shady Rest Master Plan, work with the applicant to incorporate development standards, policies and procedures that will create a balanced mix of housing types and range of affordability for the local workforce; can create a livable workforce neighborhood; and streamline the approval process for subsequent projects brought forward under the Master Plan.

H.2 GOAL: Promote construction of an adequate supply of housing to meet the needs of all sectors of the community, including the conservation and improvement of existing housing supplies.

H.2.A. Policy: Utilize a range of strategies to facilitate a diverse range of housing types, consistent with Town design and land use policies, to meet the needs of all local residents, particularly the local workforce.

H.2.A.1: Action. Dedicate one percentage point of all revenues from Transient Occupancy Tax to fund affordable and workforce housing programs, and the work of Mammoth Lakes Housing.

H.2.A.2: Action. Pursue available grant funds, in cooperation with Mammoth Lakes Housing, to support and facilitate the provision of workforce and affordable housing. In particular, the Town will seek State and Federal funding specifically targeted for the development of housing affordable to extremely low-income households, such as the Local Housing Trust Fund program and Proposition 1-C funds.

H.2.A.3: Action. Develop and adopt a Community Housing Strategy in collaboration with Mammoth Lakes Housing that promotes housing construction and conservation necessary to meet the Town's affordable and workforce housing needs on a short-, medium- and long-term basis. The Housing Strategy shall provide for periodic updates of short- and medium range priorities and program objectives based on current data and conditions. The Housing Strategy shall include a broad range of programs and activities, including:

- Acquisition of land for affordable housing.
- Direct construction of new affordable and workforce housing units.
- Participation in joint projects with private developers, the Town, and local agencies to develop housing.
- Homebuyer assistance loans and grants.
- Education and outreach concerning affordable and workforce housing opportunities.
- Rental housing assistance.

- Review of Housing Mitigation proposals.
- Monitoring of deed restricted units.
- Funding strategies to guide how the Housing Strategy will be financed and prioritized.
- An Administration component to guide roles and responsibilities for program implementation.

H.2.A.4.: Action. Recognizing the housing burdens of extremely low-income households, the Town will conduct an in-depth analysis of ELI household housing needs and will develop a local policy target percentage of affordable housing in-lieu fees and/or Transient Occupancy Tax allocation to meet the housing needs of this segment of the City's population, consistent with all applicable statutory obligations.

H.2.B. Policy: Update the Town's workforce housing mitigation requirements to ensure that they meet the following objectives:

- Respond to a technically sound Workforce Housing Needs Assessment that reflects the existing housing resources, seasonality, commuting patterns, and affordability categories.
- Meet current legal mandates and can be successfully implemented by the Town.
- Ensure that new development mitigates an appropriate portion of workforce housing demand that it generates, through requirements and standards that can be reasonably achieved by the development community.
- Meet documented community housing needs and gaps in terms of unit affordability levels, type, tenure, size, amenities, and configuration.
- Achieve quality, livable housing units that are successfully integrated into neighborhoods and the broader community.

H.2.B.1: Action: Amend and adopt a revised Housing Ordinance that reflects the November 2009 Interim Housing Mitigation Policy, incorporates refinements to meet legal mandates; addresses aspects not fully articulated in the Interim Housing Mitigation Policy; and provides needed

clarification. The amended housing ordinance shall meet the objectives outlined in policy H.2.B, and should include the following components:

- An inclusionary housing provision that requires most new residential and lodging projects to provide, on-site, a fixed proportion of total units as below market-rate deed-restricted affordable or workforce housing units. The specific requirement shall be based on documented community housing needs and reviewed and updated on a regular basis.
- A workforce housing mitigation requirement such as a fee to contribute to affordable housing production.
- A list of project types exempted from housing mitigation requirements.
- A list of project types for which providing on-site units would be undesirable or infeasible, and which may pay in-lieu fees rather than providing units on-site. This may include small multifamily residential and lodging projects, industrial and some commercial projects.
- Provisions defining alternate housing mitigation proposals for projects that wish to propose alternative mitigation to construction of on-site units, and findings for approval of such proposals.
- Specification of the means and method by which in-lieu fees, affordability levels, unit types, tenure (if legally permissible), livability criteria, and other pertinent criteria not otherwise dictated by the Housing Ordinance shall be established, maintained and updated.
- Density bonus provisions pursuant to State Housing Density Bonus law and to Town General Plan policies and related Housing Element policies.
- A definition of and provisions for ensuring the "livability" of workforce housing units.

H.2.C. Policy: Support the development of market-rate and affordable rental housing.

H.2.D. Policy: Encourage the renovation and conversion of existing non-workforce units, such as condominiums currently used as second homes, to become part of the workforce housing supply.

H.2.D.1. Action: As part of the Housing Strategy, work with Mammoth Lakes Housing to acquire and renovate units that can be added to the workforce housing inventory. Program creation will include an evaluation of program costs, benefits, and opportunities.

H.2.E. Policy: Encourage local homeowners and owners/managers of rental housing properties to upgrade and improve older units, particularly those that do not meet current standards and codes.

H.2.E.1. Action: As part of the Housing Strategy study potential strategies to incentivize and encourage upgrades of existing multi-family rental properties, and how code enforcement techniques may be improved used to correct building violations that pose a threat to residents' safety or wellbeing.

H.2.F. Policy: Continue to enforce Municipal Code requirements that preserve the existing supply of non-transient rental housing units.

H.2.G. Policy: Avoid the inadvertent loss of deed-restricted units.

H.2.G.1.Action. As part of the Housing Strategy work with Mammoth Lakes Housing to study and develop procedures that will avoid the inadvertent loss of deed-restricted units, including:

- Improved structuring of deed restriction agreements so as to ensure their long term availability to the local workforce.
- Development of a more effective monitoring program for existing deed restricted units, including a system of enforcement and penalties for illegal conversion of deed-restricted units.

H.2.H. Policy: Support the provision of affordable housing for the seasonal workforce.

H.2.H.1.Action. As part of the Workforce Housing Needs Assessment, update the 2006 Employee Housing study and use the results of the update to target efforts aimed at increasing

the supply of housing for winter and summer seasonal employees, including cooperative efforts with MMSA and other major local employers to house their employees.

H.3 GOAL: MAINTAIN HIGH QUALITY, LIVABLE HOUSING UNITS AND NEIGHBORHOODS IN MAMMOTH LAKES.

H.3.A. Policy Ensure that units built as affordable and workforce housing units meet minimum standards for design, amenities, and livability, and prioritize livability as a criteria in assessing any housing mitigation, or alternate housing mitigation proposal:

H.3.A.1. Action. As part of the Housing Strategy, work with Mammoth Lakes Housing, Inc., to develop and adopt minimum design and livability standards for affordable and workforce housing units, including tailored standards for different unit types and tenure. Standards should address aspects such as minimum quality of fixtures and furnishings; indoor and outdoor open space; storage space, energy efficiency, and resident amenities.

H.3.B. Policy. Support code enforcement activities, and the work of public safety personnel, to ensure that Town neighborhoods are safe, attractive and livable.

H.3.C. Policy. Improve livability, infrastructure public safety, and mobility conditions within the Sierra Valley Sites neighborhood and other neighborhoods with a high proportion of older structures.

H.3.C.1. Action. Complete a District Plan for the Sierra Valley Sites, including a special focus on the livability, mobility and infrastructure issues of this workforce neighborhood, and the preservation of this district as a mixed single- and multi-family workforce neighborhood.

H.4. GOAL: REDUCE GOVERNMENTAL CONSTRAINTS TO HOUSING PRODUCTION AND AFFORDABILITY.

H.4.A. Policy. Periodically review and update permit and development fees to ensure that they appropriately reflect the cost of processing applications and providing services to new development, without unduly increasing costs to build housing.

H.4.B. Policy. Consider reduction or waiver of permit and development impact fees for projects that dedicate some or all of their units to affordable housing.

H.4.B.1. Action. Adopt a resolution waiving a proportion of the application processing fees for developments in which at least 5 percent of units are affordable to extremely low-income households. To be eligible for fee waiver, the units shall be affordable by affordability covenant. The waiving or reduction of service mitigation fees may also be considered when an alternative funding source is identified to pay these fees.

H.4.C. Policy. Ensure that the Zoning Code meets State Law requirements and does not unduly restrict certain types of housing to be developed.

H.4.C.1 Action. Amend the Municipal Code to allow residential care and assisted living facilities within high-density residential and commercial zones.

H.4.C.2: Action: Amend the Municipal Code to permit licensed group homes for the disabled and small residential care facilities serving six or fewer residents in zones that permit single-family residences.

H.4.C.3. Action. Amend the Municipal Code to clarify that manufactured housing is permitted in all residential zones, subject to conformance with State and local building code standards, and that the prohibition against dwelling in recreational vehicles applies only to those that do not comply with the Manufactured Housing Act.

H.4.D. Policy. Expand the Town's existing provisions that currently limit second units to granny units (deed restricted to seniors) and caretaker units only, to allow for second units more generally within single family residential zones, provided that parking, design, and other Town development standards can be met:

H.4.D.1 Action. Amend the Municipal Code to allow additional types of secondary housing units within the Rural Residential and Residential Single Family Zone, addressing issues such as parking and site planning, as well as neighborhood compatibility, and to ensure that the Town's second units regulations comply with the regulations and findings required by State law.

H.4.E. Policy. Periodically review and update Town codes, ordinances, fee programs and procedures to ensure that they do not unduly constrain housing development.

H.4.E.1. Action. Complete the update of the Municipal Code to bring it into conformance with the 2007 General Plan, and the Housing Element Update.

H.4.E.2. Action. Amend the Town's development impact fee ordinance to assure that impact fees to not create an economic impediment that deters construction of housing needed to meet the Town's Regional Housing Needs Allocation or workforce housing objectives.

H.4.E.3. Action. Update and amend the Town's parking standards to allow for reduced parking requirements for affordable housing units, and other housing types (such as mixed use and high density infill projects close to transit) where appropriate.

H.4.F. Policy. Prioritize workforce and affordable housing when considering future development proposals relative to Town policies that limit overall population growth.

H.5 GOAL: PROVIDE EQUAL HOUSING OPPORTUNITIES FOR ALL RESIDENTS OF MAMMOTH LAKES.

H.5.A. Policy. Support fair housing laws and regulations that prohibit discrimination in the sale and rental of housing units.

H.5.B. Policy. Provide public information regarding fair housing practices.

H.5.B.1. Action. Provide information regarding fair housing practices at the Town of Mammoth Lakes offices and website, the Mammoth Lakes Community Center and Library, and the Mono County offices located in Mammoth Lakes.

H.5.C. Policy. Continue to promote and support fair housing practices in the town of Mammoth Lakes, and through the work of Mammoth Lakes Housing.

H.5.C.1. Action. Develop a process for addressing Fair Housing inquiries and complaints, including referral of complaints concerning deed-restricted units to Mammoth Lakes Housing, and other complaints to the California Department of Fair Housing and Equal

Opportunity. As part of the process, the Town shall investigate potential partnerships with rural or other fair housing organizations that may be able to provide additional resources to the Town. The Town will ensure that information regarding the Town's process of addressing complaints is included in the public information distributed regarding fair housing practices (Action H.5.B.1).

H.6 GOAL: BALANCE THE NEED AND PROVISION OF HOUSING IN THE COMMUNITY WITH ITS IMPACTS ON THE ENVIRONMENT.

H.6.A. Policy. Encourage residential development that promotes energy-efficient and sustainable building practices, including the use of alternate energy sources such as geothermal.

H.6.B. Policy: Review all projects for energy efficiency in site design and planning, and for conformance with State and Town building codes.

H.6.A.1. Action. Update and revise local building codes in accordance with State Green Building requirements, and consider adoption of an ordinance that includes incentives for use of green building technologies that exceed building code requirements.

H.6.B. Policy. Support efforts to weatherize and retrofit existing home to be more energy efficient.

H.6.B.1. Action. Work with Inyo Mono Advocates for Community Action (IMACA) and Mammoth Lakes Housing to increase the number of weatherization retrofits and other upgrades of owner occupied and non-transient rental housing units in Mammoth Lakes Strategies to accomplish this may include development of an informational flyer or brochure, posting information on the Town's website, and direct outreach to property owners.

Table 5-2 Housing Program Summary

H.1.A.1 Maintain an up to date, GIS database.	<ul style="list-style-type: none"> ▪ GIS Coordinator ▪ Mono County Assessor's office 	Ongoing	General Fund
H.1.A.2. Provide annual reporting on the Town's progress to meeting the Housing Element.	<ul style="list-style-type: none"> ▪ Community Development Department (CDD) 	Annually, ongoing	General Fund
H.1.A.3. Ensure Master Plan/Specific Plan updates provide development capacity and policy to meet housing needs.	<ul style="list-style-type: none"> ▪ CDD ▪ Planning Commission ▪ Town Council 	Ongoing	Specific Plan/Master Plan Applicants General Fund
H.1.B.1 Study exemption from density calculations for required on-site affordable and workforce housing,	<ul style="list-style-type: none"> ▪ CDD 	Complete study by 2011	General Fund
H.1.C.1. Prepare and codify District Plans that address livability and workforce housing and incentives for infill, mixed-use development.	<ul style="list-style-type: none"> ▪ CDD 	Complete district plans by end 2010; codify 2011	General Fund
H.1.D.1. Amend the Housing Ordinance to incorporate General Plan policy L.2.D. allowing additional density bonuses for deed-restricted housing projects.	<ul style="list-style-type: none"> ▪ CDD 	2010	General Fund
H.1.E.1. Develop criteria, standards and thresholds for assessment and approval for Alternative Housing Mitigation Plans.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing 	2010	General Fund Housing Fund (TOT)
H.1.F.1. Continue to apply zoning standards that allow for special needs housing.	<ul style="list-style-type: none"> ▪ CDD 	Ongoing	General Fund

Table 5-2 Housing Program Summary

H.1.F.2. Modify the Municipal Code pursuant to SB 2.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing ▪ Town Council 	2011 (within one year of Housing Element adoption)	General Fund
H.2.A.1: Dedicate TOT revenues to fund housing programs, loans and grants.	<ul style="list-style-type: none"> ▪ Town Council 	Annual: 2009-2014	Housing Fund (TOT)
H.2.A.2: Pursue grant funds to support housing programs.	<ul style="list-style-type: none"> ▪ Mammoth Lakes Housing ▪ Town Council 	Annual: 2009-2014	Grant Funds
H.2.A.3: Develop and adopt a Community Housing Strategy.	<ul style="list-style-type: none"> ▪ Mammoth Lakes Housing ▪ CDD 	2010	Housing Fund (TOT)
H.2.A.4: Conduct an analysis of ELI household housing needs and develop a local policy target percentage of affordable housing funds for housing the ELI population.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing ▪ Town Council 	2011	Housing Fund (TOT)
H.2.B.1: Develop and adopt an amended Housing Ordinance.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing ▪ Town Council 	2010	General Fund
H.2.D.1. Conduct a study for acquisition and renovation of housing units.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing 	2012	Housing Fund (TOT)
H.2.E.1. Study potential strategies to encourage upgrades of existing multi-family rental properties.	<ul style="list-style-type: none"> ▪ CDD 	2012	Housing Fund (TOT)

Table 5-2 Housing Program Summary

H.2.G.1. Work with Mammoth Lakes Housing to study and develop procedures that will avoid the inadvertent loss of deed-restricted units.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing 	2011	Housing Fund (TOT)
H.2.H.1. Update the 2006 Employee Housing study and use the results of the update to target efforts to facilitate development of employee housing units.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing 	2012	Housing Fund (TOT) Grant Funds
H.3.A.1. Work with Mammoth Lakes Housing, Inc., to develop and adopt minimum design and livability standards for affordable and workforce housing units.	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing 	2010	Housing Fund (TOT)
H.3.C.1. Complete a District Plan for the Sierra Valley Sites.	<ul style="list-style-type: none"> ▪ CDD 	2010	General Fund
H.4.B.1 Adopt a resolution waiving 100 percent of the application processing fees for developments in which at least 5 percent of units are affordable to extremely low-income households.	<ul style="list-style-type: none"> ▪ CDD ▪ Planning Commission ▪ Town Council 	2011	General Fund
H.4.C.1 Amend the Municipal Code to allow residential care and assisted living facilities.	<ul style="list-style-type: none"> ▪ CDD ▪ Planning Commission ▪ Town Council 	2011	General Fund
H.4.C.2: Amend the Municipal Code to permit licensed group homes and small residential care facilities.	<ul style="list-style-type: none"> ▪ CDD ▪ Planning Commission ▪ Town Council 	2011	General Fund

Table 5-2 Housing Program Summary

H.4.C.3. Amend the Municipal Code to clarify that manufactured housing is permitted in all residential zones.	<ul style="list-style-type: none"> ▪ CDD ▪ Planning Commission ▪ Town Council 	2011	General Fund
H.4.D.1 Allow additional types of secondary housing units within the Rural Residential and Residential Single Family Zones.	<ul style="list-style-type: none"> ▪ CDD (CDD) ▪ Planning Commission ▪ Town Council 	2012	General Fund Housing Fund (TOT)
H.4.E.1. Complete the update of the Municipal Code to bring it into conformance with the 2007 General Plan, and the Housing Element Update.	<ul style="list-style-type: none"> ▪ CDD ▪ Planning Commission ▪ Town Council 	2011	General Fund
H.4.E.2. Amend the DIF Ordinance to assure that impact fees do not impeded housing production to meet the Town's RHNA..	<ul style="list-style-type: none"> ▪ Town Manager's Office ▪ Town Council 	2010	General Fund
H.4.E.3. Amend the Town's parking standards to allow reduced parking standards for affordable housing, and infill and mixed use housing.	<ul style="list-style-type: none"> ▪ CDD 	2011	General Fund
H.5.B.1. Provide information regarding fair housing practices at the Town of Mammoth Lakes offices and website, the Mammoth Lakes Community Center and Library, and the Mono County offices located in Mammoth Lakes.	<ul style="list-style-type: none"> ▪ CDD 	2010 and Ongoing	General Fund
H.5.C.1 Establish a process to address fair housing complaints and inquiries.	<ul style="list-style-type: none"> ▪ CDD 	2011 and Ongoing	General Fund

Table 5-2 Housing Program Summary

<p>H.6.A.1. Update and revise local building codes in accordance with State Green Building requirements, and consider adoption of an ordinance that includes incentives for use of green building technologies that exceed building code requirements.</p>	<ul style="list-style-type: none"> ▪ CDD ▪ Planning Commission ▪ Town Council 	<p>2010 and Ongoing</p>	<p>General Fund</p>
<p>H.6.B.1. Work with Inyo Mono Advocates for Community Action (IMACA) and Mammoth Lakes Housing to increase the number of weatherization retrofits and other upgrades of owner occupied and non-transient rental housing units in Mammoth Lakes</p>	<ul style="list-style-type: none"> ▪ CDD ▪ Mammoth Lakes Housing 	<p>2010 and Ongoing</p>	<p>General Fund</p>

5.3 QUANTIFIED OBJECTIVES

The Town of Mammoth Lakes has established quantified (numerical) objectives for various program categories to provide measurable standards for monitoring and evaluating program achievements. Quantified objectives are shown in Table 5-3 have been established for the following categories:

- Accommodate the Town's share of the regional housing need
- Housing construction
- Homebuyer assistance
- Housing rehabilitation
- Conservation of existing affordable housing units

Table 5-3 Quantified Objectives 2007-2014

Extremely Low	27	15	0	5	0	
Very Low	28	15	10	5	22	132
Low	56	100	10	5	149	
Moderate	58	41	25	0	32	
Above-Moderate	110	110	20	0	63	

1. This quantified objective is per the Regional Housing Needs Assessment target.
2. This quantified objective covers the period 2007-2014, including all housing units constructed during that period, based on anticipated market rate housing production, availability of funding for deed-restricted projects, and likelihood of identified projects including affordable housing to be constructed.
3. This figure is conservative since a housing rehabilitation program has not yet been established.
4. Based on number of existing deed-restricted rental units.
5. Based on existing mobile home park units. Most residents of mobile home parks are assumed to be at moderate incomes or below.

**HOUSING ELEMENT
CHAPTER 5: HOUSING PROGRAM**



HOUSING ELEMENT
APPENDIX A: RELEVANT GENERAL PLAN POLICIES

- Policy C.2.V. Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.
- Policy 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.

Land Use

- 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.
- Policy L.1.A. Limit total peak population of permanent and seasonal residents and visitors to 52,000 people.
- Policy L.1.C. Give preference to infill development.
- Policy L.1.D. Conduct district planning and focused studies for special areas and sites within the community to aid in future planning.
- Goal L.2.** Substantially increase housing supply available to the workforce.
- Policy L.2.A. Emphasize workforce housing for essential public service employees, such as firefighters, police, snow removal operators, and teachers.
- Policy L.2.B. Encourage a mix of housing types and forms consistent with design and land use policies.
- Policy L.2.C. Rehabilitate existing housing and build new housing for workforce housing.
- Policy L.2.D. For housing development projects where all units are deed restricted for workforce housing, a density bonus may be granted in addition to any bonus granted pursuant to the State Density Bonus Law up to a combined bonus of twice the density identified for the designation in which the project is located.
- GOAL L.3:** Enhance livability by designing neighborhoods and districts for walking through the arrangement of land uses and development intensities.

- Policy L.3.A.: Achieve a diversity of uses and activities and efficient use of land by maintaining a range of development types.
- Policy L.3.E. Require a minimum amount of development in the Main Street, Old Mammoth Road, and Shady Rest Districts to ensure supplies of housing for employees and to reduce automobile trips.
- Policy L.3.F. Ensure appropriate community benefits are provided through district planning and development projects.
- Policy L.3.G. Do not allow the transfer of unused density from built parcels.
- Policy 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.
- Goal L.6. Maintain the Urban Growth Boundary to ensure a compact urban form; protect natural and outdoor recreational resources; prevent sprawl.**
- Policy L.6.A.: No residential, commercial, or industrial development is permitted outside the Urban Growth Boundary (UGB) identified in Figure 4.
- Policy L.6.D.: Support land exchanges for existing special uses that maintain the integrity of the General Plan and promote Town policies when determined to be in the public interest and compatible with other Town goals.
- Policy L.6.F. The Town may consider adjustments to the UGB that do not increase the acres of developable land of Mammoth Lakes, are contiguous to the UGB, and are otherwise in the public interest.
- Policy L.6.G. Coordinate with agencies undertaking planning or development activities outside of the UGB and within the Town's Planning Area.

Mobility

Policy 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.

Noise

Policy Noise.4.2.1. Policy: New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future levels of noise from transportation B noise sources which exceed 60 dB L[^] in outdoor activity areas or 45 dB L[^]n in interior spaces.

Policy Noise.4.2.2. Policy: Noise created by new transportation noise sources, including roadway l improvement projects, shall be mitigated so as not to exceed 60 dB L[^] within outdoor activity areas and 45 dB L[^] within interior spaces of existing noise-sensitive land uses.

Resource Management and Conservation

Goal R.4.: Conserve and enhance the quality and quantity of Mammoth Lakes' water resources.

Policy R.4.A. The Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals.

Goal R.6.: Optimize efficient use of energy.

Policy R.6.A. Reduce energy demand by promoting energy efficiency in all sectors of the community.

Policy R.6.B. Encourage and support reduction of energy demand in existing buildings.

Policy R.6.C. Encourage energy efficiency in new building and retrofit construction, as well as resource conservation and use of recycled materials.

Policy R.7.A. Use green building practices to greatest extent possible in all construction projects.

- Policy R.7.B.0 Encourage development of housing close to work, commercial services, recreation areas and transit routes to reduce fuel consumption.

- Goal R.8.** **Increase use of renewable energy resources and encourage conservation of existing sources of energy.**

- Policy R.8.A. Educate community, both residents and visitors, on economic and environmental benefits of energy efficiency, use of renewable resources and potential cost savings with energy efficient retrofits and remodels.

- Policy R.8.C. y: Research and facilitate cost-benefit analysis for energy and resource conservation in new and existing building systems.

- Policy R.8.F. Encourage building design and orientation for passive solar heating.

Source: Town of Mammoth Lakes General Plan, 2007

**HOUSING ELEMENT
APPENDIX A: RELEVANT GENERAL PLAN POLICIES**

APPENDIX B: AGENCIES AND SOURCES CONSULTED

AGENCIES AND ORGANIZATIONS CONSULTED

Town of Mammoth Lakes

Mammoth Lakes Housing Inc.

Mono County Community Development Department

Inyo Mono Advocates for Community Action

PRIMARY SOURCES

Town of Mammoth Lakes General Plan, 2007

Town of Mammoth Lakes Municipal Code

Eastern Sierra Housing Needs Assessment, March 2005

Century 21, Mammoth Lakes Office

Coldwell Banker, Bishop Office

US Census 2000 (on-line)

American Communities Survey, US Census (on-line), 2007

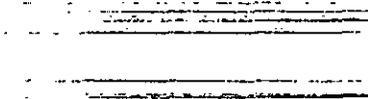
California Department of Finance

California Department of Housing and Community Development

Town of Mammoth Lakes General Plan

**HOUSING ELEMENT
APPENDIX B: AGENCIES AND SOURCES CONSULTED**

- California Employment Development Department (on-line statistics)**
- Claritas**
- Realquest, 2008**
- Multiple Listing Service, 2010**
- State of the Cities Database System, US Department of Housing and Urban Development**



APPENDIX C: HOUSING ORDINANCE

17.36.020

Chapter 17.36

HOUSING*

Sections:

- 17.36.010 Purpose.
- 17.36.020 Definitions.
- 17.36.030 Housing requirements.
- 17.36.040 Housing mitigation development plan.
- 17.36.050 Alternate housing proposals.
- 17.36.060 Income and eligibility guidelines.
- 17.36.070 Payment in-lieu.
- 17.36.080 Administration.
- 17.36.090 Density bonus provisions.

* Editor's Note: The title of Ch. 17.36 was amended by Ord. 06-09 §1.

17.36.010 Purpose.

A. The goal of this policy is the creation of workforce housing in Mammoth Lakes sufficient to mitigate the increased workforce housing demands created by new devel-

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opment. This includes the needs of part-time employees, full-time employees, and nonworking household members.

B. The continued development of Mammoth Lakes will result in an increase in service-oriented employment opportunities and consequently in the need for living accommodations. This chapter details the method and manner by which new development shall satisfy the requirements for mitigating workforce housing impacts.

C. Applicability. The provisions and requirements contained in this chapter shall be binding upon all new developments and new construction including additions to existing development. (Ord. 06-09 §1 (Att. A (part)), 2006; Ord. 04-13 §1 (Exh. A (part)), 2004)

17.36.020 Definitions.

"Affordable housing" means housing that is restricted as to rental rate or sales price based upon household income and size criteria as defined by the state of California or the town of Mammoth Lakes.

"Bedroom" means a room designed to be used for sleeping purposes which may contain closets, shall have access to a bathroom and which meets applicable building code requirements for light, ventilation, sanitation and egress and has a minimum floor area of one hundred square feet plus closet.

"Deed restriction" means a recorded contract entered into between the town of Mammoth Lakes and the owner or purchaser of real property identifying the conditions of occupancy and resale.

"Dwelling unit" means for the purpose of calculating density in multiple-family zones, a one bedroom unit or studio unit up to a maximum eight hundred fifty net square feet of living area, shall be considered to equal one-half of a dwelling.

"Existing long-term rental unit" means any dwelling that has been leased for residential purposes for a period or periods in excess of thirty consecutive days for more than five months per year within the last two years.

"FTEE - Full-time equivalent employee" means a full-time employee or combination of part-time employees. When employee generation calculation results in seasonal or part-time employees, those employees are grouped together to form FTEs. Full-time year round employees equal one FTEE, part-time year round employees and full-time sea-

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**HOUSING ELEMENT
APPENDIX C: HOUSING ORDINANCE**

17.36.030

**Table 17.36.030-1
EMPLOYEE GENERATION BY USE**

1. Multi-unit and single-family transient.	.0005 FTEE per square foot
2. Commercial/office uses: Includes all nonresidential except industrial.	.00042 FTEE per square foot
3. Industrial uses: Includes all uses involving manufacturing, distribution and warehousing.	.00011 FTEE per square foot
4. Multi-unit nontransient: This category includes all attached dwelling units including dead restricted and market rate apartments and multifamily condominiums which prohibit transient rentals. This also includes all multi-unit developments located within the Residential Multifamily 1 zone and affordable housing zone and any other multi-unit development in town that prohibits transient rental.	Market rate units per square foot Rentals apartments and dead restricted units 0 FTEE
5. Single-family nontransient. This category of land use encompasses all detached dwelling units located in the town's low density residential (LDR) land use designation and includes both the rural residential and residential single-family zones.	For that portion of the building area from: 0-2,000 square feet, .00006 FTEE per square foot 2,001-4,000 square feet, .00009 FTEE per square foot 4,001-6,000 square feet, .00012 FTEE per square foot 6,001-8,000 square feet, .00015 FTEE per square foot 8,001 square feet and up, .00018 FTEE per square foot

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sonal employees equal one-half FTEE, and part-time seasonal employees equal one-quarter FTEE.

"HMDP - Housing mitigation development plan" means a housing mitigation plan, written and submitted by the developer, that details how the developer intends to mitigate affordable housing impacts.

"New development" means any new construction or conversion of use resulting in an increase in the employee generation as described in Table 17.36.030-1. New development includes expansions of, or additions to, existing uses.

"Sleeping area" means a sleeping area is defined as any bed room, loft, or other space that can be equipped with beds, foldout sofas or other similar sleeping furniture within a visitor accommodation/transient occupancy facility.

"Workforce housing" means as used in this chapter, workforce housing is housing that is restricted for rent of purchase by individuals and households working in the community of Mammoth Lakes. Employment criteria, rental rates and sales prices for workforce housing shall be established administratively. (Ord. 06-09 51 (Att. A (part)), 2006; Ord. 01-13 51 (Exn. A (part)), 2004)

17.36.030 Housing requirements.

A. Employee Generation by Use. Table 17.36.030-1 determines a standard number of employees per land use type. In recognition of visitor accommodations as the primary driver of economic growth in Mammoth Lakes, these provision rates are based upon the land use category's pro rata share of the aggregate induced demand for employment in town, rather than direct employee generation. The single-family transient employee generation rate is based on a sliding scale to reflect documented evidence that larger homes require more employees per square foot.

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**HOUSING ELEMENT
APPENDIX C: HOUSING ORDINANCE**

17.36-030

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<p>6. Uses not listed.</p>	<p>• Calculate the building square footage between 0 and 2,000 square feet at rate as shown. Then, for square footage exceeding 2,000 square feet calculate at rates as shown. Continue until all square footage has been calculated. Add all lines for total.</p>
<p>To be determined by community development director based upon comparisons with like businesses.</p>	<p></p>

B. Included Square Footage. For those uses where FTEK generation is based upon square footage, the square footage of habitable spaces as measured between the exterior walls shall be used, excluding garages. In multi-unit transient, multi-unit transient rental apartments, and deced/rent restricted housing structures, common areas shall also be excluded. Where common areas contain additional uses such as commercial space, these shall be subject to the mitigation requirement of said use. Where a building contains multiple uses; e.g., industrial, office, and retail, the calculation shall be based upon the sum of the FTEEs of each use calculated separately. For additions to existing uses, including demolition and reconstruction of existing structures, only the new incremental demand shall be required to be mitigated.

C. Provision Rate. For the purpose of mitigating the employee housing demands created by such new development, the developer shall provide housing based upon the following formula or as described in Section 17.36.050. Commercial projects of less than five thousand square feet, residential projects with fewer than five units, and visitor lodging projects with fewer than four rooms, and all developments in the industrial zone qualify for this item. Uses without requiring analysis under Section 17.36.050.

Housing is provided for one hundred percent of the FTEEs generated according to Table 17.36.050-1 at the following rate:

All calculations are based upon one FTEK equating a minimum of two hundred fifty square feet of living space.

0 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
1-5 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
6 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
7-9 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
10 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
11-15 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
16-20 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
21-25 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
26-30 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
31-35 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
36-40 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
41-45 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
46-50 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
51-55 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
56-60 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
61-65 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
66-70 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
71-75 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
76-80 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
81-85 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
86-90 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
91-95 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space
96-100 FTEEs	• a ratio of one-to-one with a minimum of 100 sq. ft. of living space

- This category includes all attached dwelling units within the resort, specific plan, commercial general, commercial lodging and Residential Multifamily 2 zones which are either intended for transient occupancy or can be rented out on a nightly basis. These include all hotels, motels, fractional and resort condominium lodging as well as condominium units which are privately owned and can be rented out on a nightly basis.
- This category of land use encompasses all detached dwelling units located within the resort and specific plan zones which are permitted by master plan and/or specific plan conditions to be rented out on a nightly basis.

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17.36.030

infraction of the planning commission that said provisions or requirements are inapplicable to the proposed development. The planning commission may adjust any provision of requirement contained herein, based upon substantial evidence. (Ord. 04-13 § (Exh. A part)), 2004)

17.36.030 Alternate housing provisions:

A. The other sections of this chapter notwithstanding, the town may approve mitigation proposals which deviate from the standards outlined herein in those cases where it can be demonstrated that the alternate mitigation proposal meets the purpose of this chapter and provides a greater housing benefit to the community than would be attained through strict adherence to the provisions of this chapter.

B. Criteria for Approving Alternate Mitigation Plans. The town shall consider, but not be limited to, the following criteria in evaluating an applicant's proposal for use of off-site development, in-lieu fees, establishing a housing credit or other alternate mitigation plans:

1. That the development does not require the provision of affordable housing on-site to meet entire needs;
2. That the size of the proposed new development is such that production of affordable housing on-site by the applicant is not feasible;
3. That the applicant's site is not suitable for the development of affordable housing based upon location of conflicting land uses;
4. That commercial zoning requirements render construction of housing infeasible;
5. That the use of mitigation fees by the town is more appropriate than the provision by the applicant of affordable housing;
6. Purchase of qualifying existing units (see Chap. 17.36.040) is desirable as an off-site solution;
7. That the proposed mitigation plan will provide housing at the earliest possible date;
8. That any alternate housing mitigation plan provides more affordable units than required under section 17.36.030.

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The total number of FTEEs may be accommodated using any combination of the above. Where the calculation of FTEE results in a fraction, that fraction shall be rounded up to the next higher whole or half FTEE.

*This rate takes into consideration the percentage of employees not requiring housing assistance and the number of nonworking others (spouses, children, etc.) associated with one FTEE. (Ord. 04-09 § (Att. A part)), 2006; Ord. 04-13 § (Exh. A part)), 2006)

17.36.040 Housing mitigation development plan.

A. Housing Mitigation Development Plan (HMDF). Each developer will submit to the town for approval a HMDF which shall contain the following specific and detailed information:

1. The housing requirements generated by their project as defined herein;
2. The method of combination of methods by which housing is to be mitigated;
3. The timetable for the mitigation;
4. A description of the land proposed and the type, number and unit size of the proposed housing plus any management/operational plans;
5. Preliminary plans showing the site and floor plans;
6. The proposed rent or sales prices;
7. A statement as to the way that the HMDF meets the intent of these regulations.
For projects eligible for payment of in-lieu fees, the calculation of those fees constitutes the HMDF.
8. Timing. The HMDF shall be submitted to the town in conjunction with the application for the development. In-lieu fees will be submitted to the town prior to the issuance of a building permit. Housing developed or occupied must be ready for occupancy prior to or concurrent with obtaining an initial certificate of occupancy from the town for the structure(s) or lots are generating the housing requirements. For phased projects, mitigation units shall be provided in proportion to the requirement at each phase.
9. Unit Mix. Developers shall provide housing in proportion to the FTEEs generated by their respective developments as described in Section 17.36.030(C). There

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can be a mix of rental and owner-occupied units, with a minimum of seventy percent of the units being for rent.

D. Location. On-site housing is the preferred mitigation. On-site means on the same lot, within the same building, or within the same master-planned development. An alternate mitigation plan may be proposed by an applicant for consideration by the planning commission. One hundred percent of the housing shall be provided within the town boundaries. Wherever possible, mitigation housing should be located in proximity to employment and public transportation routes. Housing required to mitigate industrial development may not be provided in the industrial zone.

Where additional findings can be made by the planning commission or, if subject to administrative review, the community development director, based upon substantial evidence, that on-site mitigation is undesirable for the community or infeasible, or that there is substantial additional community housing or housing related services benefit, may the planning commission or community development director then approve an off-site alternative. Only where findings can be made by the planning commission, based upon substantial evidence, that an on-site or off-site alternative is undesirable for the community or infeasible as determined by the commission or community development director, may the town then approve payment of a fee in lieu of provision of housing.

Suitable zones for mitigation housing located off-site are the P, PMP-2, CG, or CL zones. Existing long-term rental units may not be purchased for the purpose of providing project mitigation housing, nor may the shedy best floor be used for this purpose.

E. Approval. An HMBP provided in conjunction with a permit application for a permitted use shall be subject to review and approval by the community development director or his designee. An HMBP provided in conjunction with a permit application for a conditional or discretionary use shall be subject to review and approval by the planning commission. The community development director or planning commission shall determine adequacy of unit design for the intended occupants.

F. Appeal. A developer may appeal to the planning commission any of the provisions of requirements contained in this chapter providing they can demonstrate to the sat-

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9. That the alternate mitigation plan provides a mix of affordability levels consistent with Section 17.36.060.

In addition to any other findings, approval of a housing mitigation plan, including the acceptance of in-line fees, shall be accompanied by findings of practicality and/or findings of greater affordable housing benefit. (Ord. 04-13 §1 (Exh. A) (part II), 2004)

17.36.060 Income and eligibility guidelines.

A. Deed or Use Restriction. The units shall be restricted to rental fees, sales terms and occupancy limitations that insure adherence to the use and income level for which they are intended. Of the units provided, a minimum forty percent of rental units shall be affordable to low-income households, a minimum of thirty percent of rental units shall be affordable to median-income households, and all other rental units shall be affordable to moderate-income households. Homeownership units shall be a minimum of two-third affordable to households making one hundred fifty percent or less of the median household income and the remainder affordable to households making two hundred percent or less of the median household income. The applicant may provide a greater percentage of lower income levels than required by this section. For determining the number of units in each affordability category under this formula, unit numbers in each category shall be reasonably rounded and final project ratios shall be approved by the community development director on a project specific basis. For example, a project creating two low units, both could be low-income as could be low and one moderate, or both could be moderate. For three units, one in each affordability category would be typical. For projects creating only one dwelling, that dwelling may be a low-income unit or a median-income unit.

B. Allocation. Any developer or owner providing mitigation units in accordance with this chapter shall be able to request the town of Mammoth Lakes or its designee to provide input or purchase assistance for the mitigation units to the town of Mammoth Lakes at the discretion of the owner does not intend to manage the units.

For rental units, the owner or developer may offer the units to the employees of the project being constructed. Any additional units may be offered to the town

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any building permits for the applicable portion of the development.

3. Authorized Use of Funds. The funds and interest accrued shall remain in the fund and shall be used only for the purposes of planning for, administering, subsidizing or developing affordable housing.

4. Refunds of Expired Permits. Any payment made for a development for which a building permit has expired due to noncommencement of construction, may be refunded in accordance with the provisions of Section 15.16.090 of the town of Mammoth Lakes municipal code. (Ord. 04-13 § 1 (Exh. A (part)), 2004)

17.16.380 Administration.

The planning commission and town council shall from time to time, by resolution or ordinance, adopt such policies and requirements as are necessary to carry out the purpose of this chapter. At a minimum, the planning commission shall hold a public meeting once every two years, reviewing the effectiveness of these regulations. (Ord. 04-13 § 1 (Exh. A (part)), 2004)

17.16.990 Density bonus provisions.

A. Density shall be increased pursuant to the provisions of California Government Code Sections 65915 through 65917 and any amendments thereto. Proportionately greater bonuses may be granted by the planning commission, subject to a conditional use permit, for projects with a higher percentage of qualifying affordable units, up to a maximum project density of twice the permitted density. The affordable units shall be restricted to their designated affordability level for a minimum of thirty years. Affordability levels shall be as defined by the state of California. (Ord. 06-09 § 1 (Att. A (part)), 2006)

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of Mammoth Lakes for tenant selection. All leases and tenant qualification procedures shall be in accordance with town of Mammoth Lakes policies and procedures. For sales units, the initial owner or developer may first offer the units to their employees. Thereafter, buyer eligibility and selection shall be in accordance with town of Mammoth Lakes policies and procedures. Any un sold units may be offered to the town of Mammoth Lakes for buyer selection. (Ord. 04-13 § 1 (Exh. A (part)), 2004)

17.16.070 Payment in-lieu.

A. The developer of qualifying projects (see Section 17.16.030(C)) may pay an in-lieu fee for the number of mitigation units required to be provided and not otherwise mitigated.

1. Payment in-lieu Fee. Payment of an in-lieu fee shall be made for each FTEE or partial FTEE not otherwise mitigated. This fee shall be established by resolution of the town council.

2. Timing of Payment and Use of Funds. Payment of in-lieu fees shall be made to the town finance director prior to, and on a proportionate basis to, the issuance of

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

I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Resolution No. 10-25 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 23rd day of June, 2010, by the following vote:

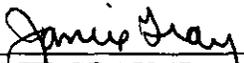
AYES: Councilmembers Bacon, Harvey, Sugimura, Mayor Pro Tem Eastman, and Mayor McCarroll

NOES: None

ABSENT: None

ABSTAIN: None

DISQUALIFICATION: None



JAMIE GRAY, Town Clerk