

RESOLUTION NO. 2015-13

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH
LAKES, STATE OF CALIFORNIA, APPROVING
GENERAL PLAN AMENDMENT 15-001, MODIFYING THE
HOUSING ELEMENT 2014-2019 TO REFLECT THE
HOUSING ORDINANCE UPDATE (MUNICIPAL CODE CHAPTER 17.136,
ZONING CODE AMENDMENT 15-001)**

WHEREAS, on January 21, 2015, the Town Council directed staff to update the housing ordinance and fee;

WHEREAS, on March 4, 2015, the Town Council initiated a General Plan Amendment to modify the Housing Element 2014-2019 as necessary for consistency with the housing ordinance and fee update (Resolution 2015-07), in accordance with Chapter 17.112 of the Town of Mammoth Lakes Municipal Code; and

WHEREAS, state law and Municipal Code 17.112.060 require Zoning Code amendments, including the housing ordinance, to be consistent with the General Plan, including the Housing Element 2014-2019;

WHEREAS, the Town contacted Native American tribes regarding this General Plan Amendment pursuant to Government Code Section 65352.3; and

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing on the application request on April 29, 2015, at which time all those desiring to be heard were heard; and

WHEREAS, following the receipt of all oral and written testimony, the Planning and Economic Development Commission closed the public hearing on April 29, 2015 and adopted Resolution No. PEDC 2015-07 recommending to the Town Council, with a 4-0 vote, consideration of the Addendum to the Housing Element Update 2014-2019 Negative Declaration, adoption of the required California Environmental Quality Act and Municipal Code findings, approval of General Plan Amendment 15-001 and Zoning Code Amendment 15-001, and approval of the amenity and design standards for workforce units; and

WHEREAS, the Town Council conducted a noticed public hearing on the application request on May 20, 2015, 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, including the Housing Element 2014-2019, Municipal Code, and associated Land Use Maps;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing;
5. The Town of Mammoth Lakes Addendum to the Housing Element Update 2014-2019 Negative Declaration (State Clearinghouse No. 2014032067) dated April 17, 2015 (Exhibit "A");
6. The Town of Mammoth Lakes Housing Element Update 2014-2019 Initial Study/Negative Declaration dated March 17, 2014, and the Addition and Response to Comments dated June 18, 2014 (collectively the "Negative Declaration") (Exhibit "B"); and
7. The housing ordinance update (Zoning Code Amendment 15-001).

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:

Findings for Negative Declaration Addendum
(CEQA Guidelines Sections 15162 and 15164)

- a. The Town Council considered the Addendum to the Housing Element Update 2014-2019 Negative Declaration (State Clearinghouse No. 2014032067) dated April 17, 2015, together with the Negative Declaration and any comments received pursuant to CEQA, and finds that on the basis of the whole record, there is no substantial evidence that General Plan Amendment 15-001 will result in any new or substantially increased significant effects on the environment.
- b. An Addendum is appropriate because only minor technical changes or additions are necessary and the conditions described in CEQA Section 15162 calling for the preparation of a subsequent Negative Declaration have not occurred as described herein.
- c. On June 18, 2014, the Town Council found that the Negative Declaration had been completed in compliance with CEQA and reflected the lead agency's independent judgment and analysis. No substantial changes have occurred

with respect to the circumstances under which the Housing Element 2014-2019 was undertaken which would require major revisions to the Negative Declaration due to the involvement of significant environmental effects.

- d. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Negative Declaration was adopted, shows the project will have a significant effect not discussed in the Negative Declaration.
- e. An Addendum to the Negative Declaration has been prepared because the lead agency determined that the preparation of subsequent Environmental Impact Report is not required pursuant to CEQA Guidelines Section 15162(a), as described herein.
- f. The Town Council finds that the Addendum to Housing Element Update 2014-2019 Negative Declaration reflects the lead agency's independent judgment and analysis.
- g. The custodian and location of the documents and other material which constitute the record of proceedings upon which this decision is based is the Town Clerk at the Town of Mammoth Lakes Offices, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546.
- h. A program for reporting on or monitoring mitigation measures is not required because the project will not have a significant effect on the environment.
- i. The Town Council finds that project will not result in a safety hazard or noise problem for persons using the Mammoth Yosemite Airport or for persons residing or working in the project area because the project will not have a significant impact on the environment, the Airport Zone does not allow workforce housing, and workforce housing would be located approximately eight miles from the Mammoth Yosemite Airport.

4. Pursuant to the requirements of the Town of Mammoth Lakes Municipal Code, the Town Council makes the following findings:

Findings for General Plan Amendment
(Municipal Code Section 17.112.060)

- a. The proposed amendment is internally consistent with all other provisions of the General Plan because the revisions to the Housing Element specifically reflect the housing ordinance update (Zoning Code Amendment 15-001) and would not change any other provisions of the General Plan. The housing ordinance update is directed by the Housing Element, and the updated housing ordinance provides methods by which development projects can mitigate housing and includes provisions for livability and design standards to ensure workforce housing units are adequate and appropriate. Also, the housing ordinance update incorporates specific General Plan policies, including Policies L.2.D, H.1.C, and H.2.B. The proposed amendment does not amend any specific plan or master plan.
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town because the modifications would continue to allow the Housing Element 2014-2019 to support future housing development in compliance with existing Municipal Code regulations including noise regulations, nuisances, particulate emissions, and snow storage, as well as California Environmental Quality Act requirements.
- c. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act because a Negative Declaration Addendum to the Housing Element Update 2014-2019 Negative Declaration (State Clearinghouse No. 2014032067) has been prepared and considered by the decision-making bodies for this Project.
- d. The proposed amendment does not result in a mandatory element of the General Plan being amended more than four times during any calendar year because this will be the first amendment to the Housing Element of the General Plan in 2015 (Municipal Code Section 17.112.080, Government Code Section 65358).

5. Based on all of the findings, and all the evidence in the record or proceedings in this matter, the Town Council hereby takes the following actions:
 - a. Approves General Plan Amendment 15-001, amending the Housing Element 2014-2019 (Exhibit "C"); and
 - b. Directs staff to file a Notice of Determination.

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 20th day of May, 2015



JO BACON, Mayor

ATTEST:



JAMIE GRAY, Town Clerk

EXHIBIT "A"

Addendum to the Housing Element Update 2014-2019 Negative Declaration (State Clearinghouse No. 2014032067) dated April 17, 2015



Mammoth Lakes[™]
CALIFORNIA

Town of Mammoth Lakes

ADDENDUM
Housing Element Update 2014-2019
Negative Declaration
(State Clearinghouse No. 2014032067)

Housing Ordinance Update
(General Plan Amendment 15-001 &
Zoning Code Amendment 15-001)

April 17, 2015

Lead Agency:

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

Contact: Ms. Jen Daugherty, Senior Planner
(760) 934-8989 ext. 260

INTRODUCTION

On January 21, 2015, the Town of Mammoth Lakes (“Town”) Council directed Town staff to update the Town’s housing ordinance and fee. Subsequently, on March 4, 2015, the Town Council directed Town staff to modify the 2014-2019 Housing Element as necessary to achieve consistency between the 2014-2019 Housing Element and the housing ordinance update. The modifications are being processed as General Plan Amendment (GPA) 15-001 and Zoning Code Amendment (ZCA) 15-001.

This Addendum to the Housing Element Update 2014-2019 Negative Declaration has been prepared by the Town to assess the potential environmental impacts from the housing ordinance update (“Project”), which includes modifications to the 2014-2019 Housing Element, and to assure that all potential impacts have been addressed through the existing environmental documentation and approvals.

BACKGROUND

In June 2014, the Town Council adopted the Housing Element Update 2014-2019 Negative Declaration (ND) and filed a Notice of Determination for the adopted ND. The ND evaluated the impacts of the Housing Element Update 2014-2019, an update to the Housing Element of the General Plan. The 2014-2019 Housing Element Update Negative Declaration is available online: <http://www.townofmammothlakes.ca.gov/index.aspx?nid=636>.

Following preliminary review of the Project, the Town determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Addendum addresses the proposed Project, pursuant to CEQA Guidelines.

STATUTORY AUTHORITY AND REQUIREMENTS

Under the California Environmental Quality Act (CEQA), an Addendum to an adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary or if none of the conditions requiring a subsequent EIR or Negative Declaration exist.

The specific CEQA Guidelines requirements for an Addendum are:

15164. ADDENDUM TO AN EIR OR NEGATIVE DECLARATION

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- (d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

15162. SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum demonstrates that the environmental analysis and impacts identified in the Housing Element Update 2014-2019 Negative Declaration (ND) remain unchanged by the Project, and supports the finding that the Project does not result in any new environmental effects and does not exceed the level of impacts identified in the previously adopted ND.

EVALUATION OF PROJECT

The adopted Negative Declaration analyzed the Housing Element Update 2014-2019, which includes an assessment of housing needs, discussions on housing constraints and housing resources, and identifies housing policies and programs for 2014-2019.

The Project proposes a comprehensive update to Municipal Code Chapter 17.136 (Housing) and associated housing definitions contained in Chapter 17.148 (Definitions). The updated Chapter 17.136 would include a menu-based format that allows developers to choose a desired method for housing mitigation (i.e., fee, on-site housing, off-site housing, conveyance of land, or other). A housing fee would be established once a nexus study for such fee is approved by Town Council.

The Project proposes to modify the Housing Element 2014-2019 with the incorporate the updated housing ordinance (Appendix C and text revisions) and revisions to Policy H.1.D, Action H.1.D.1, and Action H.2.B.1 (shown below in strikethrough for deleted text and underline for added text).

H.1.D: Require that applicants proposing on-site housing, off-site housing, or in-lieu fees conveyance of land, instead of ~~on-site mitigation housing paying the fee established by Town Council~~, provide mitigation considered to be of an appropriate value or cost when compared to the fee ~~are held to a higher standard of demonstrating "greater housing benefit" when seeking approval of such proposals.~~

H.1.D.1: As part of the Housing Ordinance anticipated in 2014, develop criteria, standards and thresholds by which Alternate 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.2.B.1: Amend and adopt a revised Housing Ordinance that reflects the 2009 Interim Housing Policy, incorporates refinements to meet legal mandates, addresses aspects not fully articulated in the Interim Housing 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~~ allows 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 (e.g., AMI level) 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 multi-family residential and lodging projects, industrial and some commercial projects.~~
- Provisions defining Alternate Housing Mitigation Plans 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.

In assessing the potential for new or more severe impacts, the Town conducted a review and the conclusions of that process are incorporated into the conclusions of this Addendum.

All impact areas have been analyzed and it has been determined that no changes or new impacts would result from the proposed Project. No new impacts, not previously analyzed in the ND, would occur as a result of the changes because the Project is within the scope of originally approved project.

EVALUATION OF ENVIRONMENTAL EFFECTS

The effects of the Project on each of the environmental categories are summarized below:

Aesthetics

The Project does not grant entitlements for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process, including design review. Therefore, the Project would not change the level of impact described in the ND.

Agriculture and Forest Resources

The Project does not include any specific provisions related to forest land or resources. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and would be reviewed for conformance with Town Codes and Standards regarding tree removal and the protection of forest resources. Therefore, the Project would not change the level of impact described in the ND.

Air Quality

The Project does not include any specific provisions related to air quality. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and would be reviewed for conformance with Town Codes and Standards regarding air quality. Therefore, the Project would not change the level of impact described in the ND.

Biological Resources

The Project does not grant entitlements for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process. Therefore, the Project would not change the level of impact described in the ND.

Cultural Resources

The Project does not propose any ground-disturbing activities or grant entitlements for new projects. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process. Therefore, the Project would not change the level of impact described in the ND.

Geology and Soils

The Project does not grant entitlements for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process, including compliance with applicable Public Works Standards and Building Codes. Therefore, the Project would not change the level of impact described in the ND.

Greenhouse Gas Emissions

The Project does not grant entitlements for new projects or include site-specific proposals. The Project requires housing mitigation units to be located within the Town boundaries, which would encourage workforce to live in town rather than commute from neighboring communities. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process. Therefore, the Project would not change the level of impact described in the ND.

Hazards and Hazardous Materials

The Project does not include any specific provisions related to hazards or hazardous materials. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process. Therefore, the Project would not change the level of impact described in the ND.

Hydrology and Water Quality

The Project does not propose any ground-disturbing activities or alteration of existing land surfaces or drainage patterns. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable review and permitting processes. Therefore, the Project would not change the level of impact described in the ND.

Land Use and Planning

The Project includes amendments to the Zoning Code and Housing Element of the General Plan. However, the Project is otherwise internally consistent with the Zoning Code because it includes updates to the applicable housing related definitions in Zoning Code Chapter 17.148. The Project does not conflict with any applicable land use plan, policy, or regulation, adopted for the purpose of avoiding or mitigating an environmental effect because the Project provides an updated policy framework for which developers can mitigate housing. When increased density would be allowed, a finding that the project would not result in significant and unavoidable environmental impacts is required. Therefore, the Project would not change the level of impact described in the ND.

Mineral Resources

The Project does not include any specific provisions related to mineral resources, and thus would not change the analysis of the ND. Therefore, the Project would not change the level of impact described in the ND.

Noise

The Project does not grant entitlements or construction permits for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process, including compliance with the Town's Noise Regulations. Therefore, the Project would not change the level of impact described in the ND.

Population and Housing

The Project requires housing mitigation units to be located within the Town boundaries, which is consistent with the General Plan and the Housing Element 2014-2019 for which the ND was prepared. The Project does not grant entitlements for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process. Therefore, the Project would not change the level of impact described in the ND.

Public Services and Parks and Recreation

The Project does not grant entitlements for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process, including payment of applicable Development Impact Fees (DIF). Therefore, the Project would not change the level of impact described in the ND.

Transportation and Traffic

The Project does not grant entitlements for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process. Therefore, the Project would not change the level of impact described in the ND.

Utilities and Service Systems

The Project does not grant entitlements for new projects or include site-specific proposals. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA and the applicable Town's review process. Therefore, the Project would not change the level of impact described in the ND.

Mandatory Findings of Significance

The Project provides an updated policy framework for which developers can mitigate housing. It does not grant entitlements for new projects, include site-specific proposals, or propose any ground-disturbing activities. Future development projects would be subject to the updated housing ordinance and would be required to undergo separate environmental review under CEQA, complete the applicable Town's review process, and obtain all necessary permits. Therefore, the Project would not change the level of impact described in the ND.

FINDINGS

In preparing this Addendum, all of the potential impacts identified on the CEQA "Environmental Checklist Form" were considered. For all impact areas, a detailed review determined that the proposed Project is within the scope of the Negative Declaration analysis and no changes to impacts or mitigation measures are required. The specific findings required under the CEQA Guidelines (Section 15162) are:

- There are no substantial changes that would lead to new or more severe impacts.
- There are no substantial changes to the circumstances under which the project will be undertaken that result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CONCLUSIONS AND SUMMARY

In summary, the analysis concludes that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Negative Declaration have occurred, and thus an Addendum to the Housing Element Update 2014-2019 Negative Declaration is appropriate to satisfy CEQA requirements for the proposed Project.

EXHIBIT "B"

Housing Element Update 2014-2019 Initial Study/Negative Declaration dated March 17, 2014, and the Addition and Response to Comments dated June 18, 2014 (collectively the "Negative Declaration")



Town of Mammoth Lakes
Draft Housing Element 2014-2019

Initial Study/Negative Declaration

March 17, 2014

Lead Agency:

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

Contact: Jen Daugherty, Associate Planner
(760) 934-8989 ext. 260



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 2014-2019 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 2014-2019 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, Suite R, 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 14 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. U.S. 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 about 8,300 in 2013. The American Community Survey data from 2011 reported 2,807 households and an average household size of 2.82 persons in Mammoth Lakes. 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 (52 percent) of its total housing stock is vacation homes rented or occupied seasonally. The town had an estimated total of 9,643 housing units in 2013, of these, 27.7% were single family homes, and 70.8% 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 2014-2019 planning period. The Housing Element reflects anticipated revisions to the Municipal Code as a result of the Zoning Code Update, anticipated to be effective in May 2014. These Municipal Code revisions will reduce regulatory barriers to the production of housing and bring the Zoning Code into conformance with certain requirements of State law. Although the Housing Element proposes an update of the Housing Ordinance of 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, 437 Old Mammoth



Road, Suite R, Mammoth Lakes, CA, 93546, and online at <http://www.ci.mammoth-lakes.ca.us/index.aspx?nid=163>

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.

<i>Income Group</i>	<i>Number</i>	<i>Percent</i>
Extremely Low ¹	8	11%
Very Low ¹	9	12%
Low	12	16%
Moderate	14	19%
Above Moderate	31	42%
Total	74	100%

Source: Town of Mammoth Lakes, 2014.
¹ Mammoth Lakes was assigned a total RNHA of 17 units for very-low and extremely-low-income households. The Town has divided these units approximately in half, with 9 assigned as ELI and 8 as VLI units.

As shown in the table, the Town's RHNA equals 74 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 3,017 units over the 2013 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.

As shown in Table 2, the Housing Element identifies specific sites that could provide up to 1,251 housing units; however, only a fraction of this number (about 6 percent) would be needed to satisfy the remaining 74 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.

<i>Site or Project Name</i>	<i>Zoning</i>	<i>Extremely Low</i>	<i>Very Low</i>	<i>Low</i>	<i>Moderate</i>	<i>Above Moderate</i>	<i>Total</i>
1. Holiday Haus	MLR	0	0	0	14	0	14
2. Shady Rest Master Plan	AH	0	20	20	20	0	60
3. Clearwater Specific Plan	CSP	0	0	4	4	0	8
4. MMSA Arrowhead Road	RMF-2	10	5	0	0	0	15
5. Lodestar Housing Site	R	5	5	10	10	0	30
6. Snowcreek Master Plan	R	0	0	0	0	47	47
7. Ettinger, 2144 Old Mammoth Road	RMF-1	0	0	0	0	10	10
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. Hill Duplex, 200 Lupin Street	RMF-1	0	0	0	0	2	2
11. Other Large RMF-1-Zoned Sites	RMF-1	0	0	0	24	24	48
Vacant Residential Land	Various	0	0	0	0	983	983
Total		15	30	34	72	1,079	1,230
RHNA		8	9	12	14	31	74
Balance (Number in parentheses indicates surplus of units beyond RHNA allocation)		(7)	(21)	(22)	(58)	(1,048)	(1,156)

1 Proposed hotel rooms are not included in residential unit totals shown in this table.
Source: Town of Mammoth Lakes Community Development Department, 2014



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 Mixed Lodging/Residential (MLR) Zone, which permits both residential and commercial uses. A use permit for the Holiday Haus project was approved in October 2008, and an extension was granted until October 22, 2016. A State automatic extension (AB 116) further extended the Holiday Haus approvals to October 22, 2018. 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, including 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 120 units of very-low and low-income, 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 the former CG zoning (now OMR Commercial Zone).

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, with an extension granted until April, 21, 2018. As a redevelopment site, the Specific Plan area is fully served by all needed infrastructure. Consistent with the Specific Plan, the Use Permit includes eight 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 (MMSA) 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. Lodestar Housing Site

The Lodestar Housing Site is 3.6 acres in size and is located north of the Tallus project and south of the San Joaquin Villas project, and located in Area 2 of the Lodestar Master Plan. The site is currently undeveloped. The Lodestar Master Plan allows a variety of residential uses, including affordable housing, throughout the Master Plan area.

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. Thirty units of housing are projected for this 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 are specified to be dedicated to workforce housing to meet the Town's workforce housing mitigation requirements. The Snowcreek Development Agreement was approved by the Town Council in June, 2010. The Development Agreement included 47 on-site affordable housing units that will be dispersed throughout the project. 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).

7. Ettinger Project

The Ettinger project is a 10 unit town-home project, located on Old Mammoth Road, for which a Use Permit and Tract Map was approved in October 2007, with an extension granted until October 24, 2016. 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. Ten units have been approved in the Use Permit for this 1.09-acre site. In its findings to approve the project the Planning and Economic Development 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 two to three months to complete.

8. Tihana Townhomes

The Tihana Townhomes project had a Use Permit and Tract Map approved in January 2008, with an extension granted until January 23, 2017. The project is approved to construct nine 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 two to three months to complete.



9. Saraf Apartments

The Saraf Apartments are a six-unit rental project located on Manzanita Road, for which the Planning and Economic Development Commission approved a Design Review in 2008, with an extension granted until October 10, 2015. 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.

10. Hill Duplex

The Hill Duplex project includes two units located on a .23 acre RMF-1 site on Lupin Street. Administrative Design Review 12-005 for a new duplex was approved in November 2012 and the building permit plan check for this project is underway. The duplex project was deemed to be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15303(b), New Construction or Conversion of Small Structures because the project consists of a duplex (two units) in the Residential Multiple-Family 1 Zone and no unusual circumstances exist that would result in a significant effect on the environment.

11. Other Large Residential-Zoned Properties

In addition to the ten 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. All of the sites are infill sites within an established residential neighborhood, are served by infrastructure that would allow for their development or intensification. 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.

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 within commercial zoning districts.

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

H.1.F. 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 neighborhood; and streamline the approval process for subsequent projects brought forward under the Master Plan. The completion of the Downtown Neighborhood District Plan (2010) provides some guidance on future development of the Shady Rest Tract.

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. Multi-family housing is a permitted use in all multi-family and commercial zones pursuant to the Zoning Code Update.

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. The Zoning Code Update includes thresholds and provisions for the conversion of apartments to condominiums (Section 17.52.110).

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 Plan.

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. The Town hired a code compliance officer in 2013.

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. The Town continues to apply for grants that would allow for additional and appropriate improvements in the Sierra Valley Sites.

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. The Town is required to conduct annual reviews of development impact fees, and typically analyzes permit fees annually during the budget process.

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. The Town is targeting annual reviews and updates to the Zoning Code to incorporate mandates and other appropriate revisions.

H.4.D. Policy: Continue to allow secondary housing units by right in Rural Residential and Residential Single Family zones. This was included in the Zoning Code Update.

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. The Interim Housing Policy adjusted housing fees and exempted additional



residential uses from payment of housing fees. A temporary DIF resolution waived DIF for 1-4 unit residential projects through July 31, 2014.

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, Inc.

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, Inc. 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 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, this provision shall only be applicable to projects ineligible for Town or State housing density bonuses.

H.1.B.2. Encourage housing development as part of infill and mixed-use development within the Downtown, Old Mammoth Road, and Mixed Lodging/Residential Commercial Zones, which is now allowed by right with the adoption of the Zoning Code Update in 2014. Outreach to property owners, developers, and brokers to discuss infill and mixed-use development opportunities in these Commercial Zones.

H.1.C.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.D.1. As part of the Housing Ordinance anticipated in 2014, 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.E.1. Action: Continue to apply zoning standards that allow for the following types of special needs housing in Mammoth Lakes:

- The Zoning Code update adopted in May, 2014 permits emergency shelters by right in the Old Mammoth Road district without discretionary design review.



- Transitional and Supportive housing are defined in the Zoning Code Update and treated as typical residential uses.
- Residential care and assisted living facilities are permitted in the Old Mammoth Road and Mixed Lodging/Residential districts with a ministerial permit, as outlined in the Zoning Code Update.
- Group living quarters, including clean and sober facilities, rooming and boarding houses, dormitories and other types of organizational housing, private residential clubs, and extended stay hotels intended for long-term occupancy (30 days or more), which are included in the Zoning Code Update.

H.1.E.2. Work with the Kern Regional Center to identify any outstanding housing needs for their clients within the Mammoth Lakes community, assist in identifying available housing that meets those criteria, and consider a rental assistance program to fill the gap between income levels and the cost of housing for persons with developmental disabilities.

H.1.E.3. Collaborate with the Kern Regional Center to implement an outreach program that informs residents within Mammoth Lakes on housing and services available for persons with developmental disabilities. The program could include the development of an informational brochure, posting information about available services on the Town's website, and providing housing- and services-related educational workshops for individuals and families.

H.1.E.4 The Town shall continue to ensure individuals with disabilities equal access to housing, pursuant to the rules, policies, and procedures in Chapter 17.80 (Reasonable Accommodation) of the Municipal Code.

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, Inc.

H.2.A.2. Pursue available grant funds, in cooperation with Mammoth Lakes Housing, Inc. 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 any remaining Proposition 1-C funds.

H.2.A.3. Develop and adopt a Community Housing Strategy in collaboration with Mammoth Lakes Housing, Inc. 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 2011 Housing Needs Assessment conducted by Mammoth Lake Housing, along with this Housing Element, will be used to inform the Community Housing Strategy. 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 Alternate Housing Mitigation Plan 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. Recognizing the housing burdens of extremely low-income households, the Town will implement a program to monitor the construction and rehabilitation of housing to meet the needs of the ELI population as identified in the 2011 Housing Needs Assessment

H.2.B.1. Amend and adopt a revised Housing Ordinance that reflects the 2009 Interim Housing Policy, incorporates refinements to meet legal mandates; addresses aspects not fully articulated in the Interim Housing 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 Plans 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, Inc. 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 and 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, Inc. 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.G.2 Continue to work with Mammoth Lakes Housing, Inc. and the Revolving Loan Fund (RLF) to assist in buying back existing deed restricted units in an effort to maintain these units. Explore the expansion of funding limits on the RLF and other possible funding sources such as the restoration of the one-percent of



Transient Occupancy Tax (TOT) to housing in an effort to help ensure no existing deed restricted units are lost.

H.2.H.1. Use the results of the 2011 Housing Needs Assessment conducted by Mammoth Lakes Housing, Inc. 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. The livability standards adopted as part of the Interim Housing Policy are included in the Housing Ordinance update that is anticipated to be adopted in 2014.

H.4.B.1. Adopt a resolution waiving a proportion of the application processing fees for developments in which at least five 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. The Town anticipates amending the Municipal Code fee waiver section to include this program concurrently with the Housing Ordinance update (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).

H.4.E.1. Continue to monitor the Town's DIF 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.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.

H.5.C.1 Develop a process for addressing Fair Housing inquiries and complaints, including referral of complaints concerning deed-restricted units to Mammoth Lakes Housing, Inc. 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.B.1. The Town will enforce the California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations (CALGreen) which became effective January 1, 2014.

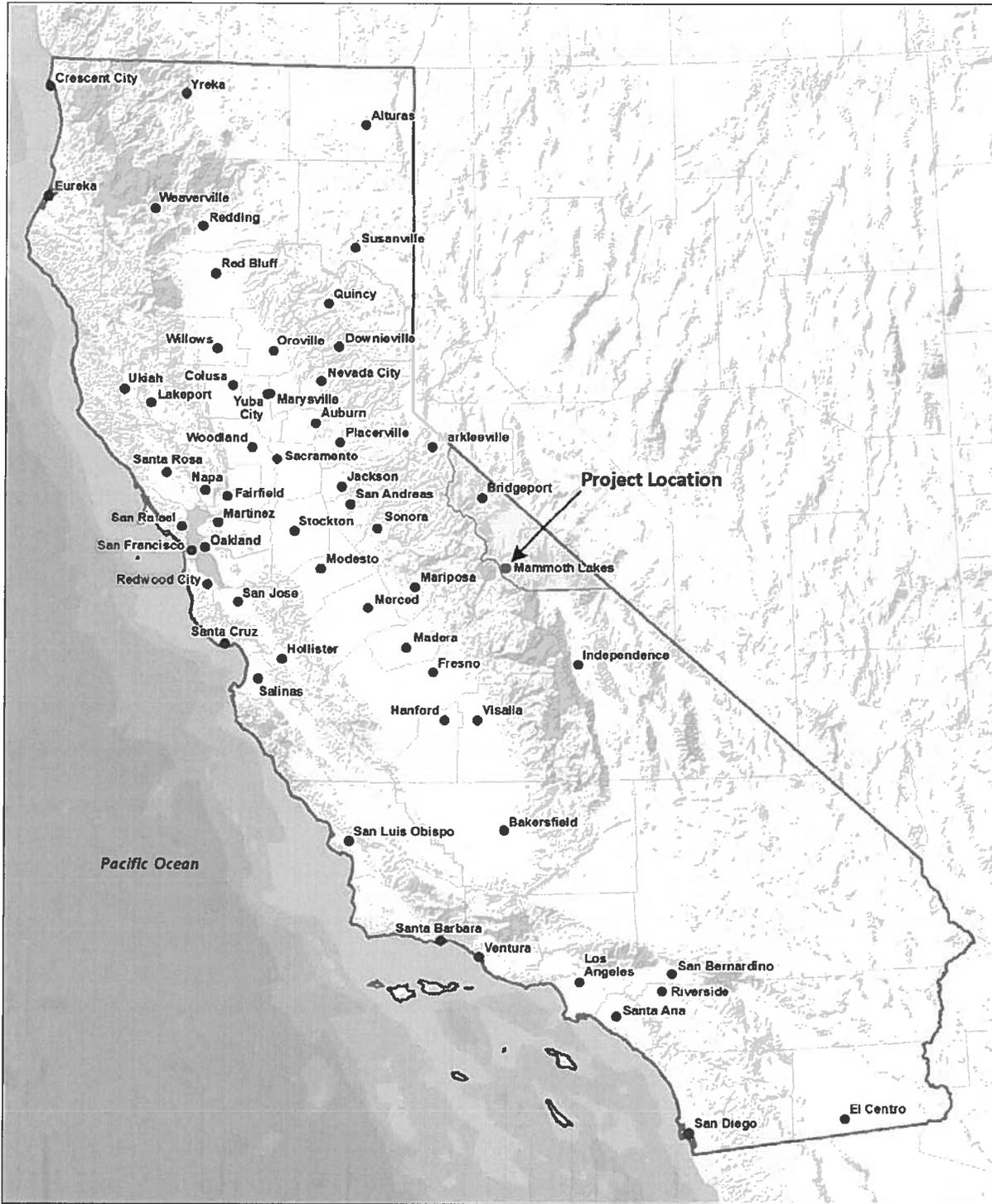
H.6.C.1. Work with Inyo Mono Advocates for Community Action (IMACA) and Mammoth Lakes Housing, Inc. to increase the number of weatherization retrofits and other upgrades of owner occupied and non-transient rental housing units in Mammoth Lakes Strategies to accomplish this may include development of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

2.2.4 PROJECT PHASING

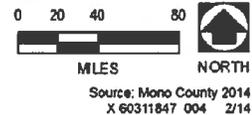
The Housing Element addresses the planning period January 2014 to June 2019. The Housing Element is a policy level document, which outlines policies and programs that will allow the Town to achieve its housing objectives within the identified planning period. The Housing Element does not approve or otherwise commit the Town to a specific project, construction plan, or timing.

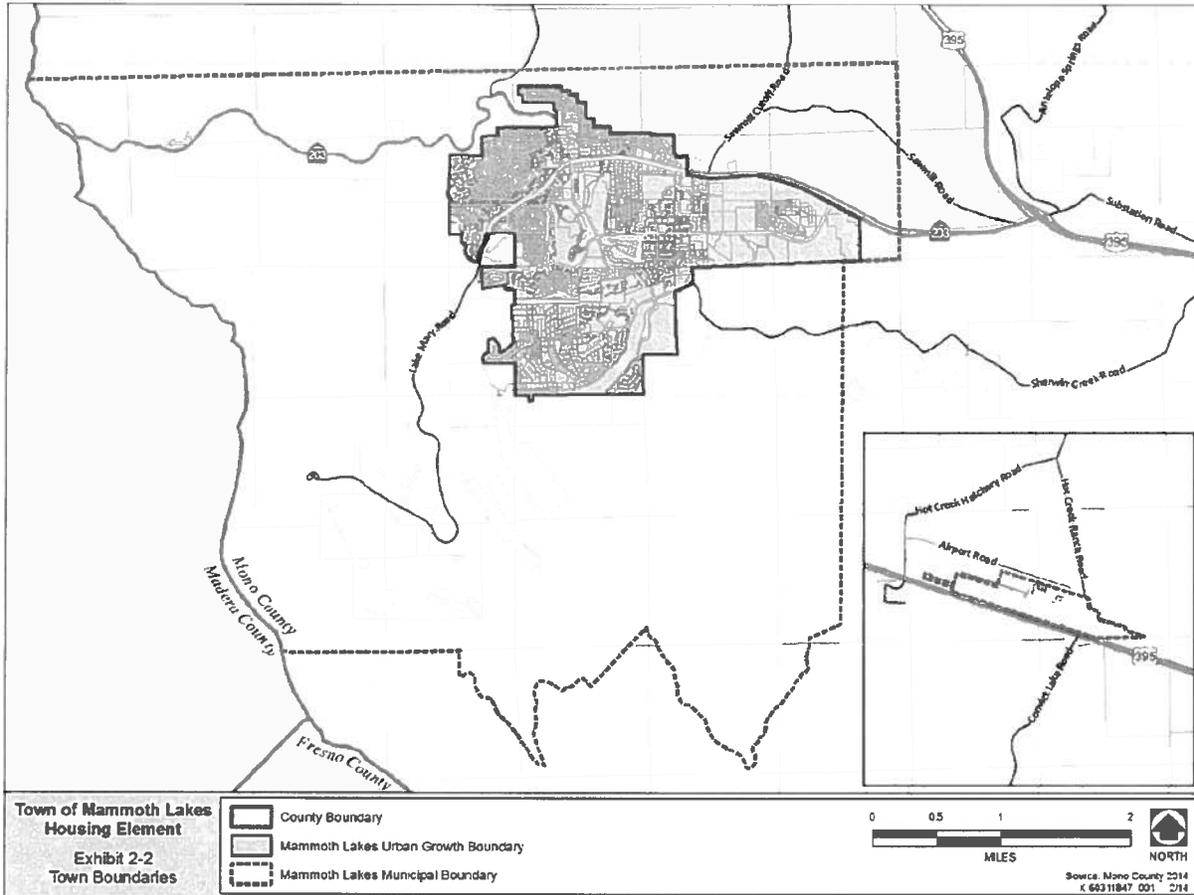


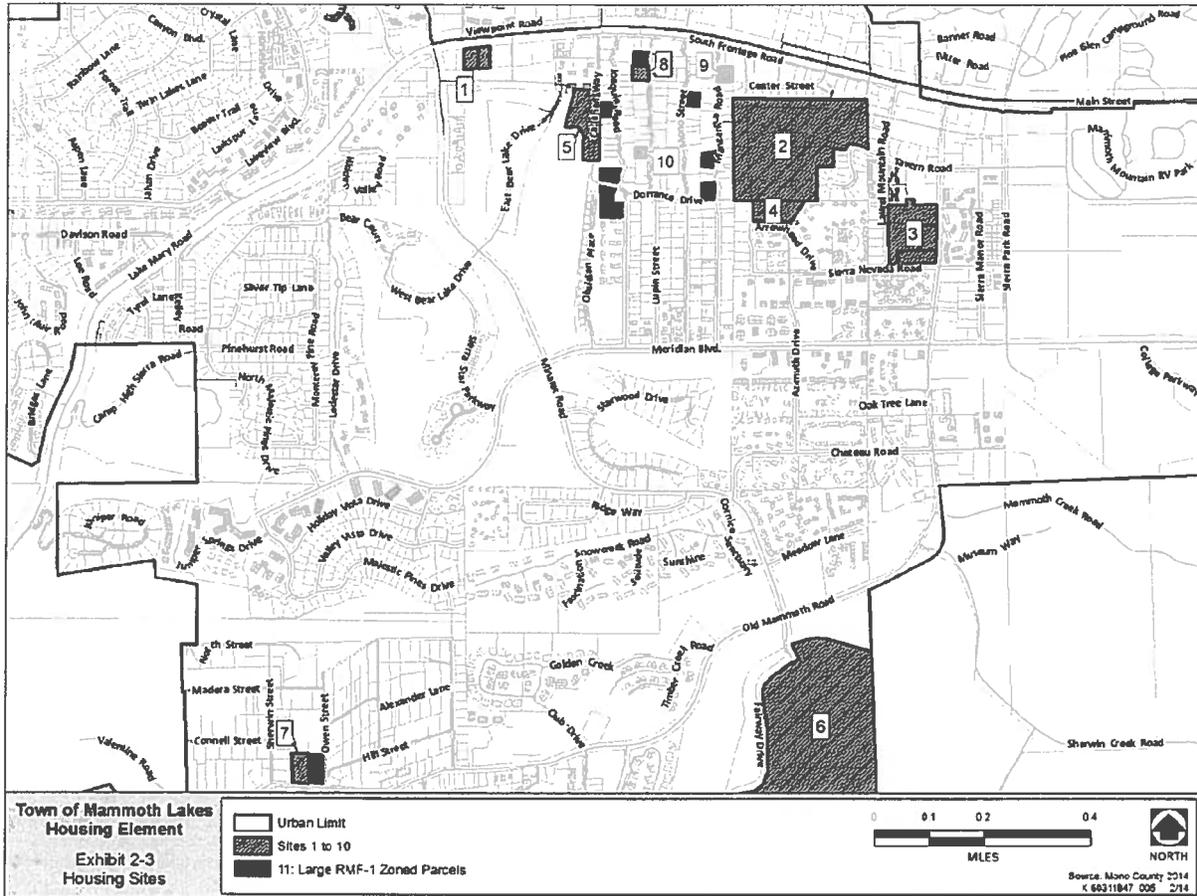
Town of Mammoth Lakes
2014-2019 Housing Element Update
Initial Study/Negative Declaration



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









3.0 INITIAL STUDY CHECKLIST

1. **Project Title:** Draft 2014-2019 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:** Jen Daugherty
Associate Planner
(760) 934 8989 ext. 260
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. U.S. 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 8,300 in 2013. Mammoth Lakes is a resort community, and a significant proportion (52 percent) of its total housing stock consists of vacation homes rented or occupied seasonally. The Town had an estimated total of 9,643 units in 2013, of these 27.7% were single-family homes, and 70.8% were multifamily units (rental apartments and condominiums).
5. **Project Sponsor:** Also see Chapter 2, Project Description.
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.	

Jen Daugherty

Signature

3-17-14

Date

Jen Daugherty

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

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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. 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. 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 Town 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?

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. The Town's design review includes consideration of building proportions and massing and includes consideration of the effects of building mass on views. 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. 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?

U.S. Highway 395, which lies to the east of the Town limits, is designated as a State Scenic Highway in the Mammoth Lakes vicinity; State Route 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 U.S. Highway 395, it is unlikely that future housing development will be visible from the scenic highway.

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. Furthermore, all development would be subject to the Town's design review processes, including consideration of building massing and proportion, lighting, landscape design, and 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?

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 Policies C.2.V and C.2.W 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. 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. 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 exterior lighting regulations (Municipal Code Chapter 17.36.030) include 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 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. 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 (Chapter 17.36.030). Therefore, the Draft Housing Element would have a *less than significant impact* related to light and glare.

3.2 AGRICULTURE AND FOREST RESOURCES

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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); however, these sites are scattered, individual undeveloped parcels surrounded by urban development. They are not connected to larger areas of forest land and conversion of these sites to non-forest use would have limited effect on forest ecological or economic values. The Shady Rest site 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 1 (RMF-1) with an Affordable Housing Overlay, 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 Community and Economic Development Director approve removal of trees over 12 inches in diameter, and which may require mitigation of this removal through their replanting or replacement elsewhere (Town of Mammoth Lakes Municipal Code Section 17.36.140, and Policy R.1.C. of the General Plan which requires that development projects identify and 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

<i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 the Town is currently working with GBVAB to pursue a revision to the Air Quality Management Plan (AQMP) and seeking a redesignation to “attainment” for the federal PM₁₀ 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 Town’s AQMP was recently updated and adopted by the Town Council in 2013. The AQMP 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. The AQMP update seeks a redesignation of the town as being in “attainment” for the federal PM₁₀ standard, observing that the 24-hour NAAQS PM₁₀ standard has not been exceeded during monitoring in Mammoth Lakes since 1994.

The more stringent State standard for PM₁₀ has been violated on several occasions each year over the past several years. State PM10 standards were exceeded on 27 occasions in 2011, and on four occasions between in 2012. 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 PM_{10} standard, the overall trend since 1990 has been a significant reduction in PM_{10} 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 2013 Air Quality Management Plan update that identifies various strategies to help the Town comply with the Federal Air Quality standard. Consistent with the AQMP, Municipal Code Section 8.30.100.B requires the Town to incorporate measures in project review that reduce projected Vehicle Miles Traveled (VMT), with the goal of reducing total VMT to 179,708 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 also 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 179,708 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 air quality 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 PM_{10} . 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 PM_{10} , 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 3.3a) 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

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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. The General Plan EIR does not identify special status species occurrences on the inventory sites. 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

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?

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. There would be **no impact**.

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

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

Less than Significant Impact. See Section 4.5b above.

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

Less than Significant Impact. See Section 4.5b above.



3.6 GEOLOGY AND SOILS

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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*). **No significant impacts** were identified related to 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?

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) and applicable Building Codes. The Draft Housing Element does not propose changes the policies of the Public Health and Safety Element or Building Codes. 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 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.

e) 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

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 gases (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 contains policies that promote energy efficiency, and policies which provide incentives for infill housing. These policies could provide GHG emission reduction benefits. However, the Housing Element does not contain policies which would directly increase GHG emissions. 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 and H.2.H.1, encourage provision of workforce housing 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

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			✓	



<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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. A review of the Cortese List on March 3, 2014 did not identify listings for any of the inventory sites (Cal/EPA 2014). 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. 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. 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 Hazard Severity 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. New development regulated by the Draft Housing Element would be subject to existing fire risk reduction strategies, as described in Section 4.5 of the General Plan EIR (Mammoth Lakes 2007:4-141–142, Measures II.4.A.e.1–II.4.A.e.6, II.4.A.f.1–II.4.A.f.4, II.4.A.g.1, and II.4.A.g.2). 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

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 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). Based on the information presented in the General Plan EIR, none of the inventory sites identified in the Housing Element area located within flood hazard zones defined by FEMA (Figure 4.6-2, page 4-150 of the General Plan EIR).

The proposed Policy H.1.C., 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. 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. 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

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 U.S. Highway 395 and approximately eight 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 and CSP), industrial (I), and airport (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

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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). The amount of residential development, including infill and increased density that may result from new policies included in the Housing Element Update, was included in the buildout assumptions analyzed in the General Plan EIR. 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

<i>Would the project result in:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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). 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. 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. 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. 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. 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. The amount of residential development, including infill and increased density that may result from new policies included in the Housing Element Update, was included in the buildout assumptions analyzed in the General Plan EIR. 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

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 about 8,300 in 2013. The American Community Survey data from 2011 reported 2,807 households and an average household size of 2.82 persons in Mammoth Lakes. 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 (52 percent) of its total housing stock is vacation homes, which are rented or occupied seasonally. The town had an estimated total of 9,643 housing units in 2013, of these 27.7 percent were single family homes and 70.8 percent were multifamily units (rental apartments and condominiums).

The Town's RHNA, as described in Chapter 2, equals 74 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 3,017 units over the 2013 level.

The Draft Housing Element identifies specific sites that could provide up to 247 housing units; however, only a fraction of this number would be needed to satisfy the 74 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 American Communities Survey, 2007 through 2011, the largest employment sectors included the following: arts, recreation, and hospitality service (34 percent of the workforce); finance, insurance, real estate office and other services (17 percent of the workforce); management, professional, scientific and information (13 percent of the workforce); and retail trade (10 percent of the workforce). Median household income was \$56,521 in 2011.

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 cause 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. 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. The Draft Housing Element 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

<i>Would the project result in the need for new facilities or infrastructure the construction of which could have significant environmental effects, including the following services:</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?			✓	
b. Police protection?			✓	
c. Schools?			✓	
d. Parks or recreation?			✓	

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.

Abundant recreational opportunities are available in the vicinity of the Town, including both commercial and public resources 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 amount of residential development, including infill and increased density that may result from new policies included in the Housing Element Update, was included in the buildout assumptions analyzed in the General Plan EIR. 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 routinely updates 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

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 (e):

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:

- II.1.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

<i>Would the project</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 inceptor 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 groundwater from eight wells located within the Mammoth Basin watershed. 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. In July 2013, MCWD entered into a settlement agreement with the City of Los Angeles Department of Water and Power (LADWP). Under the terms of the agreement, MCWD will be able to meet the Town's projected water demands at build-out of 4,387 acre-feet, through surface water diversions, groundwater extractions and recycled water. In exchange, MCWD agreed to help pay for LADWP to carry out water conservation and efficiency measures in the Mammoth Creek and Owens River watersheds. Overall, nearly 60 percent of the water used by MCWD is already returned to the downstream environment naturally and the conservation efforts will net an additional 1,779 acre-feet of water annually.

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 Draft Housing Element concluded that there is adequate water, wastewater treatment, and solid waste

disposal capacity to serve development that would accommodate the Town's RHNA; and that local wastewater conveyance limitations would not pose a constraint to future development. 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

<i>Mandatory Findings of Significance</i>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 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 Zones, and lodging and residential projects in the Residential Multi-Family 2 Zone. 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, this provision shall only be applicable to projects ineligible for Town or State housing density bonuses.

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

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EXHIBIT "B"

Housing Element Update 2014-2019 Initial Study/Negative Declaration dated March 17, 2014, and the Addition and Response to Comments dated June 18, 2014 (collectively the "Negative Declaration")

ADDITION AND RESPONSE TO COMMENTS
INITIAL STUDY/NEGATIVE DECLARATION

Town of Mammoth Lakes
Housing Element Update 2014-2019

SCH# 2014032067

LEAD AGENCY:

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

Contact: Jen Daugherty, Senior Planner
760 934-8989 ext. 260

June 18, 2014

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 March 24, 2014, and expired on April 22, 2014.

The IS/ND and supporting documents were available for review by the general public at the Town of Mammoth lakes Community & Economic Development Department, 437 Old Mammoth Road, Suite R, Mammoth Lakes, CA, and on-line at <http://ca-mammothlakes.civicplus.com/index.aspx?nid=586>. 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 April 7, 2014 (attached).

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, the Town of Mammoth Lakes has elected to prepare the following written response 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 March 24, 2014. Since that time, minor revisions have been made to the Draft Housing Element in response to comments provided to the Town during a Public Workshop of the Planning and Economic Development Commission, held on April 9, 2014, and by the California Department of Housing and Community Development (HCD) as part of their required review. None of the revisions result in any new or different impacts from those that were analyzed in the Draft Initial Study. The minor revisions include the following:

1.4 General Plan Consistency

HCD requested that the Town provide additional information on how it will ensure consistency with the General Plan over the planning period. Therefore, the following sentence has been added:

“To ensure consistency, the Town will review all General Plan elements during the Annual Planning Report process.”

5.2 Housing Policies and Programs

The California Department of Transportation District 9 provided a comment on Goal H.4 regarding a re-assessment of development impact fees to adequately fund transportation facilities necessitated by additional residential units that generate travel trips.

The following sentence has been added to Policy H.4.B:

“Consider waiving development impact fees only when significant impacts (e.g. circulation) can be avoided.”

The following sentence has been added to Policy H.4.E:

“...while ensuring development impacts are adequately mitigated through development impact fees and/or other appropriate measure(s).”

The following was added to Policy H.6.A in response to a comment received during the Public Workshop of the Planning and Economic Development Commission, held on April 9, 2014:

“...and solar. Encourage energy efficient programs such as Property Assessed Clean Energy (PACE) and others.”

3.0 RESPONSE TO COMMENTS

This section includes responses to comments received on the Initial Study/Negative Declaration during the period of public comment.

1. RESPONSE TO COMMENT FROM CALIFORNIA DEPARTMENT OF TRANSPORTATION APRIL 7, 2014.

This comment pertains to Goal H.4 and policies related to reducing governmental restraints. It stated that any re-assessment of development impact fee amounts should consider the need to fund transportation facilities necessitated by additional residential units that generate travel trips.

Policies H.4.B. and H.4.E. have been slightly modified to address the comment. Please see the above section for the specific changes to these policies. Additionally, the proposed policies suggest 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 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

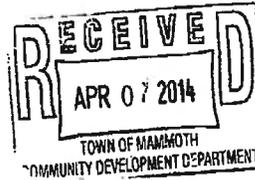
The Draft Housing Element 2014-2019 CEQA public review and comment period has provided an opportunity to obtain additional information that could be used to revise or modify the proposal. The information received, and the revisions made to the Housing Element since publication of the Draft Initial Study, 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
500 SOUTH MAIN STREET
BISHOP, CA 93514
PHONE (760) 872-0785
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www.dot.ca.gov



*Serious drought.
Help save water!*



April 4, 2014

Ms. Jen Daugherty, Senior Planner
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546-1609

File: Mno-203
IS/ND
SCH#: 2014032067

Mammoth Lakes Draft Housing Element 2014-2019/General Plan Amendment 13-002

Dear Ms. Daugherty:

Thank you for giving the California Department of Transportation (Caltrans) District 9 the opportunity to comment on the Draft Housing Element items. We have the following comment:

- For Goal H.4 and related policies for reducing governmental constraints, please be judicious during Town re-assessment of development impact fee amounts, especially re: transportation facilities. Assuming units are built for occupancy, additional units inherently generate trips for some sort of travel mode. Such impact fees are a proportional method to ensure that funding would not fall short for transportation facilities (roadways, pedestrian/bike paths, transit) necessitated by the additional users.

Caltrans appreciates working with the Town during the Local Development Review process as the Town continues to preserve and improve the transportation system by requiring housing projects to provide right-of-way dedications, transportation facility construction, drainage systems, and snow removal. Feel free to contact me at (760) 872-0785, with any questions.

Sincerely,

GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse

EXHIBIT "C"

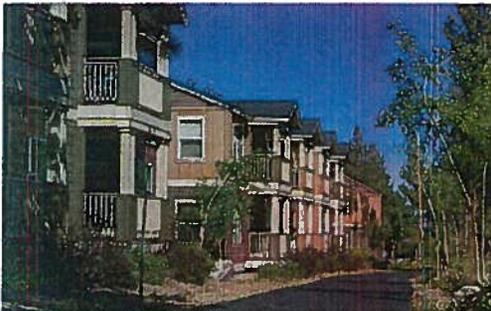
Housing Element Update 2014-2019 Revisions (track changes excerpts)
(General Plan Amendment 15-001)

Town of Mammoth Lakes

Housing Element 2014-2019



June 18, 2014 (revised May 20, 2015)



HOUSING ELEMENT
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APPENDICES

- Appendix A Relevant General Plan Policies
- Appendix B Agencies and Sources Consulted
- Appendix C Housing Ordinance 2015
- Appendix D Interim Housing Policy

Promote Quality and Design. Incorporate standards that improve development quality and design, enhance visual character, avoid conflicts between land uses, and preserve the scenic qualities of the town by maintaining adequate open space.

Improve Readability and Usability. Use charts, graphics, and illustrations to make the Code easier to read and to reorganize the material to group similar and related regulations together.

The Zoning Code Update also included review of administrative procedures, as well as development standards, and incorporated ways in which the Code could be made more user-friendly and processes more streamlined.

Original Affordable Housing Mitigation Ordinance (2000-2009)

Mammoth Lakes adopted ~~an~~ its first Affordable Housing Mitigation Ordinance in 2000, with updates and amendments made in 2004 and 2006. ~~This Town's~~ Affordable Housing Mitigation Ordinance ~~has been~~ was instrumental in facilitating the production of moderately priced housing in Mammoth Lakes ~~since from~~ 2000 to 2009, by placing strict requirements on new development to mitigate its demand for affordable and workforce housing units. The Housing Ordinance ~~is anticipated to be~~ was updated in 2014 ~~following the adoption of this Housing Element Update~~ (see Updated Housing Mitigation Ordinance 2015, below). ~~A copy of the current Housing Ordinance is included in Appendix C.~~

The driving principle of the original Ordinance ~~was~~ is that development must provide housing for the workforce it generates. Formulas ~~are~~ were 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)²⁰ housing units that must be provided. Table 3-39 shows the FTEE generation table by project type, which ~~can~~ was then ~~be~~ used to calculate the total number of FTEEs generated by new development. This number ~~can~~ was then ~~be~~ used either to determine the number of units to be constructed or the in-lieu fee a developer ~~will~~ owed the Town for the project.

²⁰ 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.

Certain projects including small residential developments of less than five units, small lodging and commercial developments, and all developments in the industrial zone ~~are-were~~ permitted to pay an in-lieu fee. When units ~~are-were~~ 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-were~~ paid, they ~~are-were~~ calculated by multiplying the total FTEE by the in-lieu fee, which is established by ordinance and periodically updated. The ~~O~~rdinance states~~d~~ that on-site housing units ~~are-were~~ preferred and should 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 ~~O~~rdinance allow~~s~~ed for Alternate Housing Mitigation Plans (AHMPs) that can include construction on a different location, land dedications, and housing acquisition and rehabilitation within town boundaries, or when the Planning and Economic Development 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 and Economic Development Director, may the Town then approve payment of in-lieu fees. An AHMP require~~s~~d approval by the Planning and Economic Development 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 instead of requiring 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. Since 2010, the MLH has converted 22 market rate units to affordable deed restricted units. MLH and its accomplishments are described in additional detail in Chapter 4.

Additionally, the Town's Housing Ordinance is not a constraint to market rate housing development. Although development has been slow since the 2008 recession, two multi-family structures were constructed between 2010 and 2014, adding 6 additional market rate units. As discussed in Table 2-30 in Chapter 2 the median priced home or condominium is affordable to most moderate-income families in Mammoth Lakes. Despite its obvious merits and importance, the Town also recognizes that the

Housing Ordinance, alongside other development fees, contributes to increased costs for developers of future homes. 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 sections.

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, 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 reduced fees for most development types by around 50 percent from previous levels. More recently, to help stimulate the local economy, the Town Council extended a temporary reduction to DIF for one to four unit residential projects, commercial projects, and remodel projects to July 31, 2014.

The Town and Mammoth Lakes Housing, Inc. 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, Inc.

The Town ~~anticipates amending~~ the Housing Ordinance in 2015⁴ to reflect ~~the direction established in the feedback regarding the~~ Interim Affordable Housing Mitigation Policy and this Housing Element Update.

Updated Housing Mitigation Ordinance 2015

The Town adopted a comprehensive update to the Housing Ordinance in 2015. The updated Chapter 17.136 includes a menu-based format that allows developers to choose a desired method for housing mitigation (i.e., fee, on-site housing, off-site housing, conveyance of land, or other). A housing fee will be established once a nexus study for such fee is approved by Town Council. A copy of the current Housing Ordinance is included in Appendix C.

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

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 Town's allocation of a proportion of Transient Occupancy Tax (TOT) revenues to housing. It should be noted that none of the projects listed in Table 4-45 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 ~~is in the process of updating~~updated the existing Housing Ordinance (Municipal Code 17.136) ~~to reflect the Housing Element Update and the interim housing mitigation policy adopted by Town Council in 201509. The interim policy sets revised (reduced) requirements for housing mitigation, including reliance on an inclusionary housing requirement for residential and lodging projects, revision of the in-lieu fee schedule for housing, and exemptions for certain project types from housing mitigation.~~ This update ~~would also ensure compliance~~complies with legal mandates (the "Palmer and Patterson" cases) regarding inclusionary housing programs. The updated Housing Ordinance is ~~anticipated to be adopted and effective in 2014~~included as Appendix C.

The Town requires ~~most types of~~ new development to mitigate a share of its ~~affordable workforce~~ housing demand, ~~by including on-site affordable units in conjunction with market rate units, or through payment of in-lieu fees that support affordable workforce housing programs, provision of on-site or off-site workforce units, conveyance of land for workforce housing, or other means.~~

~~The Town receives payment of in-lieu fees for small residential and commercial projects based on the requirements set forth in the interim policy. As allowed 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 Alternate Housing Mitigation Plan (AHMP). As directed by the regulations Ordinance, these monies housing in-lieu fees~~ are deposited in the ~~Affordable~~ Housing In-Lieu Fund that may be used for the purposes of planning for, administering, subsidizing or developing ~~affordable-workforce~~ housing. As of February, 201~~5~~⁴, the total funds available were \$~~265,104.53~~^{240,913}.

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 Update period, given the degree of uncertainty in the development community overall. In the period 2010 to 2014, the Town collected a total of \$62,424 in housing in-lieu fees, an average of \$15,606 annually during the four-year period. Assuming this trend will continue, this annual average would amount to roughly \$78,000 total over the course of the five year planning period.

Transient Occupancy Tax Allocation

One percent of 13 percent Transient Occupancy Tax (TOT) revenues was designated towards the development of workforce and affordable housing within the Town. As a resort community, TOT in Mammoth Lakes represents a significant portion of local revenues. Between 2009 and 2014, the Town collected an average of \$10.5 Million annually in TOT, translating to an average of over \$814,793 annually for housing. Due to the Town's Mammoth Lakes Land Acquisition (MLLA) settlement, this amount has been reduced, and it is anticipated that an average of \$724,549 annually will be allocated to housing over the next five years. TOT will continue to be used as a local resource for the provision of workforce and affordable housing.

As noted below, these monies are principally dedicated to funding the work and programs of Mammoth Lakes Housing, Inc. (MLH), a non-profit organization formed by the Town with other participants in 2003. MLH has used these funds to leverage additional State and Federal grant funds to construct and acquire affordable housing units, to provide down payment assistance to qualifying households, and to provide assistance to qualified families to find and move into affordable housing

Action H.1.B.2 Encourage housing development as part of infill and mixed-use development within the Downtown, Old Mammoth Road, and Mixed Lodging/Residential Commercial Zones, which is now allowed by right with the adoption of the Zoning Code Update in 2014. Outreach to property owners, developers, and brokers to discuss infill and mixed-use development opportunities in these Commercial Zones.

Policy H.1.C. 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.

Action H.1.C.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.

Policy H.1.D. Require that applicants proposing on-site housing, off-site housing, or ~~in-lieu fees~~ conveyance of land, instead of ~~on-site mitigation housing paying the fee established by Town Council~~, provide mitigation considered to be of an appropriate value or cost when compared to the fee, ~~are held to a higher standard of demonstrating "greater housing benefit" when seeking approval of such proposals.~~

Action H.1.D.1. As part of the Housing Ordinance anticipated in 2014, develop criteria, standards and thresholds by which Alternate 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.~~

- An Administration component to guide roles and responsibilities for program implementation.

Action H.2.A.4. Recognizing the housing burdens of extremely low-income households, the Town will implement a program to monitor the construction and rehabilitation of housing to meet the needs of the ELI population as identified in the 2011 Housing Needs Assessment.

Policy H.2.B.

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.

Action H.2.B.1. Amend and adopt a revised Housing Ordinance that reflects the 2009 Interim Housing Policy, incorporates refinements to meet legal mandates, addresses aspects not fully articulated in the Interim Housing 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~~ allows 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 ~~(e.g., AMI level)~~ 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 multi-family residential and lodging projects, industrial and some commercial projects.~~
- Provisions defining Alternate Housing Mitigation Plans 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.

Policy H.2.C. Support the development of market-rate and affordable rental housing. Multi-family housing is a permitted use in all multi-family and commercial zones pursuant to the Zoning Code Update.

Policy H.2.D. 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.

Action H.2.D.1. As part of the Housing Strategy, work with Mammoth Lakes Housing, Inc. 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.

Policy H.2.E. 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.

Action 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 and used to correct building violations that pose a threat to residents' safety or wellbeing.

Policy H.2.F. Continue to enforce Municipal Code requirements that preserve the existing supply of non-transient rental housing units. The Zoning Code Update includes thresholds and provisions for the conversion of apartments to condominiums (Section 17.52.110).

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

Action H.2.G.1. As part of the Housing Strategy work with Mammoth Lakes Housing, Inc. 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.

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. 15-13 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 20th day of May, 2015, by the following vote:

AYES: Councilmembers Fernie, Wentworth, Mayor Pro Tem Raimondo, and Mayor Bacon

NOES: None

ABSENT: Councilmember Richardson

ABSTAIN: None

DISQUALIFICATION: None



JAMIE GRAY, Town Clerk