

General Plan Amendment:

1. This action is a General Plan Amendment not a Zoning Code Change:

Summary:

Over the years one thing has remained constant; it was, and is, important to the community to support our neighborhoods and keep our sense of community, this goal was reiterated in the last General Plan update and continues to be accomplished by not allowing nightly rentals in single family homes. As we reached consensus to support our vision, including The Triple Bottom Line, sense of community and neighborhoods we designed and developed various areas and concepts to support resort development. In those various areas we have agreed to increased densities and services so that we could effectively deliver a better visitor experience. There is a 30 precedence here...Opening residential neighborhoods to transient occupancy requires the rigorous study a General Plan amendment requires, community education and outreach programs that culminate in a community consensus or vote.

Excerpts from our General Plan:

Community Character:

Providing the highest quality of life for our residents

Protection of the character and quality of life of stable residential neighborhoods is paramount.

L.1.A. Policy: Limit total peak population of permanent and seasonal residents and visitors to 52,000 people.

To maintain a community of cohesive residential neighborhoods in a unique mountain environment, natural beauty, critical environmental areas and open space will be protected.

L.1.A.2. Action: Prepare an Annual Community Indicators Report to monitor pace of growth and to plan for changing conditions. Potential Community Indicators include:

- Visitor lodging occupancy
- Annual visitors

- Permanent resident units accommodate 2.4 people per unit on average and all other units accommodate 4 people per unit on an average winter Saturday (These household size and occupancy assumptions are based on past utilization and are simply used to calculate potential build-out. They do not constitute policy.)

Mammoth Lakes will be a well-planned cohesive community. Exceptional quality in design will be achieved by identifying and protecting distinct neighborhoods and districts. Resort nodes shall be integrated into our community. Planning tools such as green building design strategies, energy efficiency and principles of smart growth will be used to encourage sustainable development that meets current and future needs.

C.6. Enhance community character by minimizing noise.

L.1 Be stewards of the community's small town character and charm, compact form, spectacular natural surroundings and access to public lands by planning for and managing growth.

M.7. Maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative.

S.2. Keep Mammoth Lakes a safe place to live, work and play. The community will continue to be designed as comfortable, convenient and safe. Workforce housing will emphasize high quality design and livability and be incorporated into all neighborhoods.

C.6.G. Policy: Require preparation of a noise analysis or acoustical study, which is to include recommendations for mitigation, for all proposed projects that may result in potentially significant noise impacts.

Comments from Mammoth Neighborhood Committee Members:

The General Plan takes into consideration the Triple Bottom Line, social, environmental and economic impacts and goals.

If one follows the occupancy in the proponents Report (9.8 visitors per unit) together with other guests and residents will exceed the PAOT maximum.

2. Sustainability:

Summary:

This is a classic case of supply and demand. No need has been identified, no business plan proposed, no cost benefit study supplied. The report recently submitted by David Paige's group, while having factual information as to number of residents, other cities where nightly rental is allowed etc., is based upon a flawed assumption, i.e. that opening up nightly rentals will somehow increase the number of visitors to Mammoth, since their position is that such rentals will not supplant current inventory. At its current rate of growth Mammoth is and will be overbuilt..unsustainable. Our resort is already behind in occupancies that allow this type of rental ie: Mammoth 36% vs Aspen at 55%. To include over 600 units, without new business, will destabilize and dilute the current market place. The facts are clear, MMSA is at capacity with no plans to expand its carrying capacity, Mammoth Lakes is a single economic engine community with little opportunity for growth. The goal of the General Plan is for our community to have a vital sustainable economy; a change of this magnitude would only displace revenue, reduce ADR's and further erode some sections of the real estate market.

Excerpts from our General Plan:

Mammoth Lakes' economic sustainability is dependent upon the mountain resort, expanded employment opportunities, shoulder season and midweek occupancy.

The assumptions of the three models support the projection that the total number of residents, visitors and workers on a winter weekend will grow to between 45,000 to 52,000 by the year 2025.

- The capacity of the ski area will remain constant over the next twenty years

E.1. GOAL: Be a premier destination community in order to achieve a sustainable year-round economy.

L.5.B. Policy: Locate visitor lodging in appropriate areas.

Excerpts from Mammoth Lakes Economic Forecast and Revitalizations Strategies 10-6-2011:

Mammoth's Occupancy rate trails other competitive resorts

**Table 4
Peer Resort Occupancy Statistics
Economic Forecast and Revitalization Strategies**

Resort	Occupancy				Annual
	Fall Sept-Nov	Winter Dec-Mar	Spring Apr-Jun	Summer Jul-Aug	
Mammoth	23%	48%	28%	45%	36%
Aspen	37%	75%	34%	75%	55%
Beaver Creek	27%	62%	29%	50%	43%
Park City	27%	60%	27%	48%	41%
Snowmass	--	86%	--	--	45%
Vail	28%	68%	33%	51%	46%

Source: Economic & Planning Systems research

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Excerpts from the White Report:

The capacity of the ski area will remain constant over the next 20 years, and the economic demand for Skiing will be regulated through pricing.

We have 106 transient home rentals at this time.

The current percent of people in Mammoth on a busy winter weekend who are skiing is 75%, which is also approximately equal to the comfortable carrying capacity of the ski area (22,500)

The Town is a two season recreation and tourist based economy and winter visitation is almost entirely because of Mammoth Mountain Ski Area.

Winter visitation is concentrated around weekends and the Town already reaches it's maximum visitor capacity during a few peak weekends.

MMSA has a stated future goal of providing a customer experience designed around a comfortable accommodation of an average design day of 15,000 to 18,000 skiers at one time and an annual attendance of 2,000,000.

Excerpts from the UCSB Report:

Diversification away from seasonal tourism is very difficult because of the community's isolation, limited transportation, snowy winters, and high housing costs.

The mountain and community are maxed out on major winter weekends.

Implementing a plan is difficult because of lack of coordination between the Mountain and the Town.

Winter visitation is almost entirely because of the Mammoth Mountain Ski Area, and it is concentrated around weekends.

The community clearly values Mammoth Lakes' small town feel and most residents would elect to retain that feeling of authenticity. The researchers think that makes sense. Authenticity complements the region's strong skiing and recreational attractions.

The second issue is what would bring those people to Mammoth Lakes? As best we can determine, 60,700 is not a number related to market demand. In particular, it does not take into consideration the ability to entertain these people. Given the existing mountain infrastructure, agreements between the mountain and the Forest Service and other entertainment infrastructure, we doubt that 60,700 will be in Mammoth at one time. The correct way to determine the maximum number of people in the Town of Mammoth Lakes is to start with a statistical estimate of the maximum number of people attracted to the Town by its recreational and entertainment capital. You add to this the Town's residents and commuter workforce. Because of changing demographics and changing capital, this number will be constantly changing.

Comments from Mammoth Neighborhood Committee Members:

Basic assumption of the "Report" (which is not supported by any facts) is that opening up nightly rental of single family homes will increase revenue. Such assumption is flawed since that requires new visitors (based on "Report's" 88, 826 additional nights with a five night stay means 17,765 additional visits by new visitors (since the report claims it will not supplant existing rentals). No evidence just opening up single family homes will generate new visitors

Uncertain source of revenue (i.e. even if one were to accept the report, which is just a pipe dream, it is based on guesstimates and cannot be certain how much actual revenue will be collected). As a result, cannot be certain it will generate additional revenue for paying the Settlement but will have a negative effect on residents

There is no business plan outlining how we intend to grow visitation to our community to support existing and future inventory much less adding 600 plus homes that have not been figured into the lodging mix.

No need has been identified: There are various single family home properties that rent now; Talus, Stone Gate, Timbers Juniper Crest etc. There are areas within the resort zone that allow for nightly rentals in single family homes. We have development partners that will fill any niche in the market place.

Displaced lodging base no new customers, classic case of supply and demand, results will be reduced ADR's

3. Current and Future Developments:

Summary:

Mammoth Lakes has provided approvals for various un-built projects within the community amounting to over 3,000 units of various configurations, with a build out of 5,344 units available. Add this to our existing inventory of 9,871 (as of 2004) for a total of 15,235 units. As described else where we will be hard pressed to assimilate new development into an already flooded inventory, with stagnant or no growth from our economic engine adding in excess of 600 units with no identified demand slows development, impacts jobs in the community and does not support the Triple Bottom Line.

Excerpts from the White Report:

Based upon GIS and existing Zoning, master plans and specific plans, existing vacant lots had the capacity for an additional 5,344 units if fully developed to maximum density under existing zoning.

Current Approved Developments:

Received from the Town of Mammoth Lakes:

	Residential	Hotel
Altis	24	
Eagle Lodge	106 dwelling unit equivalents (MP)	
Holiday Haus		77
Mammoth View	52	54
Old Mammoth Place		340 (488 bedrooms)

80/50	21 (fractional/Hotel)(33 bedrooms)	
Mammoth Crossing	66 WH (742 bedrooms) – approved not entitled	
Mammoth Hillside Phase I	24 WH	225 (3.25 ?)
South Hotel		251 (299 bedrooms)
Lodestar	200	500 (MP)
Tanavista	45 (fractional)	
Snowcreek VII	118 (10 units built)	
Snowcreek VIII approved, not entitled)	790	200 (400 bedrooms) (MP & DA)
Vista Point		28 (101 bedrooms)
Further development of vacant lots.		

4. Other Communities:

Summary:

Have other communities done this? Yes. Does this mean this is the right thing for Mammoth? No. Their occupancies are higher and economic opportunities more diverse. Other factors unique to our area include future and past developments, quality of life and our guest experience. We don't understand or know what we are comparing.

Our General Plan is based around protecting our resort community...the triple bottom line...sustainability...we have a vision and a dream; we need to work to make them a reality.

Excerpts from Mammoth Lakes Economic Forecast and Revitalization Strategies

Mammoth's occupancy rate trails other competitive resorts. Occupancy rates for five major North American destination resorts for which occupancy data was readily available are shown in Table 4. Aspen, Colorado is able to achieve an annual occupancy rate of 55 percent because it has winter and summer occupancies in the mid 70 percent range. Aspen's shoulder season rate in recent years. Aspen has events and festivals with national and even international draw during the off-season; these attract non-skiing visitors and thus diversify its tourism base. Beaver Creek, Park City, Snowmass, and Vail each attain annual occupancies in the low to mid 40 percent range.

The best opportunities to increase overall occupancies beyond the winter ski season are during the summer months due to favorable weather and school vacations. The peer resorts shown are able to achieve nearly 50 percent occupancy during the summer months by offering a variety of outdoor activities and cultural performing arts events that draw a diverse visitor base.

No real consensus among leaders; the Planning Commission voted to not approve the change and Council went forward despite this recommendation.

Aspen has no sense of community, locals do not live there...they live down valley.

South Lake Tahoe: Enforcement issues, declining occupancies in other lodging opportunities.

Big Bear: Has three full time enforcement officers specific to housing rentals.

5. Our Community Impacts:

Summary:

No studies have been completed as to how transient rentals in our neighborhoods will impact various principals in our general plan including The Triple Bottom Line, mobility, quality of life, noise, traffic etc. Impacts will be created in fire protection, law enforcement, TOT collection and management, community services, roads, water, sewer and general enforcement of imposed conditions. No work has been done to estimate the cost to create or enforce addressing and mitigating the above.

- Quality of life for residents: Proponents' for SFR rentals don't live here they want to make money
- Approving Transient rentals in areas that have CC&R's that preclude running a business from a home is wrong.
- Will new rentals be required to conform to current codes? ie: fire suppression systems?
- Pitting neighbor against neighbor as family and vacation uses do not mix.
- Fire hazards: Our neighborhoods and homes are not set up for this use and many do not meet code
- Management: Increase work load for Town Staff: Individual TOT returns etc.
- Property values: Increase for Homes and decrease for Condominiums. Owners in Condo's who rely on income will lose units, lose common area fees, create blight No local will ever be able to buy another house.
- Other items affected by this decision: Investor groups: Parking, transportation, roads, snow storage, police, noise.
- Enforcement...we created this problem by not enforcing our current laws and mandates. What measures will be put in place and how much will it cost? Who will pay for it?
- No mobility study...impact of additional cars, no sidewalks etc.

And the list goes on...