

ORDINANCE NO. 10-09

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPTING DISTRICT ZONING AMENDMENT 10-002, AMENDING THE CLEARWATER SPECIFIC PLAN AND GRANTING FEE WAIVERS TO THE OLD MAMMOTH PLACE DEVELOPMENT PROJECT PURSUANT TO THE CB/IZ POLICY

THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1: PROCEDURAL FINDINGS. The Town Council makes the following findings in connection with the adoption of this Ordinance:

A. An application has been filed with the Town by Mark Carney on behalf of the owner, Metric Mammoth LLC, ("Applicant") requesting an amendment to the Clearwater Specific Plan (District Zoning Amendment DZA 10-002) to implement the Town's prior approval of incentive density and community benefits by granting a waiver of Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Ordinance requirements for the increment of incentive density and community benefits already approved by the Town pursuant to the Town's Community Benefits/Incentive Zoning ("CB/IZ") Policy. This application relates to a mixed-use project that includes a maximum of 340 residential units with up to 488 lodging rooms and 8 units of on-site workforce housing, outdoor public events plazas and associated amenities, 19,500 square feet of retail, 17,000 square feet restaurant space, 9,500 square feet of conference space, a 4,500 square foot quality spa and wellness center, and subterranean parking capacity for no fewer than 619 vehicles for property located within the Clearwater Specific Plan at 164, 202, and 248 Old Mammoth Road.

B. On January 7, 2009, the Town Council approved the Clearwater Specific Plan ("CSP"), and thereafter on April 21, 2010, the Town Council approved Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005, and Adjustment 09-004. On April 21, 2010, the Town Council also gave second reading to and adopted District Zoning Amendment 09-001. All of these actions operated to approve, with conditions, the Applicant's proposed Old Mammoth Place development project.

C. On August 5, 2009, the Town Council adopted Resolution No. 09-55 adopting the Town's CB/IZ Policy, which allows for discretionary development incentives in exchange for community benefits and provides a policy directive by which impact fees and requirements for workforce housing, development impact fees and public art fee and requirements should not be applied to square footage or density provided as incentive density or community benefits.

D. The Town's CB/IZ Policy was intended to be a "bridge" framework to be further implemented through changes in Town ordinances and that, because the CB/IZ policy was adopted by resolution, it did not operate to amend or waive the textual requirements of the Town's Code as pertains to development impact fees, public art fee and program requirements, and workforce

housing requirements, thereby necessitating implementing amendments or waivers to those applicable Town Code requirements.

E. In connection with the Town's approval of the Old Mammoth Place development project, the Town applied the Town's CB/IZ Policy to the project to allow increased density in exchange for specified community benefits. As conditions of that approval (Conditions 3 and 102 of the project conditions), the Town provided that the waiver of Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Requirements for the increment of incentive density and community benefits would not be effective unless and until revisions to the Town's Ordinances were made to provide for those exemptions.

F. The purpose and intent of the Applicant's request for District Zoning Amendment 10-002 is to provide for the waiver of the Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Requirements for the increment of incentive density and community benefits contained in the approved development in advance of a generally applicable Town Code Amendment.

G. District Zoning Amendment 10-002 would amend the approved text of the Clearwater Specific Plan to include provisions that provide for the waiver of the Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Requirements for the increment of incentive density and community benefits contained in the approved development.

H. Also, District Zoning Amendment 10-002 would expressly grant the requested waivers to the applicable provisions of the Town of Mammoth Lakes Town Code that is specific to the approval of the Old Mammoth Place project only.

I. An Environmental Impact Report (EIR) for the Clearwater Specific Plan (State Clearinghouse #20066012041) was prepared pursuant to the California Environmental Quality Act and the State CEQA Guidelines to address the environmental effects, mitigation measures, and project alternatives associated with the Clearwater Project and actions related thereto.

J. The EIR for the Clearwater Specific Plan was circulated for a 45-day review period on December 14, 2006 and was certified by the Town Council on January 7, 2009; and

K. The Town Council adopted a Statement of Overriding Considerations as a part of its certification of the EIR, which statement is incorporated hereby by this reference; and

L. On April 21, 2010, the Town Council approved a "Conformance Review" document as an addendum to the EIR for the Clearwater Specific Plan, by which the Town Council determined that the Old Mammoth Place development project was consistent with the project evaluated in the EIR for the Clearwater Specific Plan.

M. The Planning Commission conducted a noticed public hearing on the application request on May 26, 2010, at which time all those desiring to be heard were heard, and following the close of the public hearing adopted Resolution No. 2010-11 recommending approval of District Zoning Amendment 10-002.

N. The Town Council conducted a noticed public hearing on the application request on June 17, 2010, at which time all those desiring to be heard were heard and closed the public hearing.

Section 2: GENERAL FINDINGS. The Town Council makes the following findings in connection with the adoption of this Ordinance:

A. Consistent with the evidence contained within the staff report, environmental conformance analysis, and provided at the public hearing, the Town Council finds that the proposed amendment to the Clearwater Specific Plan is consistent with the General Plan, the Clearwater Specific Plan, and the Municipal Code because the project will:

1. Implement the Town's adopted Community Benefits/Incentive Zoning Policy by allowing for a waiver of Development Impact Fees, Art Fee and Program requirements and Workforce Housing Ordinance requirements for the increment of incentive density and community benefits that are part of the approved Old Mammoth Place development project approval;
2. Comply with the neighborhood and district character element of the General Plan which seeks to achieve a more diversified economy and employment base, and requires a vibrant mix of retail, commercial, and workforce housing;
3. Comply with the General Plan requirement that projects in this district maintain a high level of design;
4. Ensure safe and attractive public spaces, including sidewalks, trails, parks and streets, including creating well-designed and significant public spaces to accommodate pedestrians and encourage social interaction and community activity;
5. Attract a diversified labor force through a mix of housing types and housing affordability and increase the supply of workforce housing;
6. Support development that contributes to destination resort visitation in Mammoth Lakes and encourage adequate and appropriate commercial services for residents and visitors; and
7. Maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative and support transit ridership and pedestrian activity by emphasizing district parking, shared parking, mixed use, and other strategies to achieve a more efficient use of land and facilities.

B. Consistent with the evidence contained within the staff report, the environmental conformance document, and provided at the public hearing, the Town Council finds that the proposed Specific Plan amendment is consistent with the intent of the Town of Mammoth Lakes Municipal Code, as interpreted and applied by the Town through the CB/IZ Policy because it would allow for the development of community benefits in exchange for incentive densities by providing for a fee waiver for the increment of incentive density and community benefits

approved by the Town pursuant to the Town's Community Benefits/Incentive Zoning ("CB/IZ") Policy.

C. Consistent with the evidence contained within the staff report, environmental conformance document and provided at the public hearing, the Town Council finds that the proposed Specific Plan amendment is consistent with the Town's Vision Statement because:

1. It would support the creation of an intensive mixed-use, infill development project within the Town's Urban Growth Boundary, and within an area designated and envisioned as a mixed use district including lodging, workforce housing, and retail development;
2. Development of the project under the revised Specific Plan will create new affordable housing and commercial that will help to house workers and provide services in a central location that is near transit and other amenities; and
3. The amended Specific Plan will also help to realize the Community Vision of becoming a premier destination resort, by allowing for the construction of several hundred new rooms of transient lodging, which will be obligated, by policy, to have the management and operational characteristics to ensure it provides true hot-bed hotel lodging. The development of the Old Mammoth Place project allowed for by the Specific Plan amendment would also contribute a significant increment of visitor-oriented commercial development, sited so as to encourage an animated, street level retail district within the North Old Mammoth Road District.

D. Consistent with the evidence contained within the staff report, environmental conformance document, and provided at the public hearing, the Town Council finds that the requested amendment is in the interest of or will further the public health, safety, comfort, convenience and welfare because the project is already conditioned to provide various public amenities and to mitigate its impacts on the environment and its impact on public health, safety, comfort, convenience and welfare of the community.

E. Based upon all the evidence in the record, including the staff report, environmental conformance document and public testimony provided at the public hearing, the Town Council finds that the Specific Plan Amendment will not adversely affect the established character of the surrounding neighborhood nor be detrimental to adjacent properties because the amendment would not change the physical development of the site as previously approved and the project would continue to be consistent with the desired character and land use objectives of the North Old Mammoth Road District.

F. Consistent with the evidence contained within the staff report, environmental conformance document, and provided at the public hearing, the Town Council finds that with the amendment, the neighborhood infrastructure is adequate or will be modified to accommodate any increase in intensity of land use if such would occur because the mitigation measures in the EIR and implemented through the Mitigation and Monitoring Program will reduce the impacts of the project, and along with conditions of approval, and will require new neighborhood

infrastructure including sidewalks, pedestrian connections through the project site, and transit improvements.

Section 3: CEQA DETERMINATION.

Based on the findings contained in Section 1 and Exhibit 1 of this Ordinance, the Town Council finds that District Zoning Amendment 10-002 and the waiver of fees and requirements contained in Section 5 are consistent with the project evaluated in the EIR for the Clearwater Specific Plan and that no additional environmental review is required in connection with the approval of this Ordinance.

Section 4: ADOPTION OF DISTRICT ZONING AMENDMENT 10-002, AMENDING THE CLEARWATER SPECIFIC PLAN.

Consistent with District Zoning Amendment 10-002, the Clearwater Specific Plan is hereby revised and adopted as set forth on Exhibit 2 attached hereto and incorporated herein by this reference.

Section 5: WAIVER OF FEES AND REQUIREMENTS PURSUANT TO CB/IZ POLICY.

A. **Development Impact Mitigation Fees.** Notwithstanding the requirements of Article II (Development Impact Mitigation Fees) of Chapter 15.16 (Special Fees) of Title 15 (Building and Construction) of the Municipal Code of the Town of Mammoth Lakes, the Town Council hereby waives the development impact mitigation fees on the increment of incentive density and community benefits contained in Old Mammoth Place development project, as approved by the Town pursuant to Vesting Tentative Map 09-003, Use Permit 09-003, Design Review 09-005, and Adjustment 09-004.

B. **Public Arts Fee and Program Requirements.** Notwithstanding the requirements of Chapter 15.18 (Public Arts Fee and Program Requirements) of Title 15 (Building and Construction) of the Municipal Code of the Town of Mammoth Lakes, the Town Council hereby waives the public arts fee and program requirements on the increment of incentive density and community benefits contained in Old Mammoth Place development project, as approved by the Town pursuant to Vesting Tentative Map 09-003, Use Permit 09-003, Design Review 09-005 and Adjustment 09-004.

C. **Workforce Housing Ordinance Requirements.** Notwithstanding the requirements of Chapter 17.36 (Housing) of Title 17 (Zoning) of the Municipal Code of the Town of Mammoth Lakes, the Town Council hereby waives the workforce housing fee and requirements on the increment of incentive density and community benefits contained in Old Mammoth Place development project, as approved by the Town pursuant to Vesting Tentative Map 09-003, Use Permit 09-003, Design Review 09-005, and Adjustment 09-004.

Section 6: EFFECTIVE DATE OF ORDINANCE

This Ordinance shall become effective and enforceable thirty (30) days from and after the date of its adoption.

Section 7: POSTING

The Town Clerk shall, within fifteen (15) days after the passage of this Ordinance, cause it to be posted at the duly designated posting places established by resolution of the Town Council, published once in a newspaper of general circulation, and entered in the Book of Ordinances of the Town.

Section 8: SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

The foregoing Ordinance was introduced on the 17th day of June, 2010, and PASSED, APPROVED, AND ADOPTED on the 23rd day of June, 2010.



NEIL MCCARROLL, MAYOR

ATTEST:



JAIME GRAY, Town Clerk

Exhibit 1

Additional CEQA Findings

The Town of Mammoth Lakes prepared an environmental conformance analysis for the Old Mammoth Place project, as an addendum to the EIR, and determined that the previously certified Clearwater Specific Plan EIR (State Clearinghouse #2006012041) sufficiently analyzed the Old Mammoth Place project and further environmental review was not necessary pursuant to CEQA Guidelines Section 15162(a). The following findings were made:

1. No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. 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;
 - 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 not substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Exhibit 2

Amendments to Clearwater Specific Plan DZA 2010-002

1. A new subpart 3.6.1 (Community Benefits for Old Mammoth Place Project) of Subsection 3.6 (Community Benefits) of Section 3.0 (Project Description) of the Clearwater Specific Plan is hereby added to read as follows:

“3.6.1 Community Benefits for Old Mammoth Place Project.

For the Old Mammoth Place project only, as that project was approved by Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005, Adjustment 09-004 and District Zoning Amendment 09-001, the portion of the project that qualifies as community benefits are as follows:

- Outdoor plazas and public open spaces (Old Mammoth Square, Market Commons, The Grove and Cascade Park but excluding the River Terrace).
- Mid-block connector and widening of Old Mammoth Road.
- Retail/Restaurant Space (32,000 of the total 40,000 square feet of such area is regarded as a community benefit.)
- Meeting/Conference Space (6,400 of the total 9,500 square feet of such area is regarded as a community benefit.)
- Portions of the underground parking spaces. Specifically, 100% of the parking spaces for the commercial and restaurant areas, 50% of the parking spaces for the hotel and residential areas, and none of the parking spaces for the workforce housing, are counted as community benefits.

The portion of development within the Specific Plan that is approved as either incentive density or as a community benefit, as defined in this Section, by the Planning Commission or the Town Council pursuant to the Town’s “Community Benefits/Incentive Zoning (CB/IZ) Policy” shall be exempt from the payment of Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Ordinance requirements. The portions of the development within the Specific Plan that are proposed as part of the base density or as square footage that does not qualify as a community benefit shall be subject to the applicable Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Ordinance requirements. For the Old Mammoth Place project only, as that project was approved by Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005 and Adjustment 09-004, the amount of the fee or requirement shall be based upon the formulas in effect when the above-mentioned development applications were deemed complete (November 9, 2009), or if the formulas are adjusted downward between November 9, 2009 and one year after the development

project was approved (April 21, 2011), then the fees and requirements applicable to the development shall be based upon the formulas in effect on April 21, 2011.”

2. Subpart 5.2.12 (Public Art) of Subsection 5.2 (Development Standards) of Section 5.0 (Land Use) of the Clearwater Specific Plan is hereby amended to add a new paragraph at the end of the subpart to read as follows:

“The portion of development within the Specific Plan that is approved as either incentive density or as a community benefit (see Section 3.6.1) by the Planning Commission or the Town Council pursuant to the Town’s “Community Benefits/Incentive Zoning (CB/IZ) Policy” shall be exempt from the Public Art Fee and Program requirements. The portions of the development within the Specific Plan that are proposed as part of the base density or as square footage that does not qualify as a community benefit shall be subject to the applicable Public Art Fee and Program requirements. The Public Art Program requirement shall be satisfied by the installation of art within the Specific Plan area and not by the payment of an in lieu fee, unless otherwise approved by the Community Development Director. For the Old Mammoth Place project only, as that project was approved by Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005 and Adjustment 09-004, the public art requirement shall be based upon the formula in effect when the above-mentioned development applications were deemed complete (November 4, 2009), or if the formula is adjusted downward between November 4, 2009 and one year after the development project is approved (April 21, 2011), then the public art program requirement applicable to the development shall be based upon the formula in effect on April 21, 2011.”

3. Subpart 5.2.3 (Density) of Subsection 5.2 (Development Standards) of Section 5 (Land Use) of the Clearwater Specific Plan is hereby amended to add a new paragraph at the end of the subpart to read as follows:

“The portion of development within the Specific Plan that is approved as either incentive density or as a community benefit (see Section 3.6.1) by the Planning Commission or the Town Council pursuant to the Town’s “Community Benefits/Incentive Zoning (CB/IZ) Policy” shall be exempt from the payment of Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Ordinance requirements. The portions of the development within the Specific Plan that are proposed as part of the base density or as square footage that does not qualify as a community benefit shall be subject to the applicable Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Ordinance requirements. For the Old Mammoth Place project only, as that project was approved by Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005 and Adjustment 09-004, the amount of the fee or requirement shall be based upon the formulas in effect when the above-mentioned development applications were deemed complete (November 4, 2009), or if the formulas are adjusted downward between November 4, 2009 and one year after the development project was approved (April 21, 2011), then the fees and requirements applicable to the development shall be based upon the formulas in effect on April 21, 2011.”

4. Subsection 7.2 (Housing Mitigation Plan) of Section 7.0 (Housing) of the Clearwater Specific Plan is hereby amended to add a new paragraph at the end of the introductory portion of that subsection to read as follows:

“Notwithstanding the requirements of Table 17.36.030-1 of the Town of Mammoth Lakes Municipal Code and any other applicable housing standard in place, the portion of development within the Specific Plan that is approved as either incentive density or as a community benefit (see Section 3.6.1) by the Planning Commission or the Town Council pursuant to the Town’s “Community Benefits/Incentive Zoning (CB/IZ) Policy” shall be exempt from the Workforce Housing Ordinance requirements. The portions of the development within the Specific Plan that are proposed as part of the base density or as square footage that does not qualify as a community benefit shall be subject to the applicable Workforce Housing Ordinance requirements. For the Old Mammoth Place project only, as that project was approved by Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005 and Adjustment 09-004, the amount of the fee or requirement shall be based upon the formula in effect when the above-mentioned development applications were deemed complete (November 4, 2009), or if the formula is adjusted downward between November 4, 2009 and one year after the development project was approved (April 21, 2011), then the fees and requirements applicable to the development shall be based upon the formula in effect on April 21, 2011.”

5. Subpart 7.2.3 (Description of Type, Number & Size of Workforce Units) of Subsection 7.2 (Housing Mitigation Plan) of Section 7.0 (Housing) of the Clearwater Specific Plan is hereby amended to add a new paragraph at the end of that subpart to read as follows:

“The portion of development within the Specific Plan that is approved as either incentive density or as a community benefit (see Section 3.6.1) by the Planning Commission or the Town Council pursuant to the Town’s “Community Benefits/Incentive Zoning (CB/IZ) Policy” shall be exempt from the Workforce Housing Ordinance requirements. The portions of the development within the Specific Plan that are proposed as part of the base density or as square footage that does not qualify as a community benefit shall be subject to the applicable Workforce Housing Ordinance requirements. For the Old Mammoth Place project only, as that project was approved by Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005 and Adjustment 09-004, the amount of the fee or requirement shall be based upon the formula in effect when the above-mentioned development applications were deemed complete (November 4, 2009), or if the formula is adjusted downward between November 4, 2009 and one year after the development project was approved (April 21, 2011), then the fees and requirements applicable to the development shall be based upon the formula in effect on April 21, 2011.”

6. Section 10 (Administrative Procedures) of the Clearwater Specific Plan is hereby amended to add a new subsection 10.5 to read as follows:

“As noted in prior sections of this Specific Plan, the portion of development within the Specific Plan that is approved as either incentive density or as a community benefit (see Section 3.6.1) by the Planning Commission or the Town Council pursuant to the Town’s “Community Benefits/Incentive Zoning (CB/IZ) Policy” shall be exempt from the payment of Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Ordinance

requirements. The portions of the development within the Specific Plan that are proposed as part of the base density or as square footage that does not qualify as a community benefit shall be subject to the applicable Development Impact Fees, Public Art Fee and Program requirements, and Workforce Housing Ordinance requirements. These exemptions shall be applied at the time the required fees or requirements are to be paid or satisfied. For the Old Mammoth Place project only, as that project was approved by Vesting Tentative Tract Map 09-003, Use Permit 09-003, Design Review 09-005 and Adjustment 09-004, the amount of the fee or requirement shall be based upon the formulas in effect when the above-mentioned development applications were deemed complete (November 4, 2009), or if the formulas are adjusted downward between November 4, 2009 and one year after the development project was approved (April 21, 2011), then the fees and requirements applicable to the development shall be based upon the formulas in effect on April 21, 2011.”

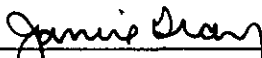
TOWN OF MAMMOTH LAKES

Notice is hereby given that on June 17, 2010 the Town Council introduced an Ordinance entitled:

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES,
STATE OF CALIFORNIA, ADOPTING DISTRICT ZONING AMENDMENT 10-002,
AMENDING THE CLEARWATER SPECIFIC PLAN AND GRANTING FEE WAIVERS TO
THE OLD MAMMOTH PLACE DEVELOPMENT PROJECT
PURSUANT TO CB/IZ POLICY.**

A copy of the complete text of the Ordinance is posted and may be read at the Town Offices, Minaret Mall, Old Mammoth Road, Mammoth Lakes, and/or a copy may be obtained from the office of the Town Clerk at a nominal charge.

Dated: June 21, 2010



JAMIE GRAY, Town Clerk
Town of Mammoth Lakes

TOWN OF MAMMOTH LAKES

Notice is hereby given that on June 23, 2010 the Town Council adopted an Ordinance entitled:

ORDINANCE NO. 10-09

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES,
STATE OF CALIFORNIA, ADOPTING DISTRICT ZONING AMENDMENT 10-002,
AMENDING THE CLEARWATER SPECIFIC PLAN AND GRANTING FEE WAIVERS TO
THE OLD MAMMOTH PLACE DEVELOPMENT PROJECT
PURSUANT TO CB/IZ POLICY.**

by the following vote:

AYES: Councilmember Sugimura, Mayor Pro Tem Eastman, and Mayor McCarroll

NOES: Councilmember Harvey

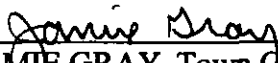
ABSENT: None

ABSTAIN: Councilmember Bacon

DISQUALIFICATION: None

A certified copy of the complete text of the Ordinance is posted and may be read at the Town Offices, Minaret Mall, Old Mammoth Road, Mammoth Lakes, and /or a copy may be obtained from the office of the Town Clerk at a nominal charge.

Dated: June 29, 2010



JAMIE GRAY, Town Clerk
Town of Mammoth Lakes

STATE OF CALIFORNIA)
COUNTY OF MONO)
TOWN OF MAMMOTH LAKES) ss.

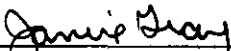
I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Ordinance No. 10-09, which was introduced at a meeting of the Town Council of the Town of Mammoth Lakes, California, held on June 17, 2010 and adopted at a meeting of the Town Council on June 23, 2010 by the following vote:

AYES: Councilmember Sugimura, Mayor Pro Tem Eastman, and Mayor McCarroll

NOES: Councilmember Harvey

ABSENT: None

DISQUALIFICATION: Councilmember Bacon



JAMIE GRAY, Town Clerk


STATE OF CALIFORNIA)
COUNTY OF MONO)
TOWN OF MAMMOTH LAKES) ss.

AFFIDAVIT
OF PUBLISHING
AND POSTING

JAMIE GRAY, being first duly sworn, deposes and says: That she is the duly appointed Town Clerk of the Town of Mammoth Lakes; that in compliance with State laws of the State of California, Ordinance No. 10-09, being:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPTING DISTRICT ZONING AMENDMENT 10-002, AMENDING THE CLEARWATER SPECIFIC PLAN AND GRANTING FEE WAIVERS TO THE OLD MAMMOTH PLACE DEVELOPMENT PROJECT PURSUANT TO CB/IZ POLICY.

was published in summary in The Sheet newspaper on June 25 and July 2, 2010 and was posted at the Town Administrative Offices.



JAMIE GRAY, Town Clerk