

AGENDA BILL

Subject: District Planning Process For Major Land Use
Development Applications

Initiated by: Mark Wardlaw, Community Development Director

BACKGROUND:

In March and April, 2007, the Town Council held a series of discussions about how to process major land use development permit applications submitted concurrently with the General Plan Update process. On April 18th, the Town Council approved nine (9) policy statements and directed staff to prepare step-by-step procedures to implement district planning. The nine Town Council policies are:

1. Town Council's first priority is to complete the General Plan Update (the "GPU").
2. The GPU Vision applies to the whole community, which means that an individual project does not have to meet every element of the Vision statement.
3. The Town will continue to process applications.
4. District planning will be an implementation measure included in the GPU and new development projects will be required to prepare district plans.
5. District planning is the second priority after the GPU.
6. Town discretionary density bonuses and increases are not a given. The Planning Commission and Town Council will use their best judgment to address new development proposals.
7. Discretionary decision evaluations will be influenced by the thirteen (13) resource documents and public input, and other information.

8. Staff will provide and articulate a step-by-step procedure for processing new development proposals.
9. Community benefits shall be incorporated into District Plans and shall not compromise the Town's vision or planning.

ANALYSIS/DISCUSSION:

This Agenda Bill describes district plans and the step-by-step process of preparing them. Because each land use permit and district planning process will be unique, this Agenda Bill describes **a typical process** that would be refined with the applicant and the Planning Commission and tailored to each situation. Once adopted by the Town Council, these policies and procedures will be implemented by staff and the Planning Commission. Overall, the purpose of district planning is to establish a better framework and understanding of the:

1. Development program for the application,
2. Context of the application to its surrounding area, and
3. Resulting application and district build out population.

The Town Council has given the processing of major land use development applications second priority, after adoption of the GPU. For the purposes of this discussion, a "major land use development application permit" ("permit application") is a permit that is seeking a legislative action by the Town, an amendment to the General Plan and/or the Municipal Code, master plan, or specific plan.

A request for a legislative action signifies that the proposed project does not conform to the Town's adopted policies and standards and that a broader and more thorough evaluation of the project is necessary.

At the same time, the Town recognizes the importance of continued investment in the community made by appropriate development, and, the risks and constraints of the market-place, financing, and time that applicant's must deal with. If well planned and designed, private investment creates jobs, builds our infrastructure and economy, adds to the amenities and offerings of the resort community, and can improve existing conditions that will keep Mammoth Lakes a livable community and a successful destination resort.

The district planning process described in this report is structured to provide a process that applicants and the public can depend on and a framework that can be customized to the land use development permit

applications and planning areas. This report addresses the following questions.

- What is a District Plan?
- Why does the Town of Mammoth Lakes need District Plans?
- What are the Different Types of District Plan?
- Who Prepares the District Plan?
- How does the Community Participate in District Planning?
- What is the Time Frame of Preparing District Plans?

What is a District Plan?

A district plan is a tool to implement the General Plan. It is a planning document that analyzes technical studies, development projects, and community input to create a framework for future growth. District planning allows an analysis and planning of a larger geographic area surrounding a major permit application. Attachment 1, Exhibit 1 provides the “District Map” and “Physical Development Diagram” from the draft 2007 General Plan that provides guidance in defining district planning areas.

Why does the Town of Mammoth Lakes Need District Plans?

District planning should allow the community, elected and appointed officials, staff, and applicants to participate, evaluate and refine projects in the context of:

1. The role of a larger district and how it implements General Plan directions and the 2007 General Plan policy of limiting population to 52,000 people. This effort should refine density and population of the particular district and the allocation of more or less density between districts.
2. More precise identification of the uses and development programs, facilities, and circulation systems that support the identified role of the district without diminishing the role of other districts.
3. Building relationships, building envelopes and design standards that meet community expectations and values (e.g. views, light and air, trees) and fulfill the function the district.
4. Communication of this information through a logical and standardized form that the Town can either adopt or accept as a study.

What are the Different Types of District Plan?

A district plan should be prepared to provide the level of information that is appropriate to the type of land use application that is being sought. In

some cases, the necessary information could be at a concept level while others may be at a schematic design level. A general plan or zoning code amendment may warrant a conceptual level planning while a use permit may warrant a schematic level of planning.

The information provided by the thirteen resource documents described in Attachment 1 will allow an understanding and evaluation of the sum of what is being proposed by the major permit applications and how they collectively achieve the Town's vision, as well as, the evaluation of each permit application.

Attachment 1, Exhibit 4 describes a "Model District Plan Content and Organization" (this outline was derived from "The Planner's Guide to Specific Plans" and selected award winning planning documents). As mentioned above, the content and outline for each area and the type of district plan will be individually formulated with the applicant and the Planning Commission.

Three general types of district planning are described based upon the intended use or action by the Town, they are: 1. Special Study, 2. Master Plan, or 3. Specific Plan; all of the plans provide contextual analysis and information. The amount of time and required resources needed to prepare a district plan should vary for the type of plan and the final scope of work established with the applicant, staff, and the Planning Commission. The following is a summary of each plan type.

A **special study** is intended to provide relevant information to inform decision-makers about a district plan and the subject permit application. A special study may be the same or similar to a master plan in describing land use, design and development standards, but it is not enacted by the Town.

A **master plan** is a form of entitlement and changes zoning restrictions so a landowner or developer can build something that wouldn't be allowed under current zoning. A master plan creates custom standards tailored to the site and use and streamlines the development process by reviewing the development as a whole in a larger geographic area rather than going through a full public approval process for each separate development within the master plan area. For the purpose of this discussion, master plans must be conforming to the adopted general plan; they are not subject to the same State mandated requirements as Specific Plans. Master plans may provide a similar level of information and are intended to be enacted by ordinance for a specified area.

A **specific plan** is not a component of the general plan; it is a separately adopted general plan implementation document. The purpose of a specific plan is the “systematic implementation” of the general plan and is required under state law to identify proposed major components of infrastructure needed to support planned land uses. A specific plan can focus on broad policy components and/or detailed development regulations, but it must address: land use; transportation and circulation; utilities and infrastructure; public facilities; development standards and financing. A specific plan is particularly appropriate when considering approval of a development agreement that establishes responsibilities of various parties.

Who Prepares the District Plan?

An applicant may enter into a contract with a qualified planning consultant team directly, or may fund and enter into a three party agreement with the Town to prepare the district plan (the Town uses three party contract method to prepare environmental impact reports for private projects). The planning team will complete the scope of work and timeline described below, and will facilitate public participation in the Commission meetings.

The applicant will pay for the preparation of the district plan, not the Town. Associated staff time will be charged to the permit application. Section 654656 of the Government Code allows the legislative body to impose a charge on persons seeking approvals required to be consistent with an adopted specific plan or, may require a deposit equal to the estimated cost of preparing a specific plan for adoption, amendment, or repeal.

How does the Community Participate in District Planning?

One of the important purposes of district planning is to ensure that the general public and key stakeholders of a district are involved throughout the process. This process should allow for early discussion of issues, opportunities, desires and ideas; discussion of the permit application and plan alternatives; and discussion of the selected preferred plan alternative. Stakeholders should be involved in this same progression. Public and stakeholder involvement is illustrated in Attachment 1, Exhibit 2.

What is the Time Frame of Preparing District Plans?

It is important to establish a reasonable and dependable schedule to complete a district plan that complements the schedule of the particular permit application. Attachment 1, Exhibit 3 is a diagram of the general time frame for some major projects and the district planning schedule.

For the most part, the district planning process correlates very well with the expected filing of an application and the preparation of environmental impact reports, and development of the Towns' "Market Strategy" by ERA. The applicant's selection of a highly qualified planning team will be essential. The applicant, staff and consultant team will also have to cooperate and work closely together to establish, and keep to, realistic schedules.

Some major land use development permit applications are farther along than others. The Clearwater proposal was submitted in 2006 and the Final Environmental Impact Report is nearly complete. The first Planning Commission workshop was held on April 25, 2007. The illustrative schedule represents a compressed timeline for this district plan area.

Step-by-Step District Planning Process

The step-by-step description below with Attachment 1, Exhibit 2 describe typical phases of planning and design, public involvement, and project coordination for district planning.

- Step 1: Completed application for a major land use permit application filed with Town. (Note that applications are filed for the Clearwater, Snowcreek VIII, and the The Sherwin's; a concept review application is filed for, Mammoth Crossings; and an application is pending for Hidden Creek Crossing).
- Step 2: District planning scope of work assessment by staff:
 - Type of district plan,
 - Study area boundaries,
 - Subject and issue outline,
 - Information necessary to evaluate permit application and district plan,
 - District planning timeline, and
 - Identify potential district stake-holders.
- Step 3: Applicant and staff meeting to refine district planning assessment and objectives.
- Step 4: Applicant selects direct- or three-party professional services contract to prepare district plan.
- Step 5: Staff prepares district planning scope of work report to Planning Commission.

- Step 6: Planning Commission establishes district planning scope of work.
- Step 7: Town staff establishes stakeholder group and posts meeting schedule.
- Step 8: Team begins district planning effort.
- Step 9: Hold stakeholder meeting and Commission workshop # 1, prepare summary report.
- Step 10: Hold stakeholder meeting and Commission workshop # 2, prepare summary report.
- Step 11: Hold joint Commission Town Council workshop, prepare summary report.
- Step 12: Hold Commission workshop # 3, prepare summary report.
- Step 13: Hold permit application public hearings.

In developing this process, staff has considered the objectives of the principal parties involved: the community, the applicant, and elected and appointed officials. Although we could not find any reasonable “short cuts,” we believe that a high degree of flexibility should be applied to this process that still results in open participation, consideration of alternatives, and focus on important issues. Attachment 1, “Town Council of the Town of Mammoth Lakes Policy on the Processing of Major Land Use Development Applications in Relationship to the 2007 General Plan” summarizes this process.

OPTIONS ANALYSIS

- Option 1: Approve the attached Town Council Resolution establishing policies for the processing of major land use development applications in relationship to the 2007 general plan.
- Option 2: Reduce or increase the amount of public participation or information to be evaluated in the district planning process.
- Option 3: Do not proceed with district planning to evaluate major land use development permit applications.

VISION CONSIDERATIONS:

The achievement of an efficient planning permit submittal and process is consistent with the Town Vision Statement. This effort will facilitate Mammoth Lakes maintaining “high standards for development and design.”

FINANCIAL CONSIDERATIONS:

None.

ENVIRONMENTAL CONSIDERATIONS:

None.

LEGAL CONSIDERATIONS:

None.

RECOMMENDATION:

Staff recommends that the Town Council: approve the attached Town Council Resolution establishing policies for the processing of major land use development applications in relationship to the 2007 general plan.

Attachment: Resolution Of The Town Council Of The Town Of Mammoth
 Lakes Establishing Policies For The Processing Of Major
 Land Use Development Applications In Relationship To The
 2007 General Plan