# 5.2 Aesthetics/Light and Glare

# 5.2 AESTHETICS/LIGHT AND GLARE

This section assesses the potential for aesthetic impacts using accepted methods of evaluating visual quality, as well as identifying the type and degree of change the proposed project would likely have on the character of the landscape. The analysis in this section is primarily based on information provided by the Applicant and verified through site reconnaissance conducted by RBF Consulting (RBF) on January 17, 2014 and April 10, 2014. Photographic documentation and photosimulations of the proposed project are utilized to supplement the visual analysis and to fulfill the requirements of CEQA. The photosimulations were provided by the Applicant and are intended to provide general information on the proposed massing and scale of the project. The photosimulations are subject to change as a result of the Town's design review process and upon final design of the project.

## 5.2.1 EXISTING SETTING

The Town of Mammoth Lakes (Town) is an alpine resort community located in the eastern side of the Sierra Nevada Range, within southwestern Mono County, California. The Town is specifically located within the Mammoth Lakes Basin at the eastern foothills of Mammoth Mountain (located within the Sierra Nevada Mountain Range). Surrounding topography includes Mammoth Knolls to the north, the Long Valley to the east (with views to the Inyo National Forest to the far east), the White Mountains to the southeast, the Sherwin Mountain Range to the south, Mammoth Crest to the southwest, and Mammoth Mountain to the west. Native trees within Mammoth Lakes include red firs, Jeffrey pines, lodge pole pines, white firs, and aspens. Barren rock outcroppings, avalanche slopes, and surface waters (i.e., streams, lakes, seeps, and snow) are visible throughout the Town. Mammoth Creek traverses the Town and flows in an easterly direction. The urbanized portions of the Town range from 7,800 to 8,600 feet above mean sea level (amsl).

The approximately 1.83-acre project site is specifically located in the North Village Specific Plan (NVSP) area; refer to Exhibit 3-2, *Site Vicinity*. The NVSP area encompasses the northwest portion of Town, adjacent to Main Street/Lake Mary Road and Minaret Road. The project site vicinity is primarily comprised of developed uses, including hotels, restaurants, visitor-oriented and general commercial operations, professional offices, condominiums, single-family homes, and community facilities; refer to Exhibit 5.2-1, *Existing Condition Photographs*.

The proposed project is the last phase (Building C) of a three-phase development (8050 project). The first two phases (Buildings A and B) of the 8050 project have been completed, as well as the 136-space parking structure that would serve Buildings A, B, and C. The existing Building A and Building B of the 8050 project (adjoining the project site to the northwest and north, respectively) consist of two resort lodging buildings comprised of 28 units with 57 bedrooms. Further, the ground floor commercial along Minaret Road in Building B totals 3,335 square feet of commercial space and includes an on-site fine dining and catering enterprise (Toomey's). The existing Buildings A and B also include a roof-top fitness room and jacuzzi terrace and related site and landscaping improvements; refer to Exhibit 5.2-2, *Existing Character of the Project Site*.

View of the NVSP area, looking south along Minaret, to the north of the project site.

South-facing view from pedestrians in the North Village Plaza area, to the north of the project site, looking to the south.

North-facing view, along Minaret Road, within the northeastern portion of the project site.

View of the Fireside Condominiums adjoining the project site to the south.

South-facing view of the existing 8050 Building A, to the north of the project site, along Canyon Boulevard.

North-facing view of the North Village Plaza area, ot the north of the project site.



# Existing Condition Photographs

**Exhibit 5.2-1**


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# Existing Character of the Project Site

**Exhibit 5.2-2**

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The land uses surrounding the project site include the following:

- *North*: Resort lodging (Buildings A and B of the 8050 project) adjoin the project site to the northwest. Commercial and retail uses within the Village Plaza and the Mammoth Mountain Village gondola are located further northwest of the project site (west of Minaret Road and east of Canyon Boulevard).

- *East*: Minaret Road forms the northeast boundary of the project site. Hotel, vacation condominium rentals, and restaurant uses are located directly across Minaret Road to the northeast and southeast.

- *South*: Fireside at the Village condominiums adjoin the project site to the south. A commercial building (Mammoth Brewing Company) and surface parking are located further south of the project site.

- *West*: The Westin Monache Resort and surrounding vacant land uses are located directly across Canyon Boulevard, west of the project site.

## SCENIC VIEWS AND VISTAS

According to Figure 1, *Major View Corridors and Vistas*, of the *Town of Mammoth Lakes General Plan* (2007 General Plan), southern views within the NVSP area that encompass the Sherwin Range are considered scenic. Within the project's viewshed,[1] the Sherwin Range is visible from publicly accessible areas, including those along Minaret Road and Canyon Boulevard. Viewers in these areas include motorists, bicyclists, and pedestrians accessing the NVSP area. Based on the site reconnaissance conducted by RBF on January 17, 2014 and April 10, 2014, the proposed project is not visible within pedestrian views of the Sherwin Range, as seen from the North Village Plaza to the north of the project site.

## STATE SCENIC HIGHWAYS

In addition to the designated public scenic vistas within the NVSP area, State Route 203 (Minaret Road) is eligible for listing as a State scenic highway.[2] These views would be similar to those discussed above for motorists, bicyclists, and pedestrians with the southbound views toward the Sherwin Range, from Minaret Road in the vicinity of the project site. It should be noted that no officially designated State scenic highways are present in or near the NVSP area. The nearest officially designated scenic highway is U.S. Highway 395, which is located approximately 3.5 miles east of the project site and does not include views of the NVSP area, including the project site.

[1] For the purpose of this analysis, a "viewshed" is defined as all of the surface areas visible from the project site. Typical obstructions that limit the project's viewshed include topography, structures, and vegetation (particularly trees).

[2] State of California Department of Transportation, *California Scenic Highway Mapping System*, http://www.dot.ca.gov/hq/LandArch/scenic_ highways/, accessed on May 15, 2014.

## KEY VIEWS

A Key View is an area (in this case, the project site and designated visual resources) that can be seen from a particular public location. Selected Key Views, which were determined in consultation with Town staff, represent views from certain publicly accessible locations. Key Views represent public views from both the public right-of-way and publicly accessible areas located within the vicinity of the proposed project. Characteristics for each Key View are defined within foreground, middleground, and/or background views. Characteristics located within foreground views are located at close range and tend to dominate the view. Characteristics located within middleground views are distinguishable, yet not as sharp as those characteristics located in the foreground views. Features located within the background views have few details and distinctions in landform and surface features. Objects in the background eventually fade to obscurity with increasing distance.

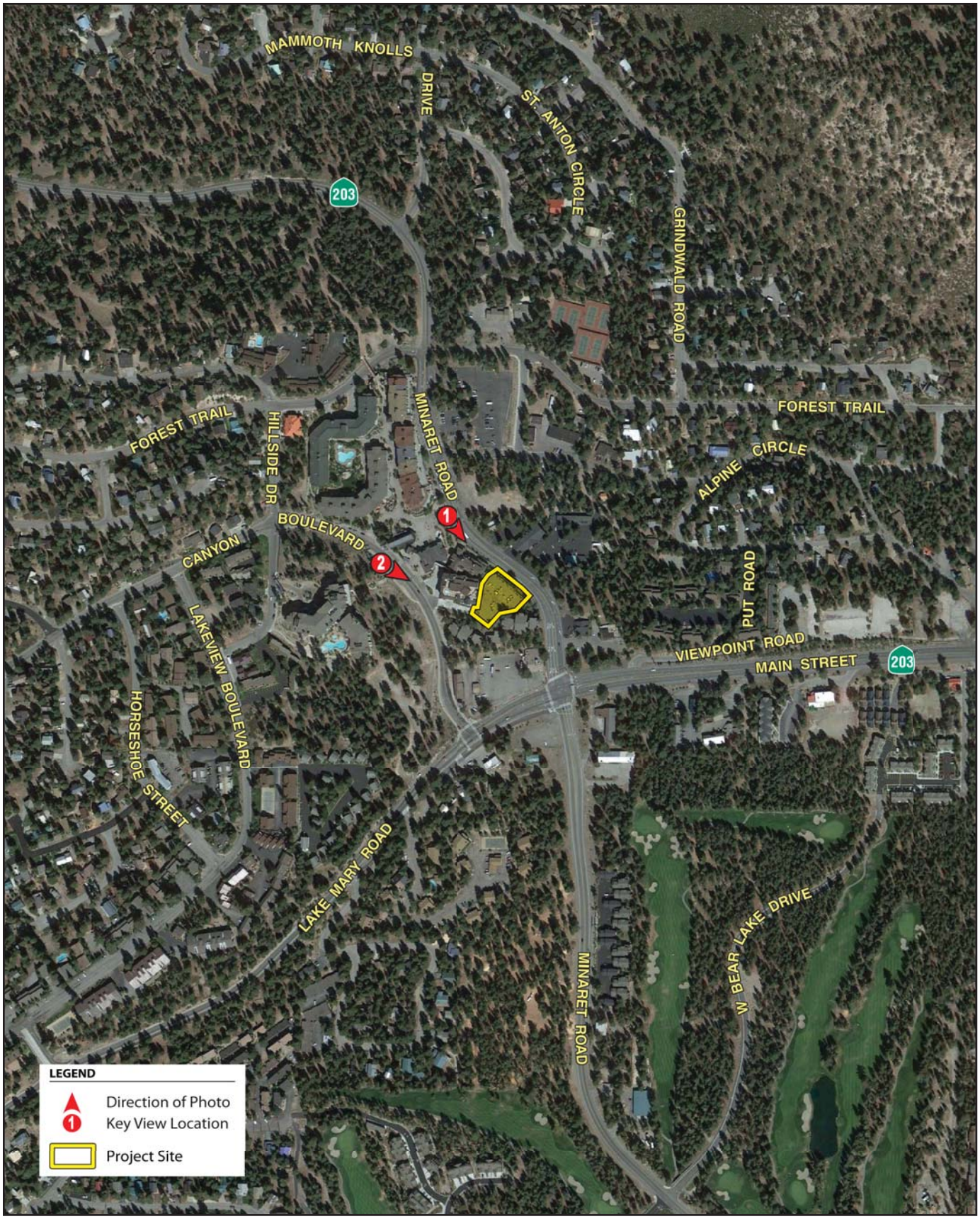
For the purposes of this analysis, RBF used photosimulations of the project provided by the project Applicant in May 2014. Two Key Views representing views from motorists, bicyclists, and pedestrians (traveling along Minaret Road and Canyon Boulevard) were selected for this analysis; refer to Exhibit 5.2-3, *Key View Locations Map*. Key Views 1 and 2 were selected to depict potential impacts to scenic views and vistas and State scenic highways. The following describes the viewshed from Key Views 1 and 2.

Key View 1. Views from Key View 1 are afforded from motorists, bicyclists, and pedestrians traveling southbound along Minaret Road; refer to Exhibit 5.2-4, *Key View 1 - Existing Condition*. These southern views encompass the project site, the existing 8050 Building B, and surrounding development in the foreground views. Minaret Road and associated right-of-way are visible. Mature trees are present throughout this view. Due to topographic conditions and mature trees, minimal views to surrounding development to the south of the project site are available. Background views toward the Sherwin Range are afforded.

Key View 2. Views from Key View 2 are available from motorists, bicyclists, and pedestrians traveling southbound along Canyon Boulevard; refer to Exhibit 5.2-5, *Key View 2 - Existing Condition*. Foreground views toward surrounding development to the north of the project site is visible. The existing 8050 Building A and Fireside at the Village condominiums to the south are present. Canyon Boulevard and associated right-of-way are visible. Mature trees are present throughout this view. Due to topographic conditions and mature trees, middleground views are not readily available. Background views toward the Sherwin Range, to the southwest, are afforded.

## VISUAL CHARACTER/QUALITY

RBF conducted a photographic inventory of the project area to document the existing visual character and quality of the project site and its surroundings; refer to Exhibit 5.2-1. The most prominent factors influencing the character of the project site and its surroundings include the higher-density buildings, street facades, and public plaza areas coupled with the mountain character landscaping and hardscape features associated with the NVSP area. Further, the varying topography allows for distant views to the Sherwin Range, which increases the vividness of the landscape. Structures in the surrounding area appear to range in height from four to seven stories with varying architectural details. Surrounding buildings include a mix of uses fronting the public streets (e.g., restaurants and retail stores). Structures appear to include reduced setbacks along Minaret Road in




Source: Google Earth Pro aerial, 2013.

NOT TO SCALE

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# Key View Locations Map

**Exhibit 5.2-3**

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# Key View 1 – Existing Condition

**Exhibit 5.2-4**

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# Key View 2 – Existing Condition

**Exhibit 5.2-5**

order to increase the pedestrian scale of the NVSP area. Other features that contribute to the character of the landscape include native tree species (i.e., red firs, Jeffrey pines, lodge pole pines, white firs, and aspens). As shown on Exhibit 5.2-2, although the existing Building B achieves some pedestrian scale with restaurant uses facing Minaret Road, the future Site C currently consists of the facade of the existing on-site parking structure podium.

## LIGHT AND GLARE

Lighting effects are associated with the use of artificial light during the evening and nighttime hours. There are two primary sources of light: light emanating from building interiors passing through windows and light from exterior sources (i.e., street lighting, building illumination, security lighting, parking lot lighting, and landscape lighting). Light introduction can be a nuisance to adjacent residential areas, diminish the view of the clear night sky, and if uncontrolled, can cause disturbances. Uses such as residences and hotels are considered light sensitive, since occupants have expectations of privacy during evening hours and may be subject to disturbance by bright light sources. Light spill is typically defined as the presence of unwanted light on properties adjacent to the property being illuminated. With respect to lighting, the degree of illumination may vary widely depending on the amount of light generated, height of the light source, presence of barriers or obstructions, type of light source, and weather conditions.

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light by highly polished surfaces such as window glass or reflective materials and, to a lesser degree, from broad expanses of light-colored surfaces. Perceived glare is the unwanted and potentially objectionable sensation as observed by a person as they look directly into the light source of a luminaire. Daytime glare generation is common in urban areas and is typically associated with buildings with exterior facades largely or entirely comprised of highly reflective glass. Glare can also be produced during evening and nighttime hours by the reflection of artificial light sources such as automobile headlights. Glare-sensitive uses include residences, hotels, transportation corridors, and aircraft landing corridors.

Currently, light and glare sources are present at the project site. Ingress/egress security lighting associated with the parking structure as well as the existing Buildings A and B are visible on-site. Buildings A and B also emit nighttime lighting from the interior of these structures as a result of the resort lodging uses. Street lighting along Minaret Road and Canyon Boulevard are also present. Lighting in the surrounding area occurs as a result of residential safety-oriented exterior and interior lighting sources produced from Fireside at the Village condominiums to the south. No traffic signal lighting currently exists adjoining the project site; however, pedestrian crossing safety lighting is present along both Canyon Boulevard and Minaret Road. Preservation of dark night skies through appropriate lighting controls has been identified as an important community goal, and is implemented through Section 17.36.030 of the *Town of Mammoth Lakes Municipal Code* (Municipal Code).

Glare can also be produced during evening and nighttime hours by reflection of artificial light sources, such as automobile headlights. Glare is typically related to either moving vehicles or sun angles, although glare resulting from reflected sunlight can occur regularly at certain times of the year. Glare-sensitive uses generally include surrounding residences as well as travelers utilizing the adjacent roadways.

## SHADE AND SHADOW

Shade and shadow issues pertain to the blockage of direct sunlight by on-site buildings (which affect adjacent properties) and the creation of hazardous roadway conditions (i.e., black ice). Shading is an important environmental issue because the users or occupants of certain land uses, such as residential, recreational, churches, schools, outdoor restaurants, and pedestrian areas have expectations for direct sunlight and warmth from the sun. These land uses are termed "shadow-sensitive."

Currently, the existing 8050 Buildings A and B as well as the adjoining Fireside at the Village condominiums produce shadow patterns both on-site and in the surrounding area. The existing parking structure podium is not a large source of shade as this structure does not extend more than one level above the existing grade.

# 5.2.2 REGULATORY SETTING

## TOWN OF MAMMOTH LAKES GENERAL PLAN

Town policies pertaining to visual character are contained in the Community Design and Neighborhood and District Character Elements of the 2007 General Plan (adopted August 15, 2007).

The Community Design Element's goals and policies describe the relationship between people and the man-made and natural environment. Because the community is set within the forest, trees and the natural landscape are prominent, create a sense of scale, and set a strong aesthetic character. Topography, vegetation, existing buildings, and open spaces create the structure and pattern of Mammoth Lakes. The applicable aesthetics/light and glare-related policies include, but are not limited to, the following:

- Create well-designed and significant public spaces in resort/commercial developments to accommodate pedestrians and encourage social interaction and community activity (C.2.A).

- Encourage development of distinct districts, each with an appropriate density and a strong center of retail, services, or amenities (C.2.C).

- Preserve and enhance special qualities of districts through focused attention on land use, community design, and economic development (C.2.D).

- Improve visual appearance as well as pedestrian access and activity by requiring infill development patterns. Encourage rehabilitation and reorientation of existing strip commercial development consistent with neighborhood and district character (C.2.F).

- Be stewards in preserving public views of surrounding mountains, ridgelines, and knolls (C.2.J).

- Create a visually interesting and aesthetically pleasing built environment by requiring all development to incorporate the highest quality of architecture and thoughtful site design and planning (C.2.L).

- Enhance community character by ensuring that all development, regardless of scale or density, maximizes provision of all types of open space, particularly scenic open space (C.2.M).

- Site development adjustments may be considered to preserve significant groups of trees or individual specimens. Replanting with native and compatible non-native trees to mitigate necessary tree removal is required (C.2.O).

- Use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting (C.2.T).

- Require unique, authentic, and diverse design that conveys innovation and creativity and discourages architectural monotony (C.2.U).

- Building height, massing, and scale shall complement neighboring land uses and preserve views to the surrounding mountains (C.2.V).

- Maintain scenic public views and view corridors (shown in Figures 1 and 2[3]) that visually connect community to surroundings (C.2.W).

- Limit building height to the trees on development sites where material tree coverage exists and use top of forest canopy in general area as height limit if no trees exist on site (C.2.X).

- Establish entry and district monumentation standards as a means of reinforcing community identity (C.3.A).

- Development shall provide pedestrian-oriented facilities, outdoor seating, plazas, weather protection, transit waiting areas, and other streetscape improvements (C.3.D).

- Ensure that landscaping, signage, public art, street enhancements, and building design result in a more hospitable and attractive pedestrian environment. Require an even higher level of design quality and detail in commercial mixed use areas (C.3.E).

- Development shall be designed to provide stewardship for significant features and natural resources of the site (C.4.A).

- To retain the forested character of the town, require use of native and compatible plant species in public and private developments and aggressive replanting with native trees (C.4.B).

[3] Reference to Figure 1, *Major View Corridors and Vistas*, and Figure 2, *Vistas and Landmarks*, of the Community Design Element of the 2007 General Plan.

- Retain overall image of a community in a forest by ensuring that native trees are protected wherever possible and remain an important component of the community (C.4.C).

- Retain the forested character of the town by requiring development to pursue aggressive replanting with native trees and other compatible species (C.4.D).

- Limited tree thinning and upper-story limbing may be permitted where needed to maintain public safety and the health of the forest, but not for the enhancement of views (C.4.E).

- Require outdoor light fixtures to be shielded and down-directed so as to minimize glare and light trespass (C.5.A).

- Enforce removal, replacement, or retrofit of non-shielded or non-down-directed light fixtures that contribute to glare and light pollution (C.5.B).

- Improve pedestrian safety by eliminating glare for motorists through use of non-glare roadway lighting. A light fixture's source of illumination shall not be readily visible at a distance. Number of fixtures used shall be adequate to evenly illuminate for pedestrian safety (C.5.C).

The Neighborhood and District Character Element addresses the development of individual sites and districts in order to enhance the unique character of Mammoth Lakes. The 2007 General Plan denotes that the Town is comprised of 12 districts and four mountain portals. Existing development, patterns of vegetation, topographic features, circulation patterns, and land use patterns and relationships define District boundaries. Figure 3, *District Map*, of the 2007 General Plan, illustrates the districts' boundaries and indicates that the project site is located in the North Village District. The North Village District is primarily comprised of urban development. This includes hotels, restaurants, visitor-oriented and general commercial operations, professional and medical offices, condominiums, single-family homes, and community facilities. The North Village District is an intensely focused entertainment district. Development in this district is encouraged to incorporate active open pedestrian plazas showcasing mountain views with retail, entertainment, and public art including local talent. The North Village District objectives that are particularly relevant to the proposed project in the context of aesthetics include the following:

- *Characteristic 1*: Viewsheds to Sherwin Range and the Knolls are preserved.

- *Characteristic 2*: Landscape that recalls the Eastern Sierra and establishes scale and street edge.

- *Characteristic 3*: Create a sense of exploration using pedestrian-oriented sidewalks, plazas and courtyards with pedestrian comforts.

- *Characteristic 4*: Easy pedestrian access across main streets.

- *Characteristic 9*: Animation with retail and significant businesses oriented to the street.

- *Characteristic 10*: Retail and services in "storefront" setting located at the sidewalk.

The Town proposes special studies for certain areas and sites within the community to aid in future planning. The *North Village District Planning Study* (North Village District Planning Study) found that the existing NVSP appears to have a number of fatal flaws that appear likely to inhibit the successful realization of the community vision for the North Village District. The North Village District possesses many attributes that contribute to the possibility of its success, including an excellent location, a well-developed pedestrian core situated around the gondola, transit accessibility, scenic assets, and strong community support for the vision of the NVSP area expressed through the 2007 General Plan and NVSP. However, although some of the NVSP area's issues are structural (topography, limitations due to California Department of Transportation [Caltrans]-control of State Route 203, existing parking deficiencies, etc.), the existing land use framework is not conducive to creating the critical mass or mix of uses needed to ensure the NVSP area's success. Existing regulations also provide a limited opportunity to seek creative, district-wide solutions to issues, and rigid density and use standards do not allow for development that may be more responsive to place, character, and transitions within and beyond the district. Significant changes are needed to the framework of the NVSP to ensure its successful evolution from an incompletely-realized land use plan to a vibrant, successful, and sustainable visitor-oriented retail entertainment and lodging district.

## NORTH VILLAGE SPECIFIC PLAN

The project site is subject to the NVSP. The NVSP establishes architectural and landscaping guidelines to strengthen the NVSP area's image as a resort activity node in the Town. The design emphasizes the creation of diverse shopping, recreational, residential, and cultural opportunities. The scale of the individual ground level shops should vary giving the commercial center a feeling of a village that has grown over time. Building expressions should be generally vertical rather than horizontal in form and should be carefully detailed to generate the scale and texture appropriate to pedestrian places. Building heights and setbacks shall be coordinated to promote a varied skyline, and building heights should generally be held at or below the height of surrounding trees. The arrangement of buildings should define the edges of the public plazas and serve as foreground buildings to larger scale lodges and hotels. The style of the architecture and landscape is intended to feature the materials and forms associated with the Sierra. Development in the NVSP area should preserve views between and over buildings, across the valley, to Mammoth Mountain, and to the Sherwin Mountains.

The NVSP designation contains land use districts indicating site-specific land use designations for individual parcels. The project site is zoned as Resort General (RG). The NVSP also contains development and design standards describing density, site coverage, building area and heights, building setbacks, and other building design specifications. The NVSP policies and implementation measures ensure the preservation of the visual resources and visual character relevant to the NVSP area in support of the Town's overall goal.

## DESIGN REVIEW ORDINANCE

The Town's Zoning Code Chapter 17.88, *Design Review*, outlines the following objectives of the design review requirements:

- To implement the goals, policies, and objectives of the 2007 General Plan;

- To regulate the design, coloration, materials, illumination, and landscaping of new construction, renovations, and signage within the Town in order to maintain and enhance the image, attractiveness, and environmental qualities of the Town;

- To ensure that property development or redevelopment and building construction or renovation do not detract from the value or utility of adjoining properties as a result of inappropriate, inharmonious, or inadequate design;

- To prevent indiscriminate destruction of trees and natural vegetation, excessive or unsightly grading, indiscriminate clearing of property, and destruction of natural significant landforms;

- To ensure that the architectural design of structures and their materials and colors are appropriate to the function of the project and are visually harmonious with surrounding development and natural landforms, trees, and vegetation; and

- To ensure that the location, size, design, and illumination of signs, their material, and colors are consistent with the scale and design of the building to which they are attached or which is located on the same site, and to assure that signs are visually harmonious with the surrounding environment.

## DESIGN GUIDELINES THE VILLAGE AT MAMMOTH

The policies and goals presented in the Town Design Guidelines represent the goals and desires of residents and property owners pertaining to the design of new development in the Town. All new structures and all structures that are being renovated, other than single-family homes below 8,250 feet elevation, are subject to compliance with the Design Guidelines. The Design Guidelines provide a greater level of detail regarding the type of development that promotes the Town's Vision Statement, 2007 General Plan, and Municipal Code.

Pursuant to Chapter 9.0, *Design Review Process*, of the Design Guidelines, the design review process is to be conducted by the Community and Economic Development Department (CEDD) and the Planning and Economic Development Commission. As part of the Design Guidelines Review Process, the CEDD and/or an Advisory Design Panel (ADP) reviews project materials such as drawings, site development plans, landscape plans, building elevations, cross-sections, sample materials/color palettes, and visual simulations to determine compliance with the Design Guidelines. All Town staff and ADP findings and recommendations are forwarded to the Planning and Economic Development Commission in a staff report. At the Planning and Economic Development Commission Meeting, the Commission may deny, approve, approve with conditions, or continue the hearing to receive additional input with regards to a project's compliance to the Design Guidelines.

The proposed project would specifically be subject to the *Design Guidelines: The Village at Mammoth* (North Village Design Guidelines), approved August 23, 2000. The North Village Design Guidelines are intended to provide general and specific design information so that all involved in the development process are able to proceed with a shared basis of information. Overall, it is the intent of the North Village Design Guidelines that the NVSP area should be designed so that it is

appropriate to the character of the Mammoth Lakes region, to be competitive with other high-quality mountain villages in North America.

The NVSP area is envisioned as a pedestrian hub and village center that would provide a broad range of activities, services, and facilities for visitors year round. The village core would have the character and capacity to serve a large number of tourists, visitors, and area residents, providing them with opportunities for dining, shopping, recreating, and entertainment. Further, the public spaces, pedestrian plazas, and other facilities would provide multiple venues for arts, musical, and other cultural events. The North Village Design Guidelines are intended to create a pedestrian character with the following elements:

- Multiple walking routes creating the ability for visitors to wander; and

- The development of a high quality pedestrian level with colorful signs, interesting storefronts, lights, and banners which express the individuality of stores and focus attention on the ground floor level of all buildings.

The specific topics covered by the North Village Design Guidelines include, but are not limited to, the following areas:

- Building Design;
- Form and Mass;
- Scale;
- Roof Form;
- Building Facades;
- Base and Lower Wall;
- Windows and Doors;
- Entrances and Porches, Arcades;
- Storefronts;
- Architectural Details;
- Materials;
- Colors;
- Landscape Design;
- Pedestrian Plazas, Paths, Bridges, and Boardwalks;
- Site Furnishings;
- Kiosks, Informational Boards, Menu Boards;
- Planting;
- Lighting; and
- Signage.

## OUTDOOR LIGHTING REGULATIONS

Municipal Code Section 17.36.030, which was adopted in April 2014, regulates outdoor lighting within the Town. These regulations provide rules and regulations for outdoor lighting within the Town in order to promote a safe and pleasant nighttime environment, to protect and improve safe travel, to prevent nuisances caused by unnecessary light, to protect the ability to view the night sky, to phase out nonconforming fixtures, and to promote energy conservation.

## 5.2.3 IMPACT THRESHOLDS AND SIGNIFICANCE CRITERIA

Appendix G of the CEQA Guidelines contains the Initial Study Environmental Checklist form used during preparation of the Modified Initial Study, which is contained in Appendix 11.1 of this SEIR. The Modified Initial Study includes questions relating to aesthetics and visual resources. The issues presented in the Environmental Checklist have been utilized as thresholds of significance in this section. Accordingly, a project may create a significant adverse environmental impact if it would:

- Have a substantial adverse effect on a scenic vista (refer to Impact Statement AES-1);
- Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway (refer to Impact Statements AES-1 and AES-2);
- Substantially degrade the existing visual character or quality of the site and its surroundings (refer to Impact Statements AES-3, AES-4, and AES-6); and/or
- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area (refer to Impact Statement AES-5).

Based on these standards, the effects of the proposed project have been categorized as either a "less than significant impact" or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant level through the application of mitigation, it is categorized as a significant and unavoidable impact.

## 5.2.4 OVERVIEW OF PREVIOUS ENVIRONMENTAL ANALYSIS

The 1991 PEIR concluded that distant views for motorists and pedestrians traveling along Minaret Road would be affected due to the intensification of development in the NVSP area. Mitigation measures such as design review for individual development sites within the area; the use of earth-tone colors and materials; and the enforcement of a tree preservation plan, contour grading, a forested buffer of 100 feet along the southern extension of Minaret Road, and the use of native plants in landscaping design would reduce these impacts to less than significant levels. However, the 1991 PEIR identified the loss of forested and open space areas throughout the NVSP area as a significant aesthetic impact. Mitigation measures were proposed to address preservation of forested character in the NVSP area, including maintenance of a 100-foot forested buffer along the southern exterior of Minaret Road. These measures include a tree preservation and replacement plan which would outline increased setbacks or tree preservation pockets where feasible. The 1991 PEIR also determined that lighting and glare levels at the project site would increase with development of the NVSP. Mitigation measures were recommended to reduce these impacts to less than significant levels.

According to the 1999 SPEIR, development of the 1999 NVSP Amendment would be similar to the approved NVSP in that it would permanently alter the visual character of the area as a result of increased densities and the loss of open space and trees. Land uses, densities, building area, and grading requirements within the 1999 NVSP Amendment would remain similar to those identified for the approved NVSP. However, increased impacts as a result of the reduced setback requirements were considered. The 1999 SPEIR stated that with adherence to the Town's Municipal Code regarding grading and clearing requirements and implementation of new mitigation measures (such as modulation in building walls and facades, stepping of roof forms and detailing of exterior treatments and finishes), these potential impacts would be reduced compared to that analyzed in the 1991 PEIR. According to the 1999 SPEIR, development in accordance with the 1999 NVSP Amendment would not create additional sources of light and glare over anticipated levels for the NVSP area. The 1999 SPEIR stated that light sources would be required to be directed away from adjacent uses. The 1999 SPEIR concluded that the previously identified mitigation measures, together with Municipal Code requirements pertaining to directive light techniques, would reduce potential impacts of new sources of light or glare to less than significant levels. The 1999 SPEIR considered that build-out of the NVSP, together with cumulative projects, may alter the nature and appearance of the area and contribute to the loss of open space. Analysis concluded that no significant impacts beyond the analysis contained in the 1987 General Plan and 1987 General Plan PEIR were anticipated.

## 5.2.5 IMPACTS AND MITIGATION MEASURES

### SCENIC VIEWS AND VISTAS

#### AES-1 PROJECT IMPLEMENTATION WOULD NOT HAVE A SUBSTANTIAL ADVERSE AFFECT ON A SCENIC VIEW OR VISTA.

***Impact Analysis:*** As previously noted, southern views to the Sherwin Range are considered scenic resources within the 2007 General Plan. The 1991 PEIR concluded that distant views for motorists and pedestrians traveling along Minaret Road would be affected due to the intensification of development in the NVSP area. Mitigation measures such as design review for individual development sites within the area and contour grading would reduce these impacts to less than significant levels. The 1999 SPEIR stated that with adherence to the Town's Municipal Code regarding grading and clearing requirements and implementation of new mitigation measures (such as modulation in building walls and facades, stepping of roof forms and detailing of exterior treatments and finishes), potential impacts would be reduced compared to that analyzed in the 1991 PEIR.

Implementation of the proposed project would result in increased allowable building heights and reduced setbacks that could increase the resultant view blockage of the Sherwin Range, as experienced from Minaret Road (also an eligible State scenic highway) and Canyon Boulevard. The approved 8050 project is consistent with the requirements set forth in the NVSP, which was analyzed as part of the previous environmental documentation. Thus, in order to verify increased view obstruction compared to that analyzed in the previous environmental documentation, the Applicant provided photosimulations for each of the selected Key View locations for both the permitted 8050 Building C as well as the proposed project in order to demonstrate the degree of change resulting from project implementation. These photosimulations have been utilized to depict

the resultant massing and view blockage resulting from both the "permitted" and "proposed" development conditions. It should be noted that these photosimulations are subject to change and are intended to provide the reader with information on the form, size, and scale of the proposed structures within the project area. The following analyzes the project's affects on scenic views associated with the Sherwin Range and the "eligible" State scenic highway Minaret Road, as experienced from motorists, bicyclists, and pedestrians (Key View 1), and motorists, bicyclists, and pedestrians along Canyon Boulevard (Key View 2).

Key View 1. Views from Key View 1 are afforded from motorists, bicyclists, and pedestrians traveling along Minaret Road. Implementation of the proposed project would result in increased visible massing as a result of both increased heights and reduced setbacks along Minaret Road, compared to the permitted 8050 Building C; refer to Exhibit 5.2-6, *Key View 1 - Proposed Condition*. However, as demonstrated in Exhibit 5.2-6, this increase in visible massing on-site would not result in increased view blockage of the Sherwin Range, as seen from southern views along Minaret Road. Thus, impacts in this regard would be less than significant.

Key View 2. Views from Key View 2 are afforded from motorists, bicyclists, and pedestrians traveling along Canyon Boulevard; refer to Exhibit 5.2-7, *Key View 2 - Proposed Condition*. Foreground views include the existing 8050 Building A to the southeast. Background views of the Sherwin Range are visible to the southwest. As demonstrated in Exhibit 5.2-7, the permitted 8050 Building C would not be visible from this vantage point and the proposed project would be minimally exposed to these viewers and would appear similar in roofline and color to the existing 8050 Building A. This increase in visible building massing would not result in increased view blockage of the Sherwin Range to the southwest. Thus, implementation of the proposed project would result in less than significant impacts in this regard.

***Applicable 1999 SPEIR Mitigation Measures:*** No 1999 SPEIR mitigation measures are applicable to this topical area.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact.

## STATE SCENIC HIGHWAYS

### AES-2 PROJECT IMPLEMENTATION WOULD NOT HAVE A SUBSTANTIAL ADVERSE AFFECT ON VISUAL RESOURCES WITHIN A STATE SCENIC HIGHWAY.

***Impact Analysis:*** The 1991 PEIR, 1994 PEIR Addendum, and 1999 SPER concluded that no impacts to State scenic highways would occur as a result of implementation of the NVSP and subsequent amendments (up to the 1999 NVSP Amendment). As discussed above, Minaret Road is currently listed as eligible for State scenic highway designation. As demonstrated in Exhibit 5.2-6, discussed above, implementation of the proposed project would not result in increased view blockage of designated visual resources (i.e., the Sherwin Range), as seen from motorists, bicyclists, and pedestrians traveling along Minaret Road. Other visual resources located along Minaret Road include mature pine trees. A Tree Protection/ Preservation Plan would be implemented to preserve

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**Proposed Project Condition**

Source: Bull Stockwell Allen; May 5, 2014.

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# Key View 1 – Proposed Condition

**Exhibit 5.2-6**

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**Proposed Project Condition**

Source: Bull Stockwell Allen; May 5, 2014.

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# Key View 2 – Proposed Condition

**Exhibit 5.2-7**

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and protect existing trees, shrubs, and other plant materials including plants on adjoining properties during grubbing and grading, site preparation, and construction activities; refer to Exhibit 3-8, *Tree Protection/Preservation Plan*. Existing pine trees to be protected-in-place range from 10 to 24 inches in diameter at breast height (DBH); no trees six inches DBH or greater would be removed as part of the proposed project (as encouraged by the Town's Municipal Code). Although removal of vegetation (including some sapling trees), would occur, particularly along Minaret Road, due to the size of the trees proposed for removal, this vegetation is not considered a scenic resource per the Town's Municipal Code. The proposed project would re-plant new native tree species (e.g., Red Fir, Lodgepole Pine, Mountain Hemlock, Mountain Maple, Mountain Alder, Western Chokecherry, Western Water Birch, and Quaking Aspen) along Minaret Road in order to maintain the character of the site and its surroundings. Thus, as implementation of the proposed project would not result in view blockage or impacts to visual resources (existing trees six inches DBH or greater) within the viewshed of Minaret Road, impacts in this regard are less than significant.

***Applicable 1999 SPEIR Mitigation Measures:*** No 1999 SPEIR mitigation measures are applicable to this topical area.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact.

## SHORT-TERM VISUAL CHARACTER/QUALITY

### AES-3 PROJECT CONSTRUCTION ACTIVITIES WOULD TEMPORARILY DEGRADE THE VISUAL CHARACTER/QUALITY OF THE SITE AND ITS SURROUNDINGS.

***Impact Analysis:*** The 1999 SPEIR stated that with adherence to the Town's Municipal Code regarding grading and clearing requirements, these potential impacts would be reduced compared to that analyzed in the 1991 PEIR.

As described in Section 3.3, *Project Characteristics*, a minor amount of grading would be required along the perimeter of the project site, specifically along Minaret Road to allow for pedestrian improvements (the public kiosk, pocket park, and fire lane improvements). These earthwork activities would result in a nominal amount of cut and fill. Construction of the new building atop the existing parking structure podium would commence in a single phase for approximately 12 months. During construction, the construction offices would be accommodated nearby on the Mammoth Crossing property located on the northeast corner of Canyon Road and Lake Mary Road while construction phase parking, mobilization, and storage of materials would be located on the southeast corner of Minaret Road and Main Street; refer to Exhibit 3-9, *Construction Staging Plan*.

Construction-related activities would temporarily influence the character of the project site and surrounding area, as viewed from surrounding sensitive viewers. Surrounding sensitive receptors that would have long duration views of the project site during construction include multi-family residential uses (Fireside at the Village condominiums) to the south of the project site. Sensitive receptors that would have moderate and short duration views would include motorists, bicyclists, and pedestrians using Minaret Road, Canyon Boulevard, and Main Street/Lake Mary Road.

Construction activities would expose some areas of disturbed surfaces, construction debris, construction equipment, and truck traffic to sensitive viewers. The 1999 SPEIR Mitigation Measure 5.3-1j would require equipment and vehicle staging areas, stockpiling of materials, and fencing (i.e., temporary fencing with opaque material). All staging areas would be required to be sited and screened in a manner that would minimize public views and views from surrounding sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians) to the staging areas. Further, the Additional Mitigation Measure AES-1 would require the preparation of a construction hauling plan, which specifies requirements for haul routes. With implementation of the 1999 SPEIR Mitigation Measure 5.3-1j and the Additional Mitigation Measure AES-1, the visual impacts, as viewed by the surrounding residents, pedestrians, bicyclists, and motorists, would be reduced. As these impacts are temporary in nature and would cease upon project completion (approximately 12 months), the project's construction-related impacts to the visual character or quality of the site and its surroundings would be reduced to less than significant levels.

***Applicable 1999 SPEIR Mitigation Measures:*** Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

5.3-1j Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Department Planning Manager ~~Director~~ in accordance with the Municipal Code requirements.

***Additional Mitigation Measures:***

AES-1 The Applicant shall prepare and submit a construction hauling plan to be reviewed and approved by the Community and Economic Development Department Planning Manager prior to issuance of Grading Permit. The hauling plan shall ensure that construction haul routes minimize impacts to sensitive uses in the project vicinity.

***Level of Significance:*** Less Than Significant Impact With Mitigation Incorporated.

## LONG-TERM VISUAL CHARACTER/QUALITY

### AES-4 PROJECT IMPLEMENTATION COULD DEGRADE THE VISUAL CHARACTER/QUALITY OF THE SITE AND ITS SURROUNDINGS.

***Impact Analysis:*** The 1991 PEIR concluded that distant views for motorists and pedestrians traveling along Minaret Road would be effected due to the intensification of development in the NVSP area. Mitigation measures such as design review for individual development sites within the area; the use of earth-tone colors and materials; and the enforcement of a tree preservation plan, contour grading, a forested buffer of 100 feet along the southern extension of Minaret Road, and the use of native plants in landscaping design would reduce these impacts to less than significant levels. However, the 1991 PEIR identified the loss of forested and open space areas throughout the

NVSP area as a significant aesthetic impact. Mitigation measures were proposed to address preservation of forested character in the NVSP area, including maintenance of a 100-foot forested buffer along the southern exterior of Minaret Road. These measures include a tree preservation and replacement plan which would outline increased setbacks or tree preservation pockets where feasible. Mitigation measures were recommended to reduce these impacts to less than significant levels.

According to the 1999 SPEIR, development of the 1999 NVSP Amendment would be similar to the approved NVSP in that it would permanently alter the visual character of the area as a result of increased densities and the loss of open space and trees. Land uses, densities, building area, and grading requirements within the 1999 NVSP Amendment would remain similar to those identified for the approved NVSP. However, increased impacts as a result of the reduced setback requirements were considered. The 1999 SPEIR stated that with implementation of new mitigation measures (such as modulation in building walls and facades, stepping of roof forms and detailing of exterior treatments and finishes), these potential impacts would be reduced compared to that analyzed in the 1991 PEIR.

Implementation of the proposed project would alter the visual character of the site and its surroundings, as a new seven-story building would be constructed atop the existing parking podium (with increased building heights and reduced setbacks compared to that allowed by the NVSP). Photosimulations were prepared to demonstrate the degree of change resulting from project implementation; refer to Exhibit 5.2-8, *Proposed Character of the Project Site*.

Overall, the project proposes a hotel that includes hotel rooms, food and beverage sales, spa, outdoor pool/jacuzzis, and landscaping elements. The new hotel would increase both the building height and allowed density at the project site (via a proposed density transfer from the Mammoth Crossing Project [Mammoth Crossing] to the south). The project would be subject to the NVSP (as proposed for amendment) and Municipal Code requirements, as applicable. The new hotel would be mostly consistent with the North Village Design Guidelines.

The project would be generally consistent with the overall intent of the Town's 2007 General Plan. The project would provide a public kiosk and pocket part along Minaret Road, which would encourage social interaction and community activity in the NVSP area (2007 General Plan Policies C.2.A and C.3.D). The project would specifically increase the pedestrian-oriented sidewalks (a desired characteristic of the North Village District), compared to that analyzed in the 1999 SPEIR. The project's proposed commercial square-footage, spa facility, public kiosk, and pocket park would increase the available services and amenities in the NVSP area (2007 General Plan Policy C.2.C). The proposed site design is specifically oriented towards improving the pedestrian access and activity along Minaret Road (2007 General Plan Policy C.2.F). As discussed in Impact Statement AES-1, project implementation would not increase view blockage compared to that analyzed for the 1999 SPEIR, consistent with 2007 General Plan Policy C.2.J). As encouraged by 2007 General Plan policies S.2.T and C.3.E, the project would use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting and would result in a more hospitable and attractive pedestrian environment (compared to that analyzed in the 1999 SPEIR). The proposed architecture would also break up the existing architectural design or monotony experienced at Buildings A and B (2007 General Plan Policy C.2.U). The proposed project would also preserve specimen trees on-site as well as landscape the perimeter with new native trees (consistent with 2007 General Plan Policies C.2.O, C.4.C, and C.4.D). However, the proposed project would exceed the


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**Proposed Project Condition**

Source: Bull Stockwell Allen; May 5, 2014.

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# Proposed Character of the Project Site

**Exhibit 5.2-8**

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tree canopy heights on-site and in the surrounding area as surrounding trees are approximately 67 to 75 feet high (discouraged by 2007 General Plan Policy C.2.X)[4].

The project would generally be consistent with the overall objectives of the NVSP. The project would increase the visitor activity, particularly along Minaret Road (Land Use Overall Objective 2). The project would also meet the specific objectives of the Resort General designation, including providing resort accommodations and supporting commercial facilities for visitor-oriented activities and facilities; a transition zone between the Plaza Resort and Specialty Lodging uses within the NVSP area and surrounding residential uses; and integrated pedestrian access to and from the plazas. As required by the NVSP, the project would meet the following design objectives:

1. *Small Town Appearance* – The massing of the new building would create a village-like atmosphere that provides a "small town" ambiance with building expressions that appear vertical, not horizontal.

2. *Sense of Discovery* – The project would provide enhanced sidewalks along Minaret Road that are intended to intrigue and invite, unlike that analyzed in the 1999 SPEIR.

3. *Orientation to Views* – The new building would maintain views to the Sherwin Mountains similar to that analyzed as part of the 1999 SPEIR.

4. *Emphasize Sunlight* – As discussed in Impact Statement AES-6 below, the proposed project would result in increased shade along Minaret Road and public sidewalks, compared to the approved 8050 Building C massing. However, Additional Mitigation Measures have been provided in order to ensure public safety along streets and sidewalks.

5. *Provide Varied Seating* – The project proposes a public pocket park and kiosk in order to encourage siting, resting, people-watching, relaxing, etc.

6. *Create Special Places, Features* – The project would emphasize the public spaces proposed along Minaret Road.

7. *Encourage Visual Variety* – The project would allow colorful signs, banners, lights, interesting storefronts/street frontage, individuality, and attention focused at the pedestrian level, particularly along Minaret Road.

8. *Maintain Landscape Context* – The project proposes to preserve all mature trees on-site, per the Town's Municipal Code requirements. Also, all new landscaping would be appropriate to the local setting.

9. *Enhance the Gateway Experience* – The project is acknowledging Minaret Road as the spine of the NVSP area by increasing the pedestrian connectivity along this road.

The proposed project would be overall consistent with the North Village Design Guidelines. The project would be consistent with the intent of the design guidelines pertaining to increasing walking

[4] Typical and average tree heights in the vicinity of the Mammoth Crossing project were found to be 67 to 75 feet with maximum heights of up to 90 feet.

routes, and developing a high quality pedestrian level with interesting storefronts. The design guidelines include objectives for form and mass, including organizing the form and mass in relationship to the scale of the neighboring buildings to achieve comfortable spaces in scale with pedestrian use. Building mass should be varied to create variety in the character of the street corridor and the pedestrian places. As shown of Exhibit 5.2-8, the proposed project would have a different building massing than the structures to the north and south. Although increased building heights are proposed, these building heights would be similar to another structure in the NVSP area (specifically the Westin to the west). Further, the massing has been shifted east, toward Minaret Road, in order to provide an outdoor pool amenity and frame the pedestrian environment along the northeastern boundary of the project site. Other project features that are encouraged by the North Village Design Guidelines include the kiosk along Minaret Road. The project was reviewed by the Town's Advisory Design Panel (ADP) on November 4, 2013 and December 13, 2013. The ADP was supportive of the general design direction and was supportive of the additional articulation along Minaret Road, which gives the new building more scale and interest.

Overall, implementation of the proposed project would result in development that is more compatible with the intent of development for the NVSP area, per the Town's 2007 General Plan, NVSP, and North Village Design Guidelines, compared to the existing approved development at the project site (as considered in the 1999 SPEIR). The project would increase the building height by 18 feet above the approved 8050C building. The proposed building height is also higher than that allowed by the NVSP by three stories or 30 feet, which would not be consistent with the Town's 2007 General Plan policies pertaining to a "village in the trees." However, this height increase would not extend substantially above the tree canopy present in the area (5 to 13 feet above the typical and average tree height in the area). Further, although proposed massing and building height would change, this change would result in building expression that is more vertical rather than horizontal (as desired by the NVSP, Development Objective 1), increased architectural articulation and varied roof forms along Minaret Road (recommended by the 2007 General Plan, Appendix C, Commercial Corridor), as well as increased pedestrian-scale sidewalks and amenities along Minaret Road (encouraged by the 2007 General Plan, NVSP, and North Village Design Guidelines). Implementation of the applicable 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b would require the project's proposed landscaping and architectural style to blend with the area's natural setting, which would further reduce impacts in this regard. Thus, although the proposed project would increase building heights and reduce setbacks compared to that analyzed in the 1999 SPEIR, impacts pertaining to the long-term degradation of character/quality would be reduced and a resultant less than significant impact would result after implementation of the recommended 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b.

***Applicable 1999 SPEIR Mitigation Measures:*** Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

5.3-1d The landscape design for the site shall maximize the use of existing vegetation, and where new plants are introduced, they shall include, and/or blend with, plants native to the Mammoth Lakes environment. Landscaping shall be tolerant of shaded areas, where applicable. Landscape plans for the site shall be completed by a certified landscape architect.

5.3-2b The architectural style for the development shall blend with the site's natural setting. Rooflines shall reflect (step down) the slope of the site, and natural "earth tone" colors and materials such as stone and wood shall be emphasized. Conformance shall be assured through the Town's design review procedures.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact With Mitigation Incorporated.

## LIGHT AND GLARE

### AES-5 DEVELOPMENT OF THE PROPOSED PROJECT WOULD INTRODUCE NEW SOURCES OF LIGHT AND GLARE INTO THE PROJECT AREA.

***Impact Analysis:*** Light pollution (also known as photopollution or luminous pollution) refers to light that people find annoying or harmful. Because not everyone is irritated by the same lighting sources, light pollution has a measure of subjectivity. It is common for one person's light "pollution" to be light that is desirable for another. Light trespass occurs when unwanted light enters one's property, for instance, by shining over a neighbor's fence. A common light trespass problem occurs when a strong light enters the window of one's home from outside, causing problems such as sleep deprivation or the blocking of an evening view.

Glare is the result of excessive contrast between bright and dark areas in the field of view and is primarily a road safety issue, as bright and/or badly shielded lights around roads may partially blind drivers or pedestrians unexpectedly. There are three types of glare: blinding glare, which is completely blinding and leaves temporary vision deficiencies; disability glare, which describes such effects as being blinded by automobile headlights, thus causing a significant reduction in sight capabilities; and discomfort glare, which does not typically cause a dangerous situation in itself, and is mostly annoying and irritating.[5]

The 1991 PEIR determined that lighting and glare levels at the project site would increase with development of the NVSP. Mitigation measures were recommended to reduce these impacts to less than significant levels. According to the 1999 SPEIR, development in accordance with the 1999 NVSP Amendment would not create additional sources of light and glare over anticipated levels for the NVSP area. The 1999 SPEIR stated that light sources would be required to be directed away from adjacent uses. The 1999 SPEIR concluded that the previously identified mitigation measures, together with Municipal Code requirements pertaining to directive light techniques, would reduce potential impacts of new sources of light or glare to less than significant levels.

Currently, light and glare sources are present at the project site. Ingress/egress security lighting associated with the parking structure as well as the existing Buildings A and B are visible on-site. Buildings A and B also emit nighttime lighting from the interior of these structures as a result of the resort lodging uses. Street lighting along Minaret Road and Canyon Boulevard are also present. Lighting in the surrounding area occurs as a result of residential safety-oriented exterior and interior lighting sources produced from Fireside at the Village condominiums to the south. No traffic signal lighting currently exists adjoining the project site; however, pedestrian crossing safety lighting is

[5] Bob Mizon, *Light Pollution: Responses and Remedies*, 2001.

present along both Canyon Boulevard and Minaret Road. Implementation of the proposed project would result in increased lighting at the project site compared to existing conditions. However, with implementation of the Town's Lighting Regulations, the proposed lighting at ground level (e.g., exterior lighting for security, parking, signage, architectural highlighting and landscaping, and street lighting) would not substantially increase compared to that analyzed in the 1999 SPEIR. The upper three stories proposed by the project would increase the visible light being emitted from the interior of the proposed structure. This increase would contribute to the existing light levels of the built environment. Surrounding light sensitive receptors would be residential uses located adjacent to the project site. Although new sources of lighting would be visible, this new lighting would be of a similar character to the surrounding lighting that is emitted from the interior of surrounding uses. Further, increased visible interior lighting would not result in increased light spillover onto surrounding uses, nor would this lighting be highly visible from surrounding public areas as a result of the project's limited viewshed and existing surrounding exterior lighting in the area (e.g., street lighting). As described in the 1999 SPEIR, the lighting increases would be minimized with implementation of the 1999 SPEIR Mitigation Measure 5.3-3d pertaining to vegetation installation to screen views to the structure, as seen from residents particularly to the south.

Further, with the implementation of the Additional Mitigation Measure AES-2, an outdoor lighting plan would be required for all new outdoor lighting installations. All outdoor lighting fixtures would be designed, located, installed, aimed downward or toward structures, retrofitted if necessary, and maintained in order to prevent glare, light trespass, and light pollution (Additional Mitigation Measure AES-3). An outdoor lighting plan would be submitted in conjunction with an application for design review approval. The outdoor lighting plan would also comply with Municipal Code Section 17.36.030.G, *Outdoor Lighting Plans*, of the Town's Municipal Code.

Development of the proposed project is subject to environmental and design review to ensure that light and glare impacts would not substantially increase the amount and intensity of nighttime lighting, nor cause light spillover onto adjoining properties. Additionally, all new development would be required to comply with the requirements of the Town's Lighting Regulations (Municipal Code Section 17.36.030). With implementation of the applicable 1999 SPEIR Mitigation Measures as well as the added Mitigation Measures AES-2 and AES-3, the project's increase in lighting in the area would be reduced to less than significant levels.

The new structure would also result in increased glare as a result of the increased building height, compared to that analyzed in the 1999 SPEIR. Implementation of the 1999 SPEIR recommended Mitigation Measure 5.3-3c would require minimizing reflective glass and other reflective building materials used on the exterior of the new structure. Thus, although increased, impacts in this regard would be reduced to less than significant levels.

***Applicable 1999 SPEIR Mitigation Measures:*** Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

5.3-3c The project shall use minimally reflective glass and all other materials used on the exterior of the proposed buildings ~~and structures (including the gondola cabins and towers)~~ shall be selected with attention to minimizing reflective glare.

5.3-3d Vegetative buffers shall be used to reduce light intrusion on residential development to the south of the project site ~~and on forested areas located adjacent to the project site~~.

***Additional Mitigation Measures:***

AES-2 The Applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Regulations (Section 17.36.030, *Outdoor Lighting Plans*, of the Municipal Code) to the Community and Economic Development Planning Manager that includes a footcandle map illustrating the amount of light from the project site at adjacent light sensitive receptors.

AES-3 Landscape lighting should be designed as an integral part of the project. Lighting levels shall respond to the type, intensity, and location of use. Safety and security for pedestrians and vehicular movements must be anticipated. Lighting fixture locations shall not interfere or impair snow storage or snow removal operations. Light fixtures shall have cut-off shields to prevent light spill and glare into adjacent areas.

***Level of Significance:*** Less Than Significant Impact With Mitigation Incorporated.

## SHADE/SHADOW

### AES-6 DEVELOPMENT OF THE PROPOSED PROJECT WOULD INTRODUCE SHADE AND SHADOW ONTO ADJACENT BUILDINGS AND ROADWAY RIGHT-OF-WAY WITHIN THE PROJECT AREA.

***Impact Analysis:*** Shade/shadow impacts were not considered in the past environmental documentation.

In order to identify the proposed project's potential increase in shadow-related impacts, morning, noon, afternoon, and evening shade patterns were compared for each of the four seasons for both the permitted 8050 Building C and the proposed project. Specifically, four dates were used for analysis purposes: the winter solstice (December 21), when the sun is at its lowest; the summer solstice (June 21), when the sun is at its highest point; and the vernal and autumnal equinoxes (March 21 and September 21), when day and night are of approximately equal length (note that the shadow patterns are the same on these two dates). The longest shadows are cast during the winter months and the shortest shadows are cast during the summer months. The following discussion describes the summer/winter solstice and vernal/autumnal equinox phenomenon, local topography, and some general assumptions that affect shadow patterns in the project vicinity. Note that the analysis considers shadow effects associated with proposed building massing only; the shadow patterns associated with proposed landscaping are not addressed.

**Summer and Winter Solstice**

"Solstice" is defined as either of the two points on the ecliptic that lie midway between the equinoxes (separated from them by an angular distance of 90°). At the solstices, the sun's apparent position on the celestial sphere reaches its greatest distance above or below the celestial equator, about 23.5° of the arc. At the time of summer solstice, approximately June 21, the sun is directly overhead at noon at the Tropic of Cancer. In the Northern Hemisphere, the longest day and

shortest night of the year occur on this date, marking the beginning of summer. At winter solstice, approximately December 21, the sun is overhead at noon at the Tropic of Capricorn; this marks the beginning of winter in the Northern Hemisphere. Measuring shadow lengths for the winter and summer solstices represents the extreme shadow patterns that occur throughout the year. Shadows cast on the summer solstice are the shortest shadows during the year, becoming progressively longer until winter solstice when the shadows are the longest they are all year. Shadows are shown for summer and winter solstice, cast from 9:00 a.m. to 3:00 p.m. The morning summer and winter solstice shadows are generally cast towards the northwest, then shrink as they move overhead and extend towards the east in the afternoon.

**Vernal and Autumnal Equinox**

An equinox is the moment when the sun passes over the equator. The event occurs twice a year, approximately March 21 and September 21. The equinoxes are the two days each year when the middle of the sun is an equal amount of time above and below the horizon for every location on Earth. In the Northern Hemisphere, the March equinox is known as the vernal equinox and the September equinox is the autumnal equinox. In the Southern Hemisphere, the names are reversed. In practice, at the equinox, the day is longer than the night. The morning equinox shadows are generally cast towards the west in the morning, then shrink as they move overhead, and extend towards the east in the afternoon.

The equinoxes can be interpreted as virtual points in the sky. As Earth moves around the sun, the apparent position of the sun relative to the other stars moves in a full circle over the period of a year. This circle is called the ecliptic, and is also the plane of Earth's orbit projected against the whole sky. Other bright planets like Venus, Mars, and Saturn also appear to move along the ecliptic, because their orbits are in a similar plane to Earth's. Another virtual circle in the sky is the celestial equator, or the projection of the plane of Earth's equator against the whole sky. Because Earth's axis of rotation is tilted relative to the plane of Earth's orbit around the sun, the celestial equator is inclined to the ecliptic by about 23.5°.

**Project Impacts**

The project would be a single seven-story hotel structure (80 feet high when measured from the top of the existing parking structure podium, with an additional 4 feet, 6 inches, for roof appurtenances). The proposed building would cast new shadows on nearby properties, as well as public streets and sidewalks. RBF used the Applicant-provided shade/shadow diagrams in order to illustrate the degree of change that would result between the permitted 8050 Building C and the proposed project.

The shade/shadow diagrams are composed of a series of three-dimensional rendered site plans. The site plan consists of the project massing models, as well as the surrounding context and geography. For comparative purposes, the renderings illustrate the shadow effects of the approved 8050 Building C and the proposed building. The orientation of the model was set to represent the orientation of the project site. Dates selected for each season were: the summer/winter solstice and vernal/autumnal equinoxes. For each of those days selected, the time periods were 9:00 a.m., 12:00 p.m., and 3:00 p.m. The vernal and autumnal shadow patterns are similar in nature, thus these analyses have been grouped together.

June 21. On June 21, shadows cast by the permitted 8050 Building C are typically limited to the confines of the site; refer to Exhibit 5.2-9a, *Proposed Summer Shadow Patterns*. Shadow coverage of areas surrounding the project site is most prominent during the morning and evening hours (9:00 a.m. and 3:00 p.m.). In the morning hours, some shade is cast onto the existing on-site 8050 Building A. No shadow patterns are cast onto Minaret Road, Canyon Boulevard, or off-site properties.

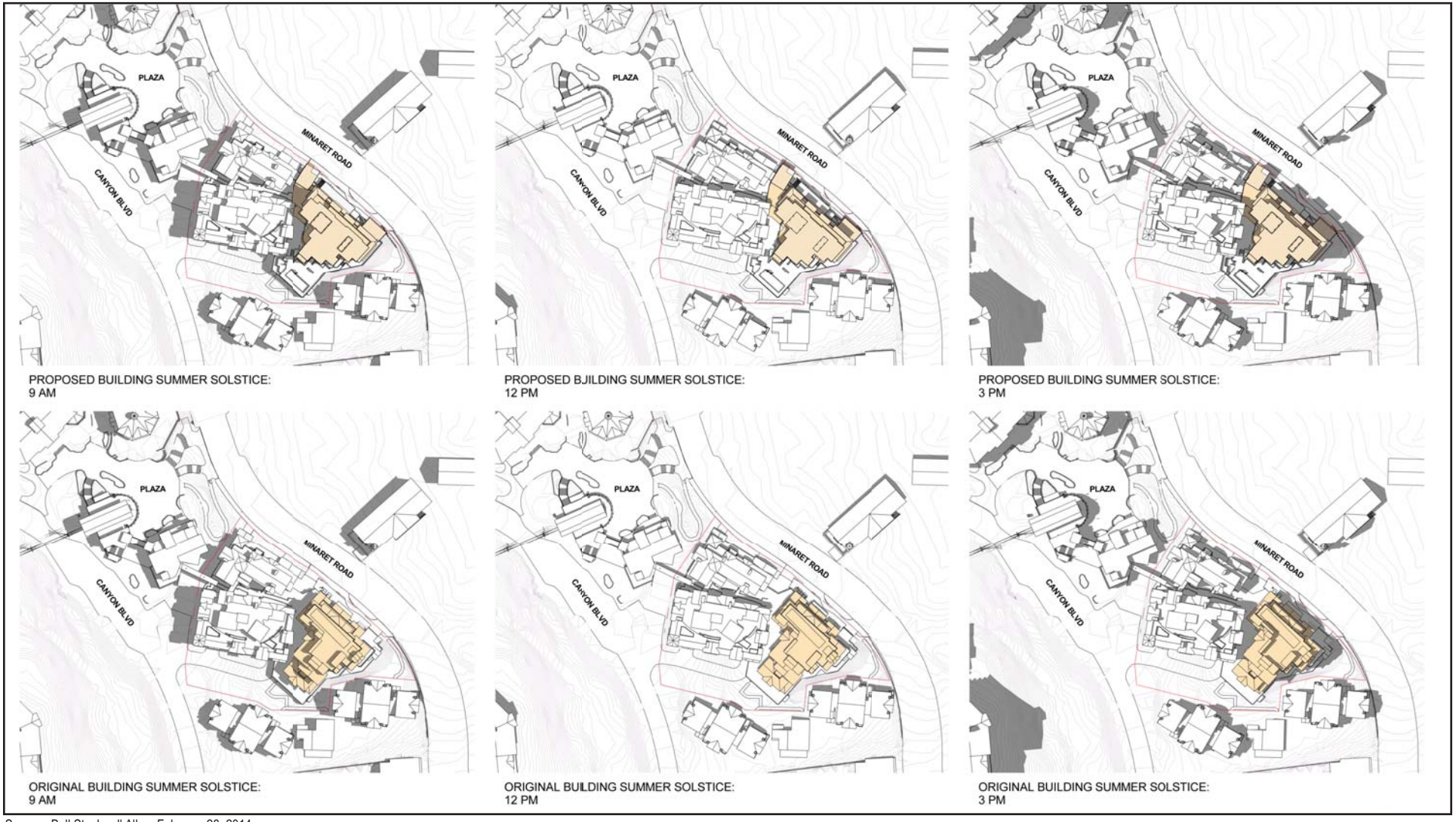
Implementation of the proposed project would result in slightly increased shadow patterns in the summer months. Shadows cast in the morning and evening hours have been extended further onto the on-site 8050 Building A (in the morning hours) as well as partially onto Minaret Road in the evening hours.

December 21. On December 21, shadows cast by the permitted 8050 Building C are widespread within the project site during all hours; refer to Exhibit 5.2-9b, *Proposed Winter Shadow Patterns*. Morning shadows would be present primarily to the northwest of the project site, onto the existing 8050 Buildings A and B, as well as the North Village Plaza area. During noon, the sun shines above from a southerly direction, casting shadows in a northerly fashion; shadows would be cast on-site within vacant land and onto a large portion of Minaret Road to the north at this time. In the early afternoon (i.e., 3:00 p.m.), Minaret Road would be mostly cast over by shadows as a result of both the permitted 8050 Building C as well as other buildings in the area (8050 Buildings A and B as well as Fireside at the Village condominiums).

Implementation of the proposed project would result in increased shadow patterns in the winter months. Shadows cast in all hours have been extended further, including those onto Minaret Road and the resort lodging property to the north in the afternoon and evening hours.

March 21/September 21. Shadows generated by buildings are similar on March 21 and September 21, when the sun shines at a moderate angle at noon. Shadows generated by the permitted 8050 Building C during these periods tend to extend to the west onto the existing 8050 Buildings A and B, within the project site during the morning (9:00 a.m.), and extend onto Minaret Road, to the northeast, in the late afternoon (3:00 p.m.); refer to Exhibit 5.2-9c, *Proposed Vernal/Autumnal Shadow Patterns*. Morning shadows would be present primarily to the northwest, onto the existing 8050 Building A. During noon, the sun shines above from a southerly direction, casting shadows in a northerly fashion; shadows would be cast on-site within vacant land at this time. In the early afternoon (i.e., 3:00 p.m.), Minaret Road would be mostly cast over by shadows (similar to other buildings in the area).

Implementation of the proposed project would result in increased shadow patterns in the spring/autumnal months. Shadows cast in all hours have been extended further, including those onto the on-site 8050 Building A (in the morning hours) and Minaret Road in the afternoon and evening hours.




Source: Bull Stockwell Allen; February 28, 2014.

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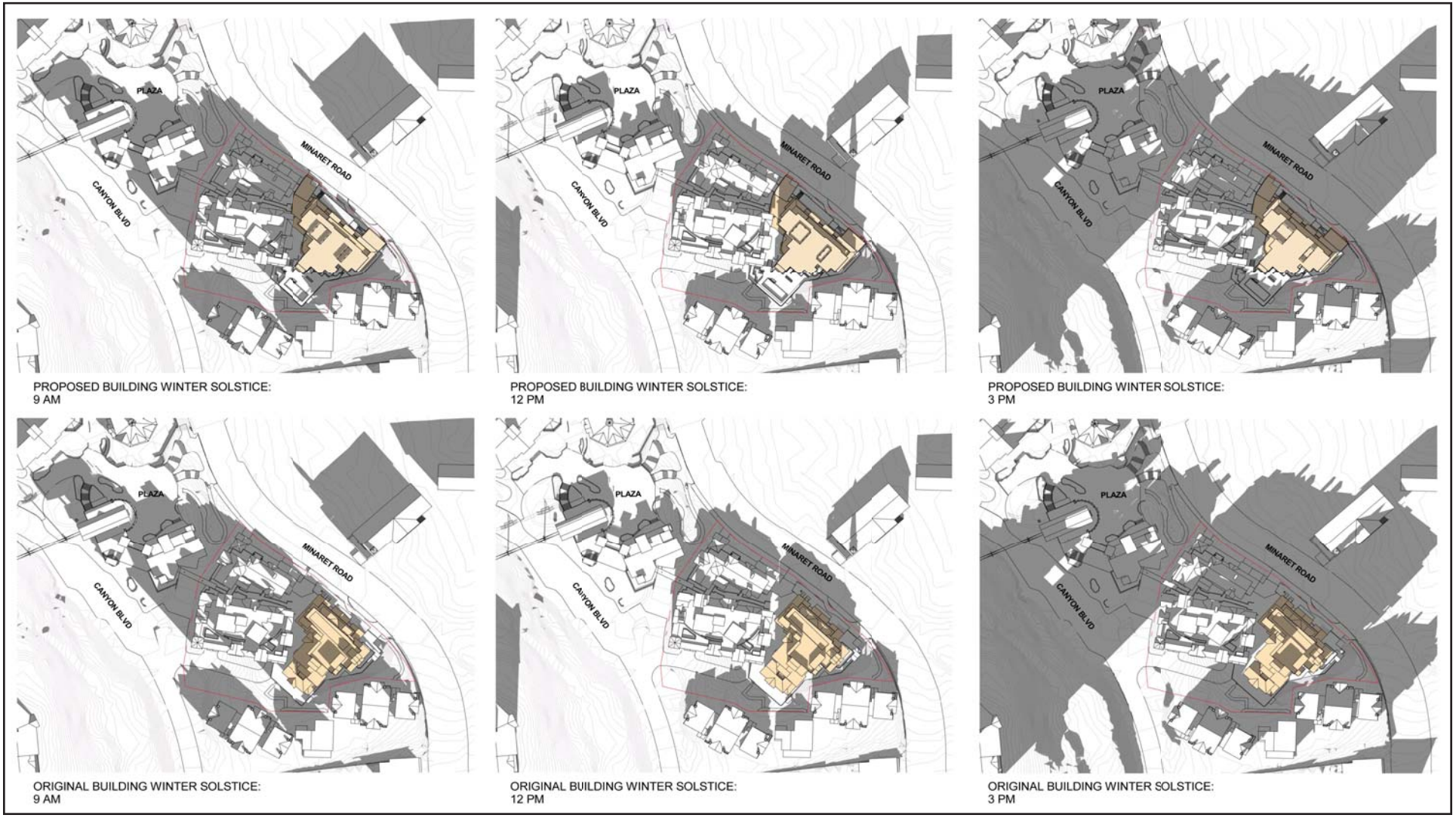
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

# Proposed Summer Shadow Patterns

**Exhibit 5.2-9a**




Source: Bull Stockwell Allen; February 28, 2014.

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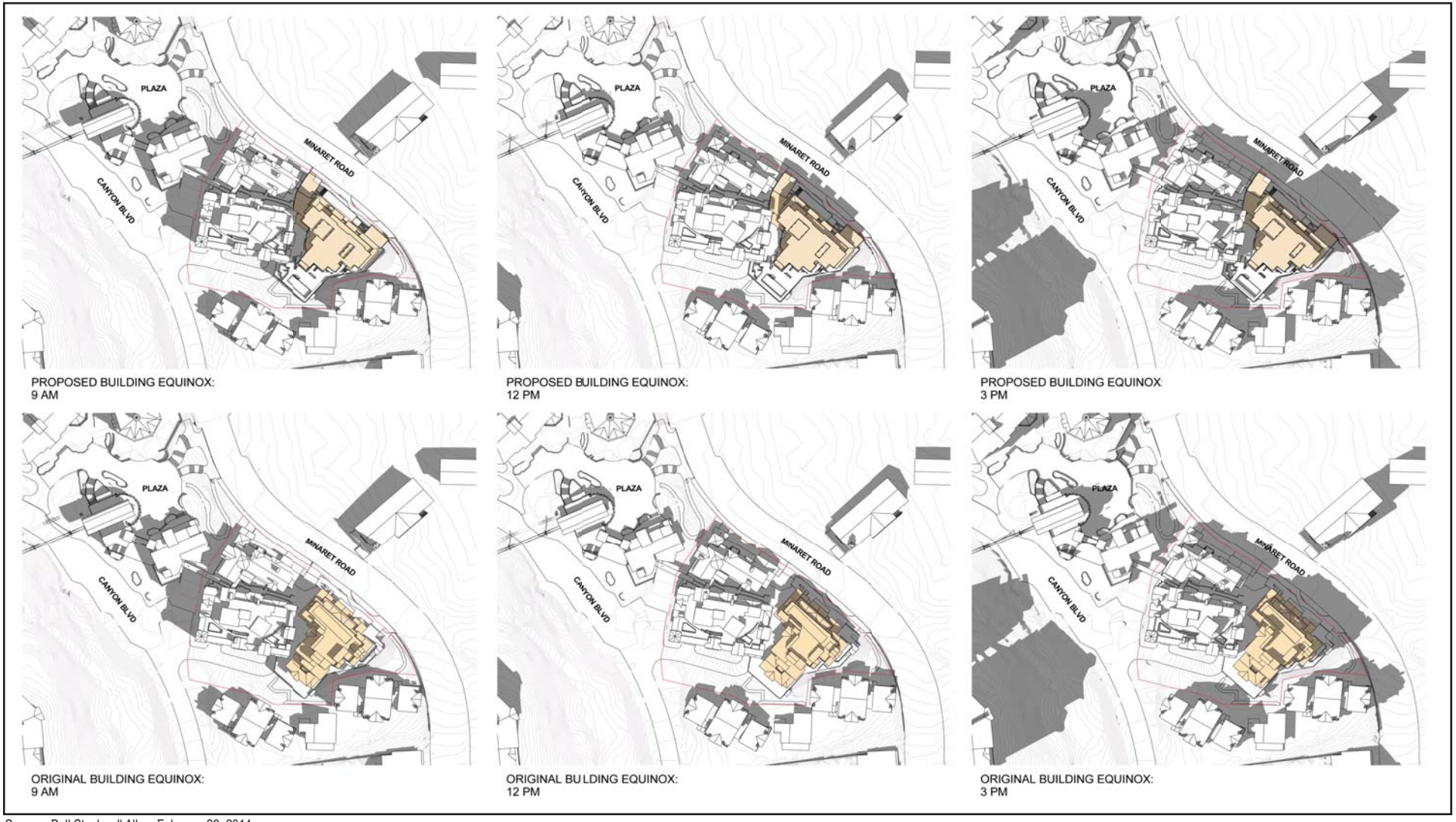
# Proposed Winter Shadow Patterns

**Exhibit 5.2-9b**




Source: Bull Stockwell Allen; February 28, 2014.

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# Proposed Vernal/Autumnal Shadow Patterns

**Exhibit 5.2-9c**

**Impact Conclusion**

The proposed building would cast new shadows on nearby public streets and sidewalks as well as onto the existing 8050 Buildings A and B and the resort lodging property to the north, compared to the permitted 8050 Building C. Project-generated shadows would increase along Minaret Road in the afternoon and evening hours for both the spring/autumn and winter months. Although the proposed building would cast shadows on the 8050 Buildings A and B to the northwest and north, and the commercial (resort lodging) structure to the northeast of the project site, these shadows would not be uncharacteristic for the area and would not appear substantially greater than the approved 8050 Building C shadows. Implementation of the proposed project would not cast shadow on existing solar heat or passive solar collectors, as no solar collectors are present within or adjoining the project site.

As illustrated on Exhibits 5.2-9a through Exhibit 5.2-9c, the proposed buildings would shade the sidewalk and travel lanes of Minaret Road during the spring/autumn and winter months for more than three hours after 12:00 p.m. Particularly, most of the shade increase would occur along the eastern-most northbound travel lane of Minaret Road, compared to the approved 8050 Building C. Caltrans conducts snow removal operations and cindering of the road to maintain safe travel conditions. Furthermore, the existing and future sidewalks along Minaret Road have or will have heat melt systems to address shade conditions.

In addition, the proposed buildings would cast shadows on the existing 8050 Buildings A and B to the northwest and resort lodging uses to the north. Specifically, shadows would be increased within the building and vacant areas to the northwest and north, respectively. However, these buildings are not considered to be in constant shadow as they are not cast onto any particular area for the entirety of the day. Also, the project would not cast a shadow on the Village Plaza. Therefore, the resulting shadows cast by the proposed structures would result in less than significant impacts to surrounding uses as a result of constant shadows.

The Town Planning and Economic Development Commission would complete an architectural design review as part of the site plan review process[6]. The design review would consider setbacks, as well as building height, alignment, and form. As the project would not cast shadow on existing solar heat or passive solar collectors or result in constant shadows on surrounding uses, impacts pertaining to shade and shadow would be reduced to less than significant levels.

***Applicable 1999 SPEIR Mitigation Measures:*** No 1999 SPEIR mitigation measures are applicable to this topical area.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact.

[6] The project was reviewed by the ADP on November 4, 2013 and December 13, 2013. The ADP was supportive of the general design direction and was supportive of the additional articulation along Minaret Road, which gives the new building more scale and interest.

# 5.2.6 CUMULATIVE IMPACTS

## SCENIC VIEWS AND VISTAS

- **PROJECT IMPLEMENTATION WOULD NOT HAVE A SUBSTANTIAL ADVERSE CUMULATIVE AFFECT ON A SCENIC VIEW OR VISTA.**

***Impact Analysis:*** Increased development in the NVSP area could contribute to increased building heights and massing, which could increase view obstruction of the Sherwin Range to the south. The 1999 SPEIR considered impacts associated with build-out of the NVSP, together with cumulative projects; however, specific considerations to view obstruction were not provided. Although future development could increase view blockage of the Sherwin Range, as seen from the NVSP area, each project would be reviewed and evaluated by the ADP and/or Planning and Economic Development Commission to ensure that there is not substantial view blockage to this designated scenic resource. Further, as discussed in Impact Statement AES-1, the proposed project would not result in increased view blockage of the Sherwin Range compared to that analyzed as part of the 1999 SPEIR. Thus, the proposed project would not result in a cumulatively considerable impact in this regard.

***Applicable 1999 SPEIR Mitigation Measures:*** No 1999 SPEIR mitigation measures are applicable to this topical area.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact.

## STATE SCENIC HIGHWAYS

- **PROJECT IMPLEMENTATION WOULD NOT HAVE A SUBSTANTIAL ADVERSE CUMULATIVE AFFECT ON VISUAL RESOURCES WITHIN A STATE SCENIC HIGHWAY.**

***Impact Analysis:*** As discussed in Impact Statement AES-2, State Route 203 (Minaret Road) is an eligible State scenic highway. Although not yet officially designated, the potential for increased view blockage and removal of significant mature trees along the viewshed of Minaret Road could affect the future designation of this highway. Each development project would be reviewed and evaluated by the ADP and/or Planning and Economic Development Commission to ensure view blockage policies are complied with (per the Town's 2007 General Plan goals and policies) as well as enforce the Town's Municipal Code pertaining to tree removal. As discussed in Impact Statement AES-2, the proposed project would not result in an increase in view blockage of the Sherwin Range or removal of significant trees (as defined by the Town's Municipal Code) along the viewshed of Minaret Road. Thus, the proposed project would not result in a cumulatively considerable impact in this regard.

***Applicable 1999 SPEIR Mitigation Measures:*** No 1999 SPEIR mitigation measures are applicable to this topical area.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact.

## SHORT-TERM VISUAL CHARACTER/QUALITY

- **DEVELOPMENT ASSOCIATED WITH THE PROPOSED PROJECT AND RELATED CUMULATIVE PROJECTS COULD RESULT IN A SIGNIFICANT CUMULATIVE SHORT-TERM AESTHETIC IMPACT.**

***Impact Analysis:*** Project construction activities are considered to be short-term and would cease upon project completion. Mammoth Crossing (Cumulative Project #7 as identified on Exhibit 4-1, *Cumulative Project Locations*) is located to the south, adjacent to the project site. At this time, it is anticipated that Mammoth Crossing would be constructed after the proposed project. . The project proposes construction staging areas at the Mammoth Crossing location. However, construction-related impacts could occur at the same time as the proposed project. The project would be required to implement the 1999 SPEIR Mitigation Measure 5.3-1j, which would require equipment and vehicle staging areas, stockpiling of materials, and fencing (i.e., temporary fencing with opaque material). All staging areas would be required to be sited and screened in a manner that would minimize public views and views from surrounding sensitive viewers (e.g., residents) to the staging areas. Further, the Additional Mitigation Measure AES-1 would require the preparation of a construction hauling plan, which specifies requirements for haul route(s). With implementation of the 1999 SPEIR Mitigation Measure 5.3-1j and the Additional Mitigation Measure AES-1, the visual impacts, as viewed by the surrounding residents, pedestrians, bicyclists, and motorists, would be reduced. As these impacts are temporary in nature and would cease upon project completion (approximately 12 months), the project's construction-related impacts to the visual character or quality of the site and its surroundings would be reduced to less than significant levels. Thus, the proposed project is not anticipated to result in significant cumulatively-contributable aesthetic impacts during construction.

***Applicable 1999 SPEIR Mitigation Measures:*** Refer to the 1999 SPEIR Mitigation Measure 5.3-1j.

***Additional Mitigation Measures:*** Refer to the Additional Mitigation Measure AES-1.

***Level of Significance:*** Less Than Significant Impact With Mitigation Incorporated.

## LONG-TERM VISUAL CHARACTER/QUALITY

- **DEVELOPMENT ASSOCIATED WITH THE PROPOSED PROJECT AND RELATED CUMULATIVE PROJECTS COULD RESULT IN SIGNIFICANT LONG-TERM CUMULATIVE CHARACTER/QUALITY IMPACTS.**

***Impact Analysis:*** Cumulative projects could result in a change in the character/quality of the landscape experienced within the NVSP area. The 1999 SPEIR considered that build-out of the NVSP, together with cumulative projects, may alter the nature and appearance of the area and contribute to the loss of open space. Analysis concluded that no significant impacts beyond the analysis contained in the 1987 General Plan and 1987 General Plan PEIR were anticipated.

Implementation of the proposed project, in combination with the Mammoth Crossing Project to the south would change the visible building massing and architecture as experienced along Minaret Road. However, as discussed in Impact Statement AES-4, these changes in character would be generally consistent with the intent of the Town's 2007 General Plan, NVSP, and North Village Design Guidelines. Particularly, the project would increase the architectural diversity along Minaret Road as well as increase the pedestrian-scale walkways along Minaret Road. Further, the project would be subject to the applicable 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b, which would require the project's proposed landscaping and architectural style to blend with the area's natural setting. With implementation of the applicable 1999 SPEIR Mitigation Measures, the proposed project would not result in substantial cumulatively considerable impacts in this regard.

***Applicable 1999 SPEIR Mitigation Measures:*** Refer to the 1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact With Mitigation Incorporated.

## LIGHT AND GLARE

- **DEVELOPMENT OF THE PROPOSED PROJECT WOULD INTRODUCE NEW SOURCES OF LIGHT AND GLARE INTO THE PROJECT AREA, WHICH COULD RESULT IN CUMULATIVELY CONSIDERABLE LIGHT AND GLARE IMPACTS.**

***Impact Analysis:*** Future development would introduce a greater intensity of lighting to the NVSP area. New development would require lighting for activity areas involving nighttime uses, parking, lighting around the structures (security lighting and walkways), and lighting for interior of the buildings, if applicable. The light and glare impacts of individual development projects can often be mitigated through careful site design, proper lighting techniques to direct light on-site and away from adjacent properties, and compliance with the 2007 General Plan and Municipal Code. Sources of light and glare for cumulative projects would be evaluated on a project-by-project basis. All new development would particularly be required to comply with Section 17.36.030, *Outdoor Lighting Plans*, of the Town's Municipal Code.

The 1991 PEIR determined that lighting and glare levels at the project site would increase with development of the NVSP. Mitigation measures were recommended to reduce these impacts to less than significant levels. According to the 1999 SPEIR, development in accordance with the 1999 NVSP Amendment would not create additional sources of light and glare over anticipated levels for the NVSP area. The 1999 SPEIR stated that light sources would be required to be directed away from adjacent uses. The 1999 SPEIR concluded that the previously identified mitigation measures, together with Municipal Code requirements pertaining to directive light techniques, would reduce potential impacts of new sources of light or glare to less than significant levels.

As discussed in Impact Statement AES-5, the proposed project would increase the lighting emitted at the project site as a result of the additional three stories proposed. Development of the proposed project would be subject to environmental and design review to ensure that light and glare impacts would not substantially increase the amount and intensity of nighttime lighting, nor cause light

spillover onto adjoining properties. The 1999 SPEIR Mitigation Measure 5.3-3d pertaining to vegetation installation to screen views to areas of intrusive lighting, as seen from residents particularly to the south, would further reduce these impacts. All new development would be required to comply with the requirements of the Town's Lighting Regulations (Municipal Code Section 17.36.030). With implementation of the applicable 1999 SPEIR Mitigation Measures as well as the Additional Mitigation Measures AES-2 and AES-3, the project would not result in substantial cumulatively considerable impacts in this regard.

Future development would also result in increased glare as a result of new buildings within the NVSP area. Implementation of the 1999 SPEIR recommended Mitigation Measure 5.3-3c would require minimizing reflective glass and other reflective building materials used on the exterior of any new structures, including the proposed project. Thus, with implementation of the 1999 SPEIR recommended Mitigation Measure 5.3-3c, the proposed project would not result in substantial cumulatively considerable impacts pertaining to increased glare (compared to that analyzed in the 1999 SPEIR).

***Applicable 1999 SPEIR Mitigation Measures:*** Refer to the 1999 SPEIR Mitigation Measures 5.3-3c and 5.3-3d.

***Additional Mitigation Measures:*** Refer to the Additional Mitigation Measures AES-2 and AES-3.

***Level of Significance:*** Less Than Significant Impact With Mitigation Incorporated.

## SHADE/SHADOW

- **DEVELOPMENT OF THE PROPOSED PROJECT WOULD NOT RESULT IN CUMULATIVELY CONSIDERABLE SHADE AND SHADOW IMPACTS WITHIN THE NVSP AREA.**

***Impact Analysis:*** New structures associated with future development in the NVSP area may cast shadows in their respective locations; however, this issue is typically localized to each development site. Although the proposed project would result in increased shadows within the project vicinity, these impacts would be less than significant, as previously described, and these impacts are project-specific and not cumulatively considerable (as no future projects are proposed adjoining the project site). Thus, the proposed project would not result in cumulatively considerable impacts in this regard.

***Applicable 1999 SPEIR Mitigation Measures:*** No 1999 SPEIR mitigation measures are applicable to this topical area.

***Additional Mitigation Measures:*** No additional mitigation measures are required.

***Level of Significance:*** Less Than Significant Impact.

## 5.2.7 SIGNIFICANT UNAVOIDABLE IMPACTS

Implementation of the proposed project would not result in any significant impacts pertaining to aesthetics/light and glare upon implementation of the applicable 1999 SPEIR mitigation measures, as well as the Additional Mitigation Measures AES-1 through AES-3.