

## 4.9 POPULATION AND HOUSING

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This section outlines existing population and housing trends in the Town and assesses potential effects to these trends that could occur with implementation of the Land Use Element/Zoning Code Amendments. While the Mobility Element would result in new roadways, bike lanes and pathways within the Urban Growth Boundary, these improvements would not affect population and housing in light of the Town's Urban Growth Boundary. Information in this section is largely based on the Town's 2007 General Plan, the State of California Employment Development Department (Labor Market Division 2015), the California Department of Finance (Demographic Research Unit 2015), the 2010 United States Census Data, the Census Bureau's 2014 American Community Survey and the Town's Housing Element.<sup>1</sup>

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

##### (1) State of California

###### (a) Regional Housing Needs Assessment

State Law requires that all cities and counties provide a certain amount of housing to meet the needed demand for housing. The California Department of Housing and Community Development is responsible for determining the statewide housing need, which is then distributed to councils of governments (COGs) who determine the specific housing needs for local governments within their jurisdiction for the preparation of a Regional Housing Needs Assessment (RHNA). State housing law also requires cities and counties to prepare a housing element, as one of seven state-mandated elements of the General Plan, with specific direction on its content as set forth in Government Code Section 65583. As the Town of Mammoth Lakes is not located within a COG, the Department of Housing and Community Development provided the RHNA for Mono County and the Town of Mammoth Lakes.

###### (b) Density Bonus Law (California Government Code Section 65915, et.seq.)

The purpose of the Density Bonus Law, enacted in 1979 and since amended, is to encourage cities and counties to offer density bonuses, incentives, and waivers to development standards for housing projects that include certain percentages of affordable units. The Density Bonus Law rewards a "developer who agrees to build a certain percentage of low-income housing with the opportunity to build more residences than would otherwise be permitted by the applicable local regulations." By incentivizing developers, the density bonus law promotes the construction of housing for seniors and low-income families.

Basically, a city or county must grant a density bonus, with concessions, incentives, and prescribed parking requirements, as well as waivers of development standards, upon a developer's request when the developer

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<sup>1</sup> Due to the multiple data sources, some numbers for the same item vary slightly, although all of numbers are substantially similar.

includes a certain percentage of affordable housing in a housing development project. The size of the increase in density is tied by criteria in the law to the percentage of units in a project that is affordable, and the household income level accommodated (low-income, very low income, or moderate income).

Assembly Bill (AB) 2222, approved by Governor Brown on September 27, 2014, amends the Density Bonus Law. The most notable change to the law is a requirement that developers replace all of a property's pre-existing affordable units in order to become eligible for the bonuses provided under this law. AB 2222 prohibits an applicant from receiving a density bonus (and related incentives and waivers) unless the proposed housing development would at a minimum, maintain the number and proportion of affordable housing units within the proposed development, including affordable dwelling units that have been vacated or demolished in the five-year period preceding the application.

## **(2) Town of Mammoth Lakes**

### **(a) Housing Element: 2014-2019**

The Town of Mammoth Lakes regularly updates the Housing Element pursuant to state law. The most recent update cycle, Housing Element 2014 – 2019, was adopted June 18, 2014. The Housing Element addresses the RHNA and housing policies for the five year period that ends in 2019.

The RHNA, which was established by the California Department of Housing and Community Development (HCD), provides a housing allocation to meet the assessed needs, as shown in **Table 4.9-1, Mammoth Lakes Regional Housing Need Allocation by Income Group.**<sup>2</sup> As indicated in Table 4.9-1, 74 new units are needed in the Town during the five year period to meet the housing needs allocation. Of these, 8 units (11 percent) are needed for extremely low income family units, 9 units (12 percent) are needed for very low-income households, 12 units (16 percent) are needed for low-income households, 14 units (19 percent) are needed for moderate income households, and 31 units (42 percent) are needed for above moderate-income households.

The Housing Element also assesses the availability of housing supply for residents, identifies quantifiable housing objectives for the numbers of units to be provided during the five year period and establishes policies and programs to meet the quantified housing objectives. As shown in **Table 4.9-2, Summary of Projected Housing Units 2014-2019 by Category**, 1,230 units are projected to be developed over the five year period and the units are distributed as follows: 15 units for extremely low income, 30 units for very low income, 34 units for low income, 72 units for moderate income and 1,079 units for above moderate income households. Provision of these units would result in surplus units over the RHNA allocation as follows: 7 units for extremely low income, 21 units for very low income, 22 units for low income, 58 units for moderate income and 1,048 units for above moderate income households.<sup>3</sup>

The quantified objectives for the Element's various program categories are intended to provide measurable standards for monitoring and evaluating program achievements within the five year period. The quantified

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<sup>2</sup> *General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 4-44.*

<sup>3</sup> *General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 4-49.*

Table 4.9-1

## Mammoth Lakes Regional Housing Need Allocation by Income Group

Income Group	Current Allocation 2014 to 2019 <sup>a</sup>	
	Number	Percent
Extremely Low <sup>a</sup>	8	11%
Very Low <sup>a</sup>	9	12%
Low	12	16%
Moderate	14	19%
Above Moderate	31	42%
<b>Total</b>	<b>74</b>	<b>100%</b>

<sup>a</sup> Mammoth Lakes estimate presumes 50 percent of the 17 (8) very low-income households qualify as extremely low-income households

Source: General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 4-44, based on data reported for 2013.

Table 4.9-2

## Summary of Projected Housing Units 2014-2019 by Category

Site or Project Name	Extremely	Very	Low	Moderate	Above
	Low	Low			Moderate
Total Estimated Housing Units: Housing Sites Subject to Approved Permits or Plans, large RMF -1 sites	15	30	34	72	96
Total Estimated Housing Units: Vacant Residential Land	0	0	0	0	983
<b>Projected Housing Total</b>	<b>15</b>	<b>30</b>	<b>34</b>	<b>72</b>	<b>1,079</b>
Net Remaining RHNA (from Table 4.9-1)	8	9	12	14	31
<b>Surplus of Projected Balance of Housing Units over RHNA Allocation</b>	<b>7</b>	<b>21</b>	<b>22</b>	<b>58</b>	<b>1,048</b>

Source: General Plan Housing Element, Town of Mammoth Lakes Economic Community and Development Department, Table 4-49, 2014

objectives are shown in **Table 4.9-3, Quantified Objectives 2014-2019.**<sup>4</sup> The quantifiable objectives for the five-year time period include the provision of the 74 units to meet the RHNA, the construction of 247 new units, 45 homebuyer assistance units, 15 housing rehabilitation units, and the preservation of 435 affordable units (288 deed-restricted units and 147 mobile homes).

<sup>4</sup> General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 5-52.

**Table 4.9-3**  
**Quantified Objectives 2014-2019**

Income Level	Accommodate Regional Share <sup>a</sup>	New Construction <sup>b</sup>	Homebuyer Assistance	Housing Rehabilitation <sup>c</sup>	Preserve Affordable Units	
					Deed- Restricted Units <sup>d</sup>	Mobile Homes <sup>e</sup>
Extremely Low	9	15	0	5	0	
Very Low	8	30	0	5	22	
Low	12	34	30	5	149	147
Moderate	14	72	15	0	32	
Above Moderate	31	96	0	0	63	
<b>Total</b>	<b>74</b>	<b>247</b>	<b>45</b>	<b>15</b>	<b>288</b>	<b>147</b>

<sup>a</sup> This quantified objective is per the Regional Housing Needs Assessment target.

<sup>b</sup> This quantified objective covers the period 2014-2019, consistent with Table 4-45 of the Housing Element.

<sup>c</sup> This figure is conservative since a housing rehabilitation program has not yet been established.

<sup>d</sup> This figure includes the 266 units documented in the 2010 Housing Element, plus 22 additional units that have been converted to deed-restricted units since 2010.

<sup>e</sup> HCD Table 1.a. (DOF, 2010).

Source: Town of Mammoth Lakes General Plan Housing Element, Table 5-52, 2014.

In general, the policies contained in the Housing Element are intended to support and encourage the provision of sufficient land to meet housing needs and to promote fair housing practices and standards. The policies address specific housing goals and include program actions to bring the policies to fruition. They address a number of issues pertaining to both the amount of housing available and the characteristics of the units and populations served.

### **(b) Affordable and Workforce Housing Regulations**

The Town Council first adopted affordable housing regulations on October 4, 2000. The ordinance has been revised several times to better regulate the provision of affordable units. The most recent revision, Ordinance Number 15-03, was adopted and enacted on June 3, 2015. The purpose of the regulations is to encourage availability of affordable and workforce housing and to mitigate the impacts of market rate residential and non-residential development on the need for workforce housing while implementing provisions of the General Plan and Housing Element.

The regulations require that developers support the provision of affordable housing by one or more of five means: payment of mitigation fees, on-site provision of affordable housing units, off-site provision of affordable housing units, conveyance of land and/or provision of an Alternate Housing Mitigation Plan. The schedule of mitigation fees is updated periodically under separate ordinance with the most recent rate schedule having been approved on July 1, 2015.

### **(c) Affordable Housing Density Bonuses and Incentives**

Section 17.140 of the Zoning Code implements at the local level the state's Density Bonus Law (Section 65915, et.seq.), as described above. The density bonus allows developers to increase development density over the otherwise maximum allowable residential density under the applicable zone and designation of the Land Use Element of the General Plan. The size of the increase in density is tied by criteria in the state law, as incorporated in the zoning code, to the percentage of units in a project that is affordable, and the household income level (low-income, very low income, or moderate income). Code Section 17.140 also includes other incentives or concessions including reductions in development standards, use of mixed-use zoning where not otherwise allowed, regulatory incentives, and direct financial contribution granted by the Council subject to provisions of the ordinance.

General Plan Policy L.2.D states that "For all housing development projects where all units are deed restricted for workforce housing, a density bonus may be granted in addition to any bonus granted pursuant to the State Density Bonus Law up to a combined bonus of twice the density identified for the designation in which the project is located." Following this, Zoning Code Section 17.140.030.B, allows for the Town to grant density bonuses of up to twice the density of the zoning district's permitted density. The density increase is not specified and is dependent on the qualifications of the proposed project.

### **(d) Transient Occupancy Tax**

The Transient Occupancy Tax (TOT) is an essential component of the Town's funding mechanisms and makes up approximately 60 percent of the Town's General Fund, providing for services such as snow removal, recreational programming, and road maintenance. The TOT is a 13 percent tax that is charged "for the privilege of occupancy of any transient occupancy facility."

The Town has in the past made a commitment to apply one percent of the TOT revenues towards the development of workforce and affordable housing within in the Town. However, the amount committed to workforce housing has been reduced over the past few years, and currently approximately 62 percent of the one percent is being dedicated to workforce housing. These monies are principally dedicated to funding the work and programs of Mammoth Lakes Housing, Inc. (MLH). The Town and MLH have used these funds to successfully leverage a significant amount of additional Federal and State grant funds to construct and acquire affordable housing units and to provide down payment assistance to qualifying households.<sup>5</sup>

### **(e) Reasonable Accommodation Ordinance**

Chapter 17.80, Reasonable Accommodation, of the Municipal Code regulates housing for persons with disabilities. Per Section 17.80, et.sec, the Director may grant a deviation from the development standards of the Zoning Code to accomplish a reasonable accommodation of the needs of a disabled person after the following findings are made:

<sup>5</sup> AECOM, *Affordable Workforce Housing Fee Nexus Study and Fee Recommendation, prepared for Town of Mammoth Lakes, June 5, 2015 (revised June 23, 2015), page 12.*

- A. That the housing that is the subject of the request for reasonable accommodation is for a person or people with a disability;
- B. That the reasonable accommodation is necessary to make specific housing available in compliance with federal and state fair housing laws;
- C. That the request will not impose an undue financial or administrative burden on the Town;
- D. The request will not result in a fundamental alteration in this Zoning Code and/or procedures of the Town; and
- E. The reasonable accommodation is the minimum departure from the requirements of this Zoning Code necessary, consistent with Subsections A and B, above.

## b. Existing Conditions

### (1) Population

Population estimates for the Town are shown in **Table 4.9-4, Resident Population in Mammoth Lakes between 1990 and 2015**. Based on the 2010 Census, the resident population of the Town was 8,234, which represents approximately 58 percent of the 14,202 residents in Mono County. The Town experienced a resident population increase of approximately 72 percent during the 20 year period between 1990 and 2010 (i.e. 3.6 percent/year) and over 16 percent in the previous 10 years (i.e. 1.6 percent/year). This population increase between 2000 and 2010, exceeded the rate of growth in the State of California as a whole, which experienced a population increase of approximately 10 percent over the same period.<sup>6</sup>

The permanent population on January 1, 2015 was 8,410 as determined by the California Department of Finance. This increase of 176 residents between 2010 and 2015 represents a 2.13 percent increase in five years, or 0.53 percent per year. According to the same source, the Mono County population increased from 14,202 in 2010 to 14,695 in 2015. This was an increase of 493 people, or 3.5 percent in five years, or 0.88 percent per year. The Town comprised 57.98 percent of the County population in 2010 and 57.23 percent in 2015.<sup>7</sup>

Because of its large visitor and seasonal populations, the Town has historically used a measure known as People At One Time (PAOT) for estimating Town population, based upon the visitor, seasonal and permanent town residents. The total 2015 population inclusive of the three populations is estimated to be 34,381 people based on the Town Buildout Projections, as described in Chapter 2, Project Description.<sup>8</sup> This estimate approximates the 34,265 people given as the 2004 population estimate in the 2007 General Plan Update EIR.

<sup>6</sup> California Department of Finance, Demographic Research Unit, E-8, City/County/State Population and Housing Estimates, 4/1/2000 to 4/1/2010. 4/1/2000 population = 33,873,086. 4/1/2010 population = 37,253,956.

<sup>7</sup> California Department of Finance, Demographic Research Unit, Table 2: E-4 Population Estimates for Cities, Counties, and State.

<sup>8</sup> The existing unit count in the Town Buildout Projections is 9,908 units. Using an average of 3.47 people per units that equates to a population of 34,381 people.

Table 4.9-4

## Resident Population in Mammoth Lakes between 1990 and 2015

Year	Population
1990	4,785
2000	7,094
2010	8,234
2015	8,410

Source: 1990 – 2010, U.S. Census. 2015, California Department of Finance.

## (2) Demographics

According to the 2010 Census, the majority of the Town's population (approximately 59.4 percent) was between the ages of 20 and 54. The segment of the population between the ages of 25 to 29 made up the largest portion (11.5 percent) of the population. Based on the 2010 Census, the ethnic makeup of the Town was approximately 80.7 percent White and 33.7 percent Hispanic (of any race).<sup>9</sup>

## (3) Housing

The 2010 Census reported a total of 9,626 housing units located in the Town. This represents an increase of 1,666 units, or approximately 20.9 percent more units than the 7,960 housing units reported in 2000. The increase in housing between 2000 and 2010 represents an increase of 2.09 percent per year. As reflected in the Town Buildout Projections prepared for this project, the estimated number of units in the Town in 2015 is 9,908 units, 282 units more than reflected in the 2010 census data.<sup>10</sup> Of the 9,908 estimated units, 785 units (7.9 percent) are currently located in the C1 and C-2 land use designations.

Due to the large supply of visitor dwelling units available in the Town, recorded vacancy rates are high. The 2010 Census identified approximately 6,397, or approximately 66.5 percent, of the 9,626 housing units as vacant and 3,229 units, approximately 33.5 percent, as occupied. Of the 3,229 occupied units, owner-occupied units included 1,502 units or 46.5 percent of the total with the remaining 1,727 units (53.5 percent) renter-occupied. Homeowner vacancy rate amongst the homeowner identified units was 3.4 percent and rental vacancy for the units identified as rental units was 33.6 percent. By comparison, the 2010 Census showed that the entire state of California had a vacancy rate of 8.1 percent.

The high vacancy rates for the Town as a whole reflect the resort nature of the Town, and the fact that vacant seasonal, recreational or occasional use units account for 4,981 units, or 51.7 of the total 9,626 units; and approximately 77.9 percent of the 6,397 vacant units. The remaining 1,416 vacant units consist of 54 for-sale units, 1,016 for-rent units, as well as 346 other units that may not be on the market.

<sup>9</sup> The Census takes separate counts for race and Hispanic/Latino ethnicity. One can respond as Hispanic and white or other race, separately. Therefore, the total shown here is greater than 100 percent.

<sup>10</sup> Based on the proposed buildout methodology, the number of units reflects dwelling units and lodging. The lodging is calculated as two rooms equals one residential unit.

The 2010 Census data regarding the Town's permanent residential units shows that the number of persons per household in the Town for the 3,229 total occupied units was 2.31 for owner-occupied units and 2.67 for renter-occupied units. The buildout projections in this analysis use an overall household size of 3.47 persons per household, which combines the household size for permanent population with the household size for visitor and seasonal populations.

#### **(4) Employment**

According to the State of California Employment Development Department, Labor Market Division (EDD), the civilian labor force in Mono County in June 2015 was 7,560 persons. An estimated 520 persons were unemployed resulting in an unemployment rate of approximately 6.9 percent. As of June 2015, the labor force in the Town was estimated to be 4,740 persons, which accounted for approximately 63 percent of Mono County's total. The unemployment rate for the Town was 6.1 percent. It is important to note that this data has not been seasonally adjusted.

Most jobs in the Town depend directly or indirectly on tourism and recreation. According to the Census Bureau's American Community Survey for 2014, the largest employment sectors included the following: arts, entertainment, recreation, and accommodation and food services industries (34.0 percent of the workforce); educational, health, and social services (17.8 percent of the work force); finance, insurance, real estate, and rental and leasing (10.4 percent of the workforce); and retail (9.2 percent of the workforce). The remainder of the workforce was employed in a variety of smaller employment sectors.

According to the American Community Survey, 2014, per capita income was \$27,170. The median family income was \$68,750 and the mean family income was \$79,946.

## **2. METHODOLOGY AND THRESHOLDS**

### **a. Methodology**

The analysis of Population, Housing and Employment assesses the Land Use Element/Zoning Code Amendments and the extent to which associated changes in permitted development could affect the total amount of growth occurring in the future. The amount of additional development that might occur is reviewed in regard to its effects on development density, population capacity versus the growth assumptions in the 2007 General Plan and ability to monitor growth, available capacity to accommodate future growth, and impacts on housing stock in light of the provisions of the Town of Mammoth Lakes Housing Element.

The increase in the amount of development associated with the Land Use Element/Zoning Code Amendments is based on a FAR Analysis that is summarized in Table 2-3 of Chapter 2, Project Description, of this EIR. Historically, the Town has used a PAOT approach given the seasonal fluctuations and the tourist base. However, as part of this project the Town is revising the methodology for determining buildout and is moving to a blended number for persons per unit (i.e. seasonal, permanent, and visitor populations are not separated for the purposes of calculating buildout). Therefore, the increase in development is converted to population by multiplying the total number of units at buildout by an average unit density of 3.47 persons per unit. The 3.47 persons per unit is consistent with the data used for preparation of the 2007 General Plan and takes into account densities associated with seasonal, permanent and visitor populations. (Hotel rooms and 1-bedroom units are treated as one-half of a unit.)



The existing and projected housing and population numbers are taken from the Town Buildout Projections, as referred to in Chapter 2.0, Project Description. The information regarding existing total population (inclusive of seasonal, permanent and visitor populations) reflects an estimated total 2015 population.

There are three analyses presented below. The first identifies the potential increase in population and responses to potential impacts on the environment with use of the Project Impact Evaluation Criteria (PIEC) for monitoring development impacts rather than the PAOT cap of 52,000 people that is contained in Policy L.1.A. This analysis includes a comparison of the population increase in the C-1 and C-2 areas when calculated by the proposed methodology incorporated into the proposed Town Buildout Projections Table as compared to the methodology used in the 2007 General Plan Update EIR. The second analysis provides a comparison of the potential Town population under buildout conditions to the growth anticipated in current population projections. The third analysis addresses the potential effects of the Project on the availability of housing stock. The evaluation addresses the nature of housing provision in the future and consistency of the Project with the General Plan Housing Element and other Town ordinances regarding the provision of housing.

## **b. Thresholds**

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Land Use Element/Zoning Code Amendments would have a significant environmental impact due to changes in population and housing. As stated in Section 15002, General Concepts, of the *CEQA Guidelines*, a basic purpose of CEQA is to inform decision makers and the public about the potential, significant environmental effects of a proposed activity. Thus, evaluations focus on the potential changes or impacts on the physical environment. Based on Appendix G, the following thresholds of significance are used in this section. The project would result in a significant impact if the project would:

- PH-1** Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a manner that would exceed the ability to provide infrastructure and services;
- PH-2** Displace substantial numbers of existing housing, or substantial numbers of people necessitating the construction of replacement housing elsewhere.

## **c. Applicable Goals/Policies and Adopted Mitigation Measures**

There are no mitigation measures from the Mitigation Monitoring and Reporting Program from the EIR for the General Plan Update or the Trails Master Plan EIR relative to population and housing. With regard to applicable goals and policies in the Town's General Plan, the Housing Element contains the following policies that are relevant to the Land Use Element/Zoning Code Amendments regarding development in the commercial districts:

- **Policy H.1.A:** Provide for a sufficient amount of land designated at appropriate residential and mixed use densities to accommodate the Town's share of the regional need for affordable housing, including land to accommodate extremely-low, very-low, low- and moderate income housing.
- **Policy H.1.B:** Allow housing development as part of infill and mixed-use development within commercial zoning districts.

### 3. ENVIRONMENTAL IMPACTS

**Threshold PH-1:** The Project would result in a significant impact if the project would induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a manner that would exceed the ability to provide infrastructure and services.

**Impact Statement PH-1:** *The Land Use Element/Zoning Code Amendments would allow an increase in population density in the commercial districts compared with current regulations. The commercial districts are envisioned as mixed-use areas and the increase in density would support the clustering of uses in the downtown area. The potential increase in population would be approximately 3.8 percent greater than the Town buildout population anticipated in the 2007 General Plan and the increase in capacity would be evaluated pursuant to PIEC and CEQA review. As reflected in other sections of the Draft EIR, the 3.8 percent potential population increase associated with the Land Use Element/Zoning Code Amendments, with the exception of Air Quality, Parks and Recreation, and Transportation, would not cause an exceedance of capacity for providing infrastructure and services.*

#### a. The General Plan as a Guide to Future Development

The purpose of the 2007 General Plan is to provide for the orderly growth of the Town, define the limits to that growth and act as a mechanism to accommodate and control future growth. The proposed Land Use Element/Zoning Code Amendments would affect the potential amounts of population and housing that might occur in the Town two ways. First, the amendments would affect the amount of development density that could occur in the commercial districts in the future. Second, the amendments would revise Policy L.1.A., replacing the 52,000 PAOT limit as a planning tool with PIEC and/or environmental review. The shift from the 52,000 PAOT limit as a planning tool is consistent with the April 2009 Town Council adoption of the PAOT/Impact Assessment Policies, which included direction to “(s)hift from PAOT based project evaluation to impact-based evaluation and mitigation.” PIEC includes, but is not limited to evaluations of air quality, including vehicle miles travelled (VMT); biological resources; cultural resources; geology and soils; hazards; hydrology; land use; noise; public services and utilities, including water demand; and transportation. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or other constraints, such as VMT and water supply, and that the potential for significant environmental impacts will be identified and mitigated to the extent feasible on a project-by-project basis.

## b. Potential Changes in Population Capacity

### (1) Impacts within the C-1 and C-2 Areas

The proposed amendments to the C-1 and C-2 designations in the Land Use Element and to the Downtown (D), Old Mammoth Road (OMR), and Mixed Lodging Residential (MLR) districts in the Zoning Code would result in the removal of existing unit and room caps on the amount of development and would require a minimum of 0.75 FAR and allow a maximum of 2.0 FAR. Proposed amendments to the Land Use Element include the removal of the Community Benefits Incentive Zoning (CBIZ), consistent with previous Town Council actions. CBIZ allowed modifications to development standards, including an increase in density, for projects that specifically enhance the tourism, community, and environmental objectives of the Town within the C-1 and C-2 designations. In addition, the amendments would remove the use of Transfer Development Rights (TDR), which would allow the transfer of density from one property to another. The Town has determined that with the removal of the density cap and no limit on density within the commercial land use designations, CBIZ is no longer necessary to allow density increases.<sup>11</sup> The proposed amendments do not alter other development standards such as height, setback, stepback, snow storage, parking requirements, and other development and dimensional standards.

Removing the unit and room cap and using an FAR approach could result in an increase in development intensity within the commercial districts as outlined in Chapter 2, Project Description. Allowing the increased density within the commercial districts would result in clustering the population. The location of a greater number of people within the commercial, mixed use area would provide for a more vibrant downtown. The proximity of population to retail and service uses would encourage the use of alternative modes of transportation and park-once activity in the downtown area, ultimately reducing vehicle miles traveled. Such clustered development would support reductions in the per capita impacts of development. Such clustering of population tends to support increased levels of population with less per capita increase in environmental impacts. The clustering of development is considered a benefit of the Project.

The potential increase in the amount of development that could occur in the C-1 and C-2 designated areas with the removal of the unit and room cap and the change to the FAR-only approach would increase estimated potential development under the General Plan. The amount of the increase beyond the development otherwise occurring in the C-1 and C-2 areas could be up to 336 residential units; up to 467 hotel rooms; and approximately 152,533 square feet of commercial floor area.<sup>12</sup> The resulting increase in population that could be accommodated within these units beyond that otherwise occurring has been calculated using the Town's previous PAOT methodology and also using the current methodology used in the Town buildout projections.

The calculation based on the population assumptions used for the 2007 General Plan Update are shown in **Table 4.9-5, Estimated Population Using Current Methodology (PAOT) - Increment of Potential Population Increase Resulting from 2.0 FAR**. The calculation based on the new proposed buildout methodology is shown

<sup>11</sup> In October 2014 Town Council adopted Resolution 14-61, which eliminated the CBIZ policy (TC Resolution 09-55).

<sup>12</sup> The increase of 467 hotel rooms compares the potential number of hotel rooms under the 2.0 FAR to the base of 40 rooms per acre and does not account for the increase in intensity that is allowed through CBIZ. Under current regulations, up to 80 rooms per acre are allowed with the provision of community benefits. Comparing the projected number of rooms using FAR only with 80 rooms per acre would result in a reduction of 57 hotel rooms in the commercial districts.

in **Table 4.9-6**, *Estimated Population Using Proposed Buildout Methodology- Increment of Potential Population Increase Resulting from 2.0 FAR.*

**Table 4.9-5**

**Estimated Population Using Current Methodology (PAOT)  
Increment of Potential Population Increase Resulting from 2.0 FAR**

	<b>Amount</b>	<b>Units</b>	<b>Factor</b>	<b>Potential Increase in People At One Time</b>
Residential Units <sup>a</sup>				
Permanent	252	Units	2.4 <sup>b</sup>	605
Transient	84	Units	4	336
Hotel	234	Rooms	4 <sup>c</sup>	<u>936</u>
<b>Total</b>				<b>1,877 PAOT</b>

<sup>a</sup> For purposes of this analysis an assumption of 75 percent permanent and 25 percent transient was used for the multi-family residential units based on the proportions by Traffic Analysis Zone (TAZ) in the Traffic Model.

<sup>b</sup> A factor of 2.4 was used based on the rate used in the 2007 General Plan.

<sup>c</sup> The 234 hotel “units” represents 467 hotel rooms. Consistent with Zoning Code Section 17.32.110.C.7 hotel rooms, studios and 1-bedroom units are considered one-half of a unit for calculating density.

Source: ESA PCR, 2016

The maximum total population increase that could occur within the C-1 and C-2 designation when calculated using the current methodology (PAOT) would be 1,877 people. The calculation under the proposed methodology results in an additional population of 1,978 people. The current calculation is based on the proposed methodology that the Town considers to provide a more accurate reflection of the population estimates. The population projections using the current PAOT methodology and the proposed methodology result in generally similar projections.

**(2) Town Population Implications**

This calculation, based on the same methodology used in the Town Buildout Projections, takes into account population in residential units as well as hotel rooms. “Residential units” may accommodate seasonal, permanent and visitor population. The calculation also assumes 100 percent occupancy rate. As such, the population provides an equivalent accounting to the calculations in the 2007 Plan that were based on residential and transient population and incorporated into the currently used PAOT amount.

The estimated current population for the Town, based on the data in the Town Buildout Projections, 34,381, which is approximately the same baseline population of 34,265 that was provided in the 2007 General Plan Update EIR. Likewise, the buildout population based on the maximum number of units that can be developed within the 2.0 FAR limit has been calculated. The number is conservative given that the full FAR may not be developed on many parcels due to development constraints (i.e., slope, compliance with other development standards, etc.). The total Townwide buildout population using this methodology, including the 1,978 people that could occur in the C-1 and C-2 areas with the 2.0 FAR, is estimated to be 53,980 people.

**Table 4.9-6**

**Estimated Population Using Proposed Buildout Methodology  
Increment of Potential Population Increase Resulting from 2.0 FAR**

	<b>Amount</b>	<b>Units</b>	<b>Factor</b>	<b>Potential increase in Population Capacity</b>
Residential Units <sup>a</sup>	336	Units	3.47 <sup>b</sup>	1,166
Lodging	234 <sup>a</sup>	Units	3.47 <sup>b</sup>	<u>812</u>
<b>Total</b>				1,978 People

<sup>a</sup> The 234 hotel “units” represents 467 hotel rooms. Consistent with Zoning Code Section 17.32.110.C.7 hotel rooms, studios and 1-bedroom units are considered one-half of a unit for calculating density.

<sup>b</sup> The household population estimate of 3.47 persons per unit is consistent with assumptions used in the 2007 General Plan.

Source: ESA PCR, 2016

This includes permanent residents, as well as seasonal and transient population. This estimate also assumes 100 percent occupancy of transient units (fractional units, time shares, rentals, and lodging).

The forecasts resulted in the projection that the total number of residents, visitors and workers on a winter weekend would grow to between 45,000 to 52,000 by the year 2025. Based on the land use projections and economic analysis, the General Plan created Policy L.1.A, which establishes a total peak population of permanent and seasonal residents and visitors at 52,000 people. However, as discussed in the Land Use Element, ultimately, the Plan’s “...land use designations could result in a buildout population over 52,000 but less than 60,000 if all land were built to capacity.” The discussion regarding buildout indicates the manner in which buildout would be limited to 52,000 people, which includes: district planning efforts; environmental analysis; market, economic and fiscal impacts; and evaluation of functional, aesthetics and design through the discretionary review process. Thus, environmental constraints that exist on a site, such as slope, economic considerations of a particular development or market forces exist that result in less development intensity than what would otherwise occur under the land use designations.

With the potential increase in population associated with the removal of the unit and room cap and change to FAR-only approach, the maximum estimated population that could occur could increase by 1,978 people. This level of increase coincides with the Town’s most recent buildout estimate of 53,980; which is 1,980 people more (i.e. 3.8 percent) than the 52,000 maximum population included in Policy 1.L.A, that would be amended, replacing the PAOT cap with PIEC evaluation. As is currently the case, individual development projects would not in all cases achieve the maximum parcel entitlements due to site design constraints and market factors. Nonetheless, for purposes of this EIR, the maximum estimated population of 53,980 is used to ensure a worst case analysis under CEQA. The effects of the added population on the various environmental topics have been evaluated throughout this EIR. Refer in particular to Section 4.2 (Air Quality), Section 4.10, Public Services, and Section 4.11, Transportation and Traffic as with Project implementation significant and unavoidable impacts would occur in these issue areas.

As indicated, the General Plan buildout can generally be accommodated through available and planned capacity. If individual developments have a potential to result in significant impacts due to unique site

circumstances, such impacts would be identified on a project-by-project basis through PIEC and CEQA review, mitigated as appropriate, and monitored against General Plan buildout assumptions.

### **Expected Growth and Development Capacity**

The Land Use Element/Zoning Code Amendments are policy and regulatory changes and do not directly include proposed development projects. The potential increase in capacity within the C-1 and C-2 areas could result in added population within an area that currently could be developed, albeit at less density, subject to market forces. The proposed amendments that would add a potential increase in capacity would not directly cause new development, necessitate the use of the full site capacity, or cause development that would not otherwise occur due to market conditions. Therefore, the Land Use Element/Zoning Code Amendments would neither induce nor foster, that is, cause, this growth to occur.

Growth is instead dependent on demand for recreational and related opportunities which has its principal origins in other parts of California and the West, and the desire to relocate to the Town with its distinctive characteristics. As the California and Western regions grow, demand on the recreational potential in and around the Town of Mammoth Lakes would also be expected to continue to grow due to factors unrelated to the proposed amendments.

Current estimates of growth in the Town and the County reflect fairly low rates of growth.<sup>13</sup> As described in the Existing Conditions subsection above, the permanent population and number of total housing units (seasonal, permanent and visitor units) grew at rates of 1.6 percent and 2.09 percent, respectively, between 2000 and 2010. The California Department of Finance has projected that the population in Mono County would increase from 14,481 in 2015 to 15,705 in 2025, i.e. 1,224 or 8.45 percent (0.42 percent per year).

Based on the Town's buildout projections the maximum buildout population increase over the existing population level is approximately 19,600 (53,980 - 34,380) or 57 percent. This is the equivalent of 5.7 percent per year over the 10 year period ending in 2025 or the equivalent of 2.9 percent per year over the 20 year period ending in 2035. Therefore, the 2.9 percent increase in growth that could occur under the buildout conditions, the amount accounted for in the analysis of EIR impacts, is greater than the current growth rates of about 1.6 percent to 2.09 percent. Therefore, the estimated maximum buildout would be sufficient to accommodate currently projected growth over the time period addressed within the General Plan.

### **Mitigation Measures**

The proposed Land Use Element/Zoning Code Amendments would not induce substantial population growth either directly or indirectly. Therefore, no mitigation measures are necessary.

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<sup>13</sup> *The estimate of current population based on the data in the Town Buildout Projections is 34,381 people, which is approximately the same as the 2004 population of 34,265 people that was estimated in the 2007 General Plan Update EIR.*

**Threshold PH-2:** The project would have a significant impact if the project would displace substantial numbers of existing housing or substantial numbers of people, necessitating the construction of replacement housing elsewhere.

**Impact Statement PH-2:** *The Land Use Element/Zoning Code Amendments would not cause the displacement of population or housing. The amendments would accommodate additional housing opportunities in support of the Housing Element, and would not alter or interfere with implementation of the Town's affordable housing provisions. Impacts would be less than significant.*

The Land Use Element/Zoning Code Amendments would remove the density caps in the commercial districts but would not have effects on residentially zoned land in the Town nor alter the zoning in the residential areas of the Town. The Land Use Element/Zoning Code Amendments would not require removal of residential units, nor cause the displacement of residential units. Removal of housing units could occur however as a result of market forces.

The Town has a buildout capacity of 15,558 units inclusive of 9,908 existing units and 5,650 projected future units. Of the 5,650 projected units, 336 are residential units that could be provided within the additional development envelope created by the Land Use Element/Zoning Code Amendments.

The Housing Element includes information regarding the housing needs, quantifiable objectives and projected new units, as described in the Regulatory Framework discussion, above. The RHNA, as described in Housing Element Table 4-44 and reported in Table 4.9-1, above, reflects the number of housing units needed to meet the Town's housing needs pursuant to State Law. Housing Element Quantified Objectives, as presented in Housing Element Table 5-52 and reported in Table 4.9-3, above reflect the number of housing units required to achieve program objectives of the Housing Element that are inclusive of, but also exceed the requirements established in State Law. The Housing Element also presents the number of Projected Housing Units to be provided during the timeframe of the Plan in Table 4-49, as reported in Table 4.9-2, above. The quantified objectives include a number of categories, two of which (Accommodate Regional Share and New Construction) pertain to the development of new units. This information is summarized in the following **Table 4.9-7, Comparison of Projected Housing Supply to Housing Needs and Objectives.**

As indicated in the Table 4.9-6, the Town expects the new supply of housing units during the five year period to exceed both the RHNA needs and the quantified housing objectives. The supply is expected to meet the objectives for the four affordable classifications and exceed the objectives for the above moderate income level by 983 units. It is expected to exceed the RHNA amounts, 108 units versus 43 units, for the four affordable classifications (an increase of approximately 150 percent); and exceed the need for above-moderate housing by 1,156 units. The projected housing would exceed the amount of housing established in the Objectives by 983 units, all of which would be in the "above moderate" category.

The supply of housing units is expected to occur within Residential Zones, with the exception of one housing site subject to an approved permit for 14 moderate-rate housing units that is located within the General Plan C-1 designation and Zoning Ordinance OMR designated area. The latter would not be affected by approval of the General Plan Land Use Element and Zoning Code Amendments; and the Project would not have an impact on development in residentially designated areas.

The Project would not adversely affect the expected supply of housing for the Town, nor adversely affect the ability to meet the RHNA and Quantifiable Objectives of the Housing Element. The Project would support an increase in the potential supply of housing in commercial districts by an estimated 336 residential units. This would further support the Housing Element by increasing development options and flexibility. The

**Table 4.9-7  
Comparison of Projected Housing Supply to Housing Needs and Objectives**

	<b>Extremely Low</b>	<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Above Moderate</b>	<b>Total</b>
<b>Demand</b>						
Per RHNA Assessment	8	9	12	14	31	74
Per Housing Element Objectives – New Construction	15	30	34	72	96	247
<b>Supply</b>						
Projected Development	15	30	34	72	1,079	1,230
<b>Excess (Demand – Supply) Compared to RHNA Needs –Compared to Quantified Objectives</b>						
	(7)	(21)	(22)	(58)	(1,048)	(1,156)
	0	0	0	0	(983)	(983)

*Source: Town of Mammoth Lakes General Plan Housing Element, 2014, Tables*

proposed amendments would not require removal of existing units. The expected buildout under the updated General Plan includes a buildout capacity inclusive of 5,650 new/projected units. Hence, the General Plan has sufficient capacity to accommodate housing needs into the foreseeable future.

The Town has implemented regulatory measures to help meet the housing needs of all population segments including incentives and support for the creation of affordable and special needs housing. These include such mechanisms as density bonuses (Section 17.140 of the Zoning Code, applicable to residential zones), affordable housing requirements (mitigation fees, on-site provision of affordable units, off-site provision of affordable units, conveyance of land for affordable houses and/or Alternate Housing Mitigation Plans, per Section 17.140 of the Zoning Code), and facilitation of special needs housing (Section 17.80, Reasonable Accommodation), of the Zoning Code. These regulations are consistent with and support Goals/Policies of the Housing Element, Chapter 5: Housing Program. The Town would continue to implement these regulations, consistent with the Policies and their related Actions of the Housing Element. The Project would not alter these zoning provisions, or the ability of the Town to implement them in the future. Therefore, the Land Use Element/Zoning Code Amendments would not adversely affect the provision of affordable or special needs housing.

The Project would particularly support Policy H.1.A.: “Provide for a sufficient amount of land designated at appropriate residential and mixed use densities to accommodate the Town's share of the regional need for affordable housing, including land to accommodate extremely-low, very-low, low- and moderate income



housing.” Further, the Project would directly implement and support Policy H.1.B.: “Allow housing development as part of infill and mixed-use development within commercial zoning districts.”

### **Mitigation Measures**

The Land Use Element/Zoning Code Amendments would not displace substantial numbers of existing housing units or residents. Therefore, no mitigation measures are necessary.

## **4. CUMULATIVE IMPACTS**

The above analysis evaluates the Project’s buildout conditions, and therefore takes into account currently known related projects as well as new projects that may be proposed in the future. Therefore, the above analysis is by its nature a cumulative analysis.

Known and future related projects would be components of the overall future development. Individual development projects will be subject to review under CEQA and the Town’s PIEC analysis, inclusive of their cumulative effects in concert with other development projects.

Future development implemented under the auspices of the updated General Plan would not exceed the amounts of development identified in the Plan and evaluated within this Draft EIR. Cumulative impacts would be less than significant.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The proposed Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to the inducement of substantial population growth and the displacement of substantial numbers of existing housing or residents.