

RESOLUTION NO. TC 2017-80

**A RESOLUTION OF THE TOWN OF MAMMOTH LAKES,
STATE OF CALIFORNIA, TOWN COUNCIL
APPROVING GENERAL PLAN AMENDMENT 17-002
TO IMPLEMENT GENERAL PLAN CLEANUP ITEMS**

WHEREAS, a request for consideration of a General Plan Amendment was filed by the Town of Mammoth Lakes to implement a General Plan cleanup, in accordance with Chapter 17.112 of the Town of Mammoth Lakes Municipal Code; and

WHEREAS, the Town staff periodically prepares cleanup amendments applicable to the General Plan in order to correct minor errors and inconsistencies and provide clarifications within the text of the document, in accordance with Chapter 17.112 of the Town of Mammoth Lakes Municipal Code.

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing for the application on September 13, 2017, at which time all those desiring to be heard were heard, and determined General Plan Amendment 17-002 is consistent with the General Plan and with the Town of Mammoth Lakes Municipal Code Chapter 17.112, and therefore, recommended approval of General Plan Amendment 17-002 to the Town Council; and

WHEREAS, the Town Council conducted a noticed public hearing on the General Plan Amendment on October 18, 2017, at which time all those desiring to be heard were heard; and

WHEREAS, the Town Council considered, without limitation:

1. The staff report to the Town Council with attachments and exhibits;
2. The General Plan and Municipal Code;
3. Oral evidence submitted at the hearing; and
4. Written evidence submitted at the hearing.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS.

1. CEQA.

- a. The Public Resources Code section 21083.3 and State CEQA Guidelines section 15813 mandate that projects consistent with the development densities established by existing zoning, community plan or General Plan policies for which an environmental impact report was certified shall not require additional environmental review except as might be necessary to examine whether there are significant environmental impacts peculiar to the project or otherwise not previously analyzed.

Based on the staff report, which is incorporated by reference including its attachments, the General Plan, the Zoning Code, and all other evidence contained in the administrative record for this project, staff has determined that the amendments to the General Plan are: (1) consistent with the development densities established by the General Plan; (2) does not have the potential to result in impacts peculiar to the project; (3) there are no other potential impacts of this amendment to the General Plan that were not addressed in the General Plan EIR; (4) there are no potentially significant off-site or cumulative impacts posed by this amendment that were not addressed in the General Plan EIR; and (5) substantial new information has not come to light that shows that impacts previously addressed will be more significant than described in the General Plan EIR.

Consequently, under Public Resources Code section 21083.3 and State CEQA Guidelines section 15183(c), no additional EIR or other environmental analysis is required.

2. MUNICIPAL CODE FINDINGS.

FINDINGS FOR GENERAL PLAN AMENDMENT

(Municipal Code Section 17.112.060)

- a. The proposed amendment is internally consistent with all other provisions of the General Plan because the proposed modifications to the General Plan are 1) to amend the Introduction section of the General Plan to accurately reflect the number and content of the General Plan elements and 2) to fix incorrect references for clarity and informative purposes.

These amendments do not conflict with any provision in the General Plan, in that they do not make any changes to the goals and policies of the General Plan.

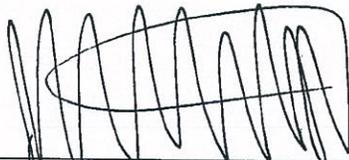
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town because the amendments clarify and update information provided within the General Plan in order to more accurately convey the contents of the General Plan document.
- c. The proposed amendment is consistent with the provisions of the California Environmental Quality Act (CEQA) pursuant to the findings made in Section 1 of this Resolution.

- d. The proposed amendment does not result in a mandatory element of the General Plan being amended more than four times during any calendar year because the only component of this proposed amendment that affects a mandatory element is a reference correction within the Land Use Element, which will be the third amendment to the Land Use Element of the General Plan in 2017 (Government Code Section 65358 and Municipal Code Section 17.112.080).

SECTION 2. TOWN COUNCIL ACTIONS. The Town Council hereby takes the following actions:

1. Adopts the required CEQA and Municipal Code findings;
2. Approves General Plan Amendment 17-002 attached hereto as Exhibit A; and,
3. Directs staff to file a Notice of Exemption.

APPROVED AND ADOPTED this 18th day of September 2017, by the following vote, to wit:



JOHN WENTWORTH, Mayor

ATTEST:



JAMIE GRAY, Town Clerk

NOTE: This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

EXHIBIT A
Resolution No. TC 2017-
Case No. GPA 17-002

Revisions to the General Plan

a. Page 8: Introduction:

There are ~~eleven~~ nine elements in the General Plan (See Table 1). Although the ~~Housing, Noise, and Parks and Recreation Elements are not being updated at this time and are not included in this General Plan, some additional overlapping statements are included to maintain consistency and aid in completing future updates to the General Plan.~~

b. Page 9: Introduction – Table 1:

Table 1: General Plan Organization		
Town of Mammoth Lakes Elements	State Required/<i>Optional</i> Elements	Examples of Topics Covered
Economy	<i>Economic Development</i> <i>Tourism & Recreation</i> <u>Optional</u>	Economic development strategy, marketing and promotion, special events
Arts, Culture, Heritage and Natural History	<i>Conservation</i> <i>Public Arts</i> <u>Optional</u>	Performance activities, cultural events, art/cultural/historical programs and outreach
Community Design	<i>Noise</i> <i>Community Character</i> <u>Optional</u>	Development patterns, streetscapes, natural resources, noise, light and glare
Neighborhood and District Character	<i>Land Use</i> <i>Community Character</i> <u>Optional</u>	Characteristics of districts and mountain portals, special study areas
Land Use	Land Use	Growth management, housing, community character
Mobility	Circulation	Traffic, street network, parking, transit service, air service, trail system
Parks, Open Space and Recreation	Open Space, Parks & Recreation	Park and recreation facilities, public access to public lands, trail system

Resource Management and Conservation	Conservation Open Space	Natural and scenic resources, Mammoth Creek, water and air quality, energy efficiency
Public Health and Safety	Safety	Development in hazardous areas, child care, police enforcement, snow hazards, flood, fire, carbon dioxide, emergency preparedness
<u>Housing</u>	<u>Housing</u>	<u>Current and future housing needs and constraints and establishment of housing goals, policies, and programs</u>
<u>Noise</u>	<u>Noise</u>	<u>Framework for addressing potential noise impacts and prevention of noise conflicts with noise sources</u>

c. Page 22: Community Design – footnote 1.

1. For a full discussion of noise impacts and detailed technical information, please refer to the existing Noise Element (pg.72).

d. Page 35: Land Use Designations:

Clearwater Specific Plan (CSP) This designation provides for a pedestrian-oriented, mixed-use district for residents and visitors within the North Old Mammoth Road area. Permitted uses include hotel, condominium-hotel, workforce housing, street front retail along Old Mammoth Road, and a large public plaza intended for use as an event venue. The base density is forty (40) hotel rooms per acre with the potential for up to eighty (80) hotel rooms per acre. Pursuant to ~~General Plan Policy L.5.G.~~ the Clearwater Specific Plan, significant community benefits are required to be provided. Workforce housing and commercial uses are exempt from density calculations.

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

I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Resolution No. 17-80 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 18th day of October, 2017, by the following vote:

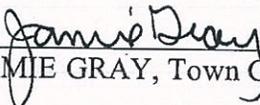
AYES: Councilmembers Fernie, Richardson, Sauser, and Mayor Wentworth

NOES: None

ABSENT: Mayor Pro Tem Hoff

ABSTAIN: None

DISQUALIFICATION: None



JAMIE GRAY, Town Clerk