

**RESOLUTION NO. 2019-55**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPTING THE  
2019-2027 HOUSING ELEMENT UPDATE, THE 2019 SAFETY  
ELEMENT UPDATE, AND THE ADDENDUM TO THE 2014 HOUSING  
ELEMENT INITIAL STUDY/NEGATIVE DECLARATION  
(GENERAL PLAN AMENDMENT 19-001)**

**WHEREAS**, California Government Code Section 65588 requires all city and county general plans to include a Housing Element, and further requires that the Housing Element be updated regularly to reflect current conditions and legal requirements; and

**WHEREAS**, the Draft 2019-2027 Housing Element has been reviewed by the State Department of Housing and Community Development and is found to be in compliance with State Housing Element Law; and

**WHEREAS**, California Government Code Section 65302(g)3 requires that in coordination with Housing Element Updates, the Safety Element be reviewed and updated to address the risk of fire for land classified as State Responsibility Areas (**SRAs**) and Very High Fire Hazard Severity Zones (**VHFHSZs**); and

**WHEREAS**, California Government Code Section 65302(g)4 requires a jurisdiction to conduct a vulnerability assessment that identifies the risks that climate change poses to the local jurisdiction and further requires the Safety Element of General Plans be reviewed and updated to include climate adaptation and resiliency strategies upon the next adoption of the Housing Element; and

**WHEREAS**, the Planning and Economic Development Commission conducted a noticed public hearing on July 10, 2019, for a Town initiated amendment to the General Plan, General Plan Amendment (GPA) 19-001, to adopt the 2019-2027 Housing Element Update, the 2019 Safety Element, and the Addendum to the 2014 Housing Element IS/ND, and at which time all those desiring to be heard were heard; and

**WHEREAS**, at the public hearing on July 10, 2019, the Planning and Economic Development Commission unanimously recommended to the Town Council adoption of the General Plan Amendment 19-001; and

**WHEREAS**, the Town Council conducted a noticed public hearing on the application request on August 7, 2019, 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 exhibits;
2. The staff report to the Planning and Economic Development Commission with exhibits;
3. The Town of Mammoth Lakes Draft 2019-2027 Housing Element Update dated June, 2019;
4. The Town of Mammoth Lakes Draft 2019 Safety Element Update;
5. The Town of Mammoth Lakes Addendum to the 2014 Housing Element Initial Study/Negative Declaration dated July, 2019;
6. The General Plan and Municipal Code;
7. Oral evidence submitted at the hearing; and
8. 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.

Addendum to the 2014 Housing Element Initial Study/Negative Declaration

- a. The Town Council has considered the proposed Addendum to the 2014 Housing Element Initial Study/Negative Declaration (collectively the “Addendum”) dated July, 2019, and finds that on the basis of the whole record before it, that there is substantial evidence to support the determination that the original IS/ND remains relevant in considering the environmental impacts of the proposed amendment. Furthermore, there is no substantial evidence to suggest that the environmental impacts of the project, as identified in the Addendum, may have a significant effect on the environment beyond what was evaluated in the adopted IS/ND. Therefore, a subsequent Environmental Impact Report (EIR) or new Mitigated Negative Declaration (MND) is not required.
- b. The Addendum was prepared pursuant to Title 14, Sections 15162 and 15164 of the California Code of Regulations.
- c. The Town Council finds that the Addendum reflects the lead agency’s independent judgement and analysis.
- d. The custodian and location of the documents and other material which constitute the record of proceedings upon which this decision is based is the Town Clerk at the Town of Mammoth Lakes Offices, 437 Old Mammoth Road, Suite 230, Mammoth Lakes, California 93546.

## 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 and any applicable specific plan or master plan.*

The proposed amendment is internally consistent with all other provisions of the General Plan because the proposed Housing Element update provides for a balanced approach to meeting housing needs that include both owners and renters at all income levels, and emphasizes maintaining and enhancing the quality of existing housing within the Town's residential zones. The proposed Safety Element update provides focused information related to wildfire hazards and incorporates climate change adaptation strategies that uphold the Vision Statement for the Town. These amendments are consistent with each other and existing sections of the General Plan, which were reviewed as part of the amendment drafting process to ensure consistency.

- b. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town.*

The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town because the General Plan 2019-2027 Housing Element update will benefit the community by encouraging the Town's participation in programs that provide home ownership opportunities for individuals and families; facilitating the development of housing for all income levels for the 2019-2027 planning period. The Housing Element update identifies housing goals and policies to address the Town's fair share of the regional housing needs, while encouraging improvement and enhancement of existing residential neighborhoods within the Town. The proposed Safety Element update provides data on wildfire hazards and incorporates climate change adaptation strategies that will provide an additional community benefit by facilitating incorporation of new adaptation policies and providing for better informed planning efforts.

- c. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

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. The project is in compliance with the provisions of CEQA because an Addendum to the 2014 Housing Element Initial Study/Negative Declaration was prepared pursuant Title 14, Sections 15162 and 15164 of the California Code of Regulations. None of the program actions included in the proposed General Plan Housing and Safety Element Amendments would result in physical changes to the environment. All development in the Town is

required to comply with the General Plan, Zoning Ordinance, and development standards, and any discretionary actions require independent and project specific environmental review to address potential issues and impacts.

(Municipal Code Section 17.112.080)

- d. *Consistent with Government Code Section 65358, no mandatory element of the General Plan shall be amended more than four times during any calendar year.*

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 this would be the first amendment to the Housing and Safety Element of the General Plan in 2019 (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 19-001;
3. Directs staff to file a Notice of Determination pursuant to CEQA; and
4. The documents and other materials that constitute the record of proceedings upon which the Town Council's decision is based are located in the Town Offices of the Town of Mammoth Lakes, at 437 Old Mammoth Road, Suite 230, Mammoth Lakes, California 93546 and Jamie Gray, Town Clerk, is hereby designated as the custodian of these records.

**APPROVED AND ADOPTED** this 7<sup>th</sup> day of August 2019.

  
BILL SAUSER, Mayor

ATTEST:

  
JAMIE GRAY, Town Clerk

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

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. 19-55 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 7<sup>th</sup> day of August 2019, by the following vote:

AYES:                            Councilmembers Hoff, Stapp, Wentworth, Mayor Pro Tem Salcido,  
  and Mayor Sauser

NOES:                            None

ABSENT:                         None

ABSTAIN:                        None

DISQUALIFICATION:       None

  
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JAMIE GRAY, Town Clerk