

ATTACHMENT A

**Planning and Economic
Development Commission
Resolution No. 2023-05**

Recording Requested by and)
When Recorded Mail To:)
)
Town of Mammoth Lakes)
Community & Economic Development Department))
P.O. Box 1609)
Mammoth Lakes, CA 93546)

Recordation fee exempt per Government Code §27383
Space Above for Recorder's Use

RESOLUTION NO. PEDC 2023-05

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND
ECONOMIC DEVELOPMENT COMMISSION APPROVING
TENTATIVE TRACT MAP 23-001, USE PERMIT 23-001,
DESIGN REVIEW 23-001, AND ADJUSTMENT 23-001
TO PERMIT A DENSITY BONUS OF TWO UNITS PURSUANT TO
MC §17.138.040 (TOWN DENSITY BONUS ORDINANCE) FOR A MULTI-FAMILY
RESIDENTIAL PROJECT CONSISTING OF FOUR UNITS
LOCATED AT 60 JOAQUIN ROAD
(APN: 033-121-035-000)**

WHEREAS, a request for consideration of a Tentative Tract Map, Use Permit, Design Review, and an Adjustment were filed by the applicant, MMI Consulting, LLC, to allow an affordable, deed-restricted multi-family residential planned unit development (PUD) project consisting of four dwelling units, in accordance with Chapter 17.20 (Residential Zoning Districts), Chapter 17.68 (Use Permits), Chapter 17.88 (Design Review) Chapter 17.76 (Adjustments), and Chapter 17.138 (Town Density Bonus) of the Town of Mammoth Lakes Municipal Code, and the State Subdivision Map Act for property located within the Residential Multi-Family 1 (RMF-1) zoning district at 60 Joaquin Road; and

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing on the application request on June 14, 2023, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning and Economic Development Commission considered, without limitation:

1. The staff report to the Planning and Economic Development Commission with exhibits;
2. The General Plan, Municipal Code, Design Review Guidelines, and associated Land Use Maps;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing; and
5. Project plans consisting of:
 - a. Tentative Tract Map 23-001 Sheets 1 – 4, dated January 24, 2023;

- b. Project Plan Sheets A 0.0 – A4.1 dated May 11, 2023
- c. A Color and Material Board, received by the Town of Mammoth Lakes on January 26, 2023.

NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS.

I. CEQA.

The subject application is categorically exempt pursuant to Section 15332, In-fill Development Projects, of the CEQA Guidelines because the following criteria are met, and none of the exceptions set forth in CEQA Guidelines Section 15300.2 are present.

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.**

The project is consistent with the General Plan Land Use designation because the property is located within the High-Density Residential 1 (HDR-1) land use designation which allows residential multi-unit townhouses, condominiums, and apartments at a density of six (6) to a maximum of twelve (12) dwelling units per acre. The proposed project is a multi-family residential development located on a site with a base density of two (2) dwelling units. The project application includes a Use Permit request pursuant to Municipal Code Chapter 17.138, Town Density Bonus Program, to allow two (2) additional dwelling units of density, for a total of four-units.

The project is consistent with General Plan Land Use Policy L.2.D, which states, “For 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 under which the project is located.” The Town’s Density Bonus Program is applicable to new multi-family residential projects that are located within a zoning district that allows multi-family residential units, and have a base density of two or more dwelling units, regardless of the type of dwelling unit proposed.

The requested density bonus is also consistent with General Plan Housing Element Policy H.1.C., which states, “*Allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and/or the Town density bonus programs.*” Developers of eligible properties are encouraged to utilize the Town Density Bonus Program or the State Density Bonus program in order to accomplish the General Plan goals and policies aimed at increasing housing available to the local workforce.

The Town Density Bonus Ordinance was analyzed pursuant to CEQA, and an Addendum to the 2016 General Plan Land Use Element/Zoning Code Amendment and Mobility Element Update Program Environmental Impact Report was prepared (SCH# 2015052072). The Addendum analyzed the overall increase in the number of units and population that could result from the proposed revisions to the Town’s Density Bonus Program as compared to the buildout scenario used in the certified 2016 PEIR. The Addendum concluded that the modifications to the Town’s General Plan and Zoning Code required to implement the Town Density Bonus Program Update would not result in any new significant environmental effects or a substantial increase in the severity of

the previously identified significant effects in the 2016 PEIR. No new mitigation measures were required, and no new alternatives were identified that would substantially reduce the environmental effects beyond those previously described in the 2016 PEIR.

The project is consistent with the Residential Multi-Family 1 (RMF-1) zoning and development standards when considered with the allowed concessions to specific development standards pursuant to Municipal Code Chapter 17.138, Town Density Bonus Ordinance.

- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project site is within the Town's Urban Growth Boundary (UGB); the site is approximately 0.20 acres; and the site is substantially surrounded by urban uses including adjacent multi-family residential apartments, multi-family condominiums, and a single-family residence.

- c. The project site has no value as habitat for endangered, rare, or threatened species.**

The Project site has no value as habitat for endangered, rare, or threatened species since the site is surrounded by existing multi-family residential developments and the site does not feature a sensitive natural resource such as a wetland or watercourse.

- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

Approval of the Project would not result in any significant effects related to traffic, noise, air quality, or water quality because the Project conforms, or is required to conform, to the Municipal Code requirements for noise, air quality, and parking; the Project conforms, or is required to conform, to Public Works standards for site grading, stormwater retention, and drainage; and the Project will be required to obtain all necessary permits for construction. Additionally, the project is consistent with the applicable Town Density Bonus Program, which was analyzed pursuant to CEQA. An Addendum to the 2016 General Plan Land Use Element/Zoning Code Amendment and Mobility Element Update Program Environmental Impact Report was prepared (SCH# 2015052072) and concluded that the modifications to the Town's General Plan and Zoning Code required to implement the Town Density Bonus Ordinance would not result in any new significant environmental effects or a substantial increase in the severity of the previously identified significant effects in the 2016 PEIR. Therefore, no significant effects on traffic, noise, air quality, or water quality will result from the proposed development of the site.

- e. The site can be adequately served by all required utilities and public services.**

The site can be adequately served by all required utilities and public services because all necessary utilities and services are currently provided or can be extended to the site. The Project plans were routed to the Mammoth Community Water District (MCWD) and the Mammoth Lakes Fire Protection District (MLFPD), and all comments received have been provided to the applicant and will be incorporated into the Project as required by the permit approval process for those agencies. Additionally, at the time of building permit issuance, development impact fees (DIF) will be paid.

- f. None of the exceptions set forth in CEQA Guidelines Section 15300.2 apply because:**

- (1) in-fill development projects are classified as Class 32 by the California Secretary for Resources and are not subject to the special circumstances applicable to projects classified as Classes 3, 4, 5, 6, and 11;
- (2) the cumulative impact from successive projects over time will not be significant because the proposed use is consistent with the allowed and previously anticipated uses for the zone and the density of the project is allowed pursuant to the Town Density Bonus Program;
- (3) the proposed activity will not have a significant effect on the environment because the site is a small infill site surrounded by developed urban uses and the development is consistent with all development and design standards of the Zoning Code, with the exception of the allowed concessions permitted in conjunction with the Town density bonus;
- (4) the site is not adjacent to a scenic highway;
- (5) the site is not located on a hazardous waste site pursuant to the list of Hazardous Waste Substances maintained by the Town; and
- (6) there are no known historical resources on the site and therefore there is no possibility of causing a substantial adverse change in the significance of an established historical resource as a result of the project.

II. MUNICIPAL CODE FINDINGS.

A. FINDINGS FOR USE PERMIT (Municipal Code Section 17.88.060 and 17.138.060)

1. **The proposed use is consistent with all applicable sections of the General Plan and Title 17 and is consistent with any applicable specific plan or master plan;**

The proposed use is a multi-family residential project that includes a density bonus request to allow two additional units above the base density of two dwelling units for a total of four units. The proposed use requires a Use Permit pursuant to the Town Density Bonus Program.

The proposed use is consistent with the General Plan Land Use designation because the property is located within the High-Density Residential 1 (HDR-1) land use designation which allows residential multi-unit townhouses, condominiums, and apartments at a density of six (6) to a maximum of twelve (12) dwelling units per acre. With adherence to the Town Density Bonus Program requirements, the use is consistent with the applicable Municipal Code sections.

The project is consistent with General Plan Land Use Policy L.2.D, which states, “For 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.”

The Town’s Density Bonus Program is applicable to new multi-family residential projects that are located within a zoning district that allows multi-family residential units, and have a base density of two or more dwelling units, regardless of the type of dwelling unit proposed. The requested density bonus is also consistent with General Plan Housing Element Policy H.1.C., which states, “*Allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and/or the Town density bonus programs.*” Developers of eligible properties are encouraged to utilize the Town Density Bonus Program or the State

Density Bonus program in order to accomplish the General Plan goals and policies aimed at increasing housing available to the local workforce.

There is no specific plan or master plan applicable to the project.

- 2. The proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity; and**

The site layout and project design ensures that the multi-family uses and residential density proposed for the site will be occupied and operated in such a way that will not be detrimental to the health and safety of the surrounding community nor injurious to properties or improvements in the vicinity because the additional two residential units can be accommodated on the site without eliminating or reducing essential amenities such as enclosed parking, guest parking, and private outdoor living space.

- 3. The proposed project will generate a sufficient number of Eligibility Points required for the bonus amount requested;**

The project is required to generate 100 points based upon the Town Density Bonus Program calculation. The applicant is proposing to deed restrict all four units to the “Middle-Income” affordability level category, which exceeds the required 100 points pursuant to the Eligibility Points Schedule for the Town Density Bonus Program. Therefore, the project will generate a sufficient number of eligibility points required to grant the requested density bonus of two units.

- 4. The proposed project is compatible with the surrounding neighborhood with regards to building scale, form, materials, and street orientation;**

The proposed buildings and site improvements combine together in an attractive and visually cohesive manner that is compatible with and complements the character of the surrounding multi-family residential neighborhood. The surrounding neighborhood consists of a mixture of multi-family and single-family housing types at varying densities.

The proposed parking layout for the project meets the required amount of parking and ensures that the property will be able to accommodate its share of parking needs within the surrounding community.

The building forms and facades provide variation and visual interest through the incorporation of different materials and colors, a variety of window shapes and sizes, and the addition of a pedestrian entrance on the east side of the project adjacent to Joaquin Road.

- 5. The incentive or concession is required in order to make the project feasible, and the incentive or concession requested is the minimum departure from the requirements of this Zoning Code necessary to make the housing project feasible.**

The application requests four incentives/concessions as allowed by the Town’s Density Bonus Ordinance. The project is automatically eligible for one of the allowed concessions specified in the Ordinance, and three additional concessions are requested in exchange for all four units being deed restricted, which would not be required based on the Eligibility Point Schedule. The requested concessions include an increase in the allowable lot coverage from 50% to 66%; a 20% reduction in the north side yard setback from 10 feet to 8 feet; and a reduction of two of the multi-family residential development standards, which include the standard that limits paving of the front setback area to 40% and the standard that requires 75% of the façade of each building adjacent to a public street be occupied by habitable space with windows. The requested

concessions have been analyzed and it has been determined that they are the minimum departure from the Zoning Code to make the project feasible because:

- (a) the proposed increase in lot coverage is necessary to accommodate the two building footprints, the access driveway, and the exterior guest parking spaces;
- (b) the reduction of the north side yard setback is necessary to accommodate a building footprint with a depth to allow for two tandem parking spaces and an access driveway that is of sufficient width to allow for an adequate turning radius to access the garages;
- (c) the increase in the front yard paving is necessary to allow for each unit to have an unenclosed parking space; and
- (d) the requirement for the street facing façade to be 75% habitable space could not be achieved because the internal staircases were placed on the internal shared wall of the duplex building, rather than on the exterior walls, to allow for the kitchen to have a window and natural sunlight, whereas if the staircases were on the exterior wall, the 75% requirement would have been met, but at a detriment to the floor plan layout.

B. FINDINGS FOR DESIGN REVIEW PERMIT (Municipal Code Section 17.88.060)

1. The project is consistent with the applicable standards and requirements of the Municipal Code.

The project is consistent with the applicable standards and requirements of the Zoning Code because the project complies with all applicable regulations of the Residential Multi-Family 1 (RMF-1) zone, including, but not limited to density (*Town density bonus granted*), lot coverage (*concession granted*), setbacks (*concession granted*), building height, snow storage, parking, solid waste/recycling, and specific land use regulations identified in Municipal Code §17.52.210 for multi-family residential projects (*concessions granted*).

The project includes four concessions from the applicable development standards because the project will result in a greater number of deed restricted units than is required by the Town Density Bonus Ordinance. The allowed concessions are:

- An increase in the allowable lot coverage from 50% to 66.3% - Allowed concession per 17.138.050(A)
- A 20% reduction of the north side yard setback - Additional concession per 17.138.050(B)
- A reduction of the multi-family residential standard that allows a maximum of 40% of the total area of the front yard setback to be paved. - Additional concession per 17.138.050(B)
- A reduction of the multi-family residential standard that requires projects to be designed so that at least 75% of the façade of beach building adjacent to a public street is occupied by habitable space with windows. - Additional concession per 17.138.050(B)

With approval of the requested concessions the project complies with the applicable Municipal Code standards.

2. The project is consistent with the General Plan and any applicable specific plan or master plan.

The proposed project is consistent with the 2007 General Plan land use designation for the site, which is designated as High Density Residential 1 (HDR-1) and, “*allows residential multi-unit townhouses, condominiums and apartments at a density of six to a maximum of twelve dwelling units per acre. This designation applies to the Sierra Valley District, the Shady Rest Tract, and portions of the Old Mammoth District...*” (General Plan, Pg. L-4). The requested density bonus is consistent with General Plan Land Use Policy L.2.D., which directs staff to encourage the development of workforce housing by offering a Town Density Bonus Program, in addition to the State density bonus program, to allow multi-family residential projects to construct up to twice the base density identified for the designation in which the project is located. The General Plan Housing Element Policy H.1.C. also directs staff to allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and/or the Town density bonus programs.

In March, 2020, Town Council adopted the updated Town Density Bonus Program so that developers of eligible properties are encouraged to utilize the Town Density Bonus Program or the State Density Bonus program in order to accomplish the General Plan goals and policies aimed at increasing housing available to the local workforce. The proposed project will result in four deed-restricted units available to the local workforce.

There is no specific plan or master plan applicable to the project.

3. The project is consistent with the Town of Mammoth Lakes Design Guidelines.

The project is consistent with the Design Guidelines in that the building design provides variation and visual interest through the incorporation of different materials and colors, a variety of window shapes and sizes, and the addition of a pedestrian entrance on the east side of the project adjacent to Joaquin Road.

The project utilizes different materials, textures, and colors, which consist of a natural “hearthstone” grooved panel on top story and a smooth dark “plunge pool” colored panel on the bottom stories that incorporates accents of natural grooved “hearthstone”. The project utilizes a change in materials and color to distinguish stories.

4. The project is consistent with the following additional Design Criteria (Zoning Code §17.88.050):

- a. The site design and building design elements including the architectural style, size, design quality, use of building materials, and similar elements, combine together in an attractive and visually cohesive manner that is compatible with and complements the desired architectural and/or aesthetic character of the area and a mountain resort community, encourages increased pedestrian activity, and promotes compatibility among neighboring land uses.**

The proposed buildings and site improvements combine together in an attractive and visually cohesive manner that is compatible with and complements the character of the surrounding neighborhood. In the context of the surrounding multi-family residential uses, the proposed design of the project provides appropriate scale and incorporates attractive architectural details.

The building forms and facades provide variation and visual interest through the incorporation of different materials and colors, a variety of window shapes and

sizes, and the addition of a pedestrian entrance on the east side of the project adjacent to Joaquin Road.

The project utilizes different materials, textures, and colors, which consist of a natural “hearthstone” grooved panel on top story and a smooth dark “plunge pool” colored panel on the bottom stories that incorporates accents of natural grooved “hearthstone”. The project utilizes a change in materials and color to distinguish stories.

b. The design of streetscapes of streetscapes, including street trees, lighting, and pedestrian furniture, is consistent with the character of commercial districts and nearby residential neighborhoods

Not applicable, as the street network in this area is already established and no additional streetscape improvements are required for the proposed project.

c. Parking areas are located, designed and developed to foster and implement the planned mobility system for the area; buffer surrounding land uses; minimize visibility; prevent conflicts between vehicles and pedestrians and cyclists; minimize stormwater run-off and the heat-island effect; and achieve a safe, efficient, and harmonious development.

The proposed parking meets the required amount for the project. Each unit consists of a private enclosed garage space with two tandem parking spaces. The project also consists of four guest spaces, which is greater than the two spaces that are required. The garage door design and color is coordinated with the design of the project and the garage doors are oriented to the south, which minimizes visibility of the garage doors from Joaquin Road, and provides desirable solar orientation for snow melt within the driveway area. The proposed parking configuration ensures that the project will accommodate its share of parking needs on-site, which will help avoid conflicts between vehicles and tenants with enclosed, assigned parking spaces.

d. Down-directed and shielded lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, minimize light pollution and trespass, and avoid creating glare.

Conformance with Municipal Code lighting standards is included as a condition of approval for this project. Exterior light pollution and trespass will be minimized through the use of exterior downward-directed and shielded lighting.

e. Landscaping is designed to conserve water resources, promotes a natural aesthetic, and be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape.

The proposed project preserves 11 trees with a diameter at breast height (DBH) of 12 inches or greater. After construction the site will be left in a natural state with minimal landscaping taking place.

5. The project is consistent with any approved tentative map, use permit, variance, or other planning or zoning approval that the project required.

The proposed project is consistent with the associated use permit because the project is a new multi-family residential development and includes a density bonus request pursuant to the Town Density Bonus Ordinance. The design review permit is processed concurrently with the use permit and therefore, will be consistent.

C. FINDINGS FOR ADJUSTMENT (Municipal Code Section 17.76.040)

Vehicle Parking in a Required Setback Area Adjustment:

- 1. A significant public benefit will result (e.g., protection of trees or other significant features, enhanced circulation, or improved landscaping or snow storage;**

The Adjustment application requests the allowance of two guest parking spaces located in the required front yard setback area in a position that is not in front of a garage. This request is an allowed Adjustment pursuant to Municipal Code §17.76.020.

Locating the two guest parking spaces in the front setback enhances the circulation on the project site while providing one unenclosed guest parking space for each unit. Overall, circulation will be enhanced by providing more space for vehicles to turn around and move out of the traffic lane so other residents and vehicles can move more freely. Additionally, there is a required 10 foot irrevocable offer of dedication (IOD) to the Town along the front property line which further reduces the overall depth of the site and impacts where parking could be located.

III. SUBDIVISION MAP ACT FINDINGS. (State Map Act §66474)

- a. The proposed map is consistent with applicable general and specific plans.**

The proposed map is consistent with the applicable General Plan because the project is located within the High-Density Residential 1 (HDR-1) land use designation which allows residential multi-unit townhouse, condominiums, and apartments at a density of six (6) to a maximum of twelve (12) dwelling units per acre and the proposed project is a multi-family residential planned unit development with a base density of two dwelling units consistent with the HDR-1 land use designation.

The proposed project includes a density bonus request for two additional units above the property's base density of four dwelling units. The Town's Density Bonus Program (Municipal Code Chapter 17.138) was updated and adopted by Town Council in March 2020, to provide greater flexibility and to allow smaller multi-family residential projects to qualify for the program. The 60 Joaquin project is eligible to receive the additional units of density because it is a new multi-family residential project that is located within a zoning district that allows Multi-Family Residential uses and has a base density greater than or equal to two dwelling units. All of the units in the proposed project will be restricted to the middle-income level (i.e., 150% AMI or \$109,600 for a family of 3), meaning that the project will provide a greater number of deed restricted units than otherwise required and will exceed the minimum number of base density units needed to be restricted to qualify for the desired density bonus.

The property is not located within a specific plan area.

- b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.**

The design and improvements of the subdivision are consistent with the applicable General Plan because the project complies with the Municipal Code development standards applicable to new multi-family residential projects, and the requested adjustment adheres to the limitations for allowable adjustments to the development standards.

The Town's Density Bonus Program provides one automatic incentive or concession that may be chosen from several options listed in MC §17.138.050.A, and the applicant has chosen to utilize the concession that allows an increase in the allowable lot

coverage, to permit an increase from the allowed 50% to a total lot coverage of 66.3%. Additionally, pursuant to MC §17.138.050(B), when an applicant provides a greater number of deed restricted units than otherwise required, they can receive two or more incentives or concessions from those listed in MC §17.138.050(A). The additional concessions requested by the applicant include reducing the north side yard setback by twenty percent; and a reduction of two of the multi-family residential development standards, which include the standard that limits paving of the front setback area to 40% and the standard that requires 75% of the façade of each building adjacent to a public street be occupied by habitable space with windows.

The property is not located within a specific plan area.

c. The site is physically suitable for the type of development.

The site is physically suitable for this type of development because the property is relatively flat and requires minimal grading. The property is zoned for multi-family residential uses and the surrounding land uses consist of multi-family residential properties that were developed at similar densities to that proposed for this project. The project complies with the applicable development standards of the Municipal Code and the requested adjustment to allow two parking spaces in a setback area are allowed by the Municipal Code.

d. The site is physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development because the site is eligible for the requested density bonus of two additional dwelling units through the Town Density Bonus Program. The project design shows that four dwelling units can be accommodated on the site while adhering to the majority of the applicable development standards for multi-family residential projects. The two parking spaces located in the front setback area are approved through an adjustment and are allowed by the Municipal Code.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environment damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision is not likely to cause substantial environment damage or substantially injure fish or wildlife because the property is not located within an environmentally sensitive area and was found to be categorically exempt from environmental review pursuant to Section 15332, In-Fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines.

f. The design of the subdivision and types of improvements is not likely to cause serious health problems.

The design of the subdivision is not likely to cause serious public health problems since no evidence has been submitted during the planning review process to indicate that the development would cause any serious public health problems. All necessary public services are currently provided or can be extended to the site to assure health and safety for those individuals occupying and using the site facilities. Grading and building permits will be obtained to ensure all applicable health and safety requirements are complied with.

- g. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

The design of the subdivision will not conflict with easements for access through the property because there are no access easements located on the property.

SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS.

The Planning and Economic Development Commission hereby takes the following actions:

1. Finds that this project is categorically exempt pursuant to Section 15332, in-Fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines;
and
2. Approves Tentative Tract Map 23-001, Use Permit 23-001, Design Review 23-001, and Adjustment 23-001 subject to the following conditions:
(SEE EXHIBIT “A”); and
3. Directs staff to file a Notice of Exemption.

PASSED AND ADOPTED this 14th day of June 2023, by the following vote, to
wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

RECUSED:

ATTEST:

Sandra Moberly,
Community and Economic Development
Director

Michael Vanderhurst
Chair of the Mammoth Lakes Planning
and Economic Development
Commission

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

APPLICANT:

I, Mark Rafeh, an authorized representative for MMI Consulting LLC, the applicant, do hereby attest that I have read, and agree to, the conditions of approval stipulated within this Resolution.

Mark Rafeh
(Notary Required)

Date: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Mono

On _____ before me, _____
personally appeared _____
who proved to me on the basis of satisfactory evidence to be the persons whose
name(s) is subscribed to the within instrument and acknowledged to me that he
executed the same in his authorized capacity (ies), and that by his signature(s) on
the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

PROPERTY OWNER:

I, Daniel C. Holler, an authorize representative for the Town of Mammoth Lakes, the property owner, do hereby attest that I have read, and agree to, the conditions of approval stipulated within this Resolution.

Daniel C. Holler
(Notary Required)

Date: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Mono

On _____ before me, _____
personally appeared _____
who proved to me on the basis of satisfactory evidence to be the persons whose
name(s) is subscribed to the within instrument and acknowledged to me that he
executed the same in his authorized capacity (ies), and that by his signature(s) on
the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

EXHIBIT “A”
Resolution No. PEDC 2023-05
Case No. TTM 23-001, UPA 23-001, DR 23-001, and ADJ 23-001
PLANNING DIVISION CONDITIONS

STANDARD PLANNING CONDITIONS

1. This approval authorizes the following: Subdivision of the 0.20-acre parcel identified as Assessor Parcel No. 033-121-005-000, for a 4-unit multi-family planned unit development (PUD) consisting of two duplex residential structures, as shown on Sheets 1- 4 of Tentative Tract Map 23-001, dated January 24, 2023 and Project Plan Sheets A 0.0 – A 4.1 dated May 11, 2023
2. The approved site and building plans including Sheets 1- 4 of Tentative Tract Map 23-001, dated January 24, 2023 and Project Plan Sheets A 0.0 – 4.1 dated May 11, 2023; shall be adhered to and maintained for the duration of the permit.
3. This permit and all rights hereunder shall automatically terminate unless the site preparation or construction has been commenced within two years after the issuance of this permit and such work is diligently carried on until completion, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.
4. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.
5. This resolution of approval, as conditioned herein, shall be recorded for the subject property by the Mono County Recorder’s Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.
6. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Outdoor storage of equipment and other materials, except for firewood, is prohibited. Non-operating vehicles, equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.
7. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its pre-existing condition by the permittee.
8. All conditions of this permit shall be met or secured prior to final occupancy approval of any tenant improvements or new structures.
9. All uses are subject to review by the Building Official of the Town of Mammoth Lakes and must conform to occupancy ratings of the structures to obtain occupancy.
10. Town staff shall have the right to enter the subject property to verify compliance with these conditions. The holder of any permit associated with this project shall make the premises available to Town staff during regular business hours and shall, upon request make records and documents available to Town staff as necessary to evidence compliance with the terms and conditions of this permit.

11. Prior to the issuance of a building permit, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on this project processing account.
12. Where compliance with the conditions of approval or applicant initiated changes to the plans require additional staff review, that review time shall be billed at the Town's established billing rates. Prior to the issuance of a building or grading permit, the applicant shall pay all outstanding costs for the processing of this application.
13. The approved site and building plans shall be adhered to and maintained for the duration of the permit.
14. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.
15. Prior to issuance of a grading or building permit, the applicant shall obtain a secondary source permit or letter of exemption from the Great Basin Unified Air Pollution Control District.
16. The applicant shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval. The Town shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense.
17. All exterior lighting shall comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, Exterior Lighting. Exterior light fixtures having a total of over 400 lumens of output shall be equipped with shields that extend below the horizontal plane of the light source to direct the light downward onto the structure or surrounding grounds. Accent lighting is permitted as described in Municipal Code Section 17.36.030.F.6. This shall be verified prior to issuance of a certificate of occupancy.
18. If a propane tank is to be installed, rather than use the propane franchise line, the tank shall be painted tan pursuant to Municipal Code Section 17.36.080.B.
19. If the aggregate landscaped area exceeds 500 sq. ft., a landscape documentation package shall be required prior to issuance of a certificate of occupancy. Said landscape documentation package shall conform with the requirements identified in Municipal Code Chapter 17.40 (Water Efficient Landscape Regulations). The aggregate landscape area is defined as the total horizontal surface area dedicated to plant installation and irrigation plus the wet surface of any decorative water features. The landscape area for shrubs and trees shall be determined using the shrub/tree mature growth diameter or drip line. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, or other pervious or non-pervious hardscapes outside of planted areas. Landscape area does not include undisturbed areas with established non-irrigated vegetation, or landscaping that is exempt pursuant to Municipal Code Section 17.40.020.D.

If the project qualifies for an exemption from the landscape documentation requirements pursuant to Municipal Code Section 17.40.020.D, the Water Efficient Landscape Ordinance Exemption form shall be completed by the property owner and the completed form shall be submitted to the Town prior to issuance of a certificate of occupancy.
20. A valid building permit and a permit from the Mammoth Lakes Fire Protection District are required before any building can begin on-site.
21. Proposed water and sewer connections require a Connection Permit from Mammoth

Community Water District. Prior to the Town authorizing any construction, the applicant shall obtain water and sewer permits from Mammoth Community Water district and pay applicable fees to the District.

22. New or changed improvements, exterior illumination, elevations, designs, materials, or colors shall conform to the adopted Design Guidelines of the Town of Mammoth Lakes and will require review and approval from the Town of Mammoth Lakes Community and Economic Development Department or Planning and Economic Development Commission pursuant to Municipal Code Chapter 17.88.
23. A certificate of occupancy is required for all future tenant improvements within the subject structure. Tenant improvements shall identify occupancy separation requirements, disabled access requirements and compliance with all applicable building, electrical, plumbing, and fire code requirements.
24. Zoning entitlement conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.

SPECIAL PLANNING CONDITIONS

25. Before a certificate of occupancy is issued for the project, the applicant shall certify to the Director that the Eligibility Points upon which the project's residential density bonus was based have been achieved. To satisfy this condition, evidence shall be provided that a Workforce Housing Agreement consistent with Municipal Code Section 17.138.090 has been recorded on title for the property, and that the four units are deed restricted at the agreed upon "Middle-Income" affordability level for a minimum term of 55 years. The Town shall be named as a party in the Workforce Housing Agreement and all subsequent deed restrictions.
26. Before a certificate of occupancy is issued for a project, the applicant shall provide evidence to the Town that transient rentals are prohibited for all units within the development. Evidence shall consist of a deed and/or use restriction satisfactory to the Town prohibiting transient rentals that has been recorded against all units within the development.
27. The total number of deed restricted units required for the density bonus shall not be reduced or otherwise eliminated without the approval of the review authority. To grant such approval, the review authority must find that there is a corresponding reduction in density.
28. The individual unit trash carts shall be located on the premises prior to the issuance of the Certificate of Occupancy.
29. Pursuant to the Federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey, except as otherwise provided by FGC or any regulation made pursuant thereto. Completion of a nesting bird survey by a biologist with relevant qualifications within three days of initiation of site disturbance is recommended for projects that have the potential to disturb suitable nesting habitat, which may include riparian vegetation, mature trees, snags, and structures.
30. The Building Division will require that a string line be run between the property monuments on the east (front property line), west (west side property line), and north (north side property line) at the time of foundation inspection to verify the actual field distance from the structure to the property line.
31. All exterior wood products shall comply with the Wildland Urban Interface (WUI) construction materials requirements certified by the State Fire Marshal's Office and be in compliance with Chapter 7A of the 2016 California Building Code. Plywood or OSB sheeting shall be a minimum of one-half inch thickness with approved siding material

placed over top.

32. All eave and crawl space ventilation shall resist the intrusion of flame and burning embers and comply with Chapter 7A of the California Building Code and local modifications.
33. The structure shall comply with NFPA 13R automatic fire sprinkler requirements as required by Section 903.2.8 and 903.3 of the California Fire Code. A deferred submittal for sprinkler plans and calculations will be acceptable.

ENGINEERING DIVISION CONDITIONS

STANDARD CONDITIONS / GENERAL REQUIREMENTS:

34. A final map, consistent with the tentative map and the conditions herein, shall be recorded with the County Recorder of Mono County prior to the expiration of the approved tentative map. The final map shall conform to the Subdivision Map Act and the Subdivision Ordinance for the Town of Mammoth Lakes. The tentative map shall expire 24 months after the approval date. Failure to record the final map prior to the expiration will nullify all approvals, except as such time limitation may be extended by law or by the Planning and Economic Development Commission in accordance with the Subdivision Map Act.
35. The maintenance of graded slopes and landscaped areas shall be the responsibility of the developer until the transfer to individual ownership or until the maintenance is officially assumed by an appropriate district or property owners' association.
36. All new utility lines within, adjacent to, or serving the site shall be placed underground.
37. The site grading design and all building construction shall conform to State and federal disabled access regulations.
38. Paved access is required to a maintained street. Street and traffic signs shall meet the California Manual of Uniform Traffic Control Devices (MUTCD).
39. Landscaping and irrigation systems within the public right of way, adjacent to the project area and within the project shall be maintained by property owner, with the exception of benefit assessment district areas.
40. Nothing in the approval of this tentative tract map shall be construed to allow for the deviation, adjustment, variance or non-conformance of any Municipal Code or ordinance, or of any local, State or federal standard, policy, regulation or law, unless specifically provided for herein.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO APPROVAL BY STAFF OF THE FINAL MAP

41. The final map shall conform to the requirements of Town of Mammoth Lakes Ordinance 84-10 and all amendments thereto.
42. All easements and dedications shall be in a form and content acceptable to the Public Works Director.
43. The applicant shall submit to the Town an electronic file of the final map in AutoCAD, or other format as may be approved by the Public Works Director, within 30 days of approval of the final map.
44. Copies of all exceptions, easements, restrictions and encumbrances listed in the preliminary title report together with a copy of the current grant deed and a current title report, a copy of each record map for the subject property shown within the tentative map boundary, and a copy of each and every adjacent map, deed or other document as necessary that establish,

- or were used for the survey of, and for the retracement of the subdivision boundary shall be submitted with the initial submittal of the final map.
45. Monumentation of the subdivision shall be installed in accordance with the Subdivision Ordinance of the Town, Ordinance 84-10.
 46. A form of security listed in Government Code Section 66499(a) shall be posted with the Town in a form acceptable to the Town Surveyor for any deferred final monumentation for the final map. The estimated amount of the surety shall be prepared by the licensed land surveyor preparing the final map and shall be approved by the Town Surveyor. The estimates shall be at prevailing wage rates and shall include 20% for construction contingencies and 20% for administrative costs.
 47. All easements or dedications as shown on the tentative map shall be granted on the final map or recorded by separate document prior to or concurrent with recordation of the final map in a form and in content acceptable to the Town. Easements to be recorded by separate document shall be submitted to the Town for review and approval. The fully executed documents shall be submitted to the Public Works Director prior to approval of the final map. Easements shown on the tentative map to be granted or dedicated shall indicate the beneficiary of the easement(s).
 48. All documents that are required to record prior to or concurrent with the recordation of the final map shall be reviewed and approved by the Town and shall be fully executed, notarized and ready for recordation prior to approval of the final map by Town staff. The originals of the executed documents shall be delivered to the Public Works Director together with the final map prior to approval of the final map.
 49. The CC&Rs shall contain provisions granting rights of access and parking, as necessary, to the owners, tenants, and their guests, of the PUD units.
 50. Existing CC&Rs, if any, encumbering the property shall be amended as necessary for the proposed development of this project.
 51. The applicant shall submit a request for unit, building and street addressing to the Town. Approval of the addressing shall be completed prior to approval of the final map by staff.
 52. For planned development projects the following statement shall appear on the signature sheet of the final map: "THIS SUBDIVISION IS A PLANNED DEVELOPMENT AS DEFINED IN SECTION 4175 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, CONTAINING A MAXIMUM OF 8 ROOMS WITHIN 4 RESIDENTIAL UNITS AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT."
 53. Prior to approval of the final map by staff, the applicant shall provide evidence to the Town that the property taxes have been pre-paid to Mono County Tax Collector or their payment has been secured by the filing of a surety bond or other cash-equivalent security acceptable to the County.
 54. As required by the Town's Subdivision Ordinance Section 17.20.160 and the most recent Town Council Resolution adopting a Schedule of Fees, the applicant shall pay a fee for each unit, parcel or lot, including lettered lots and parcels and common area lots or parcels, created to the Community and Economic Development Department for long range planning reimbursement prior to approval by staff of the final map.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

55. Applicant shall be responsible for adhering to the Federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3503.5. It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey, except as otherwise

provided by FGC or any regulation made pursuant thereto. Completion of, and submission to the California Department of Fish and Wildlife of, a nesting bird survey by a biologist with relevant qualifications within three days of initiation of site disturbance is recommended for projects that have the potential to disturb suitable nesting habitat, which may include riparian vegetation, mature trees, snags, and structures.

56. Applicant shall be responsible for obtaining a secondary source permit or letter of exemption from the Great Basin Unified Air Pollution Control District.
57. All grading and public improvements, including driveways and parking areas, shall be consistent with the Town of Mammoth Lakes Standard Plans for Public Works.
58. A grading permit for the project may only be issued prior to issuance of building permit if both the following have occurred:
 - a. Submission of a complete application for a building permit to the building division of the Community and Economic Development Department. The building official shall make the determination as to whether or not the application is complete; or
 - b. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to secure restoration of the site. Construction cost estimates for all required sureties shall be prepared and signed by a registered civil engineer. The estimates shall be at prevailing wage rates and shall include 20% for construction contingencies and 20% for administrative costs and shall be reviewed and approved by the Public Works Director or designee prior to execution.
59. An encroachment permit or a letter of exemption shall be obtained from the Engineering Services Division of the Town prior to construction within the public right-of-way in accordance with Chapter 12.04 of the Municipal Code. Encroachment permit applicant shall include a traffic control plan as applicable.
60. Prior to issuance of a grading permit or building permit, Applicant shall submit to the Town a geotechnical report that confirms that the proposed stormwater retention infiltrator locations will not be subject to groundwater entering the drywell or cause leaching. A sediment and oil water separator shall be installed in conjunction with the infiltrator, substantially in conformance with NPDES water quality Phase 2 requirements.
61. Drainage across the property shall be maintained. The design of the grading and drainage facilities shall not create concentrated discharges to adjacent properties and/or public rights of way in excess of historical flows. A registered civil engineer shall investigate existing facilities and design adequate drainage facilities to intercept and conduct the drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties. The Engineer shall verify that downstream facilities, and drainage channels accepting site flows are not adversely affected by an increase in runoff from this development. If the project does create concentrated or sheet flows off-site that are greater than historical, the applicant shall demonstrate that the downstream facilities can accommodate the increased flows; otherwise, the applicant shall provide on-site detention for excess flows.
62. Temporary and permanent erosion control plans shall be included with the grading, improvement, and building plans. Continuous water spraying or other approved methods shall be used during grading operations to control fugitive dust. Drop inlet filters and other temporary Best Management Practices shall be employed to filter nuisance water from storm drain inlets affected by construction, on-site and off-site. Groundwater pollution from urban run-off water generated by the project shall be mitigated using best management practices (BMPs), per the requirements of the California Regional Water Quality Control Board, Lahontan District, and as indicated in the "New Development and Redevelopment Guidelines". The applicant shall apply for and obtain all required permits, written clearances

or exemptions from the Lahontan District prior to any grading. All BMPs shall be shown on the erosion control plans. If the Town inspector determines that the BMPs in place are not adequate, then additional BMPs shall be installed at the discretion of the Town inspector or a revised erosion control plan shall be prepared for approval by the engineering services division. Gravel bags shall be used in lieu of sandbags. All permanent erosion control measures shall be irrigated for at least one season. Permanent BMPs shall include sediment traps upstream of infiltrators and oil water separators for parking areas consistent with the General Plan.

63. On the cover sheet of the grading plans and in a very conspicuous location place the following note: "The conditions of approval for the approved tentative tract map, TTM 23-001, UPA 23-001, DR 23-001, and ADJ 23-001, shall be made a part of these plans and the grading permit and all conditions and requirements therein shall be adhered to by the contractor, his sub-contractors and any person performing any work on the project."
64. The grading plan and building permit plans shall indicate all snow storage areas and drainage facilities.
65. All easements shall be shown on the grading and building permit plans.
66. A tree removal plan shall be approved prior to any land disturbance and the issuance of a grading or building permit. A pre-construction meeting shall be held on-site prior to any land disturbance to inspect clearing limit fencing. The applicant shall obtain a Timber Harvest Permit or exemption prior to any tree removal.
67. The grading plan shall include tree protection measures to address how construction can occur without disturbing the drip-line of retained trees. The drip-line areas shall be "fenced" off with barriers to prevent disturbance during site grading. Additionally, finish grading shall not disturb existing understory vegetation or retained trees. Grading operations shall not commence until all erosion control measures and tree protection measures are in place as shown on the approved plans, and as required by the Town.
68. For all fences, retaining and screening walls greater than 48" in height above grade, the applicant shall submit plans to and obtain a building permit from the building division.
69. Proposed water and sewer connections require a Connection Permit from Mammoth Community Water District. Prior to the Town authorizing any construction, the applicant shall obtain water and sewer permits from Mammoth Community Water district and pay applicable fees to the District.

PRIOR TO ISSUANCE OF A TEMPORARY, CONDITIONAL, OR FINAL CERTIFICATE OCCUPANCY, THE FOLLOWING CONDITIONS SHALL BE COMPLETED:

70. Recordation of the final map.
71. All required landscaping and irrigation improvements shall be constructed prior to issuance of a temporary, conditional or final certificate of occupancy for the project. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted with the Town to the satisfaction of the Community and Economic Development Department for any required landscaping and irrigation improvements to be deferred and a schedule shall be submitted to the town for the construction of the deferred improvements. Deferral of the construction of any landscaping and irrigation improvements shall be at the sole discretion of the director of the Community and Economic Development Department.
72. Address numbers shall be placed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street, consistent with Municipal Code Chapter 16.32.

73. The final Planned Unit Development (PUD) plans for the project shall be submitted to the Town for review for conformance with the approved development plan, tentative map, and CC&Rs. The PUD plans shall conform to the conditions of approval with respect to ownership of required appurtenant use areas. Issuance of a certificate of occupancy and recordation of the PUD plans shall not occur prior to Town approval of the PUD plans. The PUD plans shall be recorded prior to issuance of a temporary, conditional, or final certificate of occupancy for the project.
74. Construction of private streets and private facilities and related drainage improvements shall be inspected and certified by the Public Works Director and/or designee.
75. All required grading, public and private street and drainage improvements shall be completed, all "punchlist" items completed to the satisfaction of the Public Works Director, the as-built plans submitted, reviewed and approved and the required warranty security posted prior the issuance of a certificate of occupancy for the project.
76. Projects subject to a building permit shall have all required on and off-site improvements completed and approved prior to final inspection of any buildings or structures. The installation of any on or off-site improvements shall be sufficiently completed so as to assure protection from storm or drainage run off, a safe and drivable access for fire and safety, and the ordinary and intended use of buildings or structures. The Building Official, with the concurrence of the Public Works Director, may approve any plan or approve a change to an approved plan, which complies with the intent of this policy.

SPECIAL ENGINEERING CONDITIONS

77. Snow rails shall be installed along the east and west roof edges of both duplexes.
78. Prior to issuance of a building permit, applicant shall submit a snow removal/storage management plan in accordance with Municipal Code Section 17.36.110.B(3)(a) to the Community and Economic Development Department and Public Works Department for approval. The plan shall be in the form of a recorded document mutually agreed to between the property owner and the Town and shall describe features such as, but not limited to, location of snow storage areas, the method of snow hauling, frequency of pick-ups, pick-up areas, haul routes, hours of hauling operations, and snow deposit areas. This plan shall be included in the CC&Rs prior to final map approval by Town staff.
79. The Property owner shall execute a hold harmless agreement with the Town, releasing the Town from any liability for damage occurring as a result of snow removal operations or any other standard construction or maintenance of the right-of-way. At the time of application for building permit, applicant shall provide a copy of the most recent grant deed for the property to assist the Town in preparing the document. The agreement will need to be executed prior to obtaining certificate of occupancy.
80. Prior to building permit issuance or final map recordation, the applicant shall execute an Irrevocable Offer of Dedication (IOD) for the easterly 10 feet of the subject property adjacent to Joaquin Road. The IOD shall be for street, pedestrian infrastructure, and snow storage purposes.