

ORDINANCE NO. 10-07

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPTING DISTRICT
ZONING AMENDMENT 10-001 AND GENERAL PLAN AMENDMENT 10-
001, CHANGING THE ZONING AND GENERAL PLAN LAND USE
DESIGNATION OF PARCELS LOCATED AT 2727 & 2901 MERIDIAN
BOULEVARD (BELL SHAPED PARCEL) FROM RESORT (R) TO OPEN
SPACE (OS)**

WHEREAS, the Town Council has determined that the subject project is consistent with the goals, objectives and policies of the general plan, any applicable specific plan or adopted master plan of development, and title 17.72 of the Municipal Code because the proposed project will implement General Plan Goal R.2 which encourages "*stewardship for wetlands, wet meadows and riparian areas from development-related impacts,*" and

WHEREAS, the Town Council has determined that the subject project is in the interest of or will further the public health, safety, comfort, convenience and welfare because the change in land use designation and zoning will allow a greater level of preservation of the Bell Shaped Parcel while still allowing public uses including parks and recreation facilities; and

WHEREAS, the Town Council has determined that the subject project will not adversely affect the established character of the surrounding neighborhood nor be detrimental to adjacent properties because the change in land use designation and zoning will allow the Bell

Shaped Parcel to remain in its current state with the possibility of low intensity uses (parks, recreation facilities, etc.) being accommodated in the future; and

WHEREAS, the Town Council has determined that neighborhood infrastructure is adequate or will be modified to accommodate any increase in intensity of land use if such would occur from a change in the zone classification because the change in land use designation and zoning will lower the potential land use intensity which would, in turn, reduce the amount of infrastructure that would be necessary for a future use; and

WHEREAS, the Town Council has determined that the change in zoning and land use designation from Resort to Open Space will not prevent the Town from establishing the uses cited in the Final Order of Condemnation (recreational and/or performing arts uses).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF MAMMOTH LAKES AS FOLLOWS:

Section 1: FIND THAT THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3).

Section 2: ADOPTION OF DISTRICT ZONING AMENDMENT 2010-001, AMENDING THE TOWN'S ZONING MAP TO:

Rezone parcels identified as Assessors Parcel Numbers 033-010-047 and 033-010-260 from Resort (R) to Open Space (OS).

Section 3: ADOPTION OF GENERAL PLAN AMENDMENT 2010-001, AMENDING THE GENERAL PLAN LAND USE DIAGRAM TO:

Change the land use designation of parcels identified as Assessors Parcel Numbers 033-010-047 and 033-010-260 from Resort (R) to Open Space (OS).

Section 4: EFFECTIVE DATE OF ORDINANCE

This ordinance shall become effective and enforceable thirty (30) days from and after the date of its adoption.

Section 5: POSTING

The Town Clerk shall, within fifteen (15) days after the passage of this Ordinance, cause it to be posted at the duly designated posting places established by resolution of the Town Council, published once in a newspaper of general circulation, and entered in the Book of Ordinances of the Town.

Section 6: SEVERABILITY

If any section, subsection, subdivision paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any person or circumstance. The Town Council of the Town of Mammoth Lakes hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections,

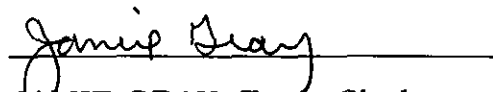
subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

The foregoing ordinance was introduced on the 2nd of June, 2010 and PASSED, APPROVED, AND ADOPTED on the 16th of June, 2010



NEIL MCCARROLL, Mayor

ATTEST:



JAMIE GRAY, Town Clerk

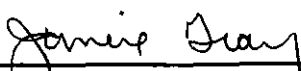
TOWN OF MAMMOTH LAKES

Notice is hereby given that on June 2, 2010 the Town Council introduced an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES,
STATE OF CALIFORNIA, ADOPTING DISTRICT ZONING AMENDMENT 10-001, AND
GENERAL PLAN AMENDMENT 10-001, CHANGING THE ZONING AND GENERAL
PLAN LAND USE DESIGNATION OF PARCELS LOCATED AT 2727 AND 2901
MERIDIAN BOULEVARD (BELL SHAPED PARCEL)
FROM REORT (R) TO OPEN SPACE (OS).

A copy of the complete text of the Ordinance is posted and may be read at the Town Offices,
Minaret Mall, Old Mammoth Road, Mammoth Lakes, and/or a copy may be obtained from the
office of the Town Clerk at a nominal charge.

Dated: June 3, 2010



JAMIE GRAY, Town Clerk
Town of Mammoth Lakes

TOWN OF MAMMOTH LAKES

Notice is hereby given that on June 17, 2010 the Town Council adopted an Ordinance entitled:

ORDINANCE NO. 10-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES,
STATE OF CALIFORNIA, ADOPTING DISTRICT ZONING AMENDMENT 10-001 AND
GENERAL PLAN AMENDMENT 10-001, CHANGING THE ZONING AND GENERAL
PLAN LAND USE DESIGNATION OF PARCELS LOCATED AT 2727 AND 2901
MERIDIAN BOULEVARD (BELL SHAPED PARCEL)
FROM RESORT (R) TO OPEN SPACE (OS).

by the following vote:

AYES: Councilmembers Bacon, Harvey, Sugimura, and Mayor McCarroll

NOES: Mayor Pro Tem Eastman

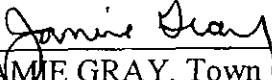
ABSENT: None

ABSTAIN: None

DISQUALIFICATION: None

A certified copy of the complete text of the Ordinance is posted and may be read at the Town Offices, Minaret Mall, Old Mammoth Road, Mammoth Lakes, and /or a copy may be obtained from the office of the Town Clerk at a nominal charge.

Dated: June 21, 2010



JAMIE GRAY, Town Clerk
Town of Mammoth Lakes

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

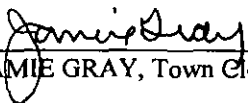
I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Ordinance No. 10-07, which was introduced at a meeting of the Town Council of the Town of Mammoth Lakes, California, held on June 2, 2010 and adopted at a meeting of the Town Council on June 17, 2010 by the following vote:

AYES: Councilmembers Bacon, Harvey, Sugimura, and Mayor McCarroll

NOES: Mayor Pro Tem Eastman

ABSENT: None

DISQUALIFICATION: None



JAMIE GRAY, Town Clerk

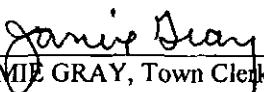
STATE OF CALIFORNIA)
COUNTY OF MONO) ss.
TOWN OF MAMMOTH LAKES)

AFFIDAVIT
OF PUBLISHING
AND POSTING

JAMIE GRAY, being first duly sworn, deposes and says: That she is the duly appointed Town Clerk of the Town of Mammoth Lakes; that in compliance with State laws of the State of California, Ordinance No. 10-07, being:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, ADOPTING DISTRICT ZONING AMENDMENT 10-001 AND GENERAL PLAN AMENDMENT 10-001, CHANGING THE ZONING AND GENERAL PLAN LAND USE DESIGNATION OF PARCELS LOCATED AT 2727 AND 2901 MERIDIAN BOULEVARD (BELL SHAPED PARCEL) FROM RESORT (R) TO OPEN SPACE (OS).

was published in summary in The Sheet newspaper on June 11 and 25, 2010 and was posted at the Town Administrative Offices.



JAMIE GRAY, Town Clerk