

RESOLUTION NO. 2017-76

**A RESOLUTION OF THE MAMMOTH LAKES TOWN COUNCIL
APPROVING GENERAL PLAN AMENDMENT 17-001
TO AMEND THE LAND USE ELEMENT'S INSTITUTIONAL PUBLIC
LAND USE DESIGNATION TO ALLOW ANCILLARY HOUSING FOR
INSTITUTIONAL USES AND
TO ALLOW PERFORMING ARTS AND CULTURAL FACILITIES AND
PHYSICAL WELLNESS AND REHABILITATION FACILITIES.**

WHEREAS, a request for consideration of a General Plan Amendment was filed by Mammoth Lakes Foundation to allow for General Plan Land Use Element amendments to the description for the Institutional Public land use designation and to the Buildout Table, in accordance with Chapter 17.112 of the Town of Mammoth Lakes Municipal Code, for properties located within the Institutional Public land use designation; and

WHEREAS, the Planning and Economic Development Commission conducted a noticed public hearing on the application request on August 9, 2017, at which time all those desiring to be heard were heard, and determined General Plan Amendment 17-001 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 17-001 to the Town Council; and

WHEREAS, the Town Council conducted a noticed public hearing on the General Plan Amendment on September 20, 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 project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15061(b)(3), the General Rule exemption. The General Rule exemption applies to projects where there is no possibility that the activity in question may have a significant effect on the environment. The proposed project, which amends the Land Use Element, does not change the permitted density or substantively modify the allowed uses. The amendments modify the Institutional Public land use designation to allow ancillary housing for institutional uses in addition to currently allowed student and faculty housing allowed accessory to Cerro Coso Community College and clarify the allowance for performing arts and cultural facilities and physical wellness and rehabilitation facilities. Any future development in the Institutional Public land use designation is subject to environmental review to address potential issues and impacts.

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's Land Use Element are 1) to amend the Institutional Public land use designation to allow ancillary housing for institutional uses in addition to currently allowed student and faculty housing allowed accessory to Cerro Coso Community College and 2) to clarify the allowance for performing arts and cultural facilities and physical wellness and rehabilitation facilities. The footnote in the Buildout Table in the Land Use Element will be amended to reflect the changes to the allowed uses in the Institutional Public land use designation description.

These amendments do not conflict with any provision in the General Plan. The amendments maintain the intent and purpose of the Institutional Public land use designation as described in the Land Use Element, do not change the associated districts' character, and provide the potential for more workforce housing.

- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town because the amendments do not increase density or substantively modify the allowed uses. Any future development in the Institutional Public land use designation is subject to environmental review to address potential issues and impacts.
- 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. The project is exempt from the provisions of CEQA pursuant to Guidelines Section 15061(b)(3), the General Rule exemption. The General Rule exemption applies to projects where there is no possibility that the activity

in question may have a significant effect on the environment. The proposed project does not change the permitted density or substantively modify the allowed uses. The amendments allow ancillary housing for institutional uses in addition to currently allowed student and faculty housing allowed accessory to Cerro Coso Community College and clarify the allowance for performing arts and cultural facilities and physical wellness and rehabilitation facilities. Any future development in the Institutional Public land use designation is subject to environmental review to address potential issues and impacts.

- 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 this would be the second 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:

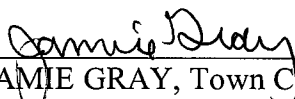
1. Adopts the required CEQA and Municipal Code findings;
2. Approves General Plan Amendment 17-001 attached hereto as Exhibit A; and,
3. Directs staff to file a Notice of Exemption.

APPROVED AND ADOPTED this 20th day of September 2017.



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. 2017-76
Case No. GPA 17-001

Revisions to the General Plan

Institutional Public (IP) This designation allows institutional uses such as schools, hospitals, governmental offices and facilities, museums, performing arts and cultural facilities, physical wellness and rehabilitation facilities, and related uses. Residential uses are not permitted, with the exception of employee housing that supports and is ancillary to the allowed institutional uses and student housing that is accessory to the College. The maximum density for ~~accessory~~ housing is four units per gross acre and subject to the HDR-1 development standards.

Buildout Table, Footnote 11. The General Plan ~~permits housing~~ allows housing ancillary to the institutional uses and accessory to the college within the IP land use designation at a density of 4 units per acre. The Kern Community College District/Mammoth Lakes Foundation ~~owns a total of 229 acres of land and has~~ own approximately 57 acres of land and have constructed 36 units of student housing.

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. 17-76 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 20th day of September, 2017, by the following vote:

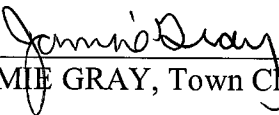
AYES: Councilmembers Fernie, Sauser, Mayor Pro Tem Hoff, and Mayor
 Wentworth

NOES: None

ABSENT: Councilmember Richardson

ABSTAIN: None

DISQUALIFICATION: None



JAMIE GRAY, Town Clerk