

Doc # 2005007123
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Date: 8/31/2005 03:27P
Filed by: MAMMOTH LAKES; TOWN OF
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of MONO COUNTY
RENN NOLAN
CLERK-RECORDER
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Town of Mammoth Lakes)
Community Development Department)
P.O. Box 1609)
Mammoth Lakes, CA 93546)

Space Above for Recorder's Use

RESOLUTION NO. PC-2005-37

**A RESOLUTION OF THE MAMMOTH LAKES PLANNING COMMISSION
APPROVING AMENDMENTS TO TENTATIVE TRACT MAP 36-161
TO AUTHORIZE ELIMINATION OF MAP CONDITIONS APPLICABLE
TO THE TRAILS SUBDIVISION
FOR PROPERTY LOCATED WITHIN THE TRAILS SUBDIVISION
(APNS: SEVERAL)**

WHEREAS, a request for consideration of an amended Tract Map was filed by the Trails Homeowners Association to authorize elimination of map conditions applicable to the Trails Subdivision, in accordance with Section 66469 (f) of the Subdivision Map Act, for property located within the Residential Single Family Zoning District at the Trails Subdivision.

WHEREAS, the Planning Commission conducted a Noticed Public Hearing on the application request on June 22 and July 13, 2005, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning Commission considered, without limitation:

1. The Agenda Report to the Planning Commission with exhibits;
2. The State Map Act, Gateway Area Specific Plan, General Plan, Municipal Code, and associated Land Use Maps;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing;
5. Project plans consisting of: (1) Recorded Tract Map 36-161 (A-D), (2) Building Setback Line Maps, dated received by the Town of Mammoth Lakes on April 26, 2005; and

WHEREAS, the Planning Commission made the following findings pursuant to Section 66469 (f) of the Subdivision Map Act:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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No. 519

State of CALIFORNIA

County of MONO

On 8/24/05 before me, ANITA HATTER, TOWN CLERK
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Thom Heller
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



ANITA HATTER, TOWN CLERK
TOWN OF MAMMOTH LAKES

WITNESS my hand and official seal.

Anita Hatter
SIGNATURE OF NOTARY TOWN CLERK

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)
TITLE(S) _____
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

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ATTACHMENT "A"
Resolution No. PC-2005-37
Case No. Amendment to TTM 36-161
Findings for Tentative Map Amendment

1. The proposed map amendment is consistent with applicable general and specific plans as specified in Section 65451 of the Subdivision Map Act because amendment to the Map does not adversely affect mitigation measures adopted for the Specific Plan Area and subdivision concerning affected land uses both within the Trails and surrounding properties. Said amendment does not compromise the methods by which they are successfully implemented. The amendment does not change density or intensity of development, or permitted uses of land.
2. The design and improvements of the subdivision are consistent with applicable general and specific plans because EIR mitigation measures are not compromised through the amendment, and since the project complies with the development standards of the Residential Single Family Zoning District. The development conforms to current Municipal Code development standards that implement the goals and policies of the Town of Mammoth Lakes General Plan because all RSF standards are applied to the development to ensure appropriate provision of the on-site open space. The property is located within the Gateway Area Specific Plan and complies with said Plan because EIR mitigation measures are appropriately implemented and because existing open space common area lots buffer adjacent land uses in the spirit of Plan objectives.
3. The site is physically suitable for the type of development because RSF standards are in effect, which include rear yard setbacks and lot coverage restrictions.
4. The site is physically suitable for the proposed density of development because the subdivision area and total number of lots, which is unaffected by the amendment, is consistent with minimum are requirements for the Low Density Residential land use designation.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor subsequently injure fish or wildlife or their habitat since the property is not located within an environmentally sensitive area and is consistent with the adopted mitigation measures of the Gateway Area Specific Plan EIR (SCH #85031104) of the California Environmental Quality Act (CEQA) Guidelines. This is because existing common area space dedicated to buffer the site, together with applicable Code requirements mitigating noise effects have proven to address impacts identified in the Gateway Area Specific Plan EIR.
6. The design of the subdivision or the types of improvements are not likely to cause serious public health problems since no alterations to the design and layout of the subdivision of the subdivision are proposed and no evidence has been submitted during the planning review process to indicate that the development would cause any serious public health problems. Reduced rear yard setbacks on lots adjoining common area parcels will not conflict with mitigation measures adopted to eliminate potential land use conflicts because evidence demonstrates that existing development requirements and dedicated open space area will be adequate in buffering land use districts. All necessary public services are currently provided,

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or can be extended to, the site to assure health and safety for those individuals occupying and using the site facilities.

7. That the design of the subdivision or 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 and the property has access to a public street with approved street alignments and widths. All utilities, and their easements, are currently in place on, or can be extended to, the property and the proposed subdivision will not impact upon adjacent property easements and/or common areas shared among condominium owners.

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ATTACHMENT "B"
Resolution No. PC 2005-37
Case No. Amendment to TTM 36-161

Tentative Map Amendment Conditions

1. Tentative Map 36-161 shall be amended to delete the following notation:
"All lots have special building setback requirements. See Mammoth Lakes Planning Dept. for special requirements."