Town of Mammoth Lakes

Planning & Economic Development Commission Recommendation Report

Date:	March 11, 2015	**Case/File No.:**	NA
Place:	Council Chambers, 2nd Floor Minaret Village Shopping Center Mammoth Lakes, CA 93546	**Project:**	Discussion of a Minimum FAR in Commercial Zones
Time:	After 2:00 p.m.	**Location:**	Commercial Zoning Districts
Agenda Item:	4	**General Plan:**	Commercial Land Use Designations
Appeal Status:	NA	**Specific Plan:**	NA
Applicant/ Owner:	NA	**Zoning:**	Downtown, Old Mammoth Road, Mixed Lodging Residential
Environmental Review:	Any action will be incorporated into FAR EIR		

TITLE: *Discussion of a Minimum Floor Area Ratio (FAR) for the Commercial Zoning Districts*

A. EXECUTIVE SUMMARY

1. Subject/Requested Actions

Planning and Economic Development Commission (PEDC) discussion/direction on an appropriate minimum Floor Area Ratio (FAR) to include in the FAR General Plan Amendment/Zoning Code Update.

2. Required Findings to Support Requested Actions

This action does not require findings.

3. Report Summary

On December 10, 2014 the PEDC requested that staff provide background and options for the establishment of a minimum Floor Area Ratio (FAR) for the Commercial Zones. A minimum FAR would require that all new projects meet a minimum level of density/intensity to ensure that new development is consistent with planning goals and objectives for the area. Staff has included information from the Main Street Plan as well as the FAR's for various projects within town to allow the Commission to consider an appropriate minimum FAR. Staff recommends that the Commission discuss the information provided and provide staff with direction on establishment of a minimum FAR.

Report Prepared By:
Sandra Moberly, Planning Manager

B. BACKGROUND

The Town does not currently regulate minimum levels of density for new projects. In the past, projects have generally been at the higher end of the density range and there has not been a perceived need for minimum density requirements within town. However, due to the economic downturn and the viability of lower density projects, the Commission requested staff to provide background on the topic of minimum FAR's for projects within the Commercial Zoning Districts.

Minimum FAR standards have been used by other jurisdictions to ensure appropriate densities in targeted areas where lower density development is not appropriate. This allows cities to anticipate future densities and urban form and ensure that future developments meet the goals, policies, and actions of their guiding documents. A potential drawback to this approach is that it may delay redevelopment where the real estate market is not sufficient to support higher densities.

The PEDC discussed the concept of a minimum FAR at their workshop on October 8, 2014. The Commission discussed the concept further at their December 10, 2014 meeting and directed staff to provide information regarding a 0.5 FAR with a caveat that would allow the Commission to approve a lower FAR under certain circumstances. A minimum FAR would be included in the CEQA analysis of the General Plan Amendment/Zoning Code Update if recommended by the PEDC.

C. ANALYSIS

There is limited information regarding the use of minimum densities in other jurisdictions similar to Mammoth Lakes. The bulk of the information is related to larger cities such as Seattle, WA which implemented a minimum density requirement after receiving a proposal which did not meet the minimum density expectations for the area. Staff has provided information from the Zoning Code Update regarding designated active frontage requirements, Main Street Plan information related to anticipated density/intensity, as well as information regarding the FAR's of existing projects in town to provide the Commission with context when discussing minimum FAR's.

Zoning Code Requirements – Designated Active Frontages

The Zoning Code Update implemented a variety of new requirements related to the commercial zones intended to ensure certain types and levels of development in the commercial zones. One new provision was the requirement for designated active frontages which require buildings to be built within five feet of the setback line as well as requiring active uses along the ground floor such as retail, outdoor dining, etc. The minimum FAR requirement being considered by the PEDC would be in addition to, and would not supersede, the designated active frontage requirement.

Main Street Plan FAR Analysis

As a part of the Main Street Plan, the Town's consultant provided test cases of development on various sites within town. The FAR ranged from .68 for a two and a half story building to 1.7 for a four story hotel. The conclusions of this analysis predict that *lower density developments such as single-story commercial retail space and for-sale residential units are likely to be pursued first* due to economic factors. While the conclusion states that these types of lower density developments could be built in a pedestrian friendly manner, they do not necessarily fit the "mixed use main street" environment that is desired. Establishing a minimum FAR within the Main Street Plan area would ensure that new development is aligned with the vision of the Main Street Plan and higher densities are achieved in desired locations within town.

Range of Minimum FAR

The Commercial Zoning Districts include three specific zones: Downtown, Old Mammoth Road, and Mixed Lodging Residential. These three zones include variations on the permitted uses, maximum height, as well as other development standards. Although the three zones include the same maximum levels of density/intensity, the Downtown Zone allows greater heights and, according to the Zoning Code, is intended to provide a "thriving mix of residential, non-residential, and lodging uses" with development standards that "concentrate development along Main Street." Because the Downtown Zone is considered the core of the Commercial Zoning Districts the Commission may want to consider requiring a higher minimum FAR in this area to ensure a higher level of density/intensity where it's most appropriate.

Town FAR Comparison Analysis

The Town conducted a FAR comparison in 2012 showing the ranges of FAR within town from 0.4 (Oak Tree and Sierra Design properties) to 2.8 (Westin). The Mammoth Lofts/AT&T building is at an estimated 0.5 FAR. It is recommended that the Commission review the FAR comparison analysis results and determine the minimum desired level of density/intensity within the commercial zones. If the Oak Tree, Sierra Design, and Mammoth Lofts/AT&T building represent the minimum level of development that should be constructed within the commercial zones, staff recommends that a minimum FAR of 0.5 be included into the General Plan/Zoning Code. Please see Attachment 1 which includes the Town's FAR comparison analysis.

Waiver of Minimum FAR

At the Commission meeting on December 10, 2014 the Commission requested that staff prepare language that could be included as a part of the minimum FAR requirement that would allow the Commission to approve a lower FAR if the minimum FAR was not feasible for a particular property or use. If the Commission would like to include the ability to approve a lower FAR, staff would suggest that it be processed as an adjustment and the Adjustment Section of the Zoning Code (Attachment 2) be amended to allow a lower FAR to be approved by an adjustment and to include appropriate findings. Findings could include: minimum FAR is not feasible due to site constraints (e.g. existing buildings, parking areas, trees, etc.), there is a significant public benefit associated with a lower FAR, or minimum FAR is not feasible due to other constraints. The Commission should discuss the concept of a caveat and what conditions would warrant a waiver of the minimum FAR requirement.

Conclusion & Summary Questions

As the Town is currently proceeding with analysis of a maximum FAR, analyzing a minimum FAR could be incorporated into the current analysis. It is recommended that the Commission review the FAR comparison analysis results and come to consensus on what the minimum FAR should be. If there is consensus that the Oak Tree, Sierra Design, and Mammoth Lofts/AT&T building represent the minimum level of development that should be constructed within the commercial zones staff recommends that a minimum FAR of 0.5 be included into the General Plan/Zoning Code. If there is consensus that a higher level of development be constructed within some or all of the commercial zones staff recommends that a minimum FAR of 1.0 be included into the General Plan/Zoning Code.

The Commission should consider the above information and provide direction to staff on the following questions:

1. What is an appropriate minimum FAR requirement for the Commercial Zones?

2. Should the minimum FAR be consistent throughout the Commercial Zones or should it be higher in one or more of the zones?
3. What conditions would warrant a waiver of the minimum FAR?

D. OPTIONS

Option 1: Recommend that staff include a minimum FAR requirement in the General Plan/Zoning Code Update. This would include analyzing the minimum FAR as a part of the CEQA analysis and Commission and Council would consider a minimum FAR as a part of the General Plan/Zoning Code Update.

Option 2: Do not recommend that staff include the analysis of a minimum FAR as a part of the FAR project. No minimum FAR would be analyzed and the General Plan and Zoning Code would continue to regulate only maximum densities.

Option 3: Provide alternate direction as necessary.

E. RECOMMENDATION

It is therefore recommended that the Planning and Economic Development Commission discuss this information and provide staff with direction on establishment of a minimum FAR.

ATTACHMENTS

Attachment 1: 2012 TOML FAR Analysis

Attachment 2: Zoning Code Chapter 17.76 - Adjustments

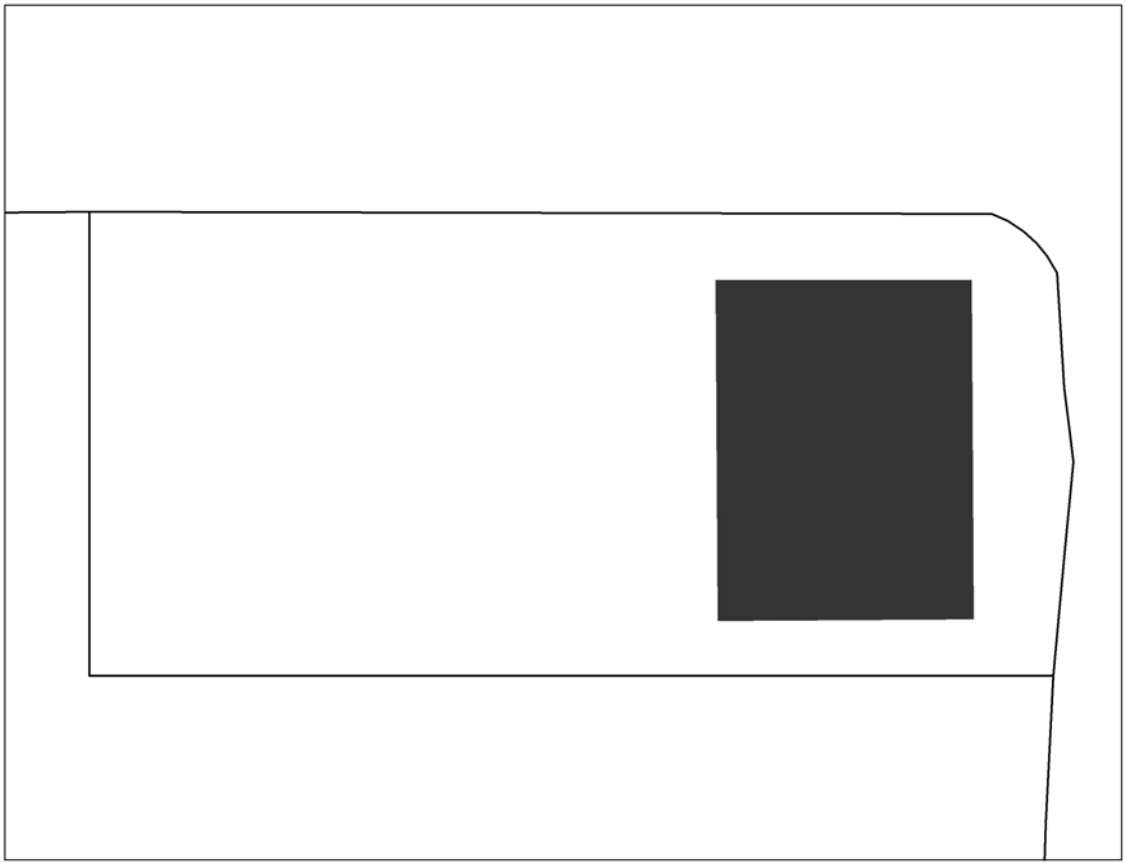
Attachment #1

COMMUNITY DEVELOPMENT
P.O. BOX 1609, MAMMOTH LAKES, CA 93546
(760) 934-8989 ext.253, fax (760) 934-8608
email: pkobylarz@ci.mammoth-lakes.ca.us

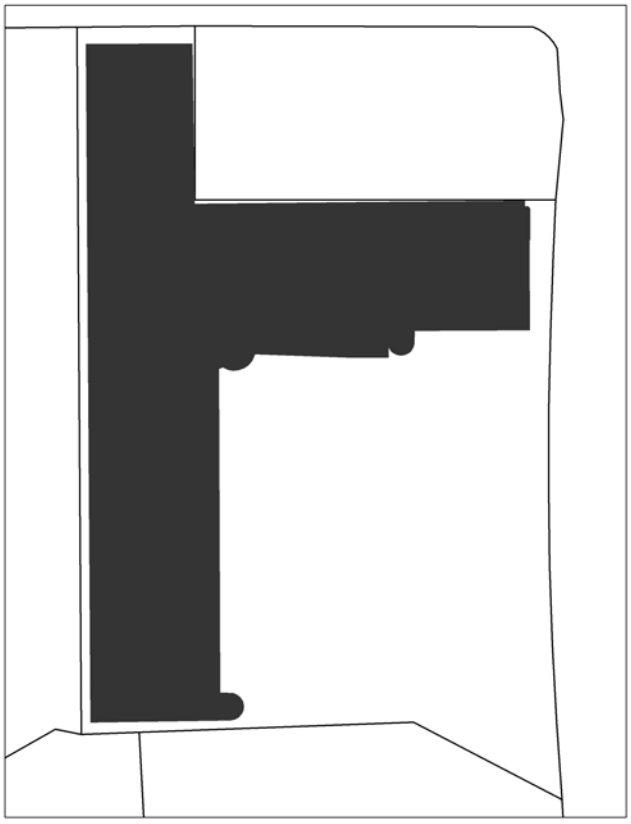
Estimated Floor Area Ratios

	Lot size	Building square footage	FAR
Mammoth Lofts (Starbucks building) 436 Old Mammoth Road	19,436	9,504	0.5
Sierra Center Mall 452 Old Mammoth Road	84,573	120,871	1.4
Oak Tree (including a 2nd building on-site) 546 Old Mammoth Road	23,552	10,569	0.4
Sierra Design 550 Old Mammoth Road	15,690	6,225	0.4
Salsa's building 588 Old Mammoth Road	18,869	11,263	0.6
Bristlecone Apartments 3072 Chateau Road	57,761	34,349	0.6
Tosca 1787 Old Mammoth Road	21,327	30,836	1.4
Diamond Run 2362 Manzanita	21,840	21,722	1.0
Hooper project on Mountain Blvd. 85 or 45 Mountain Blvd.	20,928	22,467	1.1
Mammoth Gateway Village 3771 Main Street	37,289	28,248	0.8
Westin 50 Hillside Drive	136,343	379,606	2.8
Village Plaza (north of Gondola Building and Mountain Center) 6201 Minaret Road	249,225	500,657	2.0

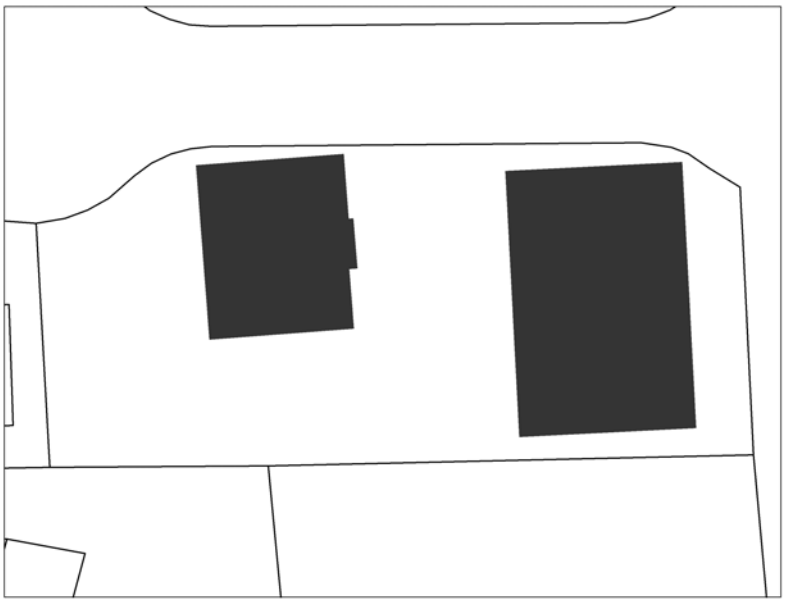
1. Mammoth Lofts (Starbucks building) – FAR = 0.5



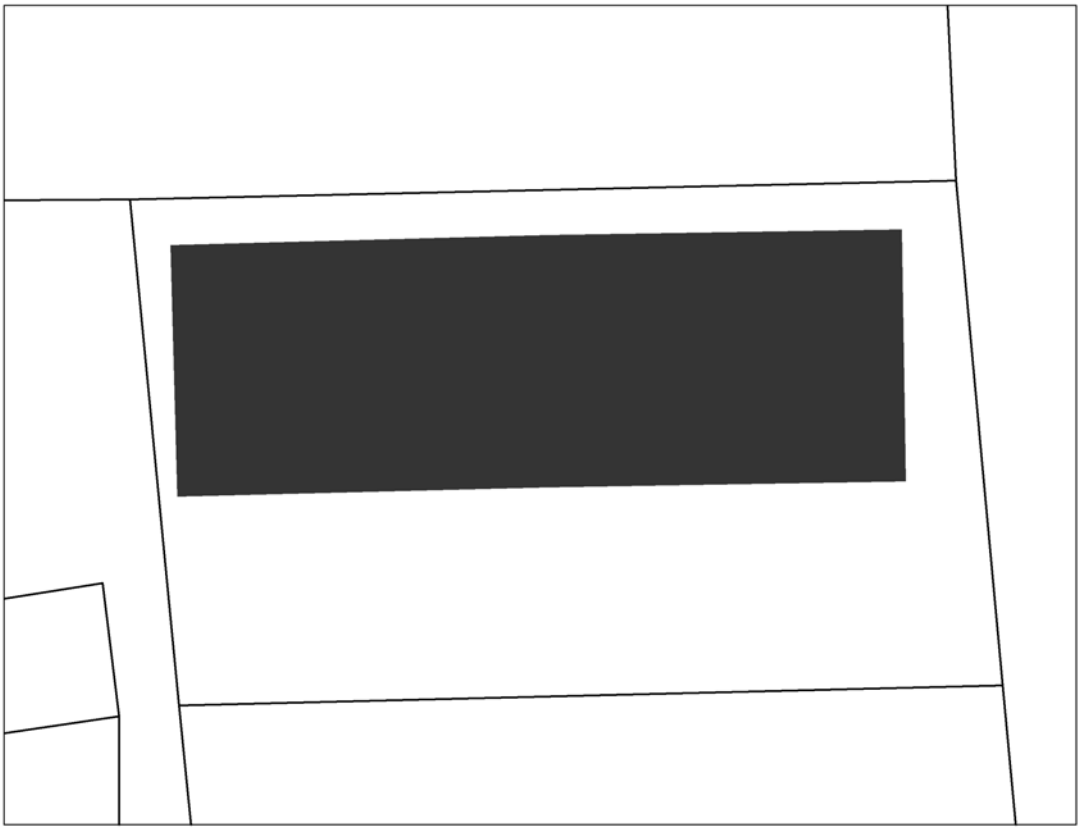
2. Sierra Center Mall – FAR = 1.4



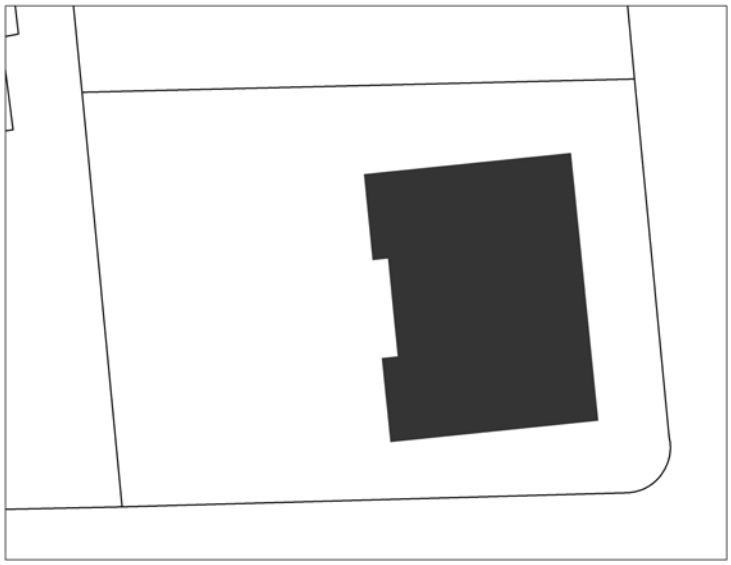
3. Oak Tree (front and back) – FAR = 0.4



4. Sierra Design Center – FAR = 0.4

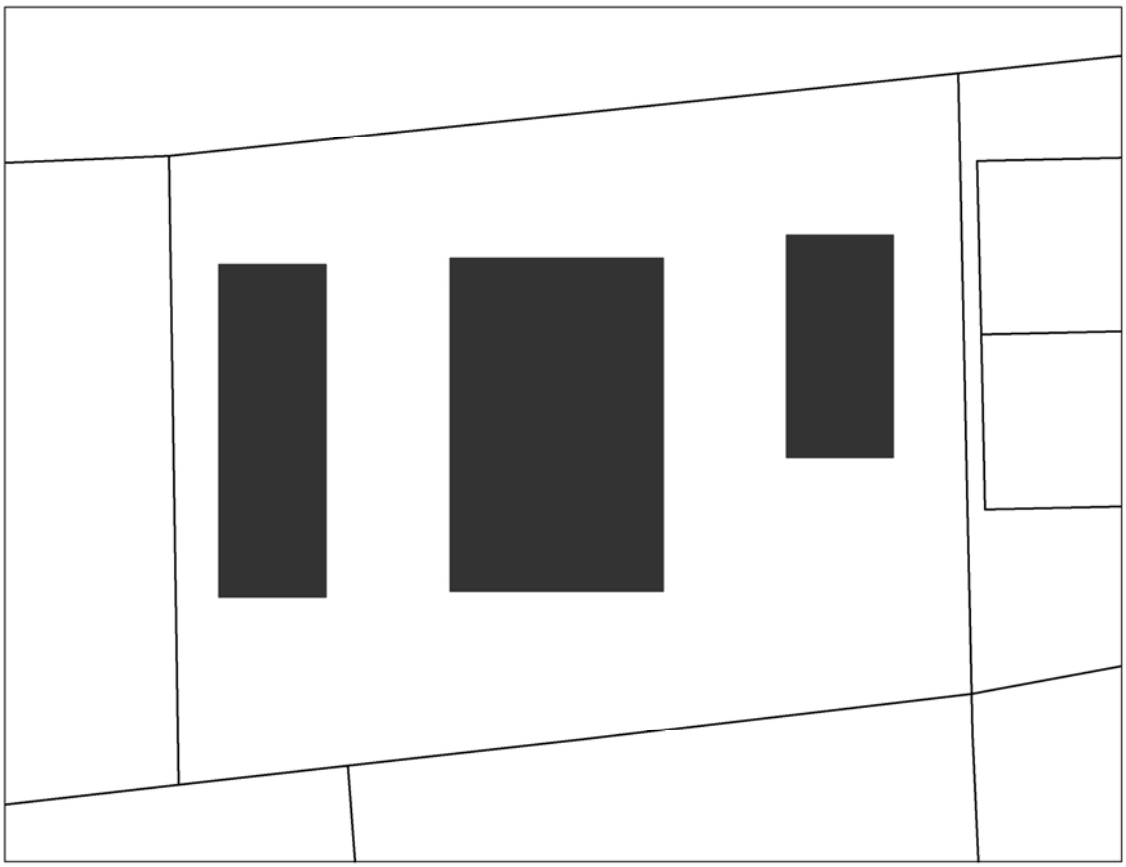


5. Salsa's building – FAR = 0.6

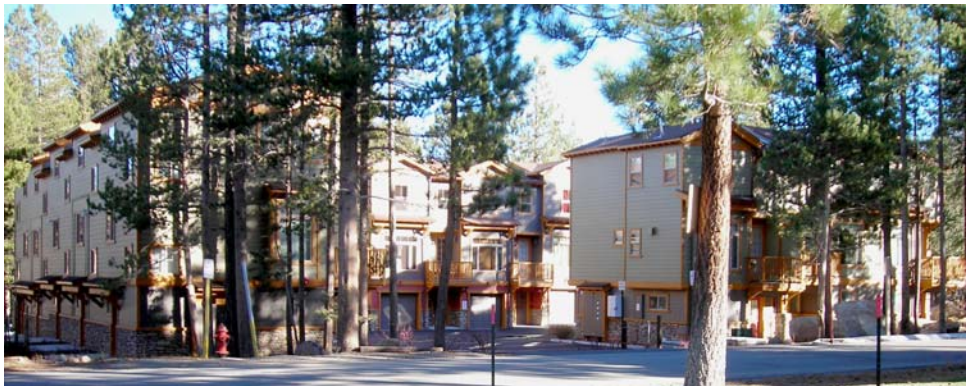


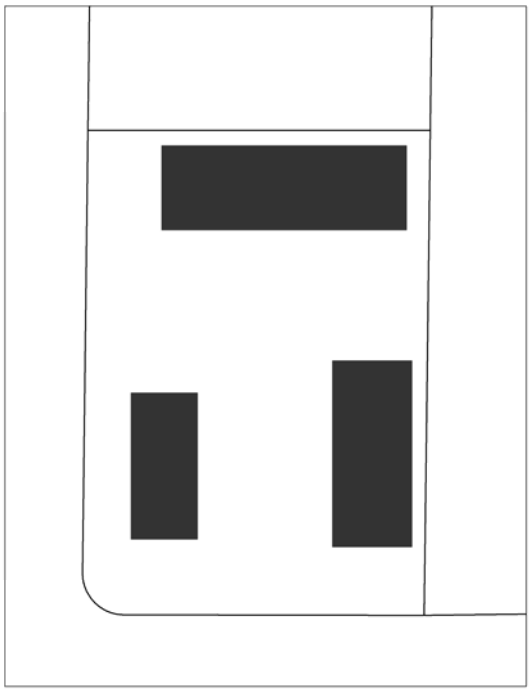
6. Bristlecone Apartments – FAR = 0.6

7. Tosca – FAR = 1.4

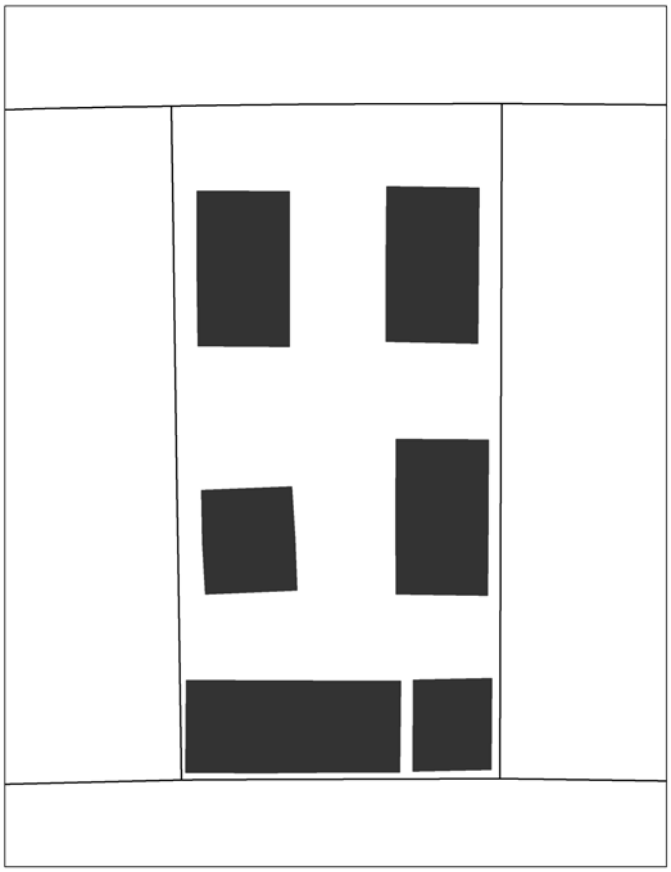


8. Diamond Run – FAR = 1.0

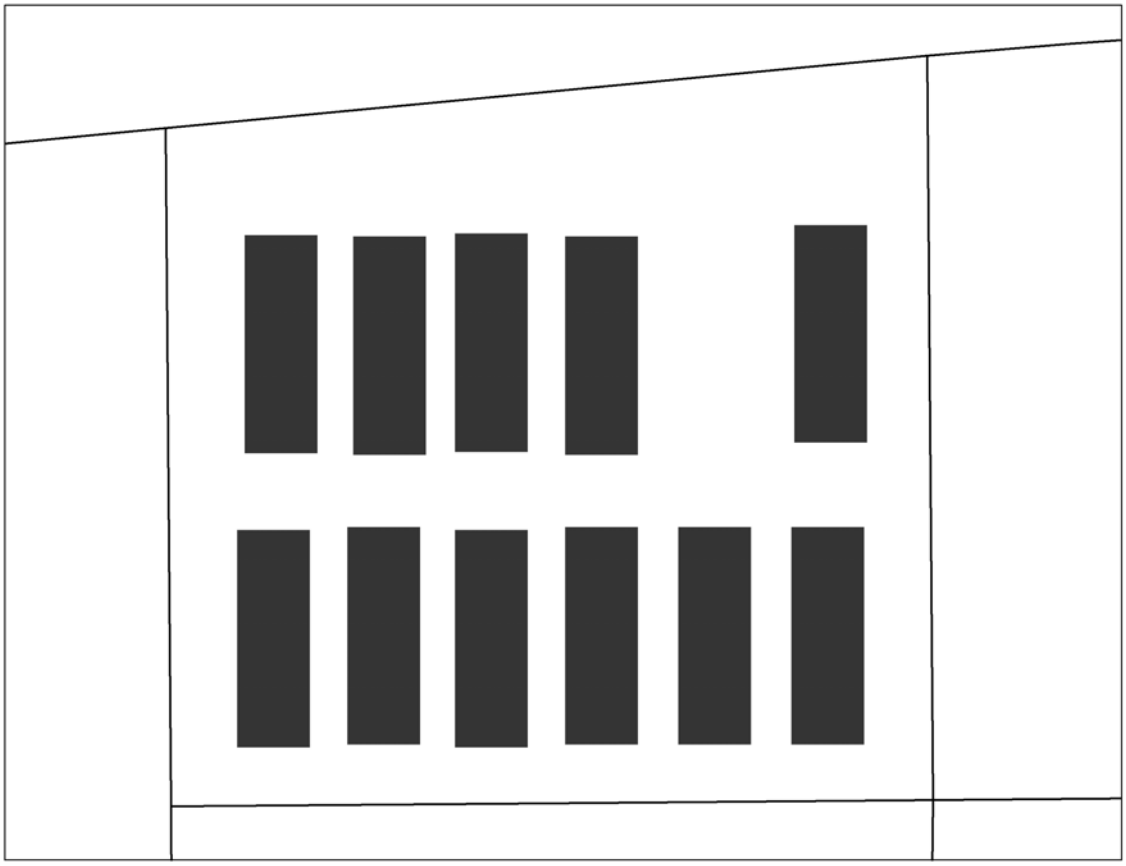




9. Hooper project on Mountain Boulevard – FAR = 1.1

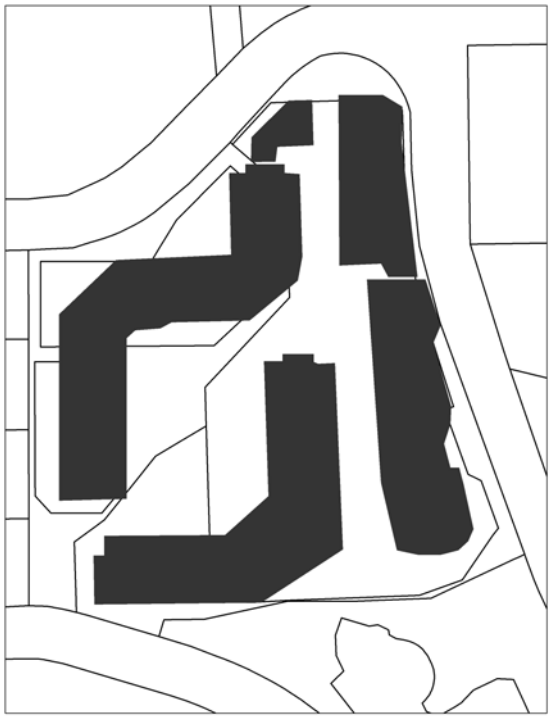


10. Mammoth Gateway Village – FAR = 0.8



11. Westin – FAR = 2.8

12. The Village at Mammoth (not including Gondola building or Mountain Center) – FAR = 2.0



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Attachment #2

Chapter 17.76 - Adjustments

Sections:

17.76.010 - Purpose of Chapter.

The purpose of this chapter is to allow for minor adjustments to certain development standards of this Zoning Code when such requests constitute a reasonable use of property but is not permissible under the strict application of this Zoning Code.

(Ord. No. 14-02, § 4, 3-19-2014)

17.76.020 - Applicability.

The Director may grant an adjustment for only the development standards identified in Table 17.76.020 (Adjustments). The Director may choose to refer any adjustment application to the Commission for review and decision. An adjustment may be granted only once for a specific type of request per parcel. A request which exceeds the limitation identified in Table 17.76.020 (Adjustments) shall require the filing of an application for a variance (Chapter 17.72).

TABLE 17.76.020: ADJUSTMENTS	
Types of Adjustments Allowed	Maximum Adjustment
1. Lot area, width, or depth. A decrease of the required lot area, width or depth.	10%
2. Lot coverage. An increase of the maximum allowable lot coverage (e.g. 40% maximum allowable lot coverage increased to 42%).	5%
3. Setbacks. A decrease of the required front, side, or rear yard setback.	20%
4. Distance between structures. A decrease of the minimum required distance between structures located on the same parcel.	20%
5. Projections. An increase of the allowable projections into a required setback, but no closer than three feet to any property line.	10%
6. Structure height. An increase in the maximum permitted height.	10%
7. Fence or wall height. An increase in the maximum permitted height.	10%

8. Parking. A decrease in the number of required parking spaces.	See Chapter 17.44 (Parking and Loading Standards)
9. Signs. See Chapter 17.48 (Signs).	See Chapter 17.48 (Signs)

(Ord. No. 14-02, § 4, 3-19-2014)

17.76.030 - Application.

An application for an adjustment shall be made to the Community and Economic Development Department on a form provided for that purpose pursuant to Chapter 17.60 (Applications, Processing, and Fees). All required information identified on the form shall be provided by the applicant, and any additional information required by the Director in order to conduct a thorough review of the proposed project. It is the responsibility of the applicant to establish evidence in support of the findings required by Section 17.76.040 (Findings and Decision).

(Ord. No. 14-02, § 4, 3-19-2014)

17.76.040 - Findings and Decision.

After an adjustment application is deemed complete, the Director shall approve, conditionally approve, or deny an adjustment application. The Director may approve an adjustment application, with or without conditions, only after the following findings are made:

A. The findings necessary to grant a variance (Subsection 17.72.040); or
B. A significant public benefit will result (e.g. protection of trees or other significant features, enhanced circulation, or improved landscaping or snow storage); or
C. Increased safety of occupants or the public would result.
D. For adjustments to setbacks or the distance between structures, a finding shall also be made that adequate snow storage and shedding areas are provided.

(Ord. No. 14-02, § 4, 3-19-2014)

17.76.050 - Post Approval Procedures.

The procedures and requirements in Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), Chapter 17.104 (Appeals), and Chapter 17.128 (Revocation and Modifications), shall apply following a decision on an adjustment.

(Ord. No. 14-02, § 4, 3-19-2014)