

Agenda



County of Inyo Board of Supervisors

Board of Supervisors Room
County Administrative Center
224 North Edwards
Independence, California

All members of the public are encouraged to participate in the discussion of any items on the Agenda. Anyone wishing to speak, please obtain a card from the Board Clerk and indicate each item you would like to discuss. Return the completed card to the Board Clerk before the Board considers the item (s) upon which you wish to speak. You will be allowed to speak about each item before the Board takes action on it.

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Public Notices: (1) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

Note: Historically the Board does break for lunch; the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

January 9, 2018

8:30 a.m. 1. PUBLIC COMMENT

CLOSED SESSION

2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (two cases).
3. **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Employee organizations: Deputy Sheriff's Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); IHSS Workers; Law Enforcement Administrators' Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

OPEN SESSION (With the exception of timed items, all open-session items may be considered at any time and in any order during the meeting in the Board's discretion.)

10:00 a.m. PLEDGE OF ALLEGIANCE

4. **REPORT ON CLOSED SESSION**
5. **PUBLIC COMMENT**
6. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)
7. **INTRODUCTIONS** – Cyndee Kiddoo, Appraiser, Assessor's Office; Sarah Grable, Office Technician I, Auditor-Controller/Personnel; and Brenda Delgado Botello, Office Technician I, Clerk-Recorder's Office.
8. **PRESENTATION – Inyo County Addiction Task Force** – Request Board receive a brief presentation on the Task Force's Envelope Program.
9. **PROCLAMATION – Supervisor Kingsley** – Request Board: A) approve a resolution titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Declaring Its Support of the Inaugural 'Coffee With a Cop' Event and Encouraging Widespread Participation;" and B) present proclamation to event representatives.

CONSENT AGENDA (Approval recommended by the County Administrator)

CHILD SUPPORT SERVICES

10. Request Board approve the Plan of Cooperation Agreement between Eastern Sierra Department of Child Support Services and Inyo County Superior Court.
11. Request Board approve the Plan of Cooperation Agreement between Eastern Sierra Department of Child Support Services and Mono County Superior Court.

COUNTY ADMINISTRATOR

12. **Personnel** – Request Board approve Agreement between the County of Inyo and CPS HR Consulting for Executive Recruitment Services for Assistant Health and Human Services Director, in an amount not to exceed \$24,000 for the term January 9, 2018 through December 31, 2018, and authorize the County Administrator to sign.

DEPARTMENTAL (To be considered at the Board's convenience)

13. **ASSESSOR** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Appraiser I or II exists in the General Fund, as certified by the Assessor and concurred with the Auditor-Controller and County Administrator; B) where internal candidates may meet the qualifications for the positions, an open recruitment would be more appropriate to ensure qualified candidates apply; and C) approve the hiring of one (1) Appraiser I at Range 68 (\$4,272 - \$5,190) or one (1) Appraiser II at Range 70 (\$4,479 - \$5,448).
14. **PLANNING** – Request Board: A) receive a presentation from staff and consultant regarding the North Sierra Highway Strategic Plan and provide comment; B) provide any final comments and/or direction on the North Sierra Highway Corridor Plan; and C) provide any input on future phases for the North Sierra Highway Planning Project.
15. **CLERK OF THE BOARD** – Request Board approve the minutes of the regular Board of Supervisors meetings of December 5, 2017 and December 12, 2017.

TIMED ITEMS (Items will not be considered before scheduled time but may be considered any time after the scheduled time)

- 11 a.m. 16. **COUNTY ADMINISTRATOR/COUNTY COUNSEL/PLANNING/PUBLIC WORKS/AG COMMISSIONER –**
Request Board:

- A) Conduct a public hearing and consider directing any additional modifications on the following actions regarding commercial cannabis activities affecting the unincorporated areas of Inyo County:
 - a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Section 18.06.030, and Adding Sections 18.06.161, 18.06.162, 18.06.163, 18.06.181, 18.06.182, 18.12.040, 18.21.040, 18.44.030, 18.45.030, 18.48.030, 18.49.040, 18.56.040, 18.57.040, and 18.78.360 of the Inyo County Code," approving Zone Reclassification No. 2017-05/Inyo County - Commercial Cannabis Activities (Attachment 1);
 - a proposed ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 18.82 to the Inyo County Code," approving Zone Reclassification No. 2017-06/Inyo County Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation (Attachment 2);
 - a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 5.40 to the Inyo County Code" (Attachment 3)

- B) Approve a resolution titled "A Resolution of the Board of Supervisors of the County Of Inyo, State of California" (Attachment 4) Certifying That the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings with Respect to and Approving Zone Reclassification No. 2017-05/Inyo County - Commercial Cannabis Activities and Zone Reclassification No. 2017-06/Inyo County - County Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation and An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 5 .40 to the Inyo County Code."
- C) Introduce and waive the first reading of the above-referenced ordinances and schedule enactment for 11 a.m. Tuesday, November 21, 2017 in the Board of Supervisors Room, County Administrative Center in Independence.

Note: The agenda items listed below may be considered by the Board at any time during the meeting in the Board's discretion, including before scheduled timed items.

COMMENT (Portion of the Agenda when the Board takes comment from the public and County staff)

17. PUBLIC COMMENT

CORRESPONDENCE – INFORMATIONAL

- 18. **Auditor-Controller** – Note that in accordance with Section 26905 and 26921 of the Government Code and the Board's orders of February 5, 1950 and January 3, 1956, an actual count of money in the hands of the Treasurer was made on this date. The count showed the funds to be in balance, pending written verification of inactive accounts.

BOARD MEMBER AND STAFF REPORTS

Agenda

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ADDENDUM

to

***Inyo County Board of Supervisors
Regular Meeting
8:30 a.m.
January 9, 2018***

CORRECTION

ITEM 16 C SHOULD STATE THE FOLLOWING:

16. C) Introduce and waive further reading of the above-referenced ordinances and schedule the enactment for **11 a.m., Tuesday, January 16, 2018** in the Board of Supervisors Room, County Administrative Center in Independence.

**PROCLAMATION OF THE BOARD OF SUPERVISORS
COUNTY OF INYO, STATE OF CALIFORNIA DECLARING ITS
SUPPORT OF THE INAUGURAL "COFFEE WITH A COP" EVENT AND
ENCOURAGING WIDESPREAD PARTICIPATION**

WHEREAS, hundreds of men and women in uniform have taken a solemn oath to serve and protect the almost 19,000 residents of Inyo County and the millions of visitors who pass through its borders annually; and

WHEREAS, in taking their oaths, these sworn officers have knowingly agreed to make the ultimate sacrifice if necessary for the protection of life and property; and

WHEREAS, the men and women of the Inyo County Sheriff's Office, California Highway Patrol, and Bishop Police Department work tirelessly to keep our streets, businesses, schools, families, and highways safe; and

WHEREAS, their jobs are not easy, but they can be made all of the more difficult by misinformation, misunderstandings, and unfamiliarity with law enforcement; and

WHEREAS, Tuesday, January 9, 2018 has been declared National Law Enforcement Appreciation Day; and

WHEREAS, this would seem a perfect opportunity to show both gratitude and support for our local police, sheriff's deputies, and CHP officers; and

WHEREAS, the McDonald's Restaurants of Bishop and Lone Pine are teaming with local law enforcement to host the first of a series of "Coffee with a Cop" events on January 9 so that residents may show their appreciation but, equally important, get to know the men and women behind the uniforms; and

WHEREAS, our community always benefits from and thrives as a result of open communication, which often leads to a deeper mutual understanding and respect; and

WHEREAS, the Inyo County Board of Supervisors appreciates our law enforcement and its positive efforts to reach out to the community; and

NOW THEREFORE BE IT PROCLAIMED, the Inyo County Board of Supervisors declares its support for the inaugural Coffee with a Cop event, being held on National Law Enforcement Appreciation Day, and encourages widespread participation.

PASSED AND ADOPTED this 9th day of January, 2018 by the following vote of the Inyo County Board of Supervisors:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**



Attest: **KEVIN D. CARUNCHIO**
Clerk of the Board

Chairperson, Inyo County Board of Supervisors

by: _____
Assistant Clerk of the Board



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

- Consent Departmental Correspondence Action Public Hearing
 Schedule time for Closed Session Informational

For Clerk's Use
Only:

AGENDA NUMBER

10

FROM: Eastern Sierra Department of Child Support Services

FOR THE BOARD MEETING OF: January 9, 2018

SUBJECT: Review and Request Approval of the Plan of Cooperation Between Eastern Sierra Department of Child Support Services and Inyo County Superior Court.

DEPARTMENTAL RECOMMENDATIONS:

Request your Board approve the Plan of Cooperation Agreement Between Eastern Sierra Department of Child Support Services and Inyo County Superior Court.

The prior Plan of Cooperation (POC) governing the provision services provided by Inyo County Superior Court to local child support agencies expires soon. The term of this agreement is February 1, 2018 through January 31, 2020 and is negotiated between the California Director of Child Support Services and the Judicial Council Acting Director Center of Families, and Children. We receive these standard agreements and are required to execute them with our local Superior Court. These agreements require standardizing processing time of pleadings, and safeguarding Federal Tax Information, among others.

After your approval, this POC will be forwarded to the State Department of Child Support Services (DCSS) for signature.

CAO RECOMMENDATION:

Support.

SUMMARY DISCUSSION:

ALTERNATIVES:

Your Board could decline this this request. This is not recommended as not entering into this agreement is required statewide.

OTHER AGENCY INVOLVEMENT:

Inyo County Counsel

FINANCING: Contingent upon the Board's adoption of future budgets. Child Support Budget 022501 Object Code 5265. No County General Funds.

APPROVALS

COUNTY COUNSEL:

AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Council prior to submission to the board clerk.)

Paul Walker

Approved: yes

Date 12/21/17

AUDITOR/CONTROLLER

ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)

[Signature]

Approved: 1/3/18

Date yes

PERSONNEL DIRECTOR

PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

[Signature]

Approved: ✓

Date 1/2/18

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

[Signature]

Date: 12-21-17

PLAN OF COOPERATION

BETWEEN

EASTERN SIERRA DEPARTMENT OF
CHILD SUPPORT SERVICES AND
INYO COUNTY SUPERIOR COURT

**PLAN OF COOPERATION
Between
LCSA AND COURT**

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**PLAN OF COOPERATION
Between
LCSA AND COURT**

1. PURPOSE

Assembly Bill 1058, signed in 1996, established the Child Support Commissioner and Family Law Facilitator Program. The purpose of this legislatively mandated statewide program is to provide a cost-effective, expedited, and accessible process in the courts for establishing and enforcing child support orders in cases being enforced by local child support agencies. This mandate requires each superior court to have a child support commissioner to hear Title IV-D child support cases and to maintain an Office of the Family Law Facilitator to assist self-represented litigants. Title IV-D of the Social Security Act (42 U.S.C. § 601 et seq.) provides that each state shall establish and enforce support orders when public assistance has been expended or upon request for services by a parent.

AB 1058 provided for streamlined procedures in the courts and dedicated child support staff. The two (2) major elements of the AB 1058 Program are the Child Support Commissioner (CSC) component and the Family Law Facilitator (FLF) component which were established in each court.

The purpose of this Plan of Cooperation (POC) is to describe the distinct roles and responsibilities to be performed by the local child support agency and the local court as each entity complies with its respective duties under Family Code sections 4250 - 4253 and 10000 – 10015 collectively also known as the AB 1058 Program.

This POC in no way shall abridge or infringe on the separate role of the court in exercising its duties over the application of the law in matters put before the court in individual cases. However, each party agrees to comply with Title IV-D and all implementing federal and state regulations and requirements promulgated thereunder.

2. AUTHORITY

The authority for the parties to enter into this POC is under the authority of 42 USC §654(7), 45 CFR §302.34 and 45 CFR §303.107.

This POC is entered into by and between the Eastern Sierra Department of Child Support Services Department (LCSA) and the Inyo County Superior Court of California (Court). LCSA and Court are hereinafter sometimes referred to collectively as the "Parties" and individually as "Party".

This POC and any amendments must be approved by the Director of the California Department of Child Support Services (DCSS Director) pursuant to

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Family Code §17304(b) and (c) and will be approved as to form by the Director of the Center for Families, Children and the Courts.

Each Party shall appoint a person to serve as the official contact and coordinator of the activities of each Party in carrying out this POC. In the event of a change of contact person, the Party shall promptly notify the other Party of the new contact. The initial appointees of each Party are:

Court:
Pamela M. Foster

LCSA:
Susanne Rizo, Regional Director
162 E. Line St. P.O. Box 1147
Bishop, CA 93515

3. STANDARDS FOR PERFORMANCE

Pursuant to 45 CFR § 303.107(b) and 45 CFR 305.63, and upon adequate grant funding sufficient to meet staffing needs, the Parties to this POC agree to maintain an organizational structure and sufficient staff to maximize compliance with all Title IV-D performance standards, including time frames as defined in all relevant federal and state laws and regulations.

4. RESPONSIBILITIES

4.1. LCSA Responsibilities

The LCSA agrees to the following:

4.1.1. Contribute to maximizing compliance with case processing time frames established by all relevant federal and state laws and regulations by:

- a. Promptly preparing the initial case and forwarding legal documents relating to the functions to be performed to the Court or other destinations as appropriate.
- b. Monitoring and managing workflow to minimize intermittent backlogs and/or extraordinary increases in the volume of documents submitted to Court.

4.1.2. Prepare and file legal documents, electronically where available, with the court including but not limited to requests for entry of judgement, summonses, and abstracts of judgement.

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- 4.1.3. Track cases, and actions within cases, including maintaining records of documents forwarded to the Court and documents returned from the Court.
- 4.1.4. Request that all hearings for child support matters are calendared for hearing by the Court's Child Support Commissioner.
- 4.1.5. Prepare and submit orders and judgments for signature by the Court's Child Support Commissioner.
- 4.1.6. Send electronic versions of data to the Court for those documents that may be electronically filed (e-filed).
- 4.1.7. Assist, where appropriate, the Family Law Facilitator in providing education and training regarding the Title IV-D child support program.
- 4.2. Court Responsibilities
 - 4.2.1. Oversee the selection and appointment of the Court's Child Support Commissioner(s) and Family Law Facilitators. Supervise the Court's Child Support Commissioner(s).
 - 4.2.2. Ensure that Title IV-D child support actions brought before the Court's Child Support Commissioner(s) have priority over other case types pursuant to Family Code section 4252.
 - 4.2.3. To the extent permissible by law, provide LCSA with electronic access to confidential and public records for child and spousal support, parentage, dissolution, legal separation, nullity of marriage, child custody proceedings and domestic violence prevention proceedings.
 - 4.2.4. Work with the local child support agency to develop and implement filing and processing standards for all documents filed with the Court by the LCSA in Title IV-D cases, including electronic filing where available.

The time processing standard should not exceed ten (10) court days or immediately upon request for a specific filing in exceptional circumstances with adequate notice to the Court and a showing of urgency.

Should courts be unable to meet these timeframes due to circumstances beyond the Court's control, the court will inform and work with the LCSA to develop a plan to ensure timely filing of child support documents to the extent possible based on the court's level of grant funding to meet staffing needs.

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- 4.2.5. Provide court calendar time to meet 42 USC section 666(a)(2), 45 CFR section 303.4, and Family Code section 17400(c) processing timeframes; specifically;**
- a. That the court assigns a hearing date within three (3) to five (5) court days of the filing of moving papers that require a hearing unless a later date is requested by the LCSA or other party to the case.**
 - b. The assigned court dates shall not exceed sixty (60) calendar days from the date of the filing of the moving paper unless an extension is requested by the LCSA or Court.**
 - c. Should courts be unable to meet these timeframes due to circumstances beyond the Court's control, the court will inform and work with the LCSA to develop a plan to ensure more timely hearings in child support cases to the extent possible based on the court's level of grant funding to meet staffing needs.**
- 4.2.6. Ensure that the Court's Child Support Commissioners, Family Law Facilitators and support staff, including clerical staff, as appropriate, complete appropriate training as prescribed by the Judicial Council of California. Such training shall include but not be limited to the Child Support Enforcement (CSE) Guideline Calculator practices.**
- 4.2.7. Ensure that Court's Child Support Commissioners fully comply with Family Code sections 4056 and 4065 and California Rules of Court Rule 5.260(b) by entering explanations for deviations from guideline calculations into the case record.**
- 4.2.8. Court shall refer all Title IV-D actions or proceedings filed by any party or attorney other than LCSA to a Child Support Commissioner unless the Child Support Commissioner is not available due to exceptional circumstances, as prescribed by California Rules of Court, Rule 5.305.**

4.3 Mutual Responsibilities

In order to support the compelling state interest in creating an expedited process in courts that is cost-effective and accessible to families, for establishing and enforcing child support orders in cases being enforced by the local child support agency, both LCSA and Court agree to:

- 4.3.1. Collaborate and coordinate with one another to maximize compliance with all Title IV-D/1058 program operations. Coordination shall include prompt notification of any planned or implemented changes in case processing operations including the reassignment of courtrooms, relocations of**

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courtrooms within the county, limiting courtroom and commissioner availability, availability of dedicated meet and confer space for Title IV-D Program participants, and changes to the ability of the court to accommodate automation and internet connectivity.

- 4.3.2. The Court and LCSA shall meet periodically, but no less than quarterly, to discuss procedural, performance, and processing issues of mutual interest and concern that may arise in connection with this POC and the handling of Title IV-D cases, including, but not limited to, processing cases within federal and state time frames, processing cases in accordance with procedures mandated by federal and state laws, federal and state regulations, and statewide rules of court and automation issues.

In addition to the Court Executive Officer or designee(s), these meetings may include representatives from the Court, including but not limited to the Child Support Commissioner, the Court Clerks, and court operations, the LCSA. These meetings may also include, but not required to include, the Family Law Facilitator, the private bar, defense counsel, representatives of other County of Inyo departments, members of the public and others, as appropriate, on either an ad hoc or regular basis.

- 4.3.3. Every reasonable effort shall be made to avoid a blanket preemptory challenge of the Court's Child Support Commissioner by LCSA. Prior to the LCSA exercising a blanket challenge, at least one meet-and-confer session shall be convened in an attempt to resolve the issues giving rise to the possible blanket preemptory challenge.

Such session shall, at a minimum, include a representative of the LCSA and the Court's Presiding Judge or designee.

If appropriate, the representatives of the Court's Executive Office, other county departments, the Judicial Council, the California Department of Child Support Services, and others may be invited to participate in one or more of the meet-and-confer sessions.

- 4.3.4 Support the expansion of e-filing and require the courts to meet with the California Department of Child Support Services and the LCSA regularly during implementation to ensure local business practices and/ or local rules of court are not in conflict with e-filing requirements.

1. **Definition.** E-filing is the bi-directional file exchange of legal document data between the Court case management system and the LCSA system of record.

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2. **Recitals.** Both Parties realize benefits from e-filing including reduced staffing, reduced potential for document errors, reduced time for filing legal documents, elimination of misdirection or routing of documents, and reduced need to scan documents.
3. **Requirements.** In jurisdictions where e-filing is available, the requirements should represent best practices that each LCSA and Court will adhere to when e-filing.

At such time when the Court transitions onto a new case management system that includes implementation of a family law case type, the Court will work with the LCSA to clarify current and future e-filing business practices. The case management system must be capable of electronically sending, receiving, filing, stamping, imaging, and returning legal documents. The case management system must have the ability to file exchange all of the mutually agreed upon form sets.

Documents should be processed within ten (10) business days of receipt by the Court unless circumstances not under the Court's control require additional time.

5. FINANCIAL ARRANGEMENTS

5.1. Direct or Indirect Costs paid in DCSS/JCC Contract

Direct and indirect costs incurred by Court in performance of Title IV-D activities or services, including but not limited to, provision of IV-D Commissioners and Family Law Facilitators are already funded under the contract between California Department of Child Support Services and the Judicial Council of California. **No direct or indirect costs for services or supplies may be claimed or paid under the provisions of this POC. Government Code section 6103.9 only allows for the courts to claim these costs through their contract(s) with the Judicial Council of California, not through this POC with the LCSA.**

5.2 Exemption from Fees and Reimbursements for Services

Parties acknowledge that the LCSA is exempt from payment of any fees or reimbursements for services in any action or proceeding brought for the establishment of paternity or a child support obligation, or the enforcement of a child, medical or spousal support obligation including, but not limited to:

- Fees for providing certified or non-certified copies of documents;

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- Filing fees; and
- Fees for remote electronic access to court records, which fees are authorized by Rule of Court 2.506(a) to be charged to the public; but not allowed to be paid with federal financial participation funding under Title 45, Code of Federal Regulations, section 304.21(b)(1).

5.3. Audit & Inspection - Reimbursement for Federal Penalties

Each Party shall permit the authorized representative of the other Party, the Judicial Council of California, the CA DCSS, or other appropriate state or federal audit agencies to inspect and/or audit, at any reasonable time, all data and records relating to case processing, and billing to the state under this POC.

Each Party accepts responsibility for receiving, replying to, and/or complying with any audit by appropriate federal and state audit agencies that directly relate to the services to be performed under this POC. In addition, the Parties agree to reimburse the Department of Child Support Services the amount of the Department of Child Support Services' liability to the federal government that results from that each Party's failure to perform the service or comply with the conditions required by this POC and identified by said audit.

5.3.1. Corrective Action Plan

Should either Party to this POC be found deficient in any aspect of performance under this POC, or should either Party to this POC fail to perform to the agreed-upon performance standards, the deficient party will have the responsibility of submitting a proposed corrective action plan to the auditor and the Judicial Council identifying the deficiency. The corrective action plan shall identify specific actions to be taken to correct the deficient performance and shall be submitted within 45 days after notification of deficiencies by the auditor.

The Party whose performance has been identified as deficient, shall implement the corrective actions proposed in the Corrective Action Plan within thirty (30) days of approval of the Corrective Action Plan by the auditor unless otherwise agreed to in writing by the Parties. Failure to implement corrective actions within thirty (30) days from auditor approval of the Corrective Action Plan shall constitute breach of the POC.

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6. RECORDS MAINTENANCE & SAFEGUARDING

6.1. Maintain Adequate Records

All records and documentation shall be maintained in accordance with federal and state requirements. The Court and LCSA shall maintain full and accurate records with respect to all matters covered under this POC.

The Court shall maintain the original of all documents filed with the court by any party in a case under Title IV-D, all federal and state laws, federal and state regulations, court rules, and requirements promulgated in relation thereto. Original documents may be maintained by Court in electronic form.

6.2. Information Security and Data Protection

The Parties are responsible for safeguarding all information in accordance with all applicable federal and state laws and regulations, particularly Family Code §17212, Welfare & Institutions Code §11478.1, 26 USC section 6103, 42 USC section 654(26), Title 22 CFR section 111430 - 111440 and IRS Publication 1075

6.2.1. Federal Tax Information

In performance of this POC, the LCSA will take all appropriate actions to ensure that the Court will not be given access to federal tax information or FTI. However, inadvertent or incidental access to FTI may still occur. It is incumbent upon both the LCSA and the Court to inform and train its officers and employees of the provisions of IRC sections 7213 and 7213A Unauthorized Disclosure of Information and IRC section 7431 Civil Damages for Unauthorized Disclosure of Returns and Return Information.

Willful unauthorized disclosure of returns and return information is a felony punishable upon conviction by a fine of as much as \$5,000 or imprisonment for as long as five years, or both, together with the costs of prosecution. Willful unauthorized disclosure of returns and return information may also result in an award of civil damages against the officer or employee in an amount not less than \$1,000 with respect to each instance of unauthorized disclosure. These penalties are set forth at 26 CFR 301.6103(n)-1.

The LCSA will ensure that all restricted information included in all court documents, including those electronically filed and possibly auto-accepted

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LCSA AND COURT

without clerical review, is redacted so as to not be accessible in the court's records.

Timely notification of an unauthorized disclosure of FTI is of the highest importance. The Court and the LCSA will immediately, but no later than 24 hours after discovery of a possible unauthorized disclosure involving FTI, contact the California Department of Child Support Services as well as the local court Information Security Officer. The LCSA and the Court shall not wait to conduct an internal investigation to determine if FTI was in fact disclosed without authorization.

6.2.2. Notice of Security Breach

The Court shall notify California Department of Child Support Services Information Security Officer of any information security breach involving LCSA information, other than FTI, as soon as practical; but no more than 24 hours after discovery. The notification shall describe the incident in detail. Court shall cooperate with California Department of Child Support Services Information Security Officer and LCSA in investigations of information security incidents.

The LCSA shall notify the Court of any information security breach involving non-public Court information related to this POC, as soon as practicable; but no more than 24 hours after discovery. The notification shall describe the incident in detail. The LCSA shall cooperate with the Court and the Judicial Council of California in investigations of information security incidents.

6.2.3. Notify Officers and Employees of Penalties

It is incumbent upon the Court to inform its employees of the penalties for unauthorized disclosure imposed by the Privacy Act of 1974, 5 U.S.C. 552a. Specifically, 5 U.S.C. 552a(i)(1), which is made applicable to the Court by 5 U.S.C. 552a(m)(1), provides that any officer or employee of the Court, who by virtue of his/her employment or official position, has possession of or access to agency records which contain individually identifiable information, the disclosure of which is prohibited by the Privacy Act or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor.

**PLAN OF COOPERATION
Between
LCSA AND COURT**

7. DURATION AND RENEWAL OF POC

The term of this POC shall be two (2) years commencing on February, 01, 2018 and shall ending on January 31, 2020.

8. ENTIRE AGREEMENT

This POC constitutes the final, complete, and exclusive statement of the terms between the Parties pertaining to the subject matter of the POC and supersedes all prior POCs. Parties are not bound by any oral agreement which has not been reduced to writing herein. The Parties may attach and incorporate herein by reference an Attachment B to memorialize a specific local practice or other areas of common concern unique to the Parties. Any attachment to this POC is subject to the final approval of the Director of the Department of Child Support Services and the approval as to form by the Director of the Center for Families, Children and the Courts.

9. AMENDMENT

Amendments to this POC may be made by either Party to this POC. However, all amendments must be in writing, signed by the Parties and approved by the Director of California Department of Child Support Services and approved as to form by the Director of the Center for Families, Children and the Courts.

The Parties agree that if federal, state and county funds for the program are or become insufficient for any reason including inadequate appropriation, budgetary reductions, reallocations, etc.; this POC shall be amended to the extent feasible to reflect the reduction in funding, otherwise it shall be of no further force and effect. Before this POC may be amended or terminated for insufficiency of funding, both Parties shall meet and confer with the California DCSS Director and Director of the Center for Families, Children and the Courts of the to discuss amendment alternatives as described above in the Paragraph 10 "Dispute Resolution."

Any provision of this POC which conflicts with new or revised state and federal laws, regulations, court rules, and requirements shall be deemed amended to conform with the new or revised federal and state laws, regulations, court rules, and requirements.

**PLAN OF COOPERATION
Between
LCSA AND COURT**

10. DISPUTE RESOLUTION

In the event of any dispute arising out of or relating to this POC, the Parties shall attempt, in good faith, to promptly resolve the dispute. If the dispute cannot be resolved by their mutual agreement, the dispute shall be elevated to the Court Executive Officer, Director of the California Department of Child Support Services and the Judicial Council's AB 1058 Program Manager to resolve the issue.

The Parties shall, without delay, continue to perform their respective obligations under this POC whether or not affected by the dispute.

11 TERMINATION

Either Party may terminate this POC, after giving the other Party ninety (90) days written notice of the intent to terminate and only after all attempts to resolve any and all disputes have been exhausted as described above in Paragraph 10.

In the event of termination of this POC, both Parties shall prepare a mutually agreed upon a Plan of Termination of Services so as to minimize disruption of services to the Title IV-D program services and allow the LCSA to seek replacement court services. In addition, the Parties will continue to carry out the duties and responsibilities described herein until the operational date or agreed upon date of termination in the Plan of Termination of Services.

12. SEVERABILITY

If any term of this POC is inconsistent with any applicable law, regulation, rule or policy, then that part of the POC shall be invalid and the unaffected parts shall remain in full force and effect.

If any provision of this POC is held by a court to be invalid, void or unenforceable, the remaining provisions shall continue in full force and effect without being impaired or invalidated.

13. COUNTERPARTS

This POC may be signed in two or more counterparts. When at least one such counterpart has been signed by each Party approved by the Director of the California Department of Child Support Services and approved as to form by the Director of the Center for Families, Children and the Courts, this POC shall be deemed to have been fully executed. Each counterpart shall be deemed to be an original, and all counterparts shall be deemed to be one and the same POC.

PLAN OF COOPERATION
Between
LCSA AND COURT

14. AUTHORIZATION

We the undersigned, as authorized representatives of the Eastern Sierra Department of Child Support Services and the Superior Court of California, County of Inyo, do hereby approve and enter into this POC for the services described in this document. In performance of the provisions of this POC, the Parties agree to comply with Title IV-D and all federal and state laws, regulations, policies and directives.



Susanne Rizo, J.D. Director
Eastern Sierra Department
Child Support Services



Pamela M. Foster, CEO
Superior Court of California
County of Inyo

Approved:

Approved as to form:

ALISHA GRIFFIN, Director
California Department of
Child Support Services

CHARLENE DEPNER, Acting Director
Center for Families, and the
Judicial Council of California



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

- Consent Departmental Correspondence Action Public Hearing
 Schedule time for Closed Session Informational

For Clerk's Use
Only:

AGENDA NUMBER

11

FROM: Eastern Sierra Department of Child Support Services

FOR THE BOARD MEETING OF: January 9, 2018

SUBJECT: Review and Request Approval of the Plan of Cooperation Between Eastern Sierra Department of Child Support Services and Mono County Superior Court.

DEPARTMENTAL RECOMMENDATIONS:

Request your Board approve the Plan of Cooperation Agreement Between Eastern Sierra Department of Child Support Services and Mono County Superior Court.

The prior Plan of Cooperation (POC) governing the provision services provided by Mono County Superior Court to local child support agencies expires soon. The term of this agreement is February 1, 2018 through January 31, 2010 and is negotiated between the California Director of Child Support Services and the Judicial Council Acting Director Center of Families, and Children. We receive these standard agreements and are required to execute them with our local Superior Court. These agreements require standardizing processing time of pleadings, and safeguarding Federal Tax Information, among others.

After your approval, this POC will be forwarded to the State Department of Child Support Services (DCSS) for signature.

CAO RECOMMENDATION:

Support.

SUMMARY DISCUSSION:

ALTERNATIVES:

Your Board could decline this this request. This is not recommended as not entering into this agreement is required statewide.

OTHER AGENCY INVOLVEMENT:

Inyo County Counsel

FINANCING: Contingent upon the Board's adoption of future budgets. Child Support Budget 022501 Object Code 5265. No County General Funds.

APPROVALS

COUNTY COUNSEL: AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the board clerk.)
Jan Walker Approved: YES Date 12/13/17

AUDITOR/CONTROLLER ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)
[Signature] Approved: [Signature] Date 12/20/17

PERSONNEL DIRECTOR PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)
[Signature] Approved: [Signature] Date 12/17

DEPARTMENT HEAD SIGNATURE: [Signature] Date: 12-28-17
(Not to be signed until all approvals are received)

PLAN OF
COOPERATION
AGREEMENT

BETWEEN
EASTERN SIERRA DEPARTMENT
OF CHILD SUPPORT SERVICES
AND MONO COUNTY SUPERIOR
COURT

PLAN OF COOPERATION
Between
EASTERN SIERRA DEPARTMENT OF CHILD SUPPORT
SERVICES AND MONO COUNTY SUPERIOR COURT

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PLAN OF COOPERATION
Between
EASTERN SIERRA DEPARTMENT OF CHILD SUPPORT
SERVICES AND MONO COUNTY SUPERIOR COURT

1. PURPOSE

Assembly Bill 1058, signed in 1996, established the Child Support Commissioner and Family Law Facilitator Program. The purpose of this legislatively mandated statewide program is to provide a cost-effective, expedited, and accessible process in the courts for establishing and enforcing child support orders in cases being enforced by local child support agencies. This mandate requires each superior court to have a child support commissioner to hear Title IV-D child support cases and to maintain an Office of the Family Law Facilitator to assist self-represented litigants. Title IV-D of the Social Security Act (42 U.S.C. § 601 et seq.) provides that each state shall establish and enforce support orders when public assistance has been expended or upon request for services by a parent.

AB 1058 provided for streamlined procedures in the courts and dedicated child support staff. The two (2) major elements of the AB 1058 Program are the Child Support Commissioner (CSC) component and the Family Law Facilitator (FLF) component which were established in each court.

The purpose of this Plan of Cooperation (POC) is to describe the distinct roles and responsibilities to be performed by the local child support agency and the local court as each entity complies with its respective duties under Family Code sections 4250 - 4253 and 10000 – 10015 collectively also known as the AB 1058 Program.

This POC in no way shall abridge or infringe on the separate role of the court in exercising its duties over the application of the law in matters put before the court in individual cases. However, each party agrees to comply with Title IV-D and all implementing federal and state regulations and requirements promulgated thereunder.

2. AUTHORITY

The authority for the parties to enter into this POC is under the authority of 42 USC §654(7), 45 CFR §302.34 and 45 CFR §303.107

This POC is entered into by and between the Eastern Sierra Department of Child Support Services (ESDCSS) and the Mono Superior Court of California (Court). ESDCSS and Court are hereinafter sometimes referred to collectively as the "Parties" and individually as "Party".

This POC and any amendments must be approved by the Director of the California Department of Child Support Services (DCSS Director) pursuant to Family Code §17304(b) and (c) and will be approved as to form by the Director of the Center for Families, Children and the Courts.

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Each Party shall appoint a person to serve as the official contact and coordinator of the activities of each Party in carrying out this POC. In the event of a change of contact person, the Party shall promptly notify the other Party of the new contact. The initial appointees of each Party are:

Court:
Hector Gonzalez, Court CEO
PO Box 1037
Mammoth Lakes, CA 93546
(760) 923-2330

ESDCSS:
Susanne Rizo, Esq., Director
P.O. Box 1147
Bishop CA 93514
(760) 872-1148

3. STANDARDS FOR PERFORMANCE

Pursuant to 45 CFR § 303.107(b) and 45 CFR 305.63, and upon adequate grant funding sufficient to meet staffing needs, the Parties to this POC agree to maintain an organizational structure and sufficient staff to maximize compliance with all Title IV-D performance standards, including time frames as defined in all relevant federal and state laws and regulations.

4. RESPONSIBILITIES

4.1. ESDCSS Responsibilities

The ESDCSS agrees to the following:

4.1.1. Contribute to maximizing compliance with case processing time frames established by all relevant federal and state laws and regulations by:

- a. Promptly preparing the initial case and forwarding legal documents relating to the functions to be performed to the Court or other destinations as appropriate.
- b. Monitoring and managing workflow to minimize intermittent backlogs and/or extraordinary increases in the volume of documents submitted to Court.

4.1. 2. Prepare and file legal documents, electronically where available, with the court including but not limited to requests for entry of judgement, summons, and abstracts of judgement.

4.1.3. Track cases, and actions within cases, including maintaining records of documents forwarded to the Court and documents returned from the Court.

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- 4.1.4. Request that all hearings for child support matters be calendared for hearing by the Court's Child Support Commissioner.
- 4.1.5. Prepare and submit orders and judgments for signature by the Court's Child Support Commissioner.
- 4.1.6. Send electronic versions of data to the Court for those documents that may be electronically filed (e-filed).
- 4.1.7. Assist, where appropriate, the Family Law Facilitator in providing education and training regarding the Title IV-D child support program.

4.2. Court Responsibilities

- 4.2.1. Oversee the selection and appointment of the Court's Child Support Commissioner(s) and Family Law Facilitators. Supervise the Court's Child Support Commissioner(s).
- 4.2.2. Ensure that Title IV-D child support actions brought before the Court's Child Support Commissioner(s) have priority over other case types pursuant to Family Code section 4252.
- 4.2.3. To the extent permissible by law, provide ESDCSS with electronic access to confidential and public records for child and spousal support, parentage, dissolution, legal separation, nullity of marriage, child custody proceedings and domestic violence prevention proceedings.
- 4.2.4. Work with the local child support agency to develop and implement filing and processing standards for all documents filed with the Court by the ESDCSS in Title IV-D cases, including electronic filing where available.

The time processing standard should not exceed ten (10) court days or in exceptional circumstances, for a specific filing, with a showing of urgency and adequate notice to the court, filing shall be done immediately upon request.

Should courts be unable to meet these timeframes due to circumstances beyond the Court's control, the court will inform and work with the ESDCSS to develop a plan to ensure timely filing of child support documents to the extent possible based on the court's level of grant funding to meet staffing needs.

- 4.2.5. Provide court calendar time to meet 42 USC section 666(a)(2), 45 CFR section 303.4, and Family Code section 17400(c) processing timeframes; specifically;

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Between
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SERVICES AND MONO COUNTY SUPERIOR COURT

- a. That the court assigns a hearing date within three (3) to five (5) court days of the filing of moving papers that require a hearing unless a later date is requested by the ESDCSS or other party to the case.
 - b. The assigned court dates shall not exceed sixty (60) calendar days from the date of the filing of the moving paper unless an extension is requested by the ESDCSS or Court.
 - c. Should courts be unable to meet these timeframes due to circumstances beyond the Court's control, the court will inform and work with the ESDCSS to develop a plan to ensure more timely hearings in child support cases to the extent possible based on the court's level of grant funding to meet staffing needs.
- 4.2.6. Ensure that the Court's Child Support Commissioners, Family Law Facilitators and support staff, including clerical staff, as appropriate, complete appropriate training as prescribed by the Judicial Council of California. Such training shall include but not be limited to the Child Support Enforcement (CSE) Guideline Calculator practices.
- 4.2.7. Ensure that Court's Child Support Commissioners fully comply with Family Code sections 4056 and 4065 and California Rules of Court Rule 5.260(b) by entering explanations for deviations from guideline calculations into the case record.
- 4.2.8. Court shall refer all Title IV-D actions or proceedings filed by any party or attorney other than ESDCSS to a Child Support Commissioner unless the Child Support Commissioner is not available due to exceptional circumstances, as prescribed by California Rules of Court, Rule 5.305.

4.3 Mutual Responsibilities

In order to support the compelling state interest in creating an expedited process in courts that is cost-effective and accessible to families, for establishing and enforcing child support orders in cases being enforced by the local child support agency, both ESDCSS and Court agree to:

- 4.3.1. Collaborate and coordinate with one another to maximize compliance with all Title IV-D/1058 program operations. Coordination shall include prompt notification of any planned or implemented changes in case processing operations including the reassignment of courtrooms, relocations of courtrooms within the county, limiting courtroom and commissioner availability, availability of dedicated meet and confer space for Title IV-D Program participants, and changes to the ability of the court to accommodate automation and internet connectivity.

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EASTERN SIERRA DEPARTMENT OF CHILD SUPPORT SERVICES AND MONO COUNTY SUPERIOR COURT

- 4.3.2. The Court and ESDCSS shall meet periodically, but no less than quarterly, to discuss procedural, performance, and processing issues of mutual interest and concern that may arise in connection with this POC and the handling of Title IV-D cases, including, but not limited to, processing cases within federal and state time frames, processing cases in accordance with procedures mandated by federal and state laws, federal and state regulations, and statewide rules of court and automation issues.

In addition to the Court Executive Officer or designee(s), these meetings may include representatives from the Court, including but not limited to the Child Support Commissioner, the Court Clerks, and court operations, the ESDCSS. These meetings may also include, but not required to include, the Family Law Facilitator, the private bar, defense counsel, representatives of other County of Mono departments, members of the public and others, as appropriate, on either an ad hoc or regular basis.

- 4.3.3. Every reasonable effort shall be made to avoid a blanket peremptory challenge of the Court's Child Support Commissioner by ESDCSS. Prior to the ESDCSS exercising a blanket challenge, at least one meet-and-confer session shall be convened in an attempt to resolve the issues giving rise to the possible blanket peremptory challenge.

Such session shall, at a minimum, include a representative of the ESDCSS and the Court's Presiding Judge or designee.

If appropriate, the representatives of the Court's Executive Office, other county departments, the Judicial Council, the California Department of Child Support Services, and others may be invited to participate in one or more of the meet-and-confer sessions.

- 4.3.4 Support the expansion of e-filing and require the courts to meet with the California Department of Child Support Services and the ESDCSS regularly during implementation to ensure local business practices and/or local rules of court are not in conflict with e-filing requirements.

1. **Definition.** E-filing is the bi-directional file exchange of legal document data between the Court case management system and the ESDCSS system of record.
2. **Recitals.** Both Parties realize benefits from e-filing including reduced staffing, reduced potential for document errors, reduced time for filing legal documents, elimination of misdirection or routing of documents, and reduced need to scan documents.

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3. **Requirements.** In jurisdictions where e-filing is available, the requirements should represent best practices that each ESDCSS and Court will adhere to when e-filing.

At such time when the Court transitions onto a new case management system that includes implementation of a family law case type, the Court will work with the ESDCSS to clarify current and future e-filing business practices. The case management system must be capable of electronically sending, receiving, filing, stamping, imaging, and returning legal documents. The case management system must have the ability to file exchange all of the mutually agreed upon form sets.

Documents should be processed within ten (10) business days of receipt by the Court unless circumstances not under the Court's control require additional time.

5. FINANCIAL ARRANGEMENTS

5.1. Direct or Indirect Costs paid in DCSS/JCC Contract

Direct and indirect costs incurred by Court in performance of Title IV-D activities or services, including but not limited to, provision of IV-D Commissioners and Family Law Facilitators are already funded under the contract between California Department of Child Support Services and the Judicial Council of California. **No direct or indirect costs for services or supplies may be claimed or paid under the provisions of this POC. Government Code section 6103.9 only allows for the courts to claim these costs through their contract(s) with the Judicial Council of California, not through this POC with the ESDCSS.**

5.2 Exemption from Fees and Reimbursements for Services

Parties acknowledge that the ESDCSS is exempt from payment of any fees or reimbursements for services in any action or proceeding brought for the establishment of paternity or a child support obligation, or the enforcement of a child, medical or spousal support obligation including, but not limited to:

- Fees for providing certified or non-certified copies of documents;
- Filing fees; and
- Fees for remote electronic access to court records, which fees are authorized by Rule of Court 2.506(a) to be charged to the public; but not allowed to be paid with federal financial participation funding under Title 45, Code of Federal Regulations, section 304.21(b)(1).

PLAN OF COOPERATION
Between
EASTERN SIERRA DEPARTMENT OF CHILD SUPPORT
SERVICES AND MONO COUNTY SUPERIOR COURT

5.3. Audit & Inspection – Reimbursement for Federal Penalties

Each Party shall permit the authorized representative of the other Party, the Judicial Council of California, the CA DCSS, or other appropriate state or federal audit agencies to inspect and/or audit, at any reasonable time, all data and records relating to case processing, and billing to the state under this POC.

Each Party accepts responsibility for receiving, replying to, and/or complying with any audit by appropriate federal and state audit agencies that directly relate to the services to be performed under this POC. In addition, the Parties agree to reimburse the Department of Child Support Services the amount of the Department of Child Support Services' liability to the federal government that results from that each Party's failure to perform the service or comply with the conditions required by this POC and identified by said audit.

5.3.1. Corrective Action Plan

Should either Party to this POC be found deficient in any aspect of performance under this POC, or should either Party to this POC fail to perform to the agreed-upon performance standards, the deficient party will have the responsibility of submitting a proposed corrective action plan to the auditor and the Judicial Council identifying the deficiency. The corrective action plan shall identify specific actions to be taken to correct the deficient performance and shall be submitted within 45 days after notification of deficiencies by the auditor.

The Party whose performance has been identified as deficient, shall implement the corrective actions proposed in the Corrective Action Plan within thirty (30) days of approval of the Corrective Action Plan by the auditor unless otherwise agreed to in writing by the Parties. Failure to implement corrective actions within thirty (30) days from auditor approval of the Corrective Action Plan shall constitute breach of the POC.

6. RECORDS MAINTENANCE & SAFEGUARDING

6.1. Maintain Adequate Records

All records and documentation shall be maintained in accordance with federal and state requirements. The Court and ESDCSS shall maintain full and accurate records with respect to all matters covered under this POC.

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The Court shall maintain the original of all documents filed with the court by any party in a case under Title IV-D, all federal and state laws, federal and state regulations, court rules, and requirements promulgated in relation thereto. Original documents may be maintained by Court in electronic form.

6.2. Information Security and Data Protection

The Parties are responsible for safeguarding all information in accordance with all applicable federal and state laws and regulations, particularly Family Code §17212, Welfare & Institutions Code §11478.1, 26 USC section 6103, 42 USC section 654(26), Title 22 CFR section 111430 - 111440 and IRS Publication 1075

6.2.1. Federal Tax Information

In performance of this POC, the ESDCSS will take all appropriate actions to ensure that the Court will not be given access to federal tax information or FTI. However, inadvertent or incidental access to FTI may still occur. It is incumbent upon both the ESDCSS and the Court to inform and train its officers and employees of the provisions of IRC sections 7213 and 7213A Unauthorized Disclosure of Information and IRC section 7431 Civil Damages for Unauthorized Disclosure of Returns and Return Information.

Willful unauthorized disclosure of returns and return information is a felony punishable upon conviction by a fine of as much as \$5,000 or imprisonment for as long as five years, or both, together with the costs of prosecution. Willful unauthorized disclosure of returns and return information may also result in an award of civil damages against the officer or employee in an amount not less than \$1,000 with respect to each instance of unauthorized disclosure. These penalties are set forth at 26 CFR 301.6103(n)-1.

The ESDCSS will ensure that all restricted information included in all court documents, including those electronically filed and possibly auto-accepted without clerical review, is redacted so as to not be accessible in the court's records.

Timely notification of an unauthorized disclosure of FTI is of the highest importance. The Court and the ESDCSS will immediately, but no later than 24 hours after discovery of a possible unauthorized disclosure involving FTI, contact the California Department of Child Support Services as well as the local court Information Security Officer. The ESDCSS and the Court shall not wait to conduct an internal investigation to determine if FTI was in fact disclosed without authorization.

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Between
EASTERN SIERRA DEPARTMENT OF CHILD SUPPORT
SERVICES AND MONO COUNTY SUPERIOR COURT

6.2.2. Notice of Security Breach

The Court shall notify California Department of Child Support Services Information Security Officer of any information security breach involving ESDCSS information, other than FTI, as soon as practical; but no more than 24 hours after discovery. The notification shall describe the incident in detail. Court shall cooperate with California Department of Child Support Services Information Security Officer and ESDCSS in investigations of information security incidents.

The ESDCSS shall notify the Court of any information security breach involving non-public Court information related to this POC, as soon as practicable; but no more than 24 hours after discovery. The notification shall describe the incident in detail. The ESDCSS shall cooperate with the Court and the Judicial Council of California in investigations of information security incidents.

6.2.3. Notify Officers and Employees of Penalties

It is incumbent upon the Court to inform its employees of the penalties for unauthorized disclosure imposed by the Privacy Act of 1974, 5 U.S.C. 552a. Specifically, 5 U.S.C. 552a(i)(1), which is made applicable to the Court by 5 U.S.C. 552a(m)(1), provides that any officer or employee of the Court, who by virtue of his/her employment or official position, has possession of or access to agency records which contain individually identifiable information, the disclosure of which is prohibited by the Privacy Act or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor.

7. DURATION AND RENEWAL OF POC

The term of this POC shall be two (2) years commencing on November 1, 2017; and shall end on October 31, 2019.

8. ENTIRE AGREEMENT

This POC constitutes the final, complete, and exclusive statement of the terms between the Parties pertaining to the subject matter of the POC and supersedes all prior POCs. Parties are not bound by any oral agreement which has not been reduced to writing herein. The Parties may attach and incorporate herein by reference an Attachment B to memorialize a specific local practice or other areas

PLAN OF COOPERATION
Between
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of common concern unique to the Parties. Any attachment to this POC is subject to the final approval of the Director of the Department of Child Support Services and the approval as to form by the Director of the Center for Families, Children and the Courts.

9. AMENDMENT

Amendments to this POC may be made by either Party to this POC. However, all amendments must be in writing, signed by the Parties and approved by the Director of California Department of Child Support Services and approved as to form by the Director of the Center for Families, Children and the Courts.

The Parties agree that if federal, state and county funds for the program are or become insufficient for any reason including inadequate appropriation, budgetary reductions, reallocations, etc.; this POC shall be amended to the extent feasible to reflect the reduction in funding, otherwise it shall be of no further force and effect. Before this POC may be amended or terminated for insufficiency of funding, both Parties shall meet and confer with the California DCSS Director and Director of the Center for Families, Children and the Courts of the to discuss amendment alternatives as described below in the Paragraph 10 "Dispute Resolution."

Any provision of this POC which conflicts with new or revised state and federal laws, regulations, court rules, and requirements shall be deemed amended to conform with the new or revised federal and state laws, regulations, court rules, and requirements.

10. DISPUTE RESOLUTION

In the event of any dispute arising out of or relating to this POC, the Parties shall attempt, in good faith, to promptly resolve the dispute. If the dispute cannot be resolved by their mutual agreement, the dispute shall be elevated to the Court Executive Officer, Director of the California Department of Child Support Services and the Judicial Council's AB 1058 Program Manager to resolve the issue.

The Parties shall, without delay, continue to perform their respective obligations under this POC whether or not affected by the dispute.

11. TERMINATION

If a dispute cannot be resolved, either Party may terminate this POC, after giving the other Party ninety (90) days written notice of the intent to terminate and only after all attempts to resolve any and all disputes have been exhausted as described above in Paragraph 10.

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Between
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In the event of termination of this POC, both Parties shall prepare a mutually agreed upon Plan of Termination of Services so as to minimize disruption of services to the Title IV-D program services and allow the ESDCSS to seek replacement court services. In addition, the Parties will continue to carry out the duties and responsibilities described herein until the operational date or agreed upon date of termination in the Plan of Termination of Services.

12. SEVERABILITY

If any term of this POC is inconsistent with any applicable law, regulation, rule or policy, then that part of the POC shall be invalid and the unaffected parts shall remain in full force and effect.

If any provision of this POC is held by a court to be invalid, void or unenforceable, the remaining provisions shall continue in full force and effect without being impaired or invalidated.

13. COUNTERPARTS

This POC may be signed in two or more counterparts. When at least one such counterpart has been signed by each Party approved by the Director of the California Department of Child Support Services and approved as to form by the Director of the Center for Families, Children and the Courts, this POC shall be deemed to have been fully executed. Each counterpart shall be deemed to be an original, and all counterparts shall be deemed to be one and the same POC.

14. AUTHORIZATION

We, the undersigned, as authorized representatives of the County of Mono Child Support Services Department and the Superior Court of California, County of Mono, do hereby approve and enter into this POC for the services described in this document. In performance of the provisions of this POC, the Parties agree to comply with Title IV-D and all federal and state laws, regulations, policies and directives.

PLAN OF COOPERATION
Between
EASTERN SIERRA DEPARTMENT OF CHILD SUPPORT
SERVICES AND MONO COUNTY SUPERIOR COURT



Susanne Rizo, Esq., Director
Child Support Services Department
Eastern Sierra Department of Child
Support Services



Hector Gonzalez, Court Executive Officer
Superior Court of California
County of Mono

Approved:

Approved as to form:

ALISHA GRIFFIN, Director
California Department of
Child Support Services

CHARLENE DEPNER, Director
Center for Families, Children & the Courts
Judicial Council of California



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

12

X Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: County Administrator - Personnel

FOR THE BOARD MEETING OF: January 9, 2018

SUBJECT: Contract for Executive Recruitment Services for Assistant Health and Human Services Director

DEPARTMENTAL RECOMMENDATION:

Request your Board consider Agreement between the County of Inyo and CPS HR Consulting for Executive Recruitment Services for Assistant Health and Human Services Director, in an amount not to exceed \$24,000 for the term January 9, 2018 through December 31, 2018 and authorize the County Administrator to sign.

SUMMARY DISCUSSION:

Similar to the nationwide recruitment for a new Health and Human Services Director, your Board has expressed a desire to see an extensive and vigorous recruitment for a new Assistant Health and Human Services Director since the prior incumbent in that position was, ultimately, promoted to HHS Director following a far reaching and prolonged recruitment effort for that position.

CPS HR Consulting is the State of California's contractor for the State Merit System which governs the hiring process for many County Health and Human Services job classifications. As such, the firm has an extensive "Rolodex" of highly qualified individuals who have the background and experience in the Health and Human Services field. If this agreement is approved, CPS will use its "Rolodex" contact respected and experienced health and human services professionals to identify outstanding potential candidates on a referral basis. The company will also conduct research to target individuals relevant to the County's specific needs and expectations to ensure it thoroughly market the Assistant HHS Director position to an appropriate audience and garner a diverse and quality pool of candidates. If a candidate is hired but is terminated before the completion of the first two years of employment with the County, CPS HR will provide the County with professional services to appoint a replacement at no charge.

ALTERNATIVES:

Your Board could choose not to contract with an executive recruiting firm to assist in filling the vacant Assistant HHS Director position and direct that the recruitment be conducted by County staff.


OTHER AGENCY INVOLVEMENT:

None

FINANCING:

There is sufficient funding for this contract in the HHS budgets approved by your Board for Fiscal Year 2017-2018.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved:  ✓ Date <u>1/4/18</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)

Kevin Carunchio

Date:

1/4/18

by 



Phase I - Develop Candidate Profile and Recruitment Strategy

Task 1 - Review and Finalize Assistant Director of Health and Human Services Search Process and Schedule

A critical first step in this engagement is a thorough review of the search process and schedule with the County Administrator and Director of Health and Human Services. This will ensure that their needs are met in the most complete manner possible.

Task 2 - Receive Input from Others

As desired by the County, the consultant is prepared to meet with any other stakeholders to obtain additional input in developing the ideal candidate profile and helping the consultant understand key issues and challenges that will face a new Assistant Director of Health & Human Services (Assistant Director). The specific nature of the involvement process would be developed in consultation with the County. The results of the above activities will be summarized by the consultant and provided to the County as an additional source of information for developing the candidate profile and selection criteria.

Task 3 - Development of Candidate Profile and Recruitment Strategy

This task will be accomplished during a workshop session of approximately one to two hours in length with the consultant and County officials. This task will result in the identification of the personal and professional attributes required of the new Assistant Director, and include the following activities:

- ❖ The County will identify priorities for the new Assistant Director
- ❖ The consultant will assist the County in identifying the conditions and challenges likely to be encountered in achieving the priorities identified above.
- ❖ The County will describe the type of working relationship they wish to establish with the Assistant Director.
- ❖ The consultant will assist the County in generating a list of specific competencies, experiences, and personal attributes needed by the new Assistant Director in light of the analyses conducted above.
- ❖ The consultant will present several recruitment and selection strategies for the County's consideration. The County will choose the recruitment and selection process most likely to produce the intended results.

Task 4 - Prepare Recruitment Brochure

Following the completion of the workshop session, text for an attractive recruitment brochure will be prepared and presented to the County for review prior to printing. Advertisements will be prepared and placed for publication in appropriate magazines, journals, newsletters, job bulletins, and Web sites.

Phase II - Recruitment

Task 1 - Identify and Contact Potential Candidates

This very crucial task will include a variety of activities designed to attract the best available candidates. In addition to the placement of advertisements in appropriate professional journals, the consultant will:

- ❖ Contact respected and experienced health and human services professionals to identify outstanding potential candidates on a referral basis. We will also conduct specific research to target individuals relevant to your specific needs and expectations to ensure that we are thorough in our efforts to market this position to the appropriate audience to garner a diverse and quality pool of candidates. These individuals, as well as potential candidates, are typically contacted very soon after they have received a recruitment brochure in order to maximize the impact of the multiple contacts.
- ❖ Select top quality candidates for consideration from past recruitments.
- ❖ Provide each potential candidate with a copy of the recruitment brochure transmitted with a personal letter.
- ❖ Contact potential candidates by telephone to explain the career opportunity, answer questions, and encourage them to submit a resume. Oftentimes this component necessitates multiple conversations with the same person to pique their interest and to answer their questions.

Task 2 – Resume Review and Personal Interviews

All resumes will be submitted directly to the consultant for initial screening. This screening process is specifically designed to assess the personal and professional attributes the County is seeking, as well as:

- ❖ A thorough review of each candidate's resume and other supporting materials.
- ❖ Personal interviews with the candidates who appear to best meet the County's needs. This group typically includes approximately 10-15 candidates. The consultant will spend quality time ascertaining each candidate's long-term career goals and reason(s) why the candidate is seeking this opportunity, as well as gaining a solid understanding of the candidate's technical competence and management philosophy. We will also gather data on any other unique aspects specific to this recruitment based upon the candidate profile.
- ❖ The consultant will conduct internet research on each candidate interviewed, to include newspaper articles and blog checks.

Task 3 – County Selects Finalists

At the conclusion of the previous tasks, the consultant will prepare a written report that summarizes the results of the recruitment process and recommends five to eight candidates for further consideration by the County. This report will include the candidate resumes and a profile on each interviewee's background. The consultant will meet with the County to review this report and to assist in selecting a group of finalists for further evaluation.

Phase III - Selection

Task 1 - Design Selection Process

Based on the results of the meeting conducted in Phase I, the consultant will design a selection process to be utilized by the County in assessing the final candidates. This process will typically include an in-depth interview with each candidate, but may also include other selection tools such as an oral presentation, preparation of written materials and problem-solving exercises.

Task 2 - Administer Selection Process

The consultant will coordinate all aspects of the selection process for the County. This includes contacting both the successful and unsuccessful candidates, preparing appropriate materials such as interview questions and evaluation manuals, facilitating the interviews, and assisting the County with deliberation of the results of the interviews.

Task 3 – Arrange Follow-up Interviews, Final Assessment Process (Hogan Assessment Tools, Reference and Background Checks)

Following the completion of the selection process, the consultant will be available to complete the following components:

- ❖ Hogan Assessment Tools: should the County desire, we can administer the Hogan Personality Inventory (the HPI is the industry standard for measuring normal personality with a 25-year history of successfully predicting employee performance; the HPI assesses a candidate's typical approach to work and interaction with others, as well as strengths that will facilitate various facets of job performance) and the Hogan Development Survey (the HDS assesses 11 common performance risks that tend to emerge during times of increased pressure, stress, novelty, or boredom; these eleven "derailleurs" can interfere with a person's ability to build relationships with others and create cohesive teams). The pricing for these tools can be provided to the District, if interested.
- ❖ Background Checks: we will arrange for a background records check of an applicant's driving record, court and credit history, education verification, newspaper article research and other sensitive items.
- ❖ Reference Checks: the in-depth reference checks are a comprehensive 360 evaluation process whereby we speak with elected officials as well as current and previous supervisors, peers and subordinates. The candidates are requested to provide a minimum of six reference sources. CPS HR is able to ascertain significant, detailed information from reference sources due to our assurance and commitment to them that their comments remain confidential which leads to a willingness to have an open and candid discussion with CPS HR. A written summary of the reference checks is provided to the County.

Professional Fees, Expenses, & Guarantee

Professional Services

Our professional fixed fee covers all CPS HR services associated with **Phases I, II, and III** of the recruitment process, including the necessary field visits (up to three) to develop the candidate profiles and recruitment strategy, assist the County with finalist selection, and facilitate candidate interviews. Costs for conducting only Phase I and II of the recruitment process or just targeted outreach are included.

Reimbursable Expenses

Actual out-of-pocket expenses for such items as consultant travel, advertising, marketing, printing/copying, and postage/delivery charges are reimbursable at cost. There is no mark-up on expenses and ***we will work proactively with the County to ensure that the dollars being spent for expenses are in keeping with the County's expectations.*** Travel expenses for candidates who are invited forward in the interview process are not included under our reimbursable range. The listed reimbursable expenses range includes a background check on the selected finalist candidate.

Professional Fixed Fee & Reimbursable Expenses*	
Professional Services Full Recruitment (Fixed Flat Fee)	\$17,000
Professional Services Partial Recruitment (Phases I and II) (Fixed Flat Fee)	\$13,000
Professional Services Partial Recruitment (Outreach Only)	\$3,500
Reimbursable Expenses	
<u>Approximate</u> recruitment costs include:	
■ Brochure Design and Printing (\$1,100)	
■ Advertising (\$3,000)	
■ Background check for one candidate (\$450)	
■ Other recruitment expenses such as supplies, travel, and shipping (\$2,000)	
	\$6,000-\$7,000**
Not-to-Exceed Total Full Recruitment	\$24,000
Not-to-Exceed Total Partial Recruitment	\$19,000
Not -to-Exceed Total Outreach Only (with advertising)	\$7,500

*Professional fees and reimbursable expenses would be billed and paid monthly.

** Reimbursable expenses for partial recruitments usually run from \$1,000-\$1,500 less than a full recruitment, however, the bulk of expenses is incurred in the marketing/advertising of the position.

Expenses for an outreach only campaign that required advertising and a recruitment brochure would not exceed \$4,000.

Two Year Guarantee

If the employment of the candidate selected and appointed by the County, as a result of a full executive recruitment (*Phases I, II, and III*), comes to an end before the completion of the first two years of service, CPS HR will provide the County with professional services to appoint a replacement. Professional consulting services will be provided at no cost. The County would be responsible only for reimbursable expenses. **This guarantee does not apply to situations in which the successful candidate is promoted or re-assigned within the organization during the two-year period.** Additionally, should the initial recruitment efforts not result in a successful appointment, CPS HR will extend the aggressive recruiting efforts and screen qualified candidates until an offer is made and accepted. CPS HR does not provide a guarantee for candidates placed as a result of a partial recruitment effort.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

13

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Dave Stottlemyre, Assessor

FOR THE BOARD MEETING OF: Jan 9, 2018

SUBJECT: Appraiser I or II

DEPARTMENTAL RECOMMENDATION: Request your Board find that, consistent with the adopted Authorized Position Review Policy: a) The availability of funding for the requested position comes from the General Fund, as certified by the Auditor-Controller and concurred with by the County Administrator; and b) Although internal candidates might meet the qualifications for the position Appraiser I or II, an open recruitment would be more appropriate to ensure qualified applicants apply; and c) Approve the hiring of an Appraiser I, Range 68 (\$4,272-\$5,190) Appraiser II, Range 70 (\$4,479-\$5,448) depending on qualified applicants.


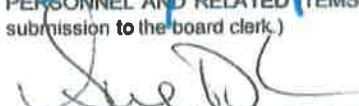
CAO RECOMMENDATION:

SUMMARY DISCUSSION: On Monday, December 18, 2017 the Appraiser II in the Assessor's office was vacated. The loss of this person has created a major void in the department. This position is necessary to maintain critical daily workflow involving property appraisals, performing critical tax research, defending values in appeals, working closely with the auditor-appraiser in closing the annual roll. This person answers the telephone, interacts with the public, face-to-face on a daily basis and provides property assessment information as requested. Additionally, this person performs invaluable discovery research. It is crucial to fill this position as quickly as possible.

ALTERNATIVES: Your Board could choose not to approve the hiring of this position, but this would negatively impact the daily operations of the Assessor's office.

OTHER AGENCY INVOLVEMENT:

FINANCING: Funding for this position is from the General Fund. This position is currently budgeted for in the Assessor's budget 010600, in the Salaries and Benefits object code.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>12/20/17</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)  Approved: <u>✓</u> Date <u>12/20/17</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)



Date: 12-20-17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 14

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: January 9, 2018

SUBJECT: North Sierra Highway Draft Corridor Plan

RECOMMENDATION:

- Receive a presentation from staff and consultant regarding the North Sierra Highway Strategic Plan, and provide comment;
- Provide any final comments on the North Sierra Highway Corridor Plan and direction, and;
- Provide any input on future phases for the North Sierra Highway Planning Project.

SUMMARY DISCUSSION:

Background

In April of 2015, Caltrans awarded the County and the City of Bishop a grant to develop a Sustainable Corridor Plan over three years for the North Sierra Highway. The project focused on transportation planning issues between the Wye/Main Street/Highway 6 intersection to Brockman Lane. With partnerships formed in the summer and fall of 2015, staff, at the Board's direction expanded the scope of this project to also include a Specific Plan for the land that is adjacent to the corridor in the same planning area. The work was divided into two phases, with Phase I consisting of preparation of a Corridor Plan and a draft Specific Plan. Phase II would consist of creating a final Specific Plan that would include an Environmental Impact Report.

Once the contract with Caltrans was approved in November of 2015, a Request for Proposals for a consultant to assist with the Specific Plan and Corridor Plan was developed and processed in coordination with Caltrans, the City of Bishop, and the Bishop Paiute Tribe. A contract was awarded to RRM Design Group in April of 2016. RRM Design Group along with County and City staff, have been working on Phase I of this project. A series of stakeholder meetings were conducted in May and July of 2016. A research project, consisting of gathering existing documents and studies that affect the area, along with on the ground research, was conducted through the summer of 2016. An Advisory Committee was formed, with Frank Stewart acting as the representative of the Planning Commission and Rick Pucci acting as the representative of the Board. The committee has acted as a review board, reviewing and providing input on documents such as the Opportunities and Constraints Report, an Infrastructure Report, and an Environmental Constraints Analysis that were the product of the research phases of the project. Also, a strong public outreach component was conducted, primarily by encouraging the public to attend the Advisory Committee meetings. Three major public outreach workshops were also held in July and October of 2016 and May of 2017. The consultants began design work in earnest after the October 2016 workshop on the draft Corridor and Specific Plans.

An administrative draft of the Corridor Plan was released by RRM in February of 2017, and reviewed by County, City of Bishop, Caltrans and Eastern Sierra Transit Authority (ESTA) staff. Comments were compiled and used to revise the administrative draft plan and prepare the North Sierra Highway Draft Corridor Plan. The Draft Corridor Plan was released in April of 2017, and was taken to the Advisory

Committee and public in May of 2017. Presentations were made to the Inyo County and City of Bishop Planning Commissions, the Bishop City Council and the Inyo County Board of Supervisors.

In the summer and fall of 2017, staff and RRM worked to finalize the Corridor Plan and prepare the Strategic Plan, which are the plans staff and RRM are presenting today. These plans have already been presented to the City of Bishop Planning Commission on November 28, 2017, to the Inyo County Planning Commission on December 6, 2017, and to the Bishop City Council, yesterday, January 8, 2018.

Staff Analysis

The main objectives of the Corridor Plan are to improve multi-modal transportation and public safety; foster vibrant and healthy communities; and encourage environmental stewardship. Some of the main recommendations to help promote these objectives are:

- Infill sidewalk gaps along the corridor. The north side of the corridor from Tu Su Lane eastward and the south side of the corridor from Barlow Lane eastward have major sidewalk gaps that are identified to be filled.
- Infill bicycle lanes and generally upgrade bicycle lanes to buffered Class II bicycle lanes. While much of the corridor has shoulders that nominally meet Class III bicycle route requirements, because of the other uses on the corridor including truck and tourist traffic, upgrading to the more protected Class II bicycle lanes is highly recommended to encourage bicycle use along the corridor.
- Provide multi-use trail systems to encourage off highway pedestrian, bicycle and equestrian travel routes. The North Sierra Highway Corridor area is an ideal hub area for multi-use trails to connect the City of Bishop to the Meadowcreek/Highlands area, with potential trails directly connecting the Fairgrounds, and the City of Bishop Schools to the planning area.
- Provide more protected crossings across the highway. Opportunities for protected crossings exist across the highway at See Vee Lane (in the planning process with Caltrans), Brockman Lane, and midway between See Vee Lane and Wye Road (where the existing bike trail from Sierra Street terminates into Highway 395. These additional crossings can provide a safer corridor for pedestrians.
- Encourage evaluating the Wye and providing a more functional solution for that area. Existing options from previous Caltrans studies of the Wye Road, Highway 395 and Highway 6 intersection were presented at public meetings and input from those meetings is included in the Plan to help encourage any project that will make this intersection more functional.
- Encourage a standardization of highway speeds of 35 miles per hour in the North Sierra Highway Corridor area. Public input identified the varying speeds in the Corridor area as a major factor affecting perception of safety and separation of the Meadowcreek/Highlands area from the rest of Bishop. Strategies for standardization require more than modification of speed limit signs such as modification of factors that will generally decrease speed of travel in the Planning area.
- Expand and modernize public transportation in the planning area. The Plan builds upon strategies already being implemented by ESTA.
- And funding opportunities to realize the above goals.

The Corridor Plan meets these objectives and specifies these recommendations, fulfilling the needs of the County and the City and the requirements of the Caltrans grant.

The Strategic Plan is similar to a Specific Plan, in that it looks more broadly at a planning area than does the mobility focused Corridor Plan. Like a Specific Plan, the Strategic Plan looks at land use, infrastructure requirements, mobility (which is largely founded on the Corridor Plan) and implementation strategies. The difference between the Strategic Plan and a draft Specific Plan is that this Strategic Plan is looking at land

use, infrastructure and implementation at 5 opportunity sites, instead of the entire planning area for the areas of land use and implementation. The five opportunity sites looked at are:

- Opportunity Site A: Redevelopment of Bishop Plaza Site (North Sierra Highway and Rocking W Drive)
- Opportunity Site B: North Sierra Highway and Cherry Lane (North-East Corner)
- Opportunity Site C: Existing Fire Station Site (North Sierra Highway and See Vee Lane, South-East Corner)
- Opportunity Site D: Adjacent to Bishop Veterinary Hospital (North Sierra Highway, South Side of Highway and east of existing multi-use trail)
- Opportunity Site E: Wye Road and Highway 6 (North-West Corner)

The current Strategic Plan includes a visualization of possibilities that are consistent with the economic analysis and public input, as well as preliminary infrastructure upgrade costs for several of the opportunity sites.

Staff is also looking to the Board for possible future direction for future additional planning of the North Sierra Highway Planning Area. Three options have been outlined:

- Option 1 - is to fully implement the Strategic Plan, focusing on the 5 key opportunity sites; establishing goals and visions for the sites; refining infrastructure development and costs; conducting site specific environmental review; analyzing and modifying site specific zoning; and exploring development agreements with the Los Angeles Department of Water and Power;
- Option 2 - is to pursue a Specific Plan for the County portions of the Planning Area including an environmental review, and;
- Option 3 - is to pursue a multi-jurisdictional comprehensive Specific Plan that would cover the already identified planning area in both the City's and the County's jurisdictions, and an environmental review.

OTHER AGENCY INVOLVEMENT: The Corridor Plan has been funded in large part by a Caltrans grant, and the City of Bishop and ESTA have been financial partners with the County in the Corridor Plan. The Bishop Paiute Tribe, the Los Angeles Department of Water and Power, the Tri-County Fairgrounds, the Eastern Sierra Community Services District and the Bishop Rural Fire Protection District all provide members for the Advisory Committee (as do all of the financial partners). And a wide and diverse array of stakeholders representing a multitude of government entities were interviewed as stakeholders in this project and the North Sierra Highway planning area.

FINANCING: Work on the North Sierra Highway Sustainable Transportation Corridor Plan portion of this project is being primarily funded through the Caltrans Sustainable Transportation Planning Grant with a relatively small matching requirement being provided by the County and City of Bishop.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 1/3/18



North Sierra

HIGHWAY CORRIDOR PLAN



Draft Final Plan

November 2017



ACKNOWLEDGEMENTS

PREPARED FOR: County of Inyo and City of Bishop



PREPARED BY:



North Sierra Highway Plan Advisory Committee

Rick Pucci, Inyo County Board of Supervisors
Frank Stewart, Inyo County Planning Commission
Pat Gardner, City of Bishop City Council
Shane Huntley, City of Bishop Planning Commission
Gloriana Bailey, Bishop Paiute Tribe
Peter Bernasconi, Bishop Paiute Tribe
Brandon Fitt, Caltrans
Don McGhie, Los Angeles Department of Water and Power
Corinna Korpi, Tri County Fairgrounds
Jill Batchelder, Eastern Sierra Transit Authority
Dan Nolan, Eastern Sierra Community Services District
Ray Seguine, Bishop Rural Fire Protection District



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Executive Summary

The Sustainable Corridor Plan for North Sierra Highway (Corridor Plan) is the result of a collaborative effort by the County of Inyo and the City of Bishop to provide a conceptual multi-modal planning foundation for the area. The Corridor Plan is intended to be used to evaluate how different transportation concepts for vehicular, freight, transit, bicycle, and pedestrian modes in the context of complete street features can enhance the vision of the community. Community and agency input was gathered through stakeholder interviews, community workshops, and meetings of the North Sierra Highway Corridor and Specific Plan Advisory Committee (comprised of members representing a range of affected and implementing agencies). The Corridor Plan contains conceptual design and implementation strategies and is intended to guide implementation and development actions. In addition, the Corridor Plan is intended to become a component of a future Specific Plan policy document that will add complementary policies providing guidance for additional elements such as land use, development standards, parking requirements, infrastructure improvements, and review processes.

The following Corridor Plan document provides background information, project goals, discussion and recommendations addressing each mode of transportation (pedestrians, bicycles, transit, and vehicles) as well as parking strategies. The last chapter provides a summary of recommended implementation actions with associated timing, responsible parties, and potential funding sources.



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1. Introduction

A. Project Area

The North Sierra Highway Corridor Plan (Corridor Plan) boundary spans two miles of the North Sierra Highway, the stretch of US Route 395 north of downtown Bishop. The project area includes approximately 423 acres of land across Inyo County, City of Bishop, and Paiute Tribal land. Notable areas included in the project boundary are Bishop Plaza, the entrance and exit to the Highlands Community, the Bishop Fairgrounds, the intersection of US Route 395, US Route 6, and Wye Road, and ranchland belonging to Los Angeles Department of Water and Power (LADWP). The defined planning area is illustrated in **Figure 1-1**.



Figure 1-1 Sustainable Corridor Planning Area



B. Grant Overview

The County of Inyo and the City of Bishop were awarded a grant for the Caltrans Sustainable Communities Program for Fiscal Year 2015-2016 to “develop a Sustainable Corridor Plan for the North Sierra Highway to better integrate multi-modal transportation, effectuate the streetscape utilizing community-developed design themes, and improve air quality and safety.” The Corridor Plan is intended to help “energize local transit, walking, and bicycle use” and “support broader planning in the area, including the Bishop Paiute Reservation and the Tri-County Fairgrounds.”

C. Project Goals/Principles

Project goals and principles range from the federal to local level as described below.

State and Federal Planning Goals

As a comprehensive corridor planning effort, the Corridor Plan aims to meet the following State and Federal transportation planning goals:

State Transportation Planning Goals

- Improve multimodal mobility and accessibility for all people;
- Preserve the multi-modal transportation system;
- Support a vibrant economy;
- Improve public safety and security;
- Foster livable and healthy communities and promote social equity; and
- Practice environmental stewardship.

Federal Transportation Planning Goals

- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase accessibility and mobility of the people and freight;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;



North Sierra Highway Sustainable Corridor Plan

- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

In working toward meeting these general transportation planning goals, this planning effort takes into consideration Caltrans Main Street, California guidance, a compilation of potential options for State Highway main street projects reflecting updates to Caltrans manuals and policies that improve multimodal access, livability, and sustainability within the transportation system.

Additional Goals and Objectives

By working toward meeting the State and Federal transportation goals outlined above, there is also the overarching opportunity through the implementation of the Corridor Plan to further achieve the realization of existing plans, including major elements of the Caltrans Bishop Area Access & Circulation Feasibility Study, the Inyo County General Plan, the City of Bishop General Plan, as well as the Bishop Paiute Tribe's Bishop Reservation Pedestrian and Bicycle Safety Plan.

The Corridor Plan is intended to be a distinct component of a Specific Plan, which aims to support sustainable economic development within the defined planning area with a compatible land use approach and strategy.

Significant and relevant to this planning effort are three of the stated objectives of the 2007 Caltrans Bishop Area Access & Circulation Feasibility Study:

- Improve circulation and safety for all modes of transportation in the Bishop downtown area;
- Accommodate commercial truck traffic for US Route 395 and US Route 6; and
- Keep services visible for through-traffic on any route, and have easy on/off connections to the highway.

Two identified concepts are to improve access between the City and the housing areas to the west, and to improve City street alternatives to Main Street/US Route 395 that accommodates north-south movements of local traffic on either side of Main Street. Two of these subsequent recommendations fall within the Corridor Plan's defined planning area, and are consistent with the Circulation Plan of the City of Bishop General Plan. Additionally, they are consistent with current thought and planning at Caltrans District 9, Inyo County, and the City of Bishop:



- Placement of a signal at the See Vee Lane/US Route 395 intersection;
- Improve the US Route 6/Wye Road intersection;

The Bishop Area Access & Circulation Feasibility Study recommendations for specific incremental improvements to the existing highway system are still relevant and include:

- Sidewalks (continuous, both sides);
- Improved driveway definition;
- Consideration of a raised curb median to control left turn movements;
- Placement of a signal at the intersection of See Vee Lane and US Route 395;
- Improvement of southbound turn movement from US Route 395 to US Route 6;
- Increased queueing length or a signal or 4-way stop at the Wye Road/US Route 6 intersection; and
- Alignment correction of Wye Road west of, and east of, the US Route 6 intersection.

Recommended improvements identified in the Inyo County Regional Transportation Plan include the signalization of the See Vee Lane/US Route 395-intersection, and defining access with sidewalks and driveways. The Bishop Reservation Pedestrian and Bicycle Safety Plan proposes sidewalks on US Route 395, adjacent to reservation lands, and to “Provide a continuous pedestrian circulation network along all streets within and adjoining to the Reservation.” Finally, California Resources for Sustainability (CARES) has identified sustainable community planning, promoting, community and individual action, public health, natural resource conservation, and air quality as sustainability topics in connection with the Inyo County Collaborative Bikeways Plan (2008).

D. Jurisdictions

Jurisdiction of land within the project boundary is held by the County of Inyo and the City of Bishop, in proximity to Bishop Paiute Tribe lands. Additionally, the Los Angeles Department of Water and Power (LADWP) owns a significant portion of land within the project area as well as throughout the greater Owens Valley. **Figure 1-2** illustrates jurisdictional boundaries.

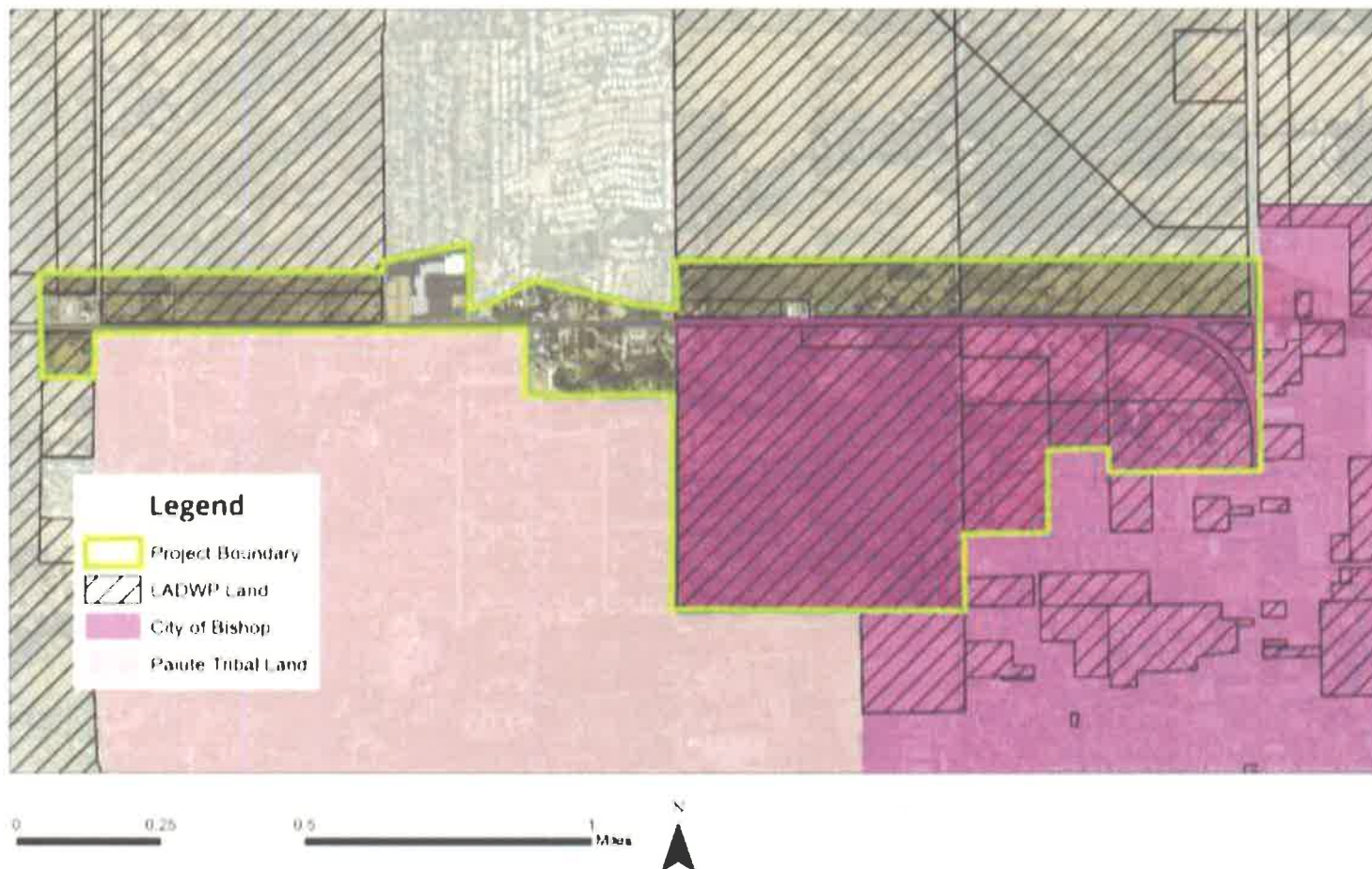


Figure 1-2 Jurisdictional Boundary Map



The County of Inyo and the City of Bishop have each adopted a General Plan that respectively serve as their guiding planning document. The County of Inyo adopted an updated General Plan in 2001 and the City of Bishop adopted an updated General Plan in 1993. Zoning codes for each jurisdiction implement the respective General Plans and address land uses, development standards, operational requirements and other regulations addressing development.

E. Community Engagement

Community engagement greatly informed the development of the Corridor Plan. Several community engagement efforts were conducted in 2016 to assist the project team in identifying issues, vetting ideas, and prioritizing recommendations. To support engagement of implementing agencies, the North Sierra Highway Corridor Plan Advisory Committee (Advisory Committee) was formed. The Advisory Committee included representatives from:

- County of Inyo
- City of Bishop
- Bishop Paiute Tribe
- Caltrans
- Los Angeles Department of Water and Power
- Tri-County Fairgrounds
- Eastern Sierra Transit Authority
- Eastern Sierra Community Services District
- Bishop Rural Fire Protection District



Advisory Committee Meeting/Community Workshop, July 21, 2016

Activities conducted during 2016 focused on issue identification, review of existing conditions and opportunities/constraints, and consideration of preliminary concepts.

Activities included:

- Key Stakeholder Meetings – May and July 2016
- Advisory Committee Meeting/Community Workshop – Project Introduction and Issue Identification – July 21, 2016
- Advisory Committee Meeting – Review of Preliminary Reports – September 21, 2016

North Sierra Highway Sustainable Corridor Plan

- Community Charrette – October 18 and 19, 2016
 - Additional Stakeholder Meetings
 - Pop-up Event at Vons
 - Bus Tour of Project Area
 - Advisory Committee Meeting/Community Workshop – Explore Concepts
- Project Webpage – Hosted on County of Inyo website

Primary themes expressed by participants throughout the process include:

- Maintain small-town character;
- Increase pedestrian safety by creating bike lanes and walkability, adding lighting;
- Create more highway crossing opportunities;
- Address Wye Road area, and traffic egress issues from Vons/Kmart;
- Maintain consistent speed limits;
- Create path to schools; and
- Consider mixed-use development opportunities.

Meeting minutes for Advisory Committee meetings and public meetings as well as a summary of key stakeholder interviews may be accessed on the County of Inyo project website.



Advisory Committee Bus Tour, October 19, 2016



Advisory Committee Meeting/Community Workshop – Exploring Concepts, October 19, 2016



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II. Sustainable Transportation and Mobility

This chapter addresses a variety of mobility types along the corridor including bicyclists, pedestrians, transit, and vehicles, as well as parking strategies.

A. Bicyclist, Pedestrian, and Alternative Modes Circulation

1. Sidewalk Gap Closure and Utilities Relocation

The lack of basic dedicated alternative transportation infrastructure along the North Sierra Highway Corridor (e.g., sidewalk, curb and gutter, designated crosswalks, bicycle lanes) have disconnected adjacent communities. These disconnected communities do not have the same level of alternative access and freedom of movement currently supported for tourism and local use within the City of Bishop. Therefore, sidewalk gap closures through the installation of new curb and gutter, 6'-wide sidewalks, and ADA-compliant barrier-free ramps at intersections, are the most highly-prioritized need emerging from this planning process. Having continuous sidewalks on both sides of the North Sierra Highway is expected to encourage pedestrian activity by providing safer and more clearly defined connectivity between all residential areas, businesses, and destinations. As illustrated in **Figure 2-1**, the sidewalk gap closures will build upon existing infrastructure and help to complete the pedestrian network in the Corridor Plan area. With most of the sidewalk gap closures intended to occur during early implementation (1-3 years), the majority of the driveways will soon be clearly delineated and the objects located within the clear zone will fall behind the new curb, gutter and sidewalk with the construction of the proposed sidewalk on US Route 395 from See Vee Lane to Barlow Lane through a Caltrans SHOPP project.¹

¹ California Department of Transportation, District 9. [SHOPP Asset Management Pilot Request Form](#), 08/14/2015. Objects located within the “clear zone” falling behind the curb may require additional right-of-way according to the typical highway cross-sections for the North Sierra Highway preferred alternative.

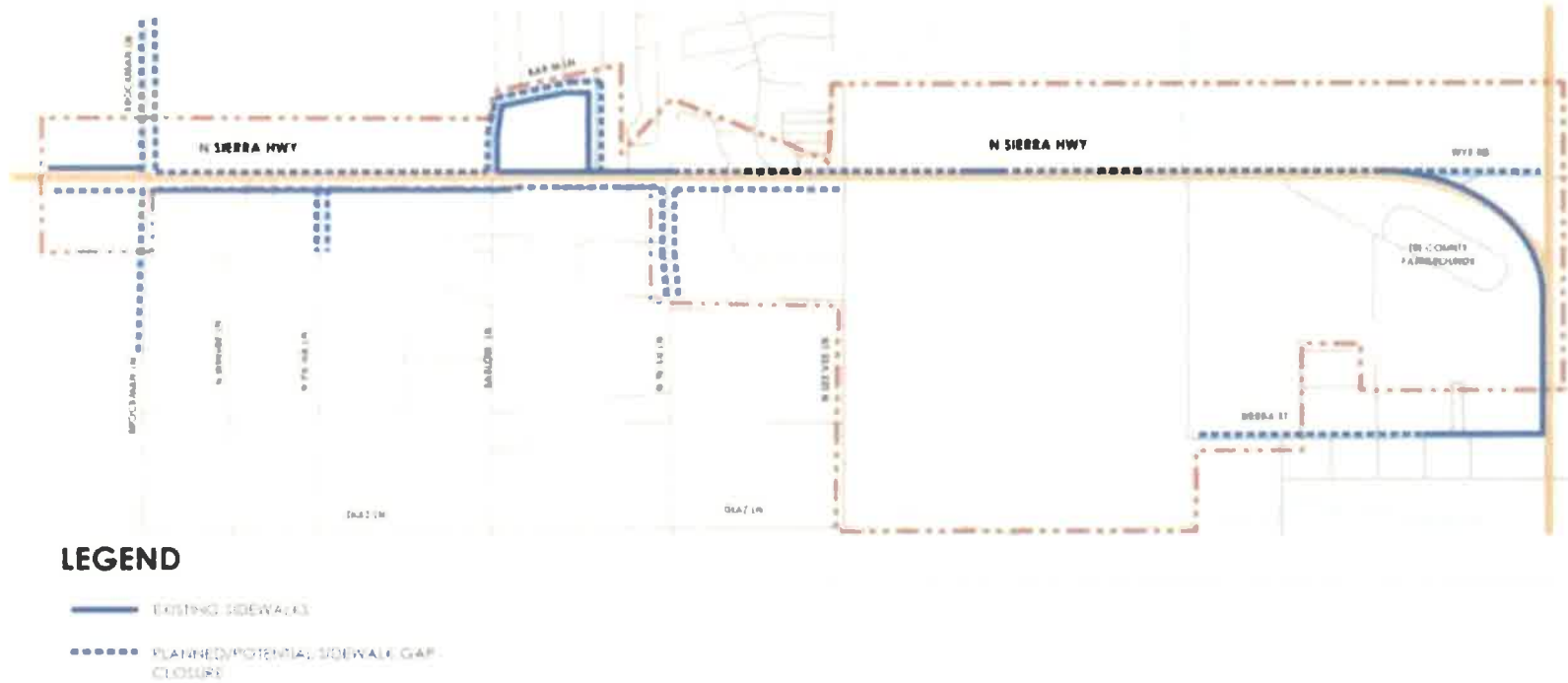


Figure 2-1 Sidewalk Gap Closure

Existing main transmission lines in the form of electric and telephone wires suspended on wooden posts run parallel to and across the North Sierra Highway. This alignment is also where there is the greatest potential for shifting posts horizontally (setting them back further away from the highway) or installing the relevant utilities underground in the long-term implementation period (10-20 years). Though potentially constrained by a high underground water table on the corridor, these improvements are expected to make travel more safe and comfortable by improving turning movement, visibility, and eliminating obstacles on or near sidewalks and multi-use pathways. Utilities relocation will also enhance aesthetics by effectively opening or un-obstructing the “viewshed.”

2. Protected Crossings on North Sierra Highway and Cross-Streets

The only protected pedestrian crossing on the North Sierra Highway is at the Barlow Lane / US Route 395 traffic signal, which does not adequately serve some of the most dense and populous communities in Inyo County. The ability for pedestrians, bicyclists, and disabled users to safely cross the highway is a common safety concern amongst stakeholders. Therefore, the planning process determined that more protected crossings on the corridor are essential safety components for providing realistic travel alternatives to most would-be pedestrians, bicyclists, and wheelchair users. **Figure 2-2** illustrates the envisioned location of protected crossings on US Route 395. These crossings will have high-visibility crosswalks in combination with user-activated crossing warning signals, existing traffic signals, and up to three additional signalized intersections (see also **Figure 2-16**, **Figure 2-17**, and **Figure 2-18**). Where existing and future signalized intersections are to be implemented, there is also the opportunity to establish protected crossings with all traffic signal phases, pedestrian crossing countdown timers, and high-visibility crosswalks.



Figure 2-2 North Sierra Highway/North Main Street Protected Crossing Locations

3. Bicycle Lanes on N. Sierra Highway and Sierra Street

Bicycle lanes on the North Sierra Highway were one of the most highly-prioritized “complete street” elements during the needs identification stage in the Sustainable Corridor Plan process. **Figure 2-3** illustrates where potential bike lanes can connect currently to existing bicycle facilities. Dedicated space for bicyclists will provide significant bicycle network connectivity for the entire area, and is expected to improve bicyclist comfort and increase bicycle use along the corridor. The existing shoulder on each side of the highway will be replaced with the roadway striping, driveway and intersection crossing treatments, and pavement markings typically included with Class II buffered bicycle lanes. The re-purposed highway shoulders can still be used for emergency response, incident management, and for automobiles to pull over in case of emergencies. The inclusion of wider shoulders and bike lanes require the acquisition of additional right of way. Caltrans design guidance, and its policy determination on the inclusion of buffered bicycle lanes (5’-wide bike lane + 3’ buffer) in lieu of wide shoulders, could have significant impact on the North Sierra Highway Sustainable Corridor conceptual design options and which bicycle facilities are appropriate for this corridor. Emergency and incident response requirements could also have an impact on these decisions.

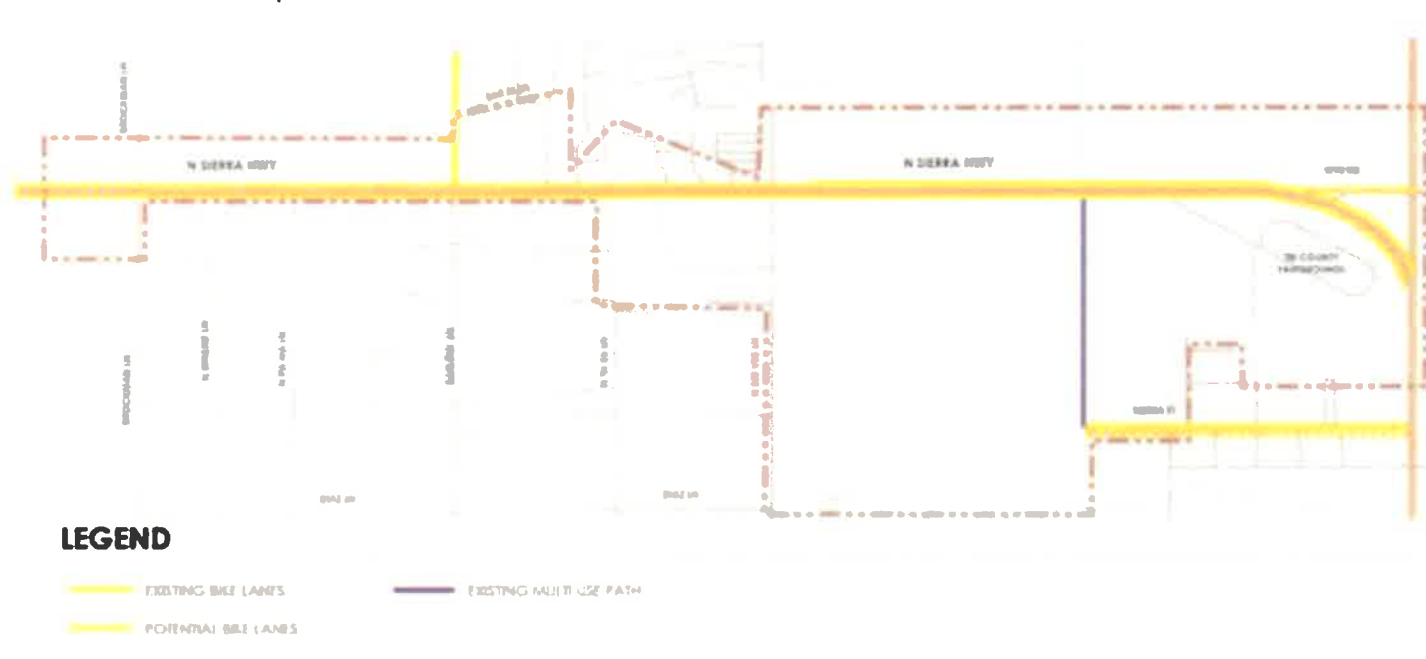


Figure 2-3 Bicycle Lanes

4. Bicycle Intersection Crossing Treatments

The intersection crossing treatment to be used in the Corridor Plan Area is the most commonly used set of markings and striping in the country. As illustrated in **Figure 2-4**, the set of parallel dashed lines with the set of double chevrons centered between the two dashed lines together indicate the intended path of bicyclists. These treatments will guide bicyclists through automobile intersections, including driveways, and provide a visual cue to motorists and other roadway users about where to expect bicyclists traveling through an intersection.

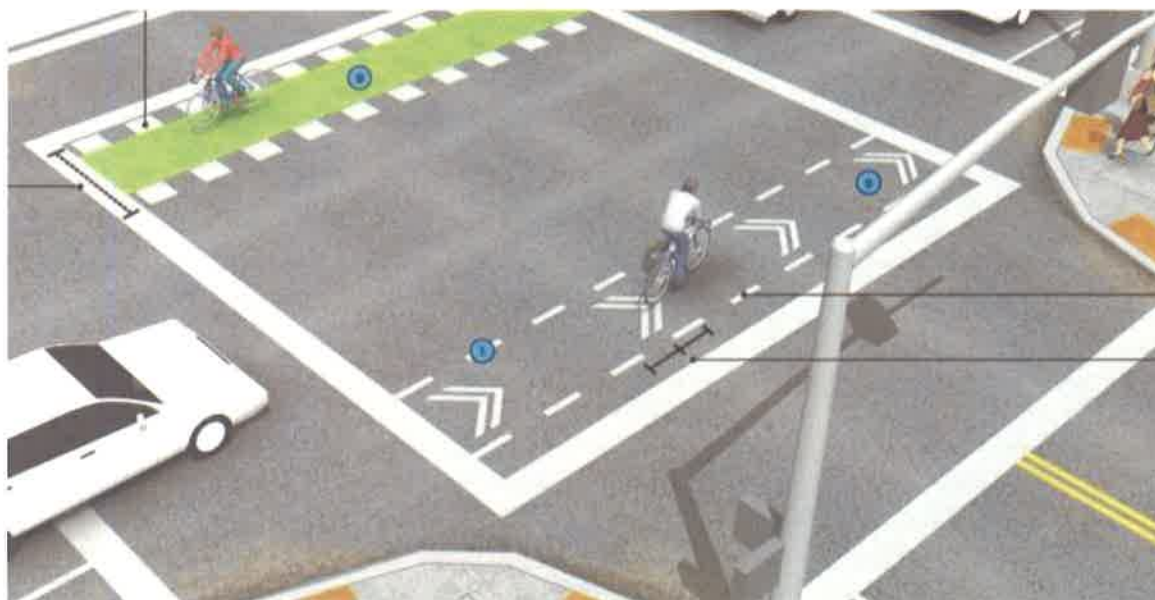


Figure 2-4 Bicycle Intersection Crossing Treatment (Source: 2011 NACTO Urban Bikeway Design Guide)

5. New/Improved Multi-Use Facilities and Safe Routes to School

Undeveloped land and the absence of sidewalks and bicycle lanes in multiple areas separate neighborhoods from schools, and businesses on the Corridor. The use of the public right of way, combined with relatively small amounts of undeveloped land on some segments, will allow for the safe and comfortable connections for alternative modes to be established with the installation of sustainable multi-use pathway corridors, as depicted in **Figure 2-5** and as mapped in **Figure 2-6**. It is intended that this network will connect to the sidewalk and bicycle lane network to be implemented with the Corridor Plan.

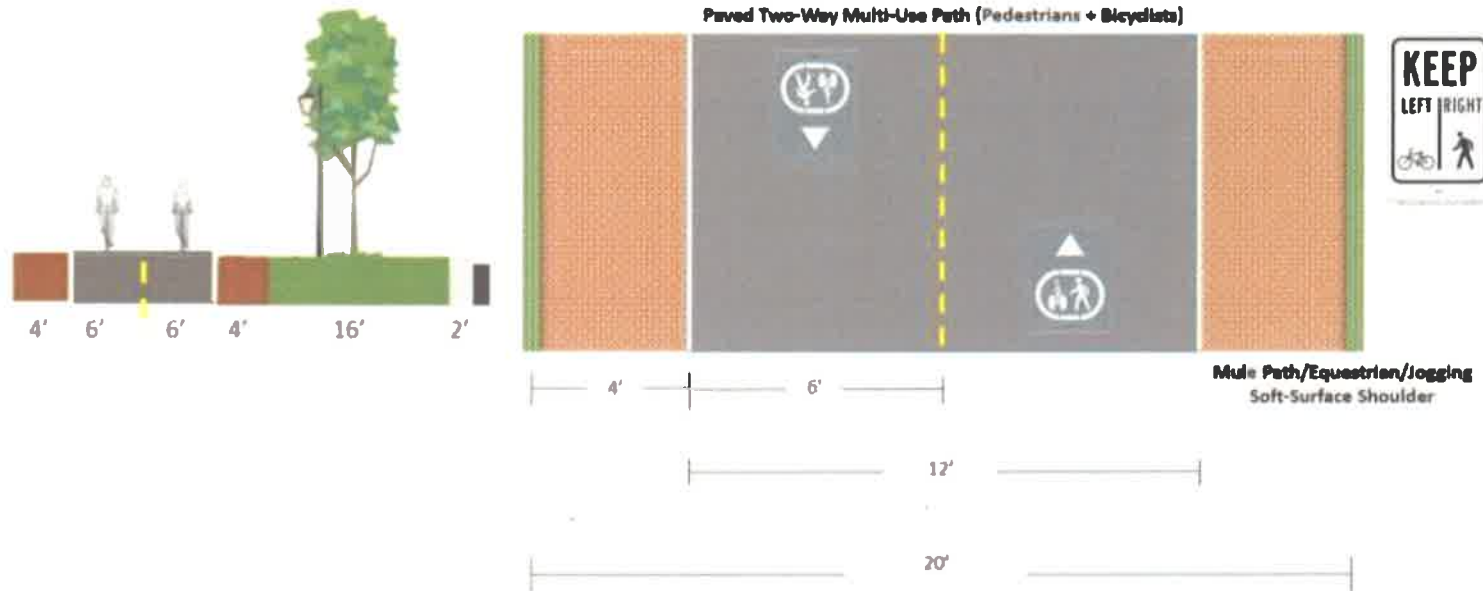


Figure 2-5 Multi-Use Pathway Corridors



Figure 2-6 Multi-Use Pathway Corridors Network Map

These facilities will provide practical and safer non-motorized transportation alternatives, including Safe Routes to School. In early implementation, for example, a new multi-use pathway connection on the south side of the North Sierra Highway between See Vee Lane and the existing north-south pathway connecting to Sierra Street will better link students walking and bicycling from communities on both sides of the North Sierra Highway to the Bishop Unified Schools area. There are many potential funding sources for the detailed design and implementation of multi-use pathways and associated amenities.



6. Tri-County Fairgrounds/Wye Road Opportunity Area Improvements

Recommendations are provided in this section for the Tri-County Fairgrounds and Wye Road Opportunity Area to support retrofitting of existing infrastructure for improved circulation and safety in all modes. As illustrated in **Figure 2-7**, the non-motorized facilities improvements in the Tri-County Fairgrounds/Wye Road Opportunity Area include the following items with corresponding general implementation phase designations:

- High-visibility crosswalk installation at existing signal at the Wye Road split on N. Main Street/US Route 395 (early implementation);
- Expanded or converted sidewalk on the Fairgrounds bend as a 12'-wide multi-use pathway immediately behind the curb (long-term implementation);
- New north-south 12'-wide multi-use pathway connection on the west side of the Fairgrounds and parallel to Fair Street (near-term implementation), connecting future sidewalks and bike lanes on Sierra Street (early implementation) to future east-west multi-use pathway on south side of North Sierra Highway (early implementation);
- Signalized intersection and four-way protected crossings with high-visibility crosswalks and pedestrian countdown timers at intersection of US Route 395 and US Route 6/N. Main Street (long-term implementation);
- New east-west 12'-wide multi-use pathway connection on the north side of Wye Road/US Route 395 between US Route 6 and See Vee Lane, connecting to future high-visibility protected (signalized) crossings at the intersection of the North Sierra Highway with See Vee Lane and US Route 6/N. Main Street;
- Consolidate driveways, install sidewalk, curb and gutter on east side of N. Main Street between existing traffic signal and Wye Road; and
- Relocate signalized intersection and realignment of driveways, existing crosswalk between Fairgrounds and Kmart/Vons shopping center (long-term implementation).

LEGEND

-  EXISTING BIKE LANES
-  POTENTIAL BIKE LANES
-  POTENTIAL UTILITIES RELOCATION/ UNDERGROUNDING
-  POTENTIAL MULTI-USE PATHWAY
-  PLANNED PROTECTED CROSSING LOCATION
-  EXISTING PROTECTED CROSSING LOCATION



Figure 2-7 Tri-County Fairgrounds/Wye Road Opportunity Area Alternative Mode Facilities Improvements

7. Streetscape Amenities

Streetscape amenities can improve the character of the Corridor and enhance the pedestrian experience. A consistent and cohesive style of streetscape amenities can serve to unify the Corridor with downtown Bishop. The following elements will beautify the corridor and neighboring streets while providing a practical purpose. The amenities consist of natural materials that serve to enhance the surroundings and maintain the area's rural feeling.

Street Furnishings

Benches serve as a welcoming place for pedestrians to rest, enjoy surroundings, or await transportation.

- Victor Stanley Classic Collection
 - Slat seating of wood or recycled plastic
 - Ductile iron end frames
 - Available in four or six foot lengths
 - Optional intermediate armrests

Receptacles improve the character of the corridor by maintaining a clean pedestrian area.

- Victor Stanley Streetsites Collection
 - Wood slats in a cylindrical configuration
 - Fully welded steel frames
 - High density plastic liner
 - Rubber-tipped leveling feet on the base
 - Lids with or without ash trays optional



Example street furnishings

Fences can separate the public and private realm and improve the pedestrian experience.

- Split-rail concrete

Crossings will enhance the pedestrian experience and provide cues to drivers to slow down and be aware of pedestrians. They will be distributed in neighboring areas, rather than on the highway itself.

- Custom created
 - Stamped concrete with integral color (designed to give a wood appearance while remaining durable)

Lighting will enhance the pedestrian experience by improving visibility and helping to define the connectivity between residential areas, businesses, and destinations. Additional details like banners can provide an opportunity to display and define community identity.

- South Coast Lighting and Design
 - Pacific Family



Example fencing



Example crossing treatment



Example lighting



Columnar English Oak

Landscaping

Landscaping is an opportunity to add character and visual appeal to the pedestrian environment. Landscaping will consist of drought-tolerant planting that complements the natural environment. Trees may also provide cues to drivers to drive more slowly.

- Quercus Robur Fastigiata (Columnar English Oak)



Appendix D contains the existing and supporting goals, policies and actions relevant to pedestrian, bicyclist, and other alternative mode improvements on the North Sierra Highway.

8. Goals and Policies

Figure 2-8 graphically summarizes improvements discussed in this section. The following existing goals and policies from previous planning efforts should guide the implementation of improved bicycle, pedestrian, and disabled user facilities and network connectivity in and around the Corridor Plan area:



Figure 2-8 Bicyclist, Pedestrian, and Alternative Modes Circulation



North Sierra Highway Sustainable Corridor Bicyclist, Pedestrian, and Disabled User Accommodation Goals

- Improve mobility for pedestrians, bicyclists, and all types of active transportation on the North Sierra Highway corridor, for improved access to businesses, services, and transit;
- Increase pedestrian, bicyclist, and disabled user activity by providing improved networks for all modes;
- Improve active transportation mobility and facilities use for trips between corridor area and City of Bishop;
- Improve active transportation safety and relevant facilities for safe routes between the corridor area neighborhoods and Bishop Unified Schools;
- Keep constant, or reduce the rate of growth of, motorized vehicle traffic on the corridor and in the Bishop area;
- Minimize the need for motorized vehicle access to corridor area destinations and special events;
- Promote and maintain the corridor identity by enhancing the aesthetics of roadside landscaping and the “viewshed” horizon, and by providing improved way-finding information for all corridor users; and
- Provide streetscape amenities to enhance the pedestrian and bicyclist experience and use of the Corridor.



B. Transit

1. Current ESTA Paratransit Operations, Existing Demand, Popular Routes/Uses

Services offered by the Eastern Sierra Transit Authority (ESTA) on the North Sierra Highway corridor include local “Dial-a-Ride” demand-response trips to and from in-town destinations, including the Vons/Kmart location in the Bishop Wye area (1200 N. Main Street) where there is a designated stop for five ESTA interregional routes.

The “Dial-a-Ride” service provides local transportation for a wide variety of passengers, and has the necessary equipment to carry ambulatory and special needs passengers. The Dial-a-Ride schedule is Monday – Thursday from 7:00 am to 6:00 pm, Friday from 7:00 am to 2:00 am, Saturday from 8:30 am to 2:00 am, and Sunday from 8:00 am to 1:00 pm. The fare for each ride is between \$2.40 and \$4.20. The highest standard fare is the Night Rider (6pm – 2am Fri and Sat nights). Adult Fares are charged to non-disabled persons age 16 and over. Discount Fares are available to riders age 60+, disabled and youth under the age of 16. Children under age five ride free when accompanied by a paying adult. “Check Point” Dial-a-Ride offers a discount for being picked up at a designated time and location (including the Paiute Palace Casino). As illustrated in **Figure 2-9**, the Corridor is located within Zone 1 of the ESTA Dial-a-Ride zone map, the area in which the Authority offers its lowest fares.

2. Potential demand for local paratransit (Dial-a-Ride) and inter-city transit services, in consideration of planned/potential future land uses, potential bus stop locations

The following key opportunities will contribute to improved transit services and meeting state and federal transportation planning goals on the North Sierra Highway Corridor:

- Expand transit services and options, thereby improving multi-modal mobility and accessibility, preserving the multi-modal transportation system, supporting a vibrant economy, improving public safety and security, fostering livable and healthy communities, promoting social equity, and helping citizens to practice environmental stewardship.
- Provide transit-related amenities to increase the use and efficiency of existing on-demand transit services.

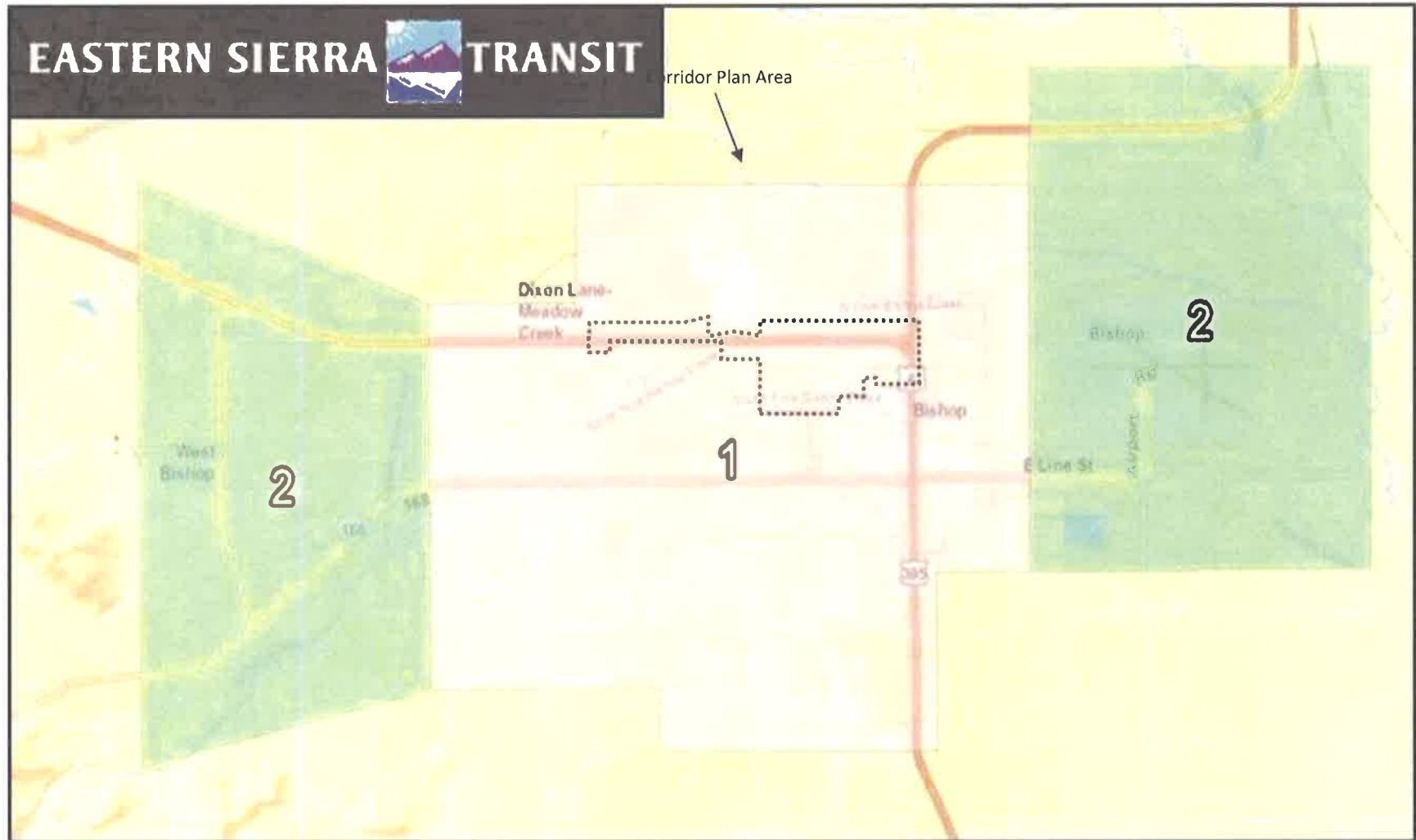


Figure 2-9 ESTA "Dial-a-Ride" Fare Zones

The accomplishment of three specific Corridor Plan transit vision near-term objectives will help to meet existing demand for local paratransit and inter-city transit services on the North Sierra Highway corridor:



ESTA Polycarbonate Hip Roof Passenger Shelter, Lone Pine

- a. Identify and install three pick-up/drop-off locations for ESTA “Dial-a-Ride” (paratransit) service, distinguishable and served by new passenger shelters, to be located at or near Corridor Plan/Specific Plan anticipated future activity/trip generators;
- b. With the three passenger shelters in place, establish a local ESTA “Check Point” Dial-a-Ride/circulator route to meet an “Unmet Transit Need” that is “Reasonable to Meet”, as defined or identified in the Inyo County Regional Transportation Plan, to benefit corridor area and City of Bishop residents; and
- c. Improve the connectivity of pedestrian and bicycle facilities to established transit pick-up and drop-off locations.

As illustrated in **Figure 2-10**, three existing passenger shelters designated for use on the North Sierra Highway will be installed in the near-term in the following locations to allow for convenient and safe pick-up and drop-off for ESTA Dial-a-Ride customers:

- Bishop Plaza parking lot area between North Barlow Lane and Rocking W Drive (can double as scheduled stop for the ESTA Bishop-Mammoth Lakes interregional route);
- North Tu-Su Lane at North Sierra Highway (on northbound Tu-Su Lane); and
- North Sierra Highway at Bishop Wye/Fairgrounds (in future parking area on “the bend”).



Figure 2-10 ESTA Near-Term Implementation Passenger Shelter Locations (1-3 Years)

When designing bus stop locations, the following guidelines should be observed:

- Bus stop locations should be clearly marked by an ESTA bus stop sign with appropriate vertical and horizontal clearance;
- Bus stop locations should have adequate parking restrictions to allow buses to pull into and out of the bus zone unimpeded;
- Bus stop locations should have a level surface and preferably a firm surface to accommodate boarding and alighting of passengers with special needs;
- Pathways leading to and from bus stop areas should be level, and preferably a firm surface to accommodate passengers with special needs; and
- Bus stops should be located in places with minimal above grade obstacles (i.e. guide wires, power poles, utility boxes, etc.)

Regarding bus pull-out areas, a conceptual design for mid-block conditions is shown in **Figure 2-11**. Concrete or asphalt pads are preferred materials for the bus pad. Caltrans standard plans should be applied for striping, pavement markings, and other relevant construction details. Whenever possible, driveways should not be placed within the turnout/bus zone. In addition, accessibility for boarding areas should be typically a minimum of 5 feet long (parallel to the curb) by 8 feet wide to permit boarding maneuvers by a person using a wheelchair. The above guidelines are based on reference materials by the National Association of City Transportation Officials (NACTO).

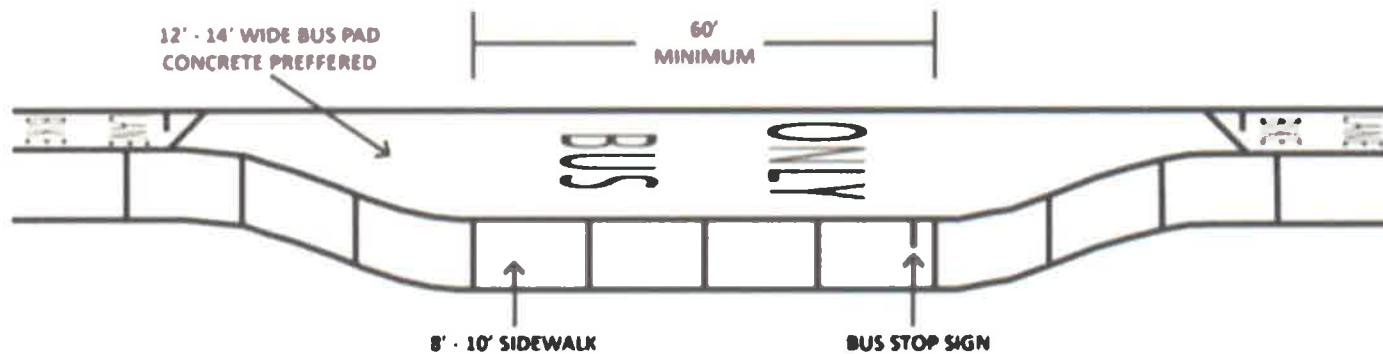


Figure 2-11 Conceptual Design of Bus Pull-Out Areas at Mid-Block Conditions

Better connecting pedestrians and bicyclists to designated transit passenger shelters and businesses on the corridor will be an important factor for the success of any planned enhancements to transit operations or technology-based user services. The closure of existing sidewalk gaps and the installation of bicycle lanes, multi-use pathways, and protected/designated crossings on the North Sierra Highway Corridor is further detailed in the succeeding section of the Corridor Plan.



3. Operator Equipment/Technology Opportunities

A significant sustainability opportunity in the near-term and long-term Corridor Plan implementation periods with transit equipment and technology is the advent of autonomous vehicles and the related roadway retrofitting necessary to accommodate such vehicles. Widespread and targeted application of autonomous vehicles are expected to increase transportation efficiency, improve public safety, and benefit the environment significantly locally and globally. The testing and implementation of autonomous vehicles will build on decades of Intelligent Transportation Systems (ITS) development, as well as innovations in business and government with autonomous vehicles development and manufacturing, and in government with infrastructure and transportation policy. Communities with sustainability improvement and economic development needs stand to gain the most from trial applications and early deployment of autonomous vehicles, particularly with paratransit and ridesharing.

In the medium-to-long term, ESTA and/or any other local transit provider could use ITS and its associated suite of evolving Transit ITS technologies to enhance operations and performance monitoring as the North Sierra Highway community undergoes a period of economic development with a greater need for transit activity. **Figure 2-12** describes transit operator ITS equipment and technology that is already in widespread use across the country, and which can be scaled for the growth in ridership on the North Sierra Highway corridor. Transit management systems and management centers use automated vehicle location (AVL), computer-aided dispatch, GIS, and surveillance of network conditions to improve the travel time and reliability of the transit system. If necessary to improve on-time performance with significant growth in traffic on the corridor, transit signal priority technology could improve the travel time and reliability of local ESTA vehicles operating in “mixed flow” conditions or crossing the North Sierra Highway. Other potential medium-to-long-term transit opportunities that would be compatible with the Sustainable Corridor vision include, but are not limited to the following:

- Communications systems that provide the backbone for the vehicle and wayside communication to each other and to a transportation management center;
- Automatic Passenger Counters for performance monitoring and service planning;
- Vehicle and system monitoring that track system functions and provide warning of likely malfunction or maintenance needs;
- Vehicle, stop, or wayside surveillance to provide for passenger, driver and system safety and security. Silent alarms to notify authorities of an incident or emergency;
- Collision warning/avoidance, vision enhancement, and driver assistance to ensure safe transit operations in increasingly congested conditions, or limited right of ways; and
- Data archiving and information management systems to store and analyze the real-time system data and assist in service planning, system monitoring, and other decisions.

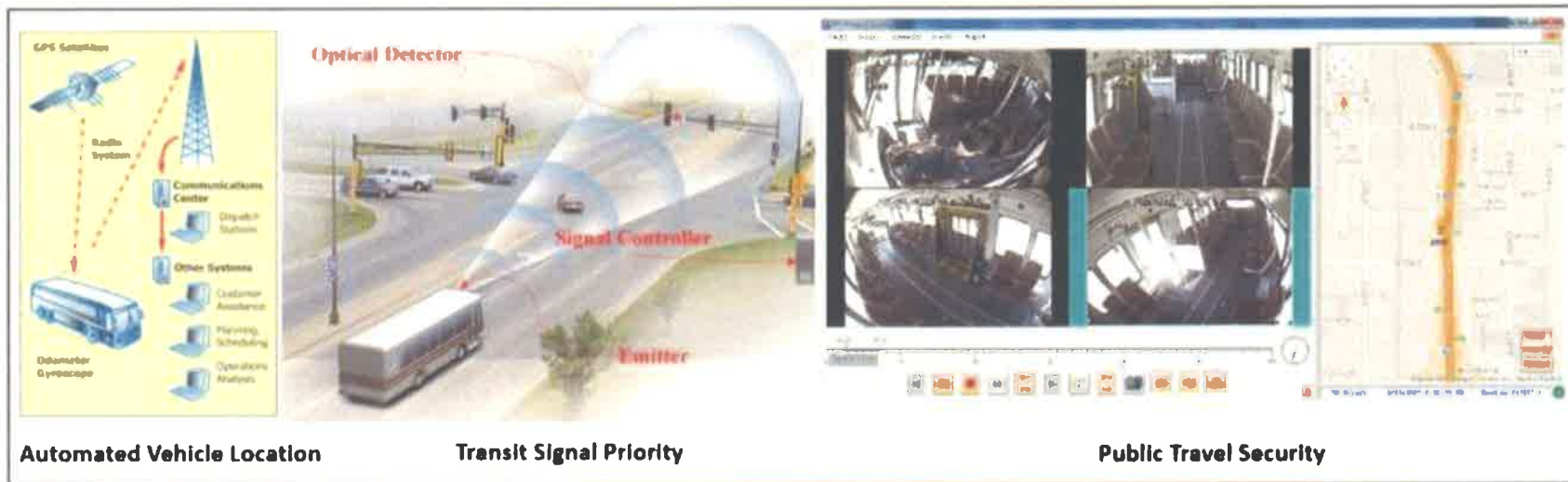


Figure 2-12 Transit Operator Equipment/Technology Opportunities

4. Transit User/Technology Opportunities

As future ridership and demand increase with the enhanced transit vision for the Sustainable Corridor, the full capabilities of available real-time transit information technologies can be applied to transit operations on the North Sierra Highway in the near, medium, and long-term.

Transit User Technology Opportunities

In addition to physical and operational changes to transit services, another opportunity for the North Sierra Highway Sustainable Corridor is for ESTA and/or other transit or ridesharing service providers to use available mobility information system technologies to improve rider experience and convenience. A suite of ITS technologies comprising a major portion of the Transit Connected Vehicle for Mobility Program provides travelers with better trip planning information and transit status information. As illustrated in **Figure 2-13**, transit-oriented connected vehicle mobility applications enable a convenient and quality travel experience by providing an information-rich environment to meet the needs of travelers and system operators across all modes. The following two ITS mobility applications have been identified as potential medium-term applications for transit providers on the North Sierra Highway Sustainable Corridor, and are identified as major components of the Integrated Dynamic Transit Operations (IDTO) “bundle”:

- **Dynamic Transit Operations (T-DISP):** Advances the concept of demand-responsive transportation services utilizing global positioning system (GPS) mapping capabilities of personal mobile devices to enable a traveler to input a desired destination and time of departure tagged with their current location when requesting transit service; and
- **Dynamic Ridesharing (D-RIDE):** Makes use of in-vehicle and hand-held devices to allow dynamic ride-matching, thereby reducing congestion, pollution, and travel costs to the individual with a low initial investment.



Smartphone /
Mobile Device
Transit Apps



The Pre-Trip Travel
Information (PTTI)



En-Route Transit Information

Figure 2-13 Transit User Equipment/Technology Opportunities

With the absence of fixed route services in the North Sierra Highway Sustainable Corridor vision, the D-RIDE ITS technology user service package presents opportunities for enhanced “personalized public transit” with the ESTA Dial-a-Ride service and/or other paratransit services. A medium-term sustainability goal should be for all transit or ridesharing providers and implementing partners to be able to measure and reduce the providers’ total motorized vehicle miles. With the aid of in-vehicle and hand-held devices and more efficient ride-matching, unnecessary or redundant miles will be eliminated by optimizing paratransit routes and timing of on-demand pick-ups and drop-offs.



Concerning T-DISP, ESTA uses its current contracted provider's prediction algorithms in Mammoth Lakes to generate real-time arrival information for its Purple, Grey, and Town Trolley Lines via a mobile app and website platform, SMS texting, or phone service. In the near-term, two distinct T-DISP technology packages can be used for future operations on the North Sierra Highway Corridor:

- **Transit Mobile Apps:** Mobile apps offer features to help riders while en-route, with more accurate information that helps them to avoid delay and inconvenience. Common features of such mobile apps include live maps with transit vehicle locations, a real-time trip planner, a crowdsourcing feedback tool to report transit-related issues to the transit provider and other riders; and
- **Internet, Voice, and SMS:** Like in Mammoth Lakes, riders should be able to access real-time transit information and a system map from any browser, either at home or from their smart phone. Alternatively, ESTA could provide the technology to allow paratransit riders to text or call, enter the appropriate passenger shelter number or desired pick-up location, and get accurate real-time arrival information via voice or SMS message.

In addition to these "IDTO bundle" technologies, in the medium-to-long term electronic payment systems on vehicles that include both fare payment and the ability to pay for other services (parking or toll charges) could be a useful transit enhancement that would also support an event-driven and tourism-driven economic development strategy.

5. Goals and Policies

The following existing goals and policies from previous planning efforts should guide the implementation of enhanced transit in and around the Corridor Plan area:

Enhanced Transit Goals

- Maintain transit safety as a high priority goal.
- Help "energize local transit, walking, and bicycle use" and "support broader planning in the area, including the Bishop Paiute Reservation and the Tri-County Fairgrounds";
- Increase pedestrian, bicyclist, and disabled user activity by providing improved networks for all modes;
- Provide transit services that better match actual transit demand;
- Expand on-demand transit services provided by the Eastern Sierra Transit Authority (ESTA) and through other transit or ridesharing providers, as necessary or feasible;



North Sierra Highway Sustainable Corridor Plan

- Keep constant, or reduce the rate of growth of, motorized vehicle traffic on the corridor and in the Bishop area; and
- Minimize the need for motorized vehicle access to corridor area destinations and special events.

Appendix C contains the existing and supporting goals, policies and actions relevant to transit improvements on the North Sierra Highway Sustainable Corridor.



C. Vehicular Circulation

1. Existing Network

a. Description of Existing Facilities/Network

As illustrated in **Figure 2-14**, the existing roadway network for motorized vehicle circulation within the Corridor Plan area contains the junction of two U.S. highway routes, one of which also serves as the principal arterial roadway through downtown Bishop (North Main Street). Also within the Corridor Plan area are 11 collector or connector roadways, and three neighborhood streets or minor roadways. The Corridor Plan area's roadway network extends in all four cardinal directions beyond the Corridor Plan area, providing connectivity with other key arterials that are not in the Corridor Plan area, namely West Line Street (SR 168).

Highways and Principal Arterial Roadways

The existing motorized vehicle roadway network within the Corridor Plan area consists of the following highways and principal arterial roadways:

- North Sierra Highway (US Route 395), Brockman Lane to Wye Road;
- North Main Street (US Route 395), US Route 6 to Sierra Street, North Sierra Highway to Sierra Street (“the Bishop Wye bend”); and
- US Route 6, 400’ north of Wye Road to Wye Road.

North Sierra Highway currently operates as an undivided automobile highway with four travel lanes and a center turning lane. A 4-8'-wide shoulder on each edge of the road are also designated Class III bike facilities. On certain segments, the edge of the vehicular roadway surface is defined by existing sidewalks. In addition, two traffic signals exist in the planning area, one at the intersection with Barlow Lane and one at the intersection with US Route 6.

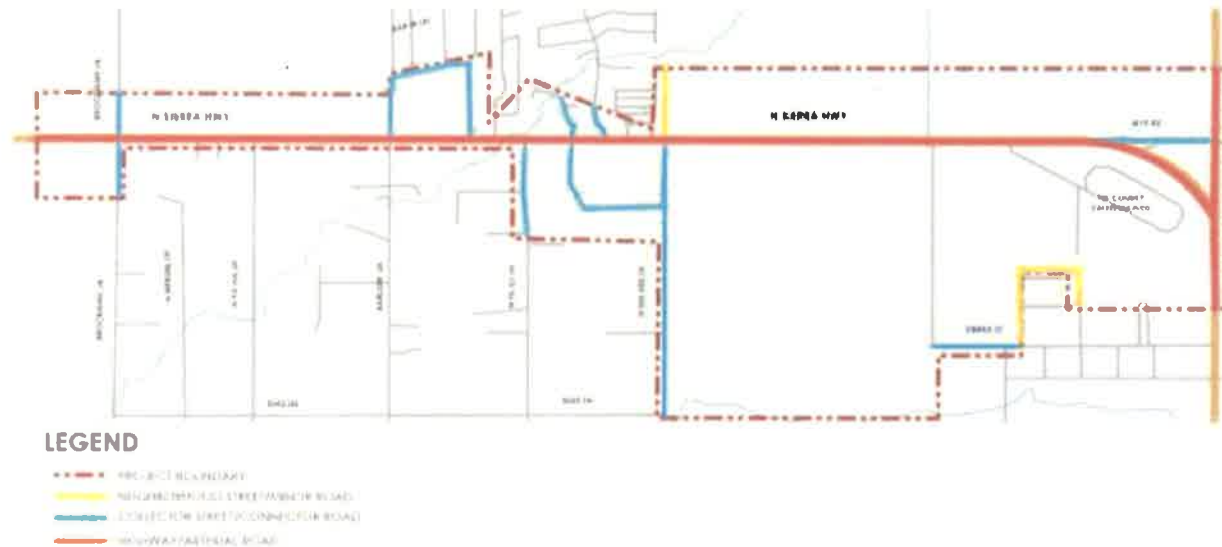


Figure 2-14 Existing Motorized Vehicle Network

Collector and Connecting Roadways

The existing motorized vehicle network within the Corridor Plan area consists of the following collectors and connecting roadways:

- Wye Road, North Sierra Highway (US Route 395) to North Main Street (US Route 395);
- Brockman Lane, 400' south of North Sierra Highway (US Route 395) to 550' north of North Sierra Highway (US Route 395);
- North Barlow Lane, North Sierra Highway (US Route 395) to Bar L Lane;
- Bar L Lane, North Barlow Lane to Rocking W Drive;
- Rocking W Drive, North Sierra Highway (US Route 395) to Bar L Lane;
- North Tu Su Lane, 635' south of North Sierra Highway (US Route 395) to North Sierra Highway (US Route 395);
- Shelly Creek Road, 300' north of North Sierra Highway (US Route 395) to North Sierra Highway (US Route 395);
- MacGregor Avenue, 250' north of North Sierra Highway (US Route 395) to North Sierra Highway (US Route 395);



- North See Vee Lane, Diaz Lane to North Sierra Highway (US Route 395); and
- Sierra Street, 635' west of Home Street to Kelso Road.

Neighborhood Streets and Minor Roadways

The existing motorized vehicle network within the Corridor Plan area consists of the following neighborhood streets and minor roadways:

- Cherry Lane, 635' north of North Sierra Highway (US Route 395) to North Sierra Highway (US Route 395);
- Kelso Road, Sierra Street to Maple Street;
- Maple Street, Kelso Road to Fair Street; and
- Fair Street, Maple Street to Sycamore Drive.

b. Current Traffic Data and Analysis Summary

Two trends present challenges and opportunities for changes to motorized vehicle circulation in the North Sierra Highway Sustainable Corridor Plan area:

- Growing north-south and local travel demand; and
- North Sierra Highway capacity exceeding existing and anticipated demand.

Growing Local Travel Demand

Traffic volumes on north-south streets intersecting with the North Sierra Highway have increased at a high rate of growth. This trend is due to the growth of residential areas and communities on the north and south sides of the highway, the popularity of the few businesses located on the corridor, the centralized location of Bishop Unified Schools in West Bishop, the location of most employment opportunities along N. Main Street in Bishop, and frequent congestion on N. Main Street (the principal north-south transportation artery in Bishop). The Inyo County Regional Transportation Plan shows that average daily traffic on See Vee Lane, the most popular alternative to N. Main Street, was 1,884 vehicles at W. Line Street and 1,336 vehicles at US Route 395/North Sierra Highway in 2013. The former figure represents approximately 13% more traffic than the average of 1,669 vehicles per day counted at the same location on See Vee Lane in 1999.²

² Inyo County Local Transportation Commission, September 2014.



In 2016-2017 vehicle traffic counts were conducted by the Inyo County Road Department, and the full results are included in **Appendix A**. The Corridor Plan uses the baseline results for each data location that describe the relative use and as peak hour level of service inputs for each respective roadway link and nearby intersection(s). **Table 2-1** details the Corridor Plan baseline total vehicle volume (and by calculation average daily volume), peak vehicle time of day interval, average speed, and the “85th percentile.” This information is used in the succeeding existing level of service overview section. Updates to this information obtained through future data collection at the same locations should be used in the Sustainability Monitoring strategy and method described in the Corridor Plan Implementation chapter.

North Sierra Highway Capacity Exceeds Existing/Anticipated Demand

In 2014, a Caltrans District 9 speed zone survey indicates that average daily traffic on US Route 395 at “the Bishop Wye” was 13,700, and 13,400 at See Vee Lane. The 2013 See Vee Lane Extension – Traffic Circulation Study reveals that AM peak hour volume on US Route 395 at the See Vee Lane intersection was 581 in the eastbound direction and 388 in the westbound direction (including all turning movements). In the PM peak hour, the eastbound volume on US Route 395 at the See Vee Lane intersection was 630, and the total westbound volume was 584. These more recent traffic volume figures are lower than the 2004 figures included in the Bishop Area Access and Circulation Feasibility Study, indicating that overall traffic volumes on the North Sierra Highway have dropped by a significant amount in the past ten years.

In connection with its State Highway Operation and Protection Program project planning, Caltrans projects that traffic volumes at “the Bishop Wye” and on N. Main Street will grow at a 0.5% annual rate for the foreseeable future, and total volumes on these segments will be 13,770 in 2024, 14,550 in 2034, and 15,300 in 2044. The Inyo County Regional Transportation Plan corroborates these estimated future traffic volumes on US Route 395 in Bishop, putting total volumes at 14,040 on N. Main Street (and on the eastern portion of the North Sierra Highway, by association) by 2035.



Table 2-1 North Sierra Highway Corridor Area Cross-Streets Traffic Data, Fall 2016-Winter 2017

Roadway (Location)	Dates Total Weekly Volume (Average Daily Volume)	Peak Vehicle Time of Day Range(s)	Average Speed	85th Percentile Speed
See Vee Lane (100' south of N. Sierra Highway)	Mar. 16-21, 2017 6,760 (1,126)	2:15 – 3:15 pm	20 MPH	24 MPH
Brockman Lane (200' north of N. Sierra Highway)	Oct. 6-11, 2016 1,710 (244)	8:30 am-9:30 am 3:15 pm – 4:45 pm	41 MPH	50 MPH
North Barlow Lane (200' north of N. Sierra Highway)	Oct. 13-18, 2016 10,003 (1,429)	11:45 am-1:30 pm 3:15 pm-5:45 pm	34 MPH	41 MPH
North Barlow Lane (200' south of N. Sierra Highway)	Oct. 20-25, 2016 7,826 (1,118)	8:30 am-9:15 am 2:15 pm-3:30 pm 5:45 pm-7:00 pm	30 MPH	35 MPH
U.S. Route 6 (Bishop Creek)	Nov. 3-8, 2016 17,288 (2,470)	11:15 am-2:15 pm 3:15 pm-6:15 pm	47 MPH	54 MPH
U.S. Route 6 (200' north of Wye Road/N. Main Street intersection)	Nov. 9-15, 2016 19,557 (2,794)	10:00 am-1:15 pm 4:30 pm-5:45 pm	29 MPH	36 MPH
Wye Road (100' east of U.S. Route 6)	Nov. 17-22, 2016 10,370 (1,481)	2:15 pm – 2:45 pm	24 MPH	28 MPH
Wye Road (200' west of U.S. Route 6)	Jan. 19-24,2017 5,133 (733)	8:15 am-9:15 am 3:15 pm -4:15 pm 7:00 pm -8:00 pm	29 MPH	36 MPH
Brockman Lane (200' south of N. Sierra Highway)	Sep. 29-Oct. 4, 2016 5,753 (822)	8:30 am-9:30 am 11:30 am-12:45 pm 3:15 pm – 4:45 pm	36 MPH	42 MPH
MacGregor Avenue (150' north of N. Sierra Highway)	Jan. 26-31,2017 12,000 (1,714)	8:30 am-9:15 am 2:15 pm-3:30 pm 5:45 pm -7:00 pm	19 MPH	23 MPH



c. Existing “Level of Service” (LOS) Overview

Level of Service Definitions

Level of Service (LOS) is used to rate a roadway segment’s traffic flow characteristics (see Appendix E for descriptions of Levels of Service). LOS serves as an indicator of roadway performance, ranging from LOS A (best conditions) to LOS F (worst conditions), and assists in determining where roadway capacity needs to be improved. LOS of rural highways is largely determined by roadway geometry factors, such as grades, vertical and horizontal curves, and the presence of passing opportunities.³

In general, the various levels of service are defined as follows for uninterrupted flow facilities:⁴

- LOS “A” represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to maneuver within the traffic stream is extremely high. The general level of comfort and convenience provided to the motorist, passenger, or pedestrian is excellent.
- LOS “B” is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver within the traffic stream from LOS A. The level of comfort and convenience provided is somewhat less than at LOS A, because the presence of others in the traffic stream begins to affect individual behavior.
- LOS “C” is in the range of stable flow, but marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream. The selection of speed is now affected by the presence of others, and maneuvering within the traffic stream requires substantial vigilance on the part of the user. The general level of comfort and convenience declines noticeably at this level.
- LOS “D” represents high-density, but stable flow. Speed and freedom to maneuver are severely restricted, and the driver or pedestrian experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.

³ Inyo County Public Works, [Inyo County Regional Transportation Plan 2015](#), p. 30.

⁴ Inyo County Public Works, [Inyo County Regional Transportation Plan 2015](#), Appendix E, p. 207.



- LOS “E” represents operating conditions at or near the capacity level. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to “give way” to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor perturbations within the traffic stream will cause breakdowns.
- LOS “F” is used to define forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse the point. Queues form behind such locations. Operations within the queue are characterized by stop-and-go waves, and they are extremely unstable. Vehicles may progress at reasonable speeds for several hundred feet or more, then be required to stop in a cyclic fashion. Level of service F is used to describe the operating conditions within the queue, as well as the point of the breakdown. It should be noted, however, that in many cases operating conditions of vehicles or pedestrians discharged from the queue may be quite good. Nevertheless, it is the point at which arrival flow exceeds discharge flow which causes the queue to form, and level of service F is an appropriate designation for such points.

Existing North Sierra Highway LOS

Caltrans has designated LOS “C” as the concept LOS for Inyo County State highway segments. Inyo County’s 2015 Regional Transportation Plan (RTP) indicates that U.S. Route 395, including the North Sierra Highway, operates at LOS “A” and has seen steadily decreasing automobile and truck volumes between 2003 and 2013. In 2013, the peak month (July) count was 15,300 at the Bishop Bike Path, and the Average Annual Daily Traffic (AADT) for U.S. Route 395 “through Bishop” was 12,700. The 2015 RTP also states that future volumes on Inyo County state highways are not anticipated to increase by more than one percent annually until the 2035 RTP horizon. As such LOS on Inyo County state highways is projected to remain at better than concept LOS “C” by 2035.⁵

North Sierra Highway at See Vee Lane

At the intersection of the North Sierra Highway at See Vee Lane, the “Level of Service” (LOS) was “A” or “B” for any movement in any direction during both peak hours, indicating that the average delay per vehicle was never more than 15 seconds. These measures indicate that, as of November 2013, the “flow rate” and general conditions for automobile traffic were more than adequate to meet existing demand on this busier end of the corridor. Intersection capacity utilization was around 25% and 32% during the AM and PM peak hours, respectively.⁶

⁵ Inyo County Public Works, Inyo County Regional Transportation Plan 2015, pp. 30-31.

⁶ Traffic Works, LLC. See Vee Lane Extension – Traffic Circulation Study. December 2013. (Attachment A. LOS Calculation Reports)



North Sierra Highway Cross-Streets

Since 2001, the Inyo County General Plan *Circulation Element* has provided general guidance on the Level of Service for motorized vehicle travel on County roadways: LOS “C” should be maintained except where the expansion or reconfiguration of roadways will adversely impact the small community character and economic viability of designated Central Business Districts.⁷ Though the 2015 Inyo County RTP was under review for updating at the time of writing this Corridor Plan, Inyo County Public Works does not have specific criteria or “thresholds” for maximum daily traffic flow for certain roadway types to meet LOS “C”. This Corridor Plan studied LOS threshold criteria of other counties in California and Nevada with a comparable mix of urban and rural roadways.⁸ As a result, the following LOS “C” daily maximum service flow rates should be used for the relevant North Sierra Highway cross-street roadway types in the Corridor Plan area:

- 2-lane Collector-Ultra-low Access Control: 6,500;
- 2-lane Collector-Low Access Control: 6,900; and
- 2-lane Arterial-Moderate Access Control: 14,800.

Table 2-2 describes the most recent traffic volume data from the Inyo County Road Department, the identified LOS “C” threshold volume for the respective roadway type, and the remaining capacity not to be exceeded to maintain LOS “C” under future “plus project” conditions. These margins are intended to inform the associated intensity of future development and trip generation at full buildout of the North Sierra Highway Sustainable Corridor Specific Plan to maintain acceptable LOS on these roadways, consistent with the Inyo County General Plan.

⁷ Inyo County General Plan, *Circulation Element*, Policy RH-1.4, December 2001.

⁸ County of Kings, California 2035 General Plan, Table C-3; City of Perris, California General Plan Circulation Element, Table CE-2; Madera County, California General Plan Policy Document, Table 2.A.8; Washoe County, Nevada 2035 RTP, Table 3-4.



Table 2-2 Traffic Volume Data, Inyo County Road Department

Roadway (Location)	Number of Lanes / Roadway Type	LOS "C" Threshold -maximum service daily flow rate ⁹	2016-2017 Average Daily Volume	LOS "C" Threshold Margin
See Vee Lane (200' south of N. Sierra Highway)	2 / Collector-Low Access Control	6,900	978	5,922
Brockman Lane (200' north of N. Sierra Highway)	2 / Collector-Ultra-Low Access Control	6,500	244	6,256
North Barlow Lane (200' north of N. Sierra Highway)	2 /Collector-Low Access Control	6,900	1,429	5,471
North Barlow Lane (200' south of N. Sierra Highway)	2 / Collector-Low Access Control	6,900	1,118	5,782
U.S. Route 6 (Bishop Creek)	2/ Arterial – Moderate Access Control	14,800	2,470	12,330
U.S. Route 6 (200' north of Wye Road/N. Main Street intersection)	2/ Arterial – Moderate Access Control	14,800	2,794	12,006
Wye Road (100' east of U.S. Route 6)	2 / Collector-Low Access Control	6,900	1,481	5,419
Wye Road (200' west of U.S. Route 6)	2/ Arterial – Moderate Access Control	14,800	733	14,067
Brockman Lane (200' south of N. Sierra Highway)	2 / Collector-Ultra-Low Access Control	6,500	822	5,678
MacGregor Avenue (exit to N. Sierra Highway)	2 / Collector-Low Access Control	6,900	1,714	5,186
Vons/Kmart Driveway (exit to N. Main Street)	2 / Collector-Low Access Control	6,900	TBD	TBD

⁹ Washoe County, Average Daily Traffic Level of Service Thresholds by Facility Type for Roadway Planning.



2. Planned Vehicular Circulation Improvements

a. Corridor-Wide Traffic Controls

Intersection Modifications & Signalization

The transportation improvement plan for the North Sierra Highway Corridor includes calming traffic elements for general corridor safety and user comfort, as well as management of vehicular circulation to maintain traffic efficiency and better accommodate alternate modes. The recommended improvements are expected to be phased over time, justified through engineering analysis. The concepts will be refined based on multiple factors, including but not limited to:

- Future traffic counts and speed studies;
- Future traffic signal warrant analyses;
- Development permit related traffic impact studies and other traffic evaluations;
- Near-term Bishop-area Transportation System Management (TSM) needs;
- Further detailed evaluation of the Bishop Wye intersection;
- Other location specific studies; and
- Funding availability.

As illustrated in **Figure 2-15**, the Corridor Plan includes new traffic signals at See Vee Lane and Brockman Lane, potentially a pedestrian-activated hybrid beacon or grade separated over-crossing north of the fairgrounds, and the reconfiguration and reconstruction of the Wye intersection and adjacent signal systems.

The improvement phasing is discussed in greater detail in Chapter 3 of the Corridor Plan.

c. Corridor-Wide Traffic Controls and Speed Limit (35 MPH Zone)

Intersection/Crossing Signalization and Standard Regulatory/Warning Signs

The plan for sustainability on the North Sierra Highway Corridor includes calming traffic for general corridor safety and user comfort, as well as further regulating vehicular circulation in the corridor area to maintain traffic efficiency while better accommodating other modes. As illustrated in **Figure 2-16**, **Figure 2-17**, and **Figure 2-18**, the addition of two pedestrian-activated crossing signals (one in early implementation and one in near-term implementation), and up to three signalized intersections (one in each of the three general implementation phases) will have the most significant impact on achieving these critical objectives. These improvements are expected to be warranted by multiple factors, including but not limited to:

- Future routine traffic counts and speed studies;
- Development permit-related traffic impact analysis;
- Near-term Bishop-area Transportation System Management (TSM) needs; and
- Potential re-routing of US Route 395 through the Wye Road area in the long-term implementation period.



Figure 2-16 Early Implementation Traffic Controls



Figure 2-18 Long-Term Implementation Traffic Controls

Posted Speed Limits

To guide the proper, context-sensitive adjustment to safe travel speeds and to normalize the rate of traffic flow on the North Sierra Highway corridor in the near-term, a consistent 35 MPH posted speed limit throughout the corridor can be implemented by Caltrans as warranted by actual, observed travel speeds resulting from other factors (see **Figure 2-19**). Changes to posted speed limits are subject to a review and approval process governed by the California Vehicle Code and administered by local jurisdictions. Lower observed speeds in future studies are anticipated with gateway-area traffic calming measures, and from closing gaps in curb and gutter, implementing “lane diets”, and adding Class II buffered bicycle lanes along the entire length of the corridor. In the long-term, the 35 MPH corridor speed limit will be appropriate for the growth of traffic in all modes, and for the associated implementation of additional traffic signals, traffic controls and other necessary traffic calming measures. The establishment of the corridor-long 35 MPH zone will also reduce congestion and negative “level of service” (LOS) impacts related to higher-speed accidents, while maintaining or even improving traffic flow rates and LOS under normal conditions.

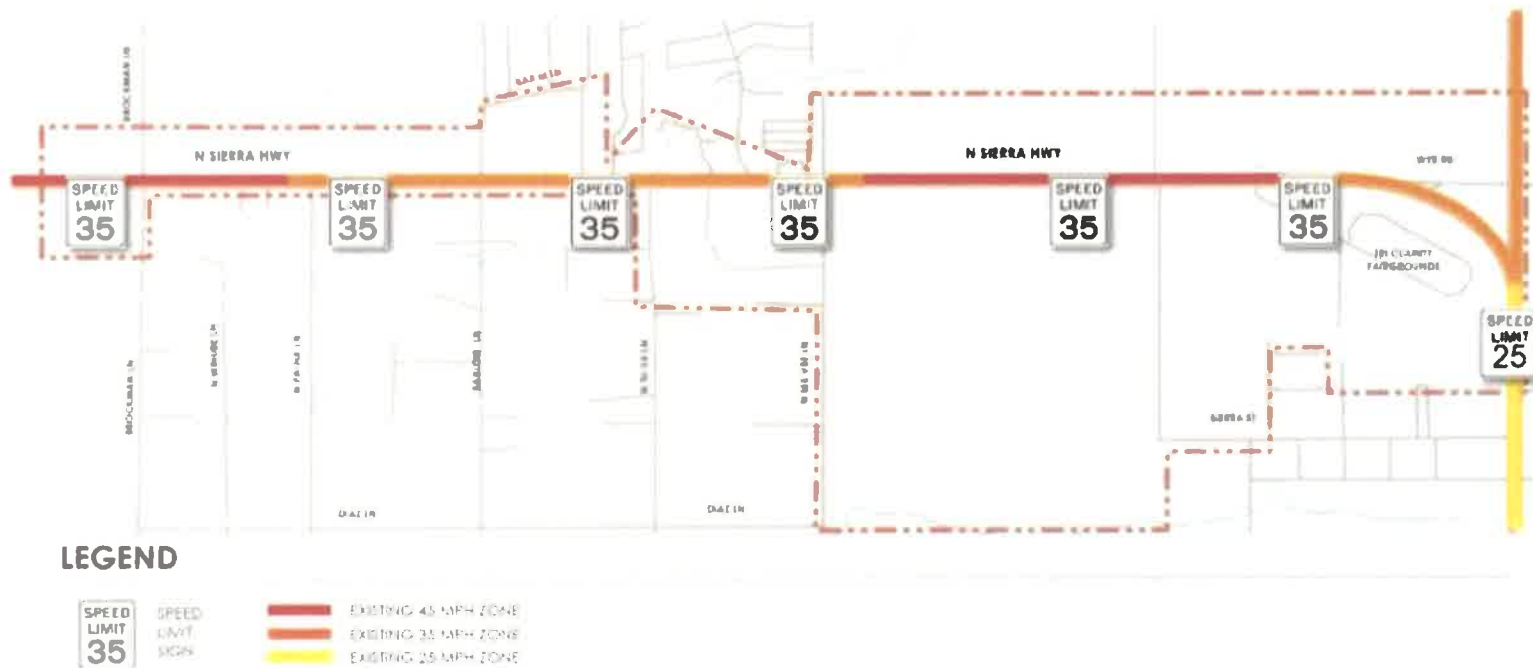


Figure 2-19 Existing and Proposed Speed Limits

i. Improvements and modifications at Intersections

As illustrated in **Figure 2-20**, improvements and modifications at intersections on North Sierra Highway, Wye Road, and North Main Street, with and without signalization will include the following basic elements:

- High-visibility crosswalks across all four spans of the intersection;
- Bicycle intersection crossing treatments in the appropriate directions to follow bikeway system routes;
- Pedestrian countdown timers;
- Turning lanes instead of center turning lane (at signalized intersections where feasible); and
- Appropriate regulatory and warning signs.

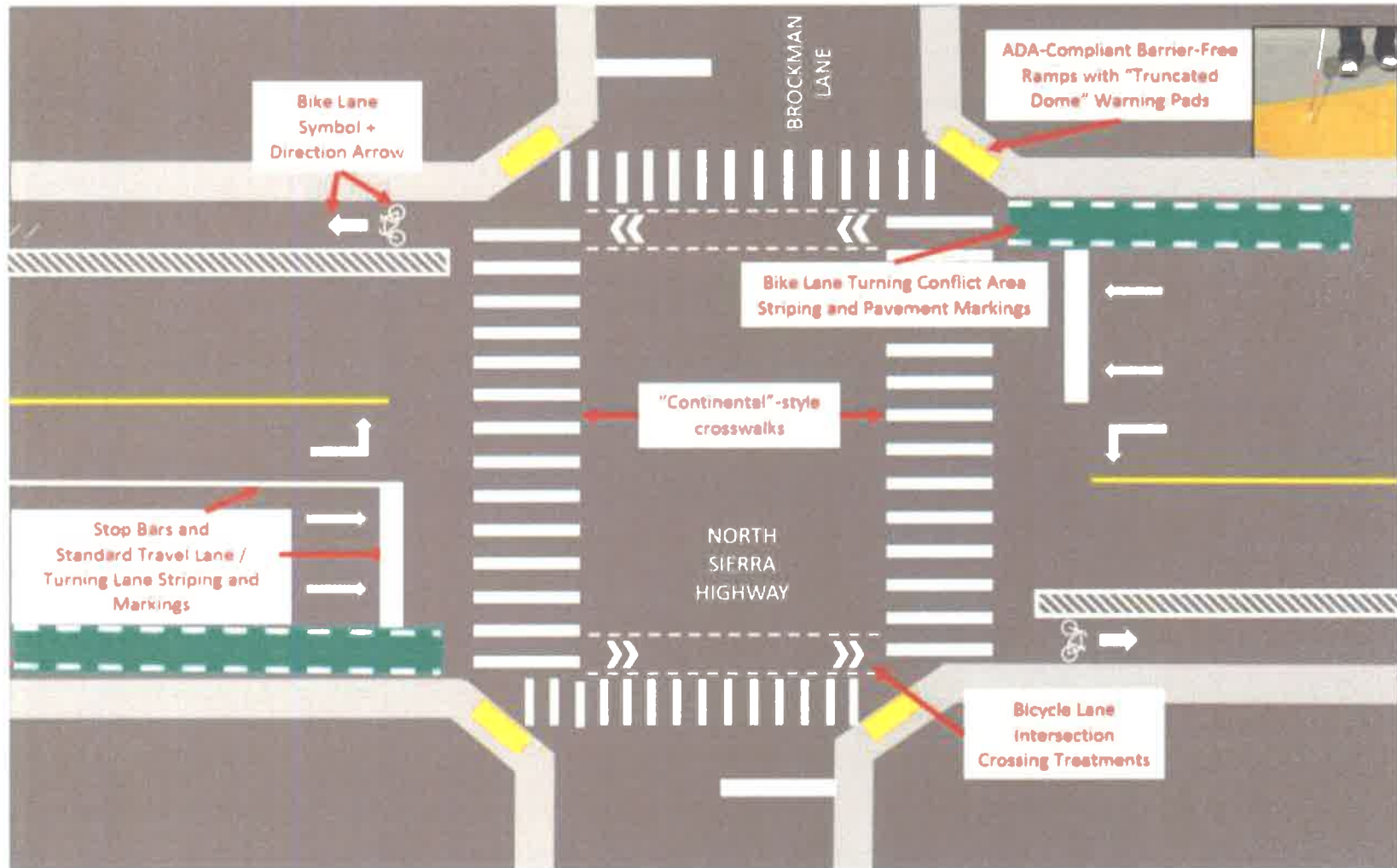


Figure 2-20 Improvements and Modifications at Intersections

ii. Improvements and modifications at driveways

As illustrated in **Figure 2-21**, improvements and modifications at driveway locations along the North Sierra Highway will include the following basic elements:

- Curbs and ramps for improved driveway apron definition;
- Bicycle crossing treatments indicating potential conflict areas and breaks in bike lane buffer directions, as well as direction of intended bicyclist travel; and
- Appropriate regulatory and warning signs.

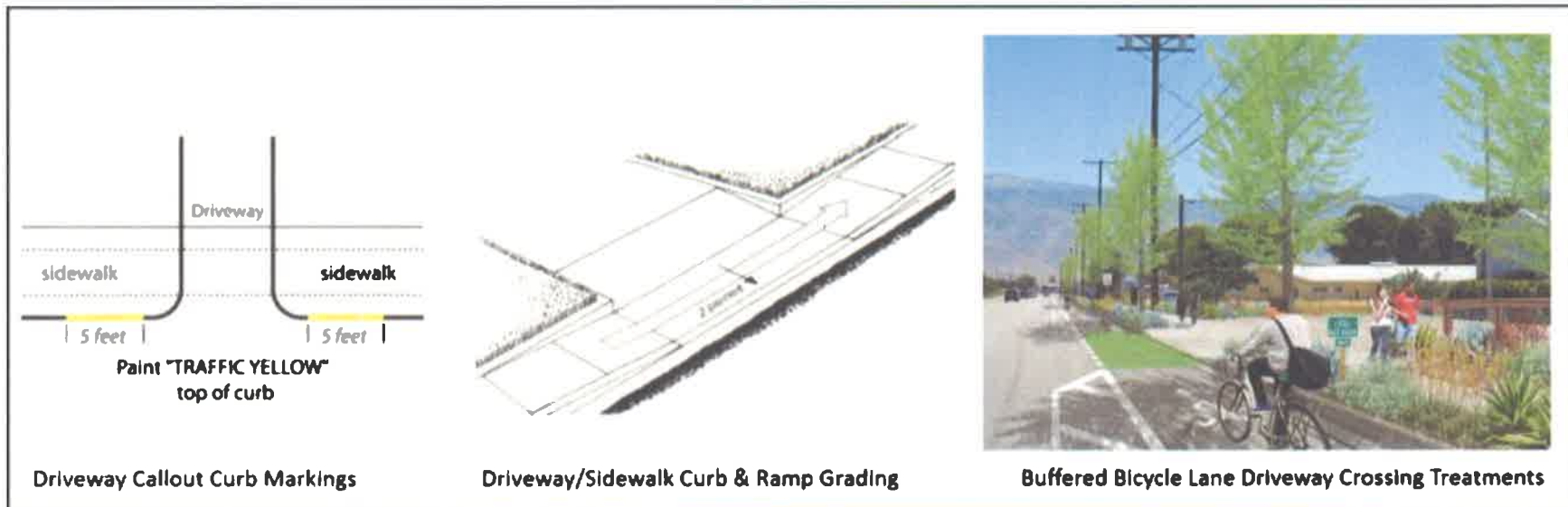


Figure 2-21 Improvements and Modifications at Driveways



d. Highway Travel Lanes Configuration and Design

The sustainable North Sierra Highway configuration will not require a reduction in the number of travel lanes or the removal of the existing center turn lane. The width of the travel lanes will be reduced to 10.5' and 11', and the center turn lane width will be reduced to 12' to help calm traffic and accommodate the addition of buffered bicycle lanes (5' wide bike lane + 3' buffer) on both highway edges, corridor-wide. This change is expected improve the pedestrian and bicycle user experience along the entire corridor. The positioning of commercial vehicle traffic toward the interior of the roadway will also improve the ease of automobile highway access and egress, as well as the visibility of pedestrians and vehicles at designated highway crossings. US Route 395 is included in the Subsystem of Highways for the Movement of Extra Legal Permits Loads (SHELL) system, and is a Federal Surface Transportation Assistance Act (STAA) route that authorizes use by larger trucks (sometimes with wide loads) and gives them access to facilities off the route.¹⁰ These designations can be maintained and accommodated with the use of the 11' wide interior travel lanes and a portion of the center turning lane, as necessary.

e. Typical Roadway Cross-sections

The following typical cross-sections indicate the intended relative horizontal placement of transportation modes, lighting, and landscaping within and adjacent to the State right-of-way. The cross-section illustrated in **Figure 2-22** is applicable to the full length of North Sierra Highway, between Brockman Lane and Wye Road at US Route 6/North Main Street. In constrained width areas, it is anticipated that not every element would be included. Adjustments would be made based on specific conditions identified during the design process. The typical cross-section includes the following items:

- Four 11'-wide automobile travel lanes;
- One 12'-wide continuous center turn lane;
- Two 5'-wide bicycle lanes with 3'-wide painted buffer;
- Two 2'-wide curb and gutter;
- Two 6'-wide sidewalks; and
- Two landscape and lighting areas.

¹⁰ California Department of Transportation, District 9. [SHOPP Asset Management Pilot Request Form](#), 08/14/2015.

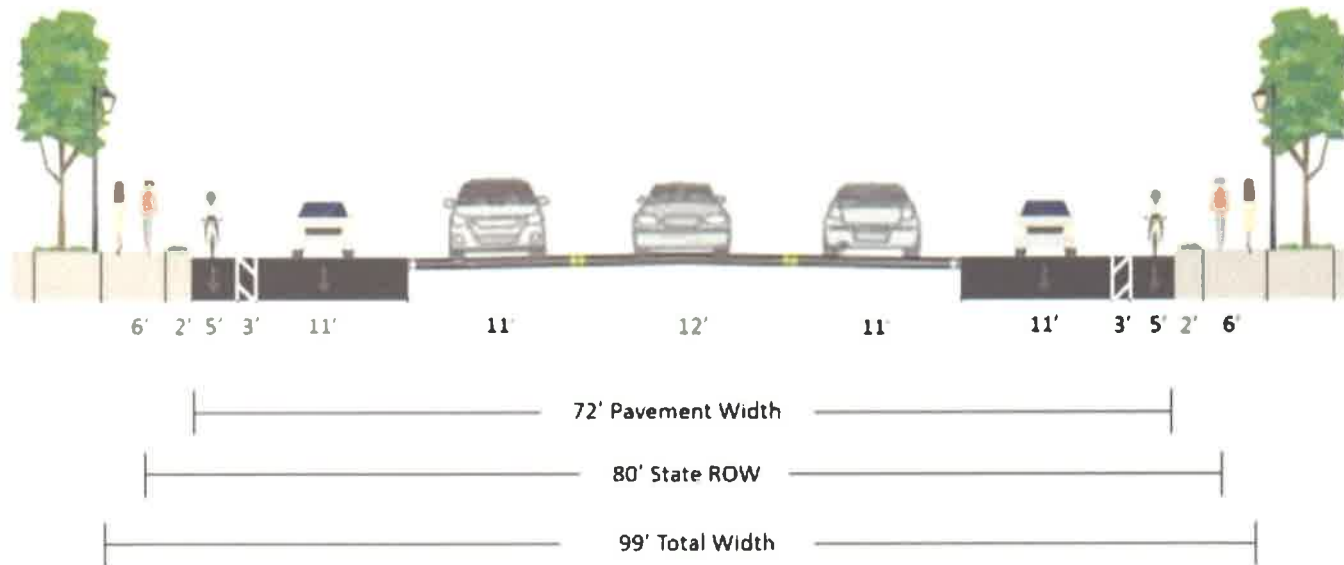


Figure 2-22 Typical Cross-Section (Brockman Lane to Wye Road at US 6/North Main Street)

The cross-section illustrated in **Figure 2-23** is an alternate configuration applicable to the segment of North Sierra Highway between See Vee Lane and Wye Road at US Route 6/North Main Street. Again, adjustments would be made based on the frontage conditions of each adjacent parcel and not every element should be expected throughout the entire length. As depicted, the desired elements would include:

- One 12'-wide continuous center turn lane;
- Four 11'-wide automobile travel lanes;
- Two 8'-wide paved shoulders;
- Two 2'-wide curb and gutter;
- Two 14.5'-wide landscape buffers;
- Two 2'-wide path graded shoulders;
- Two 10'-wide 2-way multi-use pathways; and

- Two 6'-wide soft paths (potential equestrian use).

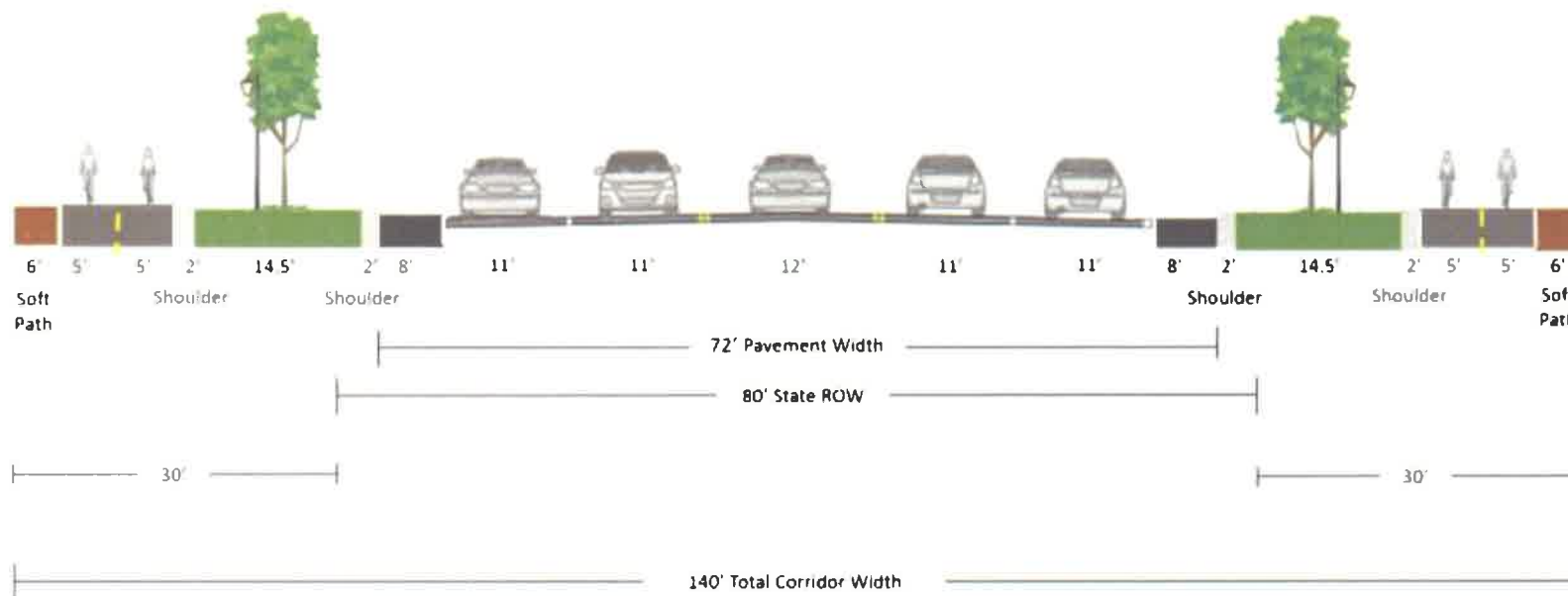


Figure 2-23 Alternate Cross-Section (See Vee Lane to Wye Road at US 6/North Main Street)

f. "Wye" Area Improvement Options

The Tri-County Fairgrounds/Wye Road Opportunity Area at the east end of the subject corridor is a unique element of interest with both opportunities and constraints. Caltrans completed a feasibility study for the "Bishop Wye" in June 2009, evaluating a variety of improvement options. The primary alternatives from that work effort were presented to the community for comment through this corridor outreach initiatives and have been brought into this Corridor Plan.

As this small-area plan is a component of the intended overall sustainability of the Corridor Plan area, the proposed vehicle circulation changes in any of the discussed alternatives are also considered with respect to their associated impacts on other travel modes and land use. The re-routing of traffic in any proposed scenario is intended to streamline and slow traffic while maintaining acceptable motorized vehicle circulation and travel capacity through the area. There is also a need to balance vehicular access to key destinations including the Fairgrounds and the Vons/Kmart complex with reasonable access control. The overall circulation design will promote a more balanced use of modes with improved pedestrian and bicyclist facilities, and support increased economic activity with better access for all modes and parking.

Proposed Improvement Concept

In the Bishop Wye Road intersection area, improvements will be guided by principles of minimizing the current negative effects of the existing design for auto/truck circulation, as well as solving the problem of access for automobile traffic while promoting the use of alternative travel modes.

Near term, the most feasible alternative for re-routing US Route 395 traffic through the Bishop Wye Area, illustrated in **Figure 2-24**, will include the following:

- New traffic signal at the US 395/Hwy 6/Main Street/Wye Road intersection with dedicated right turn lanes;
- Dedicated right turn lanes;
- New traffic signal at Kmart/Vons shopping center;
- Consolidate driveways, install sidewalk, curb, and gutter on east side of N. Main Street between shopping center road and Wye Road;
- Repurpose the bend area for public automobile and truck parking, a multi-use pathway, fairgrounds gates, or other purposes; and
- Enable options for an improved fueling station layout between the new intersection and fairgrounds property.

Although some land acquisition will likely be required, these improvements are expected to have a significant traffic management, property access, and multi-modal benefit. Repurposing the existing highway bend between the Fairgrounds and the Wye for public automobile parking and for better use of the truck fueling area is also an important element of this improvement option. A detailed improvement plan for the Bishop Wye area will be developed through future projects.



Figure 2-24 Bishop Wye Proposed Improvement Concept



Roundabout Alternative

The 2009 Caltrans Feasibility Study Report for “Bishop Wye Traffic Circulation Improvement” also included an alternative with a roundabout at a realigned US 395/Hwy 6/Main Street/Wye Road intersection as illustrated in **Figure 2-25**. This option was deemed capable of handling the future anticipated highway volumes as well as the turning radii of tractor-trailer and oversize-load vehicles. Roundabouts present many opportunities to improve major intersections and gateway locations, are generally safer than signalized intersections, and are well proven in similar settings. This alternative was presented during the outreach charrette/workshop and was voted to be the community’s “preferred alternative”. However, due to the significant amount of right-of-way acquisition needed with this option and the total project cost, this alternative design will require further development and is considered a long-term implementation action.

Parking

Either alternative discussed above would allow for re-purposing the existing bend for parking and other uses. Parking in this area will serve the existing gas station, complement future re-configured public access to the Tri-County Fairgrounds, and work in concert with a multi-use pathway extending south to North Main Street and west to North Sierra Highway destinations.

Access Management

It should be anticipated that any improvement option for the Wye area will have to include access management elements which could include:

- Driveway consolidation;
- Driveway removal;
- Median islands;
- Turn Restrictions; and
- Other features that enhance safety and traffic operations.

The future access details related to the various adjoining properties cannot be resolved within this planning study, but will be part of the design process.



Figure 2-25 Bishop Wye Roundabout Alternative

Other Alternatives

The 2009 Caltrans Feasibility Study Report for "Bishop Wye Traffic Circulation Improvement" included several other options for the Wye area, including the one illustrated in **Figure 2-26**. This "Tee" configuration was not forwarded in this Corridor Plan as it does not provide the desired reuse opportunities in the bend area and creates a variety of other traffic issues as outlined in the prior study.

The other alternatives presented in the Caltrans study were effectively dismissed through the prior evaluation and not carried forward to this document.



Figure 2-26 Bishop Wye "Highway 6 Tee" Alternative



g. Anticipated Bishop-Area Transportation System Management (TSM) Benefits

The practice of Transportation Systems Management (TSM) strategies and techniques, in combination with planning for transportation operations, has proven to maintain or increase the capacity and efficiency of transportation systems. TSM is accomplished through the strategic improvement of existing transportation facilities and networks with the goal of minimizing the need for major construction and additional capacity for motor vehicle travel.¹¹ In practice, new and evolving federal and State policies should guide the improvement of the Bishop-area system management planning practices as a basis for performance-based decision-making. Intelligent Transportation Systems (ITS) planning and deployment is an important component.¹²

The following key TSM opportunities will help to improve transportation operations and the efficiency of the corridor area roadway network, while also supporting multi-modal transportation improvements:

- **Pursue access management strategies** to better define access and egress opportunities along the North Sierra Highway Corridor, to reduce the number of “conflict points”,¹³ and to allow for other TSM strategies;
- **Study and install additional traffic controls and highway configuration changes** to improve multi-modal integration and resulting corridor user safety and comfort, while maintaining or improving automobile and truck traffic throughput;
- **Establish improved and a few new alternative north-south and east-west roadway links** to relieve traffic on N. Main Street and improve overall roadway network efficiency; and
- **Address Tri-County Fairgrounds orientation and access, as well as the Wye Road Opportunity Area** to improve automobile traffic flow and circulation, and to accommodate greater multi-modal integration and active transportation mobility and access.

For these key opportunities, specific TSM-related improvement opportunities and associated benefits on the North Sierra Highway corridor are identified below. Associated constraints or tradeoffs are also noted, where applicable.

¹¹ Caltrans Division of Local Assistance, Local Assistance Program Guidelines, Traffic Systems Management Program. December 1996.

¹² <http://www.dot.ca.gov/hq/tpp/offices/omsp/poits.htm>

¹³ California Department of Transportation, District 9. SHOPP Asset Management Pilot Request Form, 08/14/2015.

Access Management

As illustrated in **Figure 2-27**, this Corridor Plan will employ the TSM strategy of “access management”, where appropriate, including driveway consolidation and no left turns at driveways near intersections. A constraint for this approach that will need to be managed during implementation is maintaining fair and equal access to local businesses and services, and to associated private and shared parking.

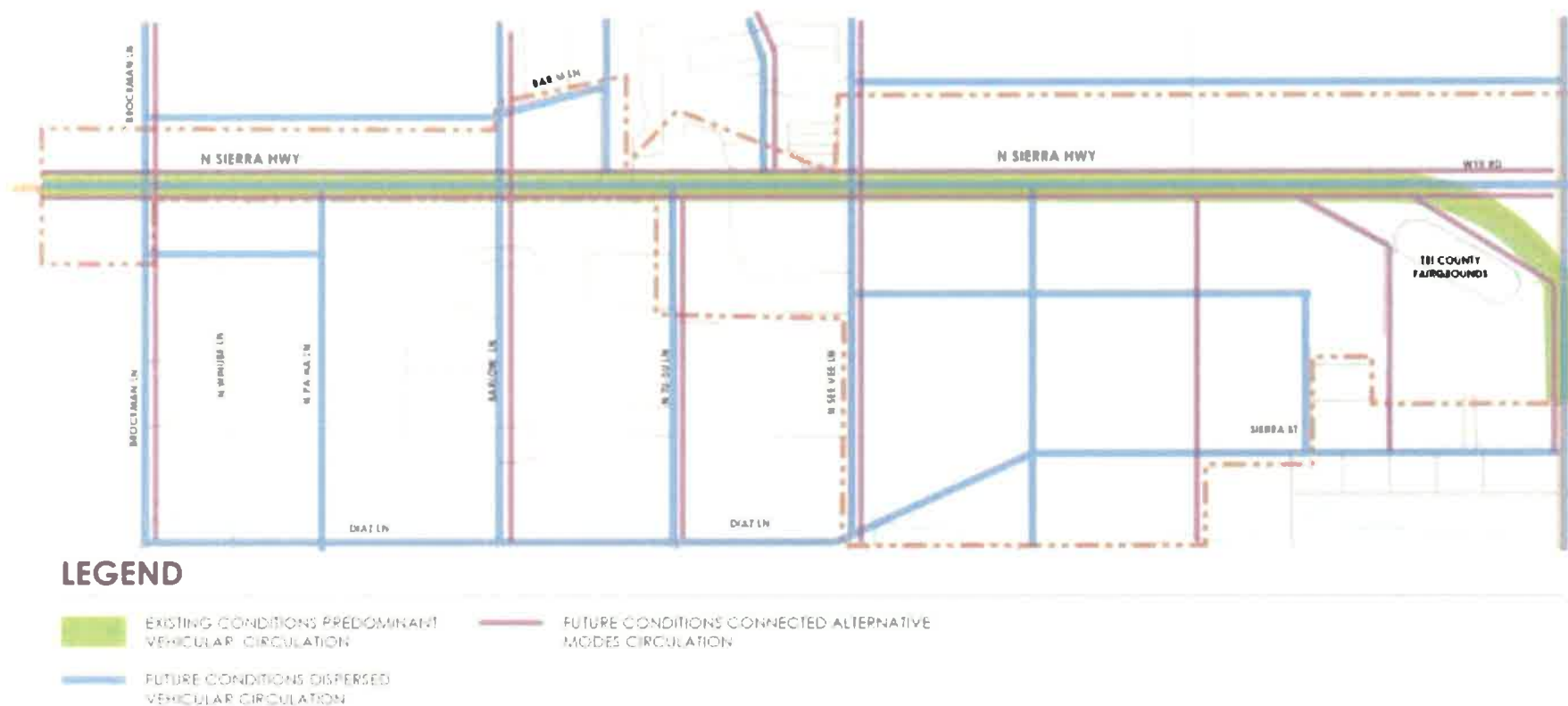


Figure 2-27 Anticipated/Potential Bishop Area Transportation System Management (TSM) Impacts

Additional Traffic Controls and Highway Configuration Changes

The Corridor Plan vision is predicated on the eventual installation of additional pedestrian crossing signals and establishing stop-controlled signalized intersections for motorized vehicle traffic on U.S. Route 395 at See Vee Lane, U.S. Route 6/N. Main Street, and at Brockman Lane when it becomes warranted by development as specified by the Specific Plan and associated traffic studies. The planned highway configuration changes, as illustrated in **Figure 2-24**, **Figure 2-25**, and **Figure 2-26**, are also expected to slow traffic on the North Sierra Highway and encourage the use of alternative routes. This type of indirectly affected trip re-distribution as a result of highway reconfiguration is an essential sustainability TSM strategy.

Establish Stronger Alternative North-south and East-west Roadway Links

As illustrated in **Figure 2-28** and **Figure 2-29**, this Corridor Plan includes potentially implementing those parts of the envisioned corridor area roadway network in the City of Bishop Circulation Plan and County of Inyo Circulation Element, respectively, that are still viewed as beneficial to Bishop-area TSM and transportation operations in the North Sierra Highway Sustainable Corridor Plan area.

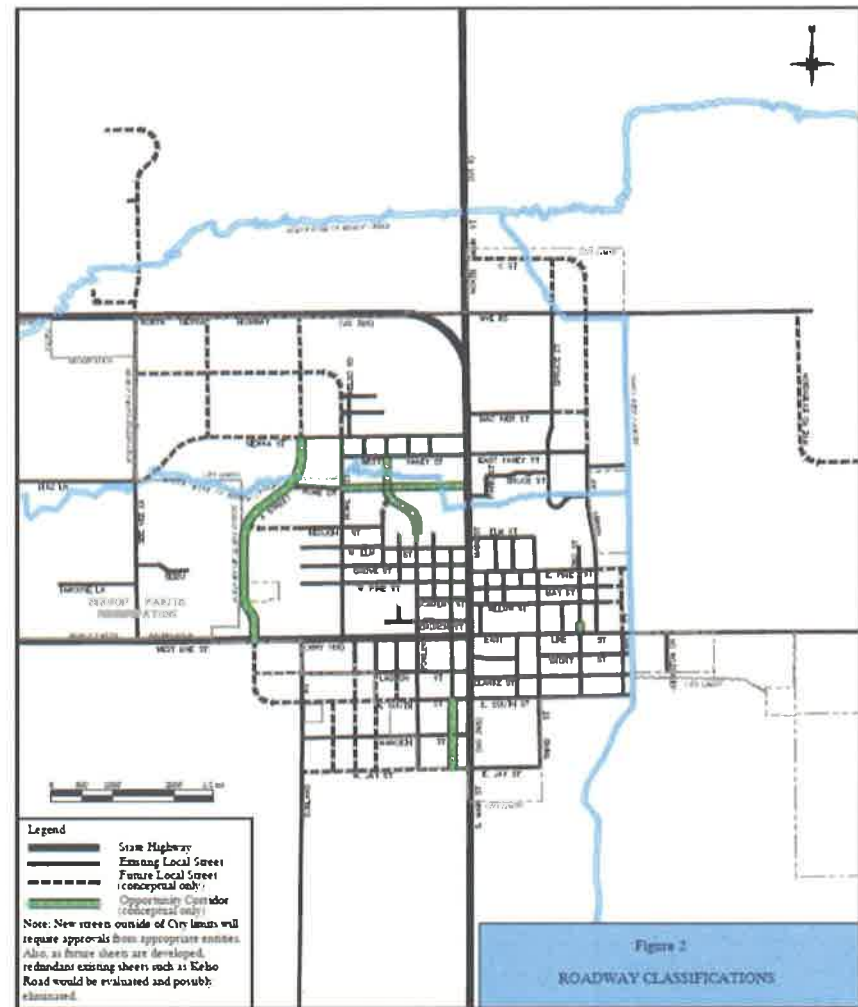
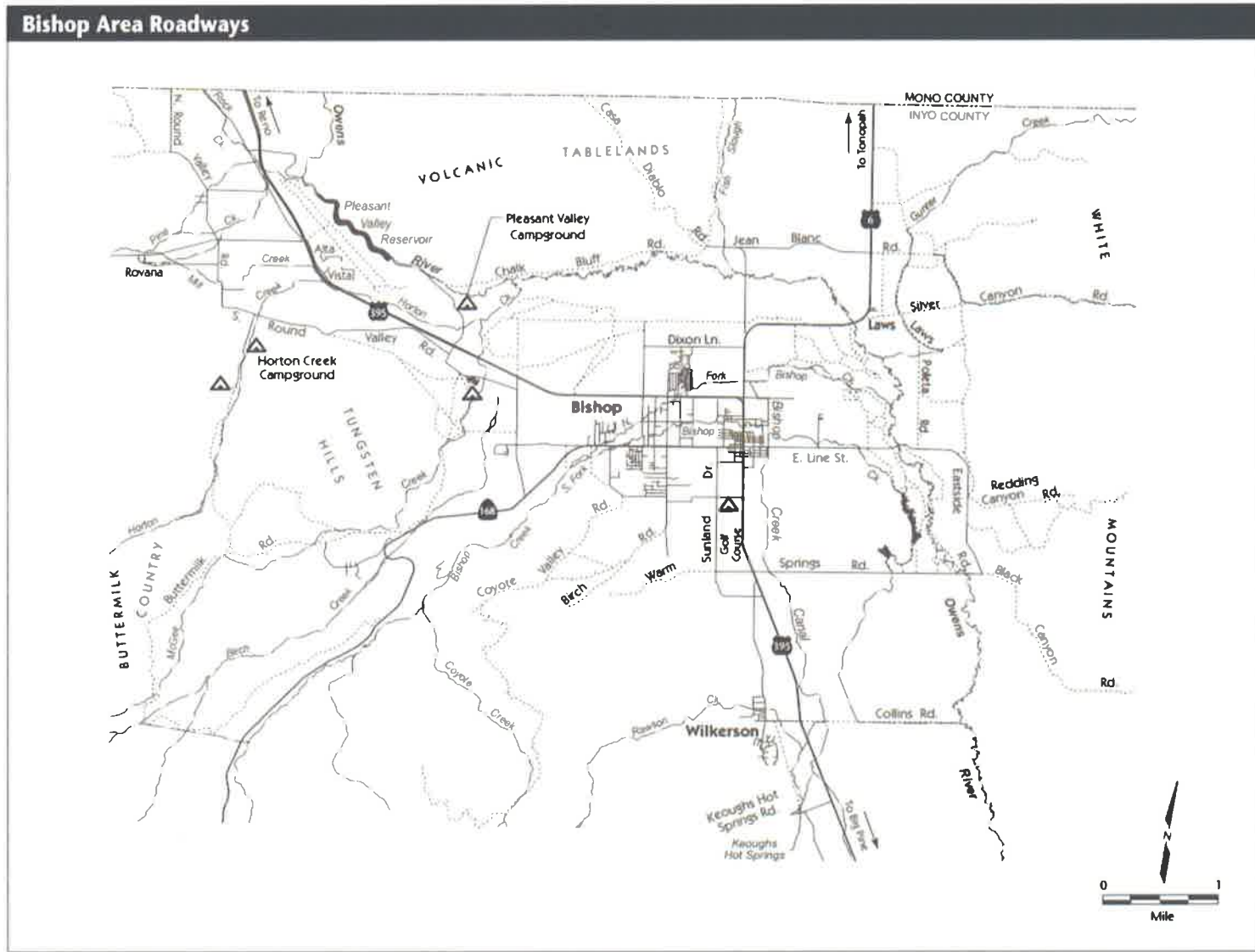


Figure 2-28 City of Bishop General Plan, Circulation Plan



Inyo County General Plan Circulation Element Diagram A

Bishop Area

Key

- Improved road
- Unimproved road
- Abandoned railroad grade

Certificate of Adoption

I hereby certify that this element consisting of a text and eleven (11) maps is the circulation element of the Inyo County General Plan and that it was recommended for adoption by the Inyo County Planning Commission on _____

Attest: _____

Chair, Inyo County Planning Commission

Charles S. Threlkoff, Director

Certificate of Adoption

I hereby certify that this element consisting of a text and eleven (11) maps is the circulation element of the Inyo County General Plan and that it was adopted by the Inyo County Board of Supervisors on _____

Attest: _____

Chair, Inyo County Board of Supervisors

Clark of the Board

Diagrams prepared by James & Stockley 1/17/02

Figure 2-29 County of Inyo, General Plan Circulation Element, Bishop Area

h. New Streets/Streets Closure

The relevant portions of **Figure 2-28** and **Figure 2-29** is the basis for new City of Bishop streets within the Corridor Plan area. The plan for potential new streets and street closure for the Plan area is illustrated in **Figure 2-30**.

- i. The addition of new street segments in the “Fairgrounds West Area”, between See Vee Lane and the Tri-County Fairgrounds on the south side of the North Sierra Highway, will provide additional connectivity between the City of Bishop and the un-incorporated North Sierra Highway corridor area, and support future development related to sustainability which could include and is not limited to affordable housing, commercial and “big box” retail space, and landscaped open space. An extension of Kelso Road, for example, to the north and west may be necessary for sufficient automobile access to potential new development in the area; and
- ii. An extension of Cherry Lane may be a desired addition to the network in order to improve motorized vehicle access to the Highlands Mobile Home Community and the neighborhoods on the north side of the North Sierra Highway between See Vee Lane and North Barlow Lane. (see Bicyclist, Pedestrian, and Alternative Modes Circulation section for complementary, parallel multi-use pathway extension).

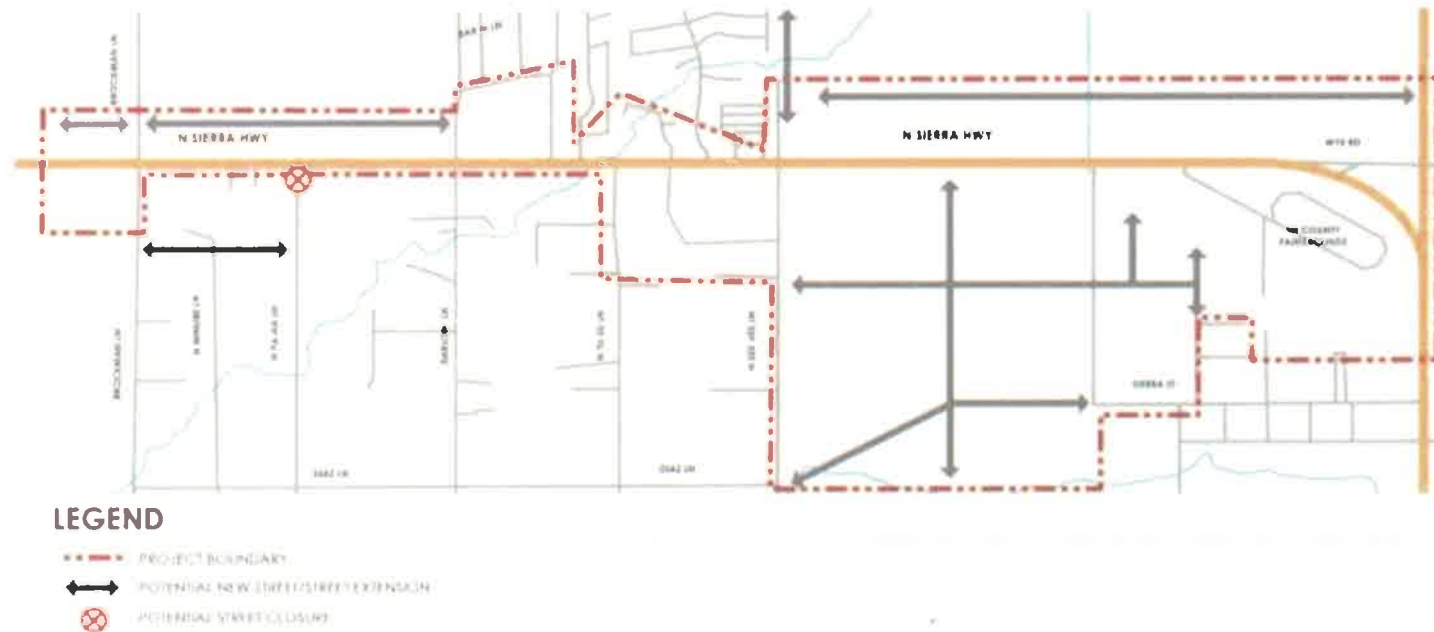


Figure 2-30 Potential New Streets and Street Closure



b. Gateway Area Improvements

The definition of two gateway areas is a key opportunity identified through background research and stakeholder interviews in this planning effort. The gateway monuments and associated signage will be designed to capture the interest of motorists and thereby slow automobile traffic. These gateway areas will include visual enhancements, infrastructure additions where necessary, uniform traffic controls, and other traffic calming measures where appropriate. These improvements will accommodate the establishment of a more clearly defined multi-modal zone for increased user comfort and safety in the less-densely developed areas of the North Sierra Highway Corridor.

Brockman Lane Gateway

In addition to the potential architectural gateway features, traffic will be ultimately slowed by the presence of a traffic signal at Brockman Lane. The signal would be installed when development increases such that traffic signal warrants are met, which is not likely until the long-term horizon timeframe.

It is possible that a user-activated pedestrian hybrid beacon and associated high-visibility crosswalk could be appropriate in the near-term horizon if the installation of buffered bicycle lanes, sidewalk, curb and gutter on both sides of the highway, starting several hundred feet west of the Brockman Lane intersection contributed significant pedestrian/bicycle crossing activity at the intersection. A basic concept for long-term improvements at this intersection is illustrated in **Figure 2-31**.

Bishop Wye and Fairgrounds Gateway

The establishment of the Bishop Wye and Fairgrounds gateway area will be supported by closing the existing gaps in curb and gutter and sidewalks, and potentially by the addition of cycle tracks and/or multi-use facilities along the North Sierra Highway and on Wye Road. In the long-term, a future separated-grade bicycle/pedestrian crossing of the North Sierra Highway could also serve as a gateway feature (refer to **Figure 2-15**).



Figure 2-31 Brockman Lane Gateway Area Concept (Long-Term)



3. Goals and Policies

The following existing goals and policies from previous planning efforts should guide the implementation of vehicular circulation improvements in and around the Corridor Plan area:

North Sierra Highway Sustainable Corridor Vehicular Circulation Goals

- Keep constant, or reduce the rate of growth of, motorized vehicle traffic on the corridor and in the Bishop area;
- Minimize the need for motorized vehicle access to corridor area destinations and special events;
- Increase pedestrian, bicyclist, and disabled user activity by providing improved networks for all modes;
- Balance the use of all transportation modes on the corridor while maintaining an acceptable level of service for any one mode including automobile or truck travel; and
- Promote and maintain the corridor identity by enhancing the aesthetics of roadside landscaping and the “viewshed” horizon, and by providing improved way-finding information for all corridor users.

Appendix B contains the existing and supporting goals, policies and actions relevant to vehicular circulation improvements on the North Sierra Highway Sustainable Corridor.



D. Motorized Vehicle Parking

1. Balance Parking Needs with Goal to Affect the Increased Use of Pedestrian, Bicyclist, Disable User, and Transit Networks.

The Corridor Plan vision for motorized vehicle parking and access aims to provide added safety, user comfort, and convenience for all users of the corridor. This vision will be accomplished by better accommodating and balancing parking needs with the goal to increase use of pedestrian, bicyclist, disabled user, and transit networks. The following near-to-medium-term opportunities have been identified in the planning process:

- Identify and establish new parking areas for special events, public amenities (e.g., parks and trails), and new development;
- Reconfigure and consolidate existing parking areas and driveways while maintaining fair and equal access to local businesses and services, for shared use by customers, employees, and owners;¹⁴
- Improve the definition of motor vehicle driveway access and parking opportunities to reduce conflicts between automobiles and other users of the right-of-way, and to make points of access and egress, where turning movements on and off the highway more predictable to all highway users¹⁵;
- Clear the highway “clear zone” by eliminating parking and undergrounding utilities in proximity to the highway travel lanes, thereby improving driveway and intersection visibility while at the same time allowing for the installation of sidewalks and bicycle lanes and improving the corridor “viewshed”;
- Design and install consistent and attractive way-finding signage to corridor communities, businesses and services (e.g., RV parking on the Bishop Paiute Reservation), and to nearby recreational opportunities. Way-finding signage will aid in establishing community identity and increasing highway user awareness of the adjacent communities, and natural attractions and cultural heritage sites in the nearby valleys and mountain ranges;
- Provide adequate truck parking, especially in the Wye Road Opportunity Area¹⁶; and
- In coordination with addressing the Wye Road Opportunity Area, provide multi-modal access and shared parking opportunities in “the bend” and on the North Sierra Highway approach to the Tri-County Fairgrounds.

¹⁴ California Department of Transportation, District 9. [SHOPP Asset Management Pilot Request Form](#), 08/14/2015: Under its [US Route 395] existing physical buildout and configuration, drivers may not be aware of the urban nature and high turn rate through the project limits [from See Vee Lane to Barlow Lane]. Many of the driveways through this area are undefined and difficult to see. This reality leads to many inefficiencies on the roadway network, including parking operations and access/egress impeding through traffic, as well as several un-optimized routes resulting from missed turns and traffic moving too fast for safe turning movements.

¹⁵ California Department of Transportation, District 9. [SHOPP Asset Management Pilot Request Form](#), 08/14/2015: The construction of driveways will reduce the number of vehicle conflict points by reducing and specifying the locations that side traffic may access US Route 395 and US Route 395 traffic may access businesses. This should allow through traffic on US Route 395 better opportunity to avoid accidents associated with vehicles turning onto US Route 395. These improvements should specifically reduce the number of “Broadside” accidents, related to “Failure to Yield” and “Improper Turn.”

¹⁶ Inyo LTC Regional Transportation Plan Executive Summary



2. Existing/traditional parking requirements for new development/existing zoning code

In contrast with this Corridor Plan, conventional practice typically requires that new developments provide the minimum amount of parking required by traditional and more conservative estimates and standards. These standards do not consider the intensity of demand by time of day and on weekday vs. weekends. **Table 2-3** summarizes the minimum parking space requirements included within the County of Inyo Zoning Code, and **Table 2-4** summarizes the minimum parking space requirement included within the City of Bishop Municipal Code for all potentially relevant land use zoning designations in this Corridor Plan.

Table 2-3 Existing Parking Requirements (County of Inyo Land Use Zoning Ordinances)

County of Inyo Zoning District	Parking Requirement
OS— <i>Open Space</i>	Off-street parking spaces per dwelling unit, two spaces.
RR— <i>Rural Residential</i>	Off-street parking spaces per dwelling unit, two spaces.
R1 Districts— <i>One Family Residences</i>	Two spaces are required for each dwelling unit.
R2 Districts— <i>Multiple Residential</i>	Off-street parking spaces shall be provided on a parking lot, or within a garage or carport at the ratio of two spaces per dwelling unit.
R3— <i>Multiple Residential</i>	Off-street parking spaces per dwelling unit: two designated spaces plus one guest parking space for each four dwelling units.
RMH Districts— <i>Single Residence or Mobile home Combined</i>	Two spaces are required for each dwelling unit.
CB Districts— <i>Central Business</i>	Off-street parking required. One parking space for each 400 sf of usable floor area, or as determined by the planning director. Parking will be located on-site, except as approved by the planning director.
C-1 Districts— <i>General Commercial and Retail</i>	One parking space shall be provided for each 400 sf of usable floor area, or as determined by the planning director.
C-2 Districts— <i>Highway Services and Tourist Commercial</i>	One parking space shall be provided for each 300 sf of usable floor area, or as determined by the planning director.



Table 2-3 Existing Parking Requirements (County of Inyo Land Use Zoning Ordinances)

County of Inyo Zoning District	Parking Requirement
<i>C-3—Administrative and Professional Offices</i>	One parking space shall be provided for each 200 sf of usable floor area, or as determined by the planning director.
<i>C-4—Heavy Commercial</i>	One parking space shall be provided for each employee plus customer and/or residential parking and loading as determined by the use, or as determined by the planning director.
C-5—Commercial Recreation	Parking spaces: <ul style="list-style-type: none"> • Per dwelling unit, two • Per lodging unit, one • Per 300 sf of usable public floor space for all permitted and conditional uses, unless otherwise specified • Per each full-time employee, one.
<i>M-2—Light Industrial</i>	Parking spaces, one per each full-time employee plus customer parking and loading space as determined by the use and evaluation of the planning director
M-1 Districts—General Industrial and Extractive	One parking space for each full-time employee shall be provided, plus guest parking and loading space as deemed appropriate by the building inspector as established by the policy of the planning commission.



Table 2-4 Existing Parking Requirements (City of Bishop Land Use Zoning Ordinances)

City of Bishop Zoning District	Land Use	Parking Spaces Required	Unit
A-R (Low Density Residential District); R-1 (Single-Family Residential District); R-2 (Low Density Multiple Residential District); R-2000 (Medium High Residential District); R-2000-P (Medium High Density Residential District and/or Professional and Administrative Offices); R-M (Residential Mobile Home District)	Residential	2	/dwelling units
C-1 (General Commercial and Retail District); C-2 (General Commercial District); C-H (Commercial Highway Services District)	Commercial	1	Each parking space for nonresidential use shall have a minimum of nine feet by 20 feet; any space designated as employee parking may be reduced in width to eight feet. Where two or more uses occupy the same building or premises, the required number of spaces shall be the sum of the number required for each use when calculated separately.
Churches, theaters, auditoriums, clubhouses, fraternity or sorority houses		1	/5 seats
Hospitals		1	/3 beds or /1,500 sf GFA



Table 2-4 Existing Parking Requirements (City of Bishop Land Use Zoning Ordinances)

City of Bishop Zoning District	Land Use	Parking Spaces Required	Unit
	Convalescent, nursing or rest homes, sanitarium, or homes for the care of children or aged	1	/4 beds
	Hotels	1	/guest room
	Motels, boardinghouses, clubhouses, fraternity or sorority houses where the principal use is to provide overnight facilities	1	/guest room + 1 space / 3 beds in a dormitory
	Trailer parks or mobile home parks	2	/trailer lot + 1 space/ 10 trailer lots
	Retail stores, administrative and professional offices	1	/300 sf GFA
	Retail stores handling only durable goods or bulky merchandise (e.g., machinery, furniture and vehicle sales):	1	/800 sf GFA
	Manufacturing or industrial buildings	1	/ 400 SF GFA or 1 space/ 2 employees on largest work shift (the larger)
	Warehouses and storage buildings and yards, nursery sales, contractor and lumber yards, and public utilities services	1	/1,000 sf GFA + 1 space/ 2,000 sf of open land on premises
	Bowling alleys	6	/alley
	Restaurants, cafes, bars, or other eating or drinking establishments	1	/4 seats or /50 sf GFA for dining or drinking
	Auto repair or auto body shops	4	/working stall



Table 2-4 Existing Parking Requirements (City of Bishop Land Use Zoning Ordinances)

City of Bishop Zoning District	Land Use	Parking Spaces Required	Unit
Health clubs and gymnasiums		1	/100 sf GFA used for the principal activities
BP (Business Park Combining District)	Office and Professional		Parking facilities in substantial excess of the minimum anticipated requirements; Gross site area of five acres or larger
P (Public District)	Public Amenities	1	/300 sf of usable floor area for buildings constructed in the district
O-P (Office and Professional District)	Office and Professional	1	/300 sf of usable floor area
M-1 (General Industrial District)	Industrial	1	/400 sf GFA or 1 space/2 employees on largest work shift (the larger)
O-S (Open Space District)	Recreation, Leisure, Community		Planning Commission may grant a use permit to other similar uses...not obnoxious to the stated purpose, and may prescribe such requirements as it deems necessary or advisable with respect to access.



3. Commonly Accepted Shared Parking Standards

The Corridor Plan considers the anticipated demand for parking under future mobility conditions on the corridor, existing issues with sufficient access to and parking for businesses, and economic development concerns for the area. The planning process determined that it will be necessary to improve existing parking area shared use, partly with access and circulation improvements that may slightly reduce the number of existing parking spaces, especially those located in proximity to driveways and the North Sierra Highway travel lanes. It should be noted that on-street parallel and angled parking was the lowest-rated “complete street” element by Corridor Plan stakeholder agencies and organizations. The central challenge or constraint to this approach will be to maintain fair and equal access to local businesses and services, and to associated private and shared parking.

In close coordination with the plans for land use in the anticipated Specific Plan, the near-term and long-term implementation of the Corridor Plan also includes new public and shared off-street parking areas to accommodate daily activity and special events on the corridor.

Plans for reconfiguring existing parking areas on the corridor, as well as the design and construction of new parking areas, should be based on the relevant nationally accepted standards for shared parking as determined by the Urban Land Institute (ULI).¹⁷ As illustrated in **Table 2-5**, for a Community Shopping Center that is less than 400,000 sf, the ratio of parking spaces per 1,000 sf on a weekend is 3.2 for visitors and 0.8 for employees. Adding these two ratios together, the rate of parking that could be applied in the relevant areas of this corridor could be as low as 4 parking spaces for every 1,000 sf for this type of land use. An alternative shared parking figure provided by the Institute of Transportation Engineers (ITE) calculates 4.7 parking spaces per 1,000 sf of gross leasable area (GLA).¹⁸

Land Use	Weekday		Weekend		Unit	Source
	Visitor	Employee	Visitor	Employee		
Community Shopping Center (<400,000 sq. ft.)	2.9	0.7	3.2	0.8	/ksf GLA	1
Fine/Casual Dining	15.25	2.75	17.0	3.0	/ksf GLA	2, 3
Family Restaurant	9.0	1.5	12.75	2.25	/ksf GLA	3
Fast-Food Restaurant	12.75	2.25	12.0	2.0	/ksf GLA	2
Nightclub	15.25	1.25	17.5	1.5	/ksf GLA	3

¹⁷ Shared Parking, Second Edition, 2005, published by the Urban Land Institute (ULI).

¹⁸ “Neighborhood” shopping center sub-category of Land Use 820, Shopping Center. The Institute of Transportation Engineers (ITE) Parking Generation Manual.



Table 2-5 Shared Parking Standards

Land Use	Weekday		Weekend		Unit	Source
	Visitor	Employee	Visitor	Employee		
Active Entertainment	Custom to each tenant					
Cineplex	0.19	0.01	0.26	0.01	/seat	2, 3
Performing Arts Theater	0.3	0.07	0.33	0.07	/seat	2
Health Club	6.6	0.4	5.5	0.25	/ksf GFA	3, 4
Hotel-Business	1.0	0.25	0.9	0.18	/guest-room	2, 3
Hotel-Leisure	0.9	0.25	1.0	0.18	/guest-room	2, 3
Restaurant/Lounge	10.0	-	10.0	-	/ksf GLA	2, 3, 5
Conference Center/Banquet (20 to 50 sq. ft./guest-room)	30.0	-	30.0	-	/ksf GLA	2,3 5
Convention Space (>50 sq. ft./guest-room)	20.0	-	10	-	/ksf GLA	2
Residential, Rental	0.15	1.5 ²	0.15	1.5 ²	/unit	2
Residential, Owned	0.15	1.7	0.15	1.7	/unit	2
Office (<25,000 sq. ft.)	0.3	3.5	0.03	0.35	/ksf GFA	2
Office (25,000 to 100,000 sq. ft.) sliding scale between						
25,000 sq. ft.	0.3	3.5	0.03	0.35	/ksf GFA	2
100,000 sq. ft.	0.25	3.15	0.03	0.32	/ksf GFA	2
Medical/Dental Office	3.0	1.5	3.0	1.5	/ksf GFA	2, 3
Bank, Branch with Drive-in	3.0	1.6	3.0	1.6	/ksf GFA	2
Notes: Ratios based on peak parking spaces required with virtually 100% auto use and typical ridesharing for suburban conditions. ¹ /ksf = per thousand sq. ft. ² 1.0 spaces reserved for residents' sole use, 24-hours a day, remainder shared with visitors and other users.						
Sources:						
1. Parking Requirements for shopping Centers, 2 nd ed. (Washington D.C.: UU-the Urban Land Institute, 1999).						
2. Parking Generation, 3 rd ed. (Washington D.C.: Institute of Transportation Engineers, 2004).						
3. Data collected by team members.						
4. John W Dorsett, "Parking Requirements for Health Clubs," The Parking Professional, April 2004.						
5. General Salzman, "Hotel Parking How Much is Enough?" Urban Land, January 1988.						



It is also important to accommodate the demand for public parking to access recreational amenities and events at the Tri-County Fairgrounds. In coordination with addressing the Wye Road Opportunity Area, the Corridor Plan envisions multi-modal access and shared parking opportunities on the Fairgrounds bend and on North Sierra Highway approach to the fairgrounds (see **Figure 2-29**). By implication, land under Caltrans and the LADWP ownership would be affected. A comprehensive approach to land use, parking, and anticipated motorized vehicle traffic under future conditions will be required to identify a comprehensive solution for the Wye Road/Fairgrounds area.

The relevant ULI and ITE standards for shared parking in residential settings, as well as for commercial vehicle rest areas and truck stops, should also guide implementation of parking areas in the Corridor Plan area. Details about parking opportunities in specific sub-areas, as well as descriptions of complementary residential parking strategies are included in the following descriptions.

4. Shared Use and New Parking Area Opportunities

Parking supply along the North Sierra Corridor should be intelligently planned with new development and redevelopment efforts to support the overall goals of the corridor. Additionally, there are some locations where an increase in parking supply and shared use parking or short-term parking is needed. The following figures present the locations of large existing parking lots, potential new parking areas with new and redevelopment projects, and locations where shared use and/or short-term parking opportunities should be further investigated.

a. Brockman Lane to Barlow Lane

New parking in the Brockman Lane to Barlow Lane segment will be created almost entirely with new development projects. There is little demand for additional parking in this area considering current development patterns and short-term parking is not needed in this segment. **Figure 2-32** illustrates the parking opportunities in the western or “Gateway” portion of the study area.

b. Barlow Lane to See Vee Lane

The roadway segment between Barlow Lane and See Vee Lane is a more densely developed area compared to the rest of the corridor. Clusters of small businesses and restaurants need parking alternatives to the existing pull-in parking spaces which are immediately adjacent to the highway travel lanes. Additional parking in this area is needed and increases should optimize shared parking opportunities to maximize the benefit of new parking construction. Short-term visitor/customer parking is currently most needed in this segment of the corridor. **Figure 2-33** illustrates three potential new parking areas that could serve the current needs. The feasibility of, and arrangements for, parking in each concept location would of course have to be discussed and addressed with each land owner through the appropriate processes.



c. See Vee Lane to Main Street

Similar to the western Gateway area, new parking in the eastern portion of the study area will also primarily be created through new development. New parking areas would complement planned circulation and access that is consistent with the City of Bishop General Plan Circulation Element. Parking areas on the north side of the North Sierra Highway are envisioned for long-term implementation with the introduction of light industry and commercial development according to the Specific Plan. A large parking lot adjacent to the Fairgrounds' northwest gate could function as shared commercial and public event parking. **Figure 2-34** illustrates the parking opportunities in the eastern segment of the corridor.

The notable exception to parking supply via new development is the "bend" area within the Bishop Wye intersection, where the current highway lanes could be re-purposed for parking after reconfiguration of the Wye intersection. The new parking area in the bend (as a result of re-routing US Route 395) will allow for limited Tri-County Fairgrounds event parking that will be accessed from the North Sierra Highway. A new multi-use pathway and two new Fairgrounds gates will work together with this new parking area to help re-orient the Fairgrounds access to the north and east. A separate parking area in the bend and Bishop Wye could be used as a truck rest stop adjacent to the existing truck fueling tanks.

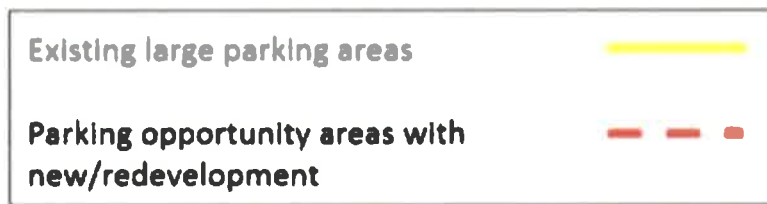


Figure 2-32 Parking Opportunities - Brockman Lane to Barlow Lane



Figure 2-33 Parking Opportunities - Barlow Lane to See Vee Lane



Figure 2-34 Parking Opportunities – See Vee Lane to Main Street

5. Associated Driveway Consolidation Standards and Traffic Management Opportunities

Driveway Consolidation

Traditional driveway density allowances are based on generally lower traffic volumes and observed roadway speeds. The safety and efficiency of parking areas and the North Sierra Highway will be improved with the definition and consolidation of driveways, some shared and some possibly relocated to side streets. This strategy can also be better enabled by eliminating or not planning for barriers between parking lots, to promote cross-access.

Turning Movement Restrictions Near Intersections

The number and types of conflict points at the intersections of driveways and the North Sierra Highway affects the safety of motorists. A goal for Corridor Plan implementation is to minimize the number of conflict points at each of these driveways, as more conflict points increase the risk of a crash. Businesses located on the corner of an intersection typically have access on both the main street and side street. Applying the “right-in, right-out” restriction with a curbed median, as pictured in **Figure 2-35** would deny left turns into and out of highway-facing driveways, and divert that traffic to the side street. The tradeoffs of shifting the turning movement to another location along the roadway should be considered.

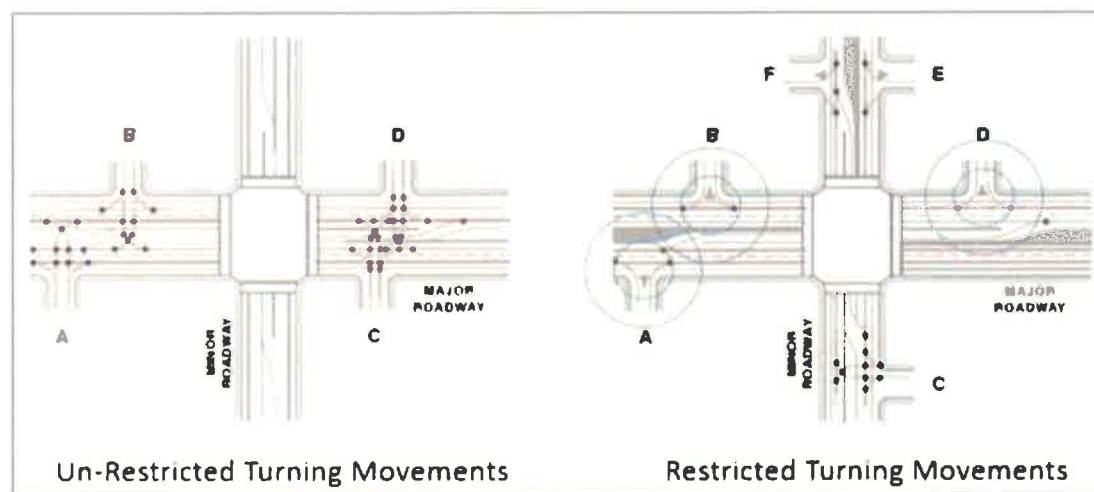


Figure 2-35 Turning Movement Restrictions



Formalize Driveways with Curb, Gutter, and Ramping

Many businesses on the North Sierra Highway Corridor have driveways extending the entire business frontage without any formal curb. As illustrated in **Figure 2-21**, highway frontage will be reconfigured with curb and gutter, and with driveway ramps, to formalize driveways at their appropriate widths to channelize and improve the control of access and egress from properties or groups of properties. Through the installation of curbs where none exist, protected space for people on foot is also more easily defined.

6. Policy Proposals/Recommendations for Existing and New Development Parking

The practical benefits of parking more efficiently in the Corridor Plan Area will include a more attractive pedestrian environment, reduced costs. The amount of parking required to accommodate an area's actual demand can be determined by studying existing conditions and using analysis tailored for mixed-use situations. A "cushion" of extra spaces to allow for turnover is included in the analysis and in the shared parking standards used in this Plan. In coordination with this Plan, the North Sierra Highway Specific Plan proposes the following general strategies for ensuring that an appropriate but not excessive amount of parking is available to residents, shoppers and visitors:

- Encourage shared parking between businesses and developments
- Allow "unbundled" parking at residential developments
- Explore the feasibility of establishing parking "cashout" and transit incentive programs for businesses located within the Plan area

a. Encourage Shared (Public) Parking for All New Non-Residential Development

Parking spaces that are dedicated to one use are called reserved spaces, while spaces that are available to the public are referred to as shared spaces. Shared spaces work well in mixed-use areas, where parking spaces for offices, for example, are made available in the evening for restaurant patrons. Sharing spaces ensures that each parking space will be utilized more efficiently. In some areas of the Sustainable Corridor, the provision of shared parking spaces should be a requirement for new, non-residential development.

b. Alternative Methods of Providing Required Parking

Alternative methods of providing required parking include "tandem" parking and lift automobile parking/storage systems. On-street parking spaces not on the North Sierra Highway could also be allowed, as appropriate to the parking and vehicle circulation context, to satisfy parking requirements if they are created by a development.



c. “Unbundled” Parking at Residential Developments (cost savings to residents who do not lease parking spaces)

Sanctioning and requiring “unbundling” in the Plan area, especially for affordable housing development, will allow the separation of the cost of parking from the housing. Residents without vehicles would realize a cost savings by not being required to lease a parking space. Landlords can still generate significant parking revenue under this scheme partly by charging more to residents wishing to lease more than one reserved space.

d. Explore the feasibility of parking “cashout” and transit incentive programs for businesses within the Plan area to affect employee mode choice with employer subsidy and transit incentives

A parking “cashout” program on the North Sierra Highway Sustainable Corridor would pay employees for not parking a vehicle at their place of work. Such incentives which could be funded by employers or business associations on the corridor could be a profitable tradeoff for not being required to provide or lease the minimum amount of employee parking as specified in the existing zoning code. A transit incentive program with ESTA could work similarly, with employees being provided free transit passes instead of subsidized parking within the Corridor Plan area.

7. Goals and Policies

North Sierra Highway Sustainable Corridor Motorized Vehicle Parking Goals

- Support the safe and convenient motorized/electronic passenger vehicle access to existing and future businesses and other destinations on the North Sierra Highway;
- Support motorized/electronic passenger vehicle access to future commercial residential, commercial, industrial, open space and recreation development; and
- Increase pedestrian, bicyclist, and disabled user activity by providing improved networks for all modes.

Appendix E contains the existing and supporting goals, policies and actions relevant to motor vehicle parking improvements on the North Sierra Highway Sustainable Corridor.



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3. Corridor Plan Implementation

The implementation of the Corridor Plan will be guided mostly by the goal of meeting prioritized community sustainability needs, and by the logical or “critical path” that would avoid prohibitive effects regarding the timing of activities and/or waste caused by demolition and re-construction. The overall strategy for implementation contained within this section considers the implementation of all elements of the Corridor Plan over 20 years, and includes elements that are already in the planning or project programming stages at participating agencies. Ordered elements of the Corridor Plan are grouped and identified below in three main stages of implementation, each with a general intended implementation timeframe:

- Early implementation (1-3 years);
- Near-term implementation (4-10 years); and
- Long-term implementation (10-20 years).

Finally, this section includes information about funding opportunities for each of the identified sustainability elements.

A. Priority and Critical Path Elements

In the Corridor Plan development process, issues and opportunities related to safety, mobility, and complete streets design were rated by project stakeholders. These ratings are also consistent with feedback received during scheduled and advertised meetings on this Corridor Plan that were open to the public.

Stakeholders rated safety on the corridor in quantitative terms (on a scale of 1 to 10 with 10 being best), with respect to overall safety and the relative safety of each of the major modes. As summarized in **Table 3-1**, the perception of safety on the corridor for motorists is higher than the rating for overall safety, and significantly higher than the average safety rating given to pedestrians and bicyclists.



Table 3-1 North Sierra Highway Aggregated/Averaged Stakeholder Safety Ratings

Category/Question	Average Stakeholder Rating/Score (1-10)
Safety on the corridor for motorists	7.00
Overall safety on the corridor	5.81
Safety of N. Main Street (US Route 395) in the Bishop Downtown area relative to North Sierra Highway. 5-6 is about the same relative safety.	5.50
Safety on the corridor for bicyclists	4.50
Safety on the corridor for pedestrians	3.44

Safety Improvement Opportunities

Stakeholder discussions revealed the following potential safety improvement opportunities for the North Sierra Highway:

- Make posted speed limits lower and consistent along the corridor, and as recommended/appropriate for State highways in urban areas (i.e., 35 MPH);
- Install continuous sidewalks and dedicated bicycle facilities, possibly connected to a Class I multi-use trail along the North Sierra Highway;
- The planned traffic signal at See Vee Lane and US Route 395 will create longer gaps and slow traffic on US Route 395, improving egress from the Highlands Mobile Home Community at MacGregor Ave. It is anticipated that this signal will create gaps for traffic entering US Route 395;
- Establish additional traffic controls and/or bicyclist, pedestrian, and disabled user crossings, possibly after a signal warrant analysis at Brockman Lane;
- Study pedestrian crossing opportunities near MacGregor Avenue at the Highlands Mobile Home Community, near Wye Road and the Fairgrounds, and at Tu-Su Lane (near-term);
- Establish additional traffic controls and/or a crossing improvement at Pa-Ha Lane if the Bishop Paiute Tribe goes forward with a planned economic development project (long-term);
- Separated-grade crossing at bicycle path (that begins at the end of Sierra Street and meets US Route 395); and
- Through constructing curb, gutter, and driveway aprons within the State right-of way, improve the definition of motor vehicle driveway access and parking opportunities along the North Sierra Highway.



Stakeholders rated mobility on the corridor in quantitative terms (on a scale of 1 to 10 with 10 being best), in terms of mobility for local-area residents, business owners, and employees, and that for corridor area visitors and tourists. As implied by the results illustrated in **Table 3-2**, the perception among interviewed stakeholders of the relative mobility on the corridor for visitors and tourists was generally higher than the mobility rating for residents, business owners, and employees. In providing these ratings, almost all stakeholders recognized that, under existing conditions, most visitors and tourists arrive and depart in automobiles, and do not travel on foot or by bike between businesses or attractions.

Category/Question	Average Stakeholder Rating/Score (1-10)
Current state of mobility for corridor residents and business owners	4.75
Current state of mobility of tourists and visitors on the corridor	5.75

Mobility Improvement Opportunities

Stakeholders revealed the following potential mobility improvement opportunities for the North Sierra Highway:

- Install continuous sidewalks and dedicated bicycle facilities parallel to the North Sierra Highway, between Brockman Lane and See Vee Lane or Wye Road/Fairgrounds;
- Establish/formalize active transportation links for access to City of Bishop CBD and Bishop Union Schools, connect to the rest of community, especially bicycle and pedestrian modes;
- Work with DWP to establish an easement for a Class I multi-use trail along the North Sierra Highway between the existing trail intersection with US Route 395 and See Vee Lane, and possibly as a non-motorized access extension of See Vee Lane (along the existing sewer/wastewater easement) to Choctaw Street;
- Focus on the details of multi-modal integration for the North Sierra Highway, including closing gaps and improving “pinch points” for sidewalks, installing high-visibility crosswalks on cross-street approaches and at protected highway crossings, ensuring a “buffer zone” for any planned dedicated space for bicyclists, and optimizing traffic signals for peak-hour and off-peak-hours demand, in all directions;



- Improvement and extension of bike path connecting California State Route 168 to US Route 395 and another bike path connecting North Sierra Hwy to Downtown Bishop;
- Establish stronger alternative north-south and east-west roadway links to relieve traffic on N. Main Street and improve overall roadway network efficiency;
- The planned traffic signal at See Vee Lane and US Route 395 will improve access/egress from Highlands Mobile Home Community, especially if See Vee Lane is extended to Choctaw;
- Conduct a traffic study for the Bishop Paiute Tribe gas station to improve access/egress and operations on the highway, and to suggest associated off-highway circulation improvements;
- Study corridor/roadway design and ITS/TMS options to improve the integration of automobile, truck, bicycle, pedestrian and disabled user traffic;
- Adjust travel speeds and normalize flow rates, corridor-wide to make them more consistent with acceptable LOS for urbanized area arterials;
- Study and install additional traffic controls and highway configuration changes to improve multi-modal integration and resulting corridor user safety and comfort, while maintaining or improving automobile and truck traffic throughput;
- Address Tri-County Fairgrounds and the Wye Road Opportunity Area to improve Fairgrounds orientation and access, improve automobile traffic flow and circulation, and to accommodate greater multi-modal integration and active transportation mobility/access; and
- Establish transit amenities on the corridor or in the corridor area, and possibly expand transit services and options including fixed-route services.

Prioritized Complete Street Design Elements

Stakeholders rated the priority/suitability of typical “complete street” elements and other features on the North Sierra Highway corridor, in quantitative terms (on a scale of 1 to 10 with 10 being best) and in consideration of the North Sierra Highway’s sustainability vision and existing context. **Table 3-3**, on the following page, describes the relative impressions of pedestrian and bicyclist user comfort on the corridor under existing conditions, as well as their averaged “complete street” design element ratings (in descending order). These results indicate an overwhelming preference for increased and continuous/connected active transportation facilities, and improved definition of access/egress, as guiding design elements.



Table 3-3 Stakeholder User Comfort and Complete Streets Design Element Ratings

Question/Category	Average Stakeholder Rating/Score (1-10)
Bicyclist comfort on the corridor under current conditions	4.7
Pedestrian comfort on the corridor under current conditions	3.5
<i>Complete Street Design Element</i>	
<i>ADA-compliant barrier-free pedestrian and disabled user ramps</i>	10
<i>6-foot wide sidewalks</i>	8.6
<i>Off-street multi-use trail (two-way)</i>	8.6
<i>High-visibility crosswalks on US Route 395 at signalized intersections</i>	8.5
<i>On-street (buffered) bicycle lanes</i>	8.1
<i>Bus stop shelters and benches</i>	6.9
<i>Pedestrian crossing countdown timers for signalized intersections</i>	6.8
<i>Planter areas and landscaping to separate pedestrians from bicyclists.</i>	6.8
<i>Curb and gutter/storm water drainage</i>	6.6
<i>Street trees to separate travel modes, provide shade, and calm traffic</i>	6.6
<i>High-visibility crosswalks on local streets intersecting US Route 395</i>	6.6
<i>Pedestrian-scale lighting</i>	6.4
<i>Pedestrian-activated signals or warnings, and mid-block crosswalks on US Route 395</i>	5.9
<i>Bicycle Racks</i>	5.8
<i>Off-street, one-way to two-way cycle tracks</i>	5.6
<i>Benches on or set back from sidewalks</i>	5.3
<i>Expanded sidewalks in some areas with space for outdoor seating, etc.</i>	5.1
<i>Wider/consistent paved shoulders</i>	5.0
<i>Way-finding signage</i>	5.0
<i>Roadway lighting (high down-lighting)</i>	4.9
<i>Truck chain-up/pullover or rest areas</i>	4.2
<i>“bulb-outs” for shorter pedestrian crossing distance and pedestrian visibility.</i>	3.9
<i>On-street parallel or angle-in parking</i>	3.8



Corridor Plan Elements Implementation Logic and Critical Path Concerns

The relative priorities of the safety, mobility, and other complete street design opportunities have guided the inclusion and timing of desired and contingent elements in Corridor Plan, as found in the following sections. The suggested implementation order in the Implementation Timeline follows a logical and critical path approach, and their priority ratings are provided for reference. Notes on critical path actions and logical coordination concerns are included, where necessary.

The logical or “critical path” approach to the implementation of the Corridor Plan will minimize wasted work and capital resources, and yield the most sustainable temporary impacts during implementation in terms of the total duration of local nuisances and negative effects on the environment. And by heeding to the priorities included in the preceding sections, this implementation logic still plans for the earliest possible implementation of several of the highest-priority sustainable and “complete street” items. The critical path approach will also enhance the quality of Sustainable Corridor infrastructure and other elements by avoiding prohibitive effects on quality with the strategic timing of activities.

As a sustainability plan, this implementation plan also identifies maintenance activities that will bear the burden of the initial implementation and constant renewal of impermanent sustainability items (e.g., roadway re-paving and re-striping). Identified monitoring activities, such as motorized vehicle traffic and alternative mode data collection will be necessary to measure facility use and performance.

Corridor Plan Implementation Timeline

Considering the logical “critical path” and/or priority-based order, the sustainability elements of the Corridor Plan are organized by the element’s intended general implementation timeframe in the following tables: **Table 3-4 Early Implementation (1-3 Years)**, **Table 3-5 Near-Term Implementation (4-10 Years)**, and **Table 3-6 Long-Term Implementation (10-20 Years)**.



Table 3-4 Early Implementation (1-3 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Early Implementation Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
ADA-compliant barrier-free pedestrian and disabled user ramps on the North Sierra Highway at roadway intersections on corners where none currently exist.	1	10	Coordinate with sidewalk gap closure construction projects, signalized intersection designs. ADA barrier-free ramps in Caltrans SHOPP project (See Vee Lane to Barlow Lane), See Vee Lane signalization plan.	Caltrans District 9	Caltrans SHOPP Caltrans Active Transportation Program (ATP)
Close existing sidewalk gaps on North Sierra Highway, Brockman Lane, N. Barlow Lane, Bar L Lane, Rocking W Drive, N. Tu Su Lane, N. See Vee Lane, Wye Road, Sierra Street, and Kelso Road with 6-foot wide sidewalks, curb, and gutter.	1	8.6 (sidewalks) 6.6 (curb, gutter)	Coordinate placement with Plan cross-sections to avoid demolition and reconstruction. On North Sierra Highway between Brockman Lane and See Vee Lane, consider landscaping between sidewalk and back of curb in areas where sidewalk gap closure has not yet been planned and designed. Coordinate with landscaping element for possible separation of sidewalk from back of curb (near-term implementation). The sidewalk, curb and gutter in plan for Caltrans SHOPP project from See Vee Lane to Barlow Lane., and the Caltrans See Vee Lane intersection and signalization plan should reflect these desired cross-sections. *No need for sidewalks (but need for curb and gutter) on segment with planned multi-use trails on north	Caltrans District 9 Inyo County Bishop Paiute Tribe	Caltrans SHOPP Caltrans Active Transportation Program (ATP) – Safe Routes to School EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants Regional Congestion



Table 3-4 Early Implementation (1-3 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Early Implementation Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
			and south side of North Sierra Highway between See Vee Lane and US Route 6 /Fairgrounds, and on the east side of See Vee Lane. (see below)		Mitigation and Air Quality (CMAQ) funds
As a Safe Routes to School project, install off-street two-way multi-use trails on the south side of North Sierra Highway from See Vee Lane to Fairgrounds , and on the east side of See Vee Lane between North Sierra Highway and West Line Street (SR 168) .	1	8	LADWP permits/easements will be required to have 20' setback for landscaping and driveway automobile staging area, and 20' for the multi-use trail. Coordinate with needed water utilities extension projects for more efficient installation of these facilities. Alignments of multi-use trails on the south side of North Sierra Highway between See Vee Lane and US R 6/Fairgrounds, and on the east side of See Vee Lane should consider cross-section with 20' clear zone behind curb (see note above).	Inyo County City of Bishop Los Angeles Department of Water and Power (LDWP)	Caltrans Active Transportation Program (ATP) – Safe Routes to School EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants



Table 3-5 Near-Term Implementation (4-10 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
Install landscaping in “clear zone” areas behind the sidewalk on the north and south sides of North Sierra Highway between Brockman Lane and See Vee Lane , as appropriate to provide further separation for pedestrians from the highway, and to help calm traffic.	1	6.6 (trees) 6.8 (landscaping)	Consider landscaping that is compatible with turning movement visibility and “clear zone” restrictions. Consider landscaping between sidewalk and back of curb on segments that have not been planned and designed. Coordinate with sidewalk gap closure element for possible separation of sidewalk from back of curb (early implementation).	Caltrans District 9 Inyo County Public Works Bishop Area Chamber of Commerce	U.S. EPA - Community Action for a Renewed Environment (CARE) Caltrans - Environmental Enhancement and Mitigation Program (EEMP)
Plant trees and install landscaping areas in “clear zone” area behind the curb on the south side of North Sierra Highway between See Vee Lane and Fairgrounds bend and on east side of See Vee Lane from North Sierra Highway to West Line Street (SR 168) , as appropriate to provide further separation for pedestrians and bicyclists from the highway and from See Vee Lane, provide shade and help calm traffic.	1	6.6 (trees) 6.8 (landscaping)	Consider landscaping and trees between back of curb and multi-use trail that are compatible with turning movement visibility and “clear zone” restrictions.	Caltrans District 9 Inyo County Public Works Bishop Area Chamber of Commerce City of Bishop	U.S. EPA - Community Action for a Renewed Environment (CARE) Caltrans - Environmental Enhancement and Mitigation Program (EEMP)
Install pedestrian-scale lighting (or highway street lighting, as appropriate) on	2	6.4	Other areas where lighting may be necessary could include parking areas. Coordinate with sidewalk	Inyo County Public Works	Caltrans Active Transportation Program (ATP)



Table 3-5 Near-Term Implementation (4-10 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
sidewalk gap closure segments, on multi-use pathway segments, and in other areas where there is insufficient roadway lighting.			gap closure, multi-use trail, and landscaping designs (above). Style of Pedestrian-scale lighting should be coordinated with established community/corridor identity and overall design theme.	City of Bishop Caltrans District 9 Bishop Area Chamber of Commerce	Inyo County Local Transportation Commission Capital Improvement Program City of Bishop General Fund
Install consistent and recognizable way-finding and parking access signage for destinations, services, and businesses on the corridor.	2	5.0	Way finding signs show destination, direction, and (if necessary or further away) distance information. The style of signs should be coordinated with established community/corridor identity and overall design theme.	Inyo County Public Works City of Bishop Caltrans District 9 Bishop Area Chamber of Commerce	Caltrans Active Transportation Program (ATP) Inyo County Local Transportation Commission Capital Improvement Program City of Bishop General Fund
Install roadway lighting (high down-lighting) on roadway segments in the Corridor Plan area, wherever necessary.	3	4.9	Coordinate with designs for landscaping, sidewalk gap closure, multi-use pathways, and pedestrian scale lighting in the Corridor Plan area.	Caltrans District 9 Inyo County Public Works City of Bishop	Caltrans - State Transportation Improvement Program Caltrans SHOPP program
Expand/widen concrete or hard surface areas adjacent to sidewalks and multi-use	3	5.1	This element should be coordinated with roadway lighting poles and conduit (see above).	Caltrans District 9	Caltrans SHOPP



Table 3-5 Near-Term Implementation (4-10 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
pathways for space to install public amenities.			before the installation of complete street sustainability elements such as bike racks and benches along the corridor (see below). Additional passenger shelters could also be accommodated, as necessary.	Inyo County Public Works City of Bishop	EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants
Install bicycle racks for bicyclists to secure bicycles in widened concrete areas adjacent to sidewalks, and in other strategic locations in the Plan area.	4	5.8	This element comes after sidewalk areas are expanded/widened for this purpose (see above)	Inyo County Public Works City of Bishop Bishop Area Chamber of Commerce	Bishop Area Chamber of Commerce Business Improvement District? League of American Bicyclists
Install benches and other street furniture in widened concrete areas adjacent to sidewalks.	4	5.3	This element comes after sidewalk areas are expanded/widened for this purpose (see above)	Inyo County Public Works City of Bishop Bishop Area Chamber of Commerce	EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants



Table 3-5 Near-Term Implementation (4-10 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
					Bishop Area Chamber of Commerce Business Improvement District?
Expand existing sidewalk or reconstruct Fairgrounds bend pedestrian way as a multi-use pathway extension of Early Implementation Multi-Use Trail, establish new Fairgrounds access/egress areas	5	8.6	Coordinate with LADWP and Tri-County Fairgrounds to move Fairgrounds fence back and establish new gateway areas. Coordinate with public parking and shared parking plans (see below).	Caltrans District 9 LADWP, Tri-County Fairgrounds City of Bishop	EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants
Install north-south 12'-wide multi-use pathway connection on the west side of the Fairgrounds and parallel to Fair Street (near-term implementation).	5	8.6	Coordinate with future sidewalks and bike lanes on Sierra Street (Early Implementation), future east-west multi-use pathway on south side of North Sierra Highway (Early Implementation)	LADWP, Tri-County Fairgrounds City of Bishop	EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants
Plan and construct new streets and street extensions	5	N/A	City of Bishop and Inyo County, and LADWP should work together	Inyo County Public Works	Caltrans SHOPP program



Table 3-5 Near-Term Implementation (4-10 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
in the near-term (4-10 years) Plan implementation time frame.			to master plan the Fairgrounds West area roadway network to accommodate future affordable housing, commercial, and retail development, and to improve connectivity between City of Bishop and unincorporated Corridor Plan areas.	City of Bishop Bishop Area Chamber of Commerce	
Install Community/Corridor Gateway feature(s) at Brockman Lane.	6	5.0	Logical to install a gateway feature with or after the installation of traffic signal at North Sierra Highway at Brockman Lane, and after sidewalks, lighting, and way-finding signs have been installed.	Bishop Area Chamber of Commerce Inyo County Public Works Caltrans District 9	Bishop Area Chamber of Commerce Business Improvement District?
Establish/install new public parking areas and shared parking areas for Specific Plan areas to be developed in the near-term (4-10 years) Plan implementation timeframe.	6	N/A	Coordinate with parking thresholds and land use elements of Specific Plan for the area. Use ULI shared parking standards (Figure 25) in reconfiguration of existing parking, and in planning and design for new shared parking areas.	LADWP Inyo County Public Works City of Bishop Bishop Paiute Tribe Bishop Area Chamber of Commerce	Development Impact Fees Caltrans – STIP & SHOPP Bishop Paiute Tribe Bishop Area Chamber of Commerce



Table 3-5 Near-Term Implementation (4-10 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
Implement transit operator and transit user ITS and technology enhancements for enhanced transit/rideshare operations and user convenience in the near-term (4-10 years).	7	N/A	Coordinate timing of transit upgrades with latest technology releases, ESTA business model and needs.	ESTA Other rideshare services	Federal Transit Administration (FTA)



Table 3-6 Long-Term Implementation (10-20 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Long-Term Implementation Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
Install an off-street two-way multi-use pathway on the north side of North Sierra Highway from See Vee Lane to US Route 6.	1	8.6	Timing and coordination of this element should consider reconstruction and signalization of intersection of Wye Road and US Route 6/North Main Street, as well as development plans along this segment consistent with the anticipated Specific Plan for the area. LADWP permits/easements will be required to have 20' setback for landscaping and driveway automobile staging area, and 20' for the multi-use trail. Coordinate with needed water utilities extension projects for more efficient installation of these facilities. Alignment of multi-use pathway should consider cross-section with 20' clear zone behind curb (Figure 10).	Inyo County Public Works City of Bishop	Caltrans Active Transportation Program (ATP) EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants
Signalize North Sierra Highway at Brockman Lane intersection; install pedestrian countdown signal heads and timers.	1	8.5 (high-visibility crosswalk/protected crossing for US Route 395) 6.8 (pedestrian countdown signal heads)	Should be implemented if/when conditions for a signal warrant are met. May be necessary to re- install or move high-visibility crosswalk for crossing US Route 395 (see Early Implementation). With signalization, pedestrian activated signal and associated signage can be removed. Signalization should also be coordinated with the implementation of a community/ corridor gateway feature (see below).	Caltrans District 9 Inyo County Public Works / Local Transportation Commission	Caltrans District 9 Operations Caltrans SHOPP



Table 3-6 Long-Term Implementation (10-20 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Long-Term Implementation Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
Plant trees and install landscaping areas in “clear zone” area behind the curb on the north side of North Sierra Highway between See Vee Lane and US Route 6, as appropriate to provide shade to pedestrians and bicyclists, and to help calm traffic.	2	6.6	Timing and coordination of this element should consider reconstruction and signalization of intersection of Wye Road and US Route 6/North Main Street, as well as development plans along this segment consistent with the anticipated Specific Plan for the area.	Caltrans District 9	U.S. EPA - Community Action for a Renewed Environment (CARE) Caltrans - Environmental Enhancement and Mitigation Program (EEMP)
Install Community/ Corridor Gateway feature(s), Multi-Use Overpass of US Route 395 west of Fairgrounds area.	3	N/A	Coordinate design with multi-use pathway detail designs (overpass clear zone area surface connections and stub outs). Tri-County Fairgrounds	LADWP Bishop Area Chamber of Commerce City of Bishop Inyo County Public Works Caltrans District 9	Caltrans Active Transportation Program (ATP) EPA Partnership for Sustainable Communities CDC Community Transformation Grants HUD Community Development Block Grants
Establish/install new public parking areas and shared parking areas for Specific Plan areas to be developed in the long-term (10-20 year) Plan	4	N/A	Coordinate with parking thresholds, zoning, and intensity of intended land uses identified by the anticipated Specific Plan in the Wye Road Opportunity Area (see below), to the north of North Sierra Highway	LADWP Inyo County Public Works City of Bishop	Development Impact Fees Caltrans – STIP & SHOPP



Table 3-6 Long-Term Implementation (10-20 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Long-Term Implementation Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
implementation timeframe.			between See Vee Lane and US Route 6, in Brockman Lane area on both sides of the highway, and in association with economic development on Bishop Paiute Tribe land between Pa Ha Lane and Tu Su Lane. Use ULI shared parking standards (Figure 25) in reconfiguration of existing parking, and in planning and design for new shared parking areas.	Bishop Paiute Tribe Bishop Area Chamber of Commerce	Bishop Paiute Tribe Bishop Area Chamber of Commerce
Wye Road Opportunity Area Highway Re-Routing, Truck Stop, and Public Parking on Fairgrounds Bend. Includes signalization and modifications to the existing intersection at Wye Road and US Route 6/N. Main Street (or the installation of a different type of roadway interchange), and the re-alignment and signalization of N. Main St. and east side Kmart/Vons driveway.	4	N/A	Coordinate with Caltrans on future signalization design for US Route 6 and Wye Road. Coordinate access management and plans for existing local businesses. Plan should optimize access and circulation for the existing Vons/Kmart/Smart & Final area. Plan for this area should also coordinate with the design and installation of new public parking and truck parking, a new multi-use pathway, and Fairgrounds gateway access/egress on the Fairgrounds bend.	City of Bishop LADWP Tri-County Fairgrounds Inyo County Public Works/LTC	Caltrans – HSIP & STIP Bishop Area Chamber of Commerce Business Owners?
Test and implement autonomous vehicle	5	N/A	This long-term element could be a pilot partnership to prove how the	ESTA	Petroleum Violation Escrow Account (PVEA)



Table 3-6 Long-Term Implementation (10-20 Years)

Action Item Description	Order Designation	Average Stakeholder Rating/Score (1-10)	Long-Term Implementation Notes	Agency Responsibility / Coordination	Potential Funding Source(s)
paratransit and ride-matching service for the Plan area and beyond.			associated equipment and technology can improve safety and stimulate economic activity in under-served neighborhoods.	Caltrans District 9 City of Bishop Inyo County LTC	
Replace existing elevated utilities with underground utilities in areas where it is practical.	5	N/A	Meeting this long-term goal should be coordinated through designs for sidewalk gap closure, sidewalk expansion, multi-use pathways, and landscaping under this Plan, and with any long-term programming at Caltrans District 9.	Caltrans District 9 LADWP Utilities providers	LADWP? U.S. EPA - Sustainable Communities Partnership US DOE Grants
Install consistent and recognizable way-finding and parking access signage for destinations, services, and businesses on the corridor.	5	5.0	Additional way-finding signs in connection with near-term and long-term development should be consistent with signage implemented earlier, and show destination, direction, and (if necessary or further away) distance information. The style of signs should be coordinated with established community/corridor identity and overall design theme.	Inyo County Public Works City of Bishop Caltrans District 9 Bishop Area Chamber of Commerce	Caltrans Active Transportation Program (ATP) Inyo County Local Transportation Commission Capital Improvement Program City of Bishop General Fund



B. Sustainability Monitoring and Maintenance

Sustainability, as seen and treated in Corridor Plan, will not be measured by the installation of sustainable transportation facilities and supporting items as detailed in the preceding Implementation Timeline tables. Transportation facility use, and the associated facility quality or performance ratings as reflected by monitoring and maintenance activities, will be the ultimate measure of this planning and implementation effort. A well-used system is necessarily properly maintained, and hardened or enhanced wherever and whenever necessary.

Local environmental, land use and development factors have been impacted by the historical approach to the maintenance of this segment of US Route 395. The corridor roadway facility has historically been treated more like a freeway with associated safety and environmental quality issues, as opposed to a functioning State Highway commercial corridor or “Main Street”. And yet, since before the process to develop this Plan started, County officials have commented on the need for basic infrastructure on the corridor, including bike lanes and lighting. From past implementation experience and known best maintenance practices, it will be essential to nurture and maintain all transportation facility types and mobility-supporting elements to be installed under the Corridor Plan vision.

Sustainability Monitoring

Appropriate indicators of the status of sustainable mobility will be obtained through consistently monitoring levels of alternative (active) transportation in specific areas and on specific routes to be established through Corridor Plan implementation, and by collecting motorized vehicle traffic and transit volumes. This type of monitoring will afford future Corridor Plan implementation and other planning activities the benefit of better understanding key information to optimize transportation system/network management (TSM), including but not limited to the following:

- Actual travel demand within the Corridor Plan area and between the Corridor Plan area and the City of Bishop;
- Overall transportation mode share split on the corridor and on specific links; and
- Updated background or baseline conditions for the assessment of future land use development impacts.

Table 3-7 describes identified Sustainable Corridor Plan implementation monitoring activities. Associated data collection should be location-specific, indicating level of use on easily defined segments of transportation facilities (e.g., a sidewalk or a bike lane on one side of the highway between two cross-streets or between two traffic signals). The design of the monitoring program from the outset should therefore be very strategic. **Table 3-7** includes a list of anticipated implementation monitoring needs, associated corridor sustainable transportation performance measures, and responsibilities. Data collection and other monitoring activities should try to be consistent in terms of their locations and year-on-year timing. Additional monitoring may be necessary over the life of the Corridor Plan.



Table 3-7 Sustainability Monitoring Activities

Sustainability Monitoring Item	Sustainability Performance Measure(s)	Relevant Sustainable Corridor Plan Goals	Responsibility/Coordination
<i>Pedestrian volumes on N. Sierra Highway</i>	Before (baseline) sidewalk gap closure and multi-use pathway pedestrian volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer)	<p>Increase pedestrian, bicyclist, and disabled user activity by providing improved networks for all modes.</p> <p>Improve mobility for pedestrians, bicyclists, and all types of active transportation on the North Sierra Highway corridor, for improved access to businesses, services, and transit.</p>	Caltrans District 9
	Post-sidewalk gap closure and multi-use pathway installation pedestrian volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer)		Inyo County City of Bishop
<i>Pedestrian volumes on See Vee Lane</i>	Before (baseline) multi-use pathway installation pedestrian volumes, N. Sierra Highway to Diaz Lane or West Line Street	<p>Improve active transportation mobility and facilities use for trips between corridor area and City of Bishop</p>	City of Bishop
	Post-multi-use pathway installation pedestrian volumes, N. Sierra Highway to Diaz Lane or West Line Street		Inyo County
<i>Bicyclist volumes on N. Sierra Highway</i>	Before (baseline) bicycle lanes and multi-use pathway installation bicyclist volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer)	<p>Improve active transportation safety and relevant facilities for safe routes between the corridor area neighborhoods and Bishop Unified Schools.</p>	Caltrans District 9
	Post-bicycle lanes and multi-use pathway installation bicyclist volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer)		Inyo County City of Bishop



Table 3-7 Sustainability Monitoring Activities

Sustainability Monitoring Item	Sustainability Performance Measure(s)	Relevant Sustainable Corridor Plan Goals	Responsibility/Coordination
<i>Bicyclist volumes on See Vee Lane</i>	<p>Before (baseline) multi-use pathway installation bicyclist volumes, N. Sierra Highway to Diaz Lane or West Line Street</p> <p>Post-multi-use path installation bicyclist volumes, N. Sierra Highway to Diaz Lane or West Line Street</p>		<p>City of Bishop</p> <p>Inyo County</p>
<i>Automobile and truck traffic volumes on N. Sierra Highway</i>	<p>Before (baseline) highway travel lanes re-configuration auto and truck volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer)</p> <p>Post- highway travel lanes re-configuration auto and truck volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer)</p>	<p>Keep constant, or reduce the rate of growth of, motorized vehicle traffic on the corridor and in the Bishop area.</p> <p>Minimize the need for motorized vehicle access to corridor area destinations and special events.</p> <p>Affect increased pedestrian, bicyclist, and disabled user activity by providing improved networks for all modes.</p>	<p>Caltrans District 9</p>
<i>Automobile Level of Service on N. Sierra Highway segments and intersections</i>	<p>Level of Service (LOS) expressed in terms of known categories (A, B, C, D, E, F) indicating the amount of delay and whether the roadway is functioning above, at, or below accepted standards.</p>	<p>Balance the use of all transportation modes on the corridor while maintaining an acceptable level of service for any one mode including automobile or truck travel.</p>	<p>Inyo County LTC, Road Department</p>



Sustainability Maintenance

Nurturing the close relationship between the maintenance of the corridor’s transportation system and its most balanced and efficient use by residents and visitors is critical. A well-used system is properly maintained enhanced wherever and whenever necessary. Many Corridor Plan transportation elements can and should be maintained through “routine accommodation” and appropriate life cycle asset management practices of responsible agencies. The concept of implementation through maintenance activities is in existing policy relevant to the Corridor Plan:

Action 4.3 Incorporate facilities suitable for bicycle use in the design of intersections, and other street-improvement/maintenance projects. (City of Bishop General Plan Mobility Element, 2012)

Table 3-8 includes a list of anticipated sustainability maintenance needs as part of the Plan implementation strategy, associated performance measures, and responsibilities. Other maintenance needs not included below may be necessary over the life of the Corridor Plan.

Table 3-8 Sustainability Maintenance Activities			
Sustainability Maintenance Item	Sustainability Performance Measure(s)	Relevant Corridor Plan Goals	Responsibility/Coordination
<i>Re-pave, re-stripe, and re-install pavement markings and crossing treatments on North Sierra Highway</i>	Condition of pavement surface and all final Caltrans highway re-configuration plan striping, pavement markings and intersection/driveway crossing treatments, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Spring and Fall). Compare to time-based facility use monitoring results.	Encourage active transportation and promote the balanced use of all modes on the corridor.	Caltrans District 9 Inyo County Road Department
<i>Clear debris, trash, and other obstructions on all Plan area bike lanes, sidewalks and multi-use pathways.</i>	Post-sidewalk gap closure, bicycle lanes and multi-use pathway installation pedestrian, bicyclist, and disabled user volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer). Record of responsible agency debris/trash/obstruction monitoring and clearing/cleanup/street sweeping activity. User and business owner feedback to responsible agencies.	Balance the use of all transportation modes on the corridor while maintaining an acceptable level of service for any one mode including automobile or truck travel. Promote and maintain corridor identity by enhancing the aesthetics of roadside	Caltrans District 9 Inyo County Road Department City of Bishop



Table 3-8 Sustainability Maintenance Activities

Sustainability Maintenance Item	Sustainability Performance Measure(s)	Relevant Corridor Plan Goals	Responsibility/Coordination
<i>Manage roadside and multi-use pathway vegetation</i>	Post- sidewalk gap closure and multi-use pathway installation pedestrian and disabled user volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer). Record of responsible agency vegetation monitoring and clearance activity. User feedback to responsible agencies.	landscaping and the “viewshed” horizon, and by providing improved way-finding information for all corridor users.	Caltrans District 9 Inyo County Road Department City of Bishop
<i>Maintain Corridor Plan-area roadway lighting and signage</i>	Post- lighting and way-finding signage installation pedestrian and disabled user volumes, Brockman Lane to See Vee Lane, See Vee Lane to US Route 6 (Fall and Summer). Record of responsible agency lighting and signage monitoring and associated life cycle asset management/ maintenance activity. User feedback to responsible agencies.		Caltrans District 9 Inyo County Road Department City of Bishop



C. Funding Opportunities

A variety of funding opportunities can be pursued, as appropriate, to further plan, design, and construct the recommended sustainable transportation and mobility improvements on the North Sierra Highway, including funding from federal, state, regional, local, and private sources. This section identifies potential funding sources for associated projects.

Federal Sources

Fixing America's Surface Transportation (FAST) Act

In December 2015, the FAST Act replaced Moving Ahead for Progress in the 21st Century (MAP-21). State and local governments can move forward with qualified projects knowing that they will have a federal funding partner for at least five years. The new law makes changes and reforms to many programs including the ones described hereafter, including streamlining the approval processes for new transportation projects and providing new safety tools. The FAST Act allows local entities that are direct recipients of Federal dollars to use different design publications than the one used by a State DOT. More information: <https://www.transportation.gov/fastact>

Surface Transportation Block Grant (STBGP)

The FAST Act expanded the existing Surface Transportation Program (STP) into the Surface Transportation Block Grant Program (STBGP), which places more decision-making power in the hands of state and local governments. The list of uses eligible for program funds is simplified, and there are more ways that funds can be used for local roads and rural minor collectors. The Transportation Alternatives Program (TAP) is a set-aside program of this block grant, requiring 55 percent of program funds be distributed within each state based on population. In California, STBGP is allocated through the Regional Surface Transportation Program (RSTP). The TAP program is allocated through the Active Transportation Program (ATP). More information on STBGP: http://www.dot.ca.gov/hq/transprog/federal/rstp/Official_RSTP_Web_Page.htm
More information on ATP: <http://www.dot.ca.gov/hq/LocalPrograms/atp/index.html>

Highway Safety Improvement Program (HSIP)

HSIP is a data-driven funding program, and eligible projects must be identified through crash analysis or other similar metrics. Examples of eligible projects include bicycle and pedestrian safety improvements, enforcement activities, traffic calming projects, and crossing treatments for active transportation users in school zones. All HSIP projects must be consistent with the state's Strategic Highway Safety Plan. In California, HSIP is



administered by Caltrans. Through HSIP the FAST Act eliminates the ability of states to shift funds designated for infrastructure safety programs to other activities. It also designates several new safety improvements eligible for funding, including vehicle-to-infrastructure communication and improved physical separation between pedestrians and motor vehicles. The law and HSIP also require that U.S. DOT review data and reports to Congress on roadway infrastructure improvements that enhance commercial motor vehicle safety. The recently developed Systemic Safety Analysis Report Program (SSARP) provides assistance to local agencies in performing collision analysis, identifying safety issues on their roadway networks, and developing a list of systemic low-cost counter measures that can be used to prepare future HSIP applications. More information: <http://www.dot.ca.gov/hq/LocalPrograms/HSIP/SSARP.htm>

Partnership for Sustainable Communities

Founded in 2009, the Partnership for Sustainable Communities is a joint project of the Environmental Protection Agency (EPA), the U.S. Department of Housing and Urban Development (HUD), and the U.S. Department of Transportation (USDOT). The partnership aims to “improve access to affordable housing, provide more transportation options, and lower transportation costs while protecting the environment in communities nationwide.” Providing more transportation choices is one of the five Livability Principles that address the need for bicycle and pedestrian infrastructure: The Partnership is not an agency with a regular annual grant program. Nevertheless, it has already led to some new grant opportunities (including the TIGER grants). More information: <http://www.epa.gov/smartgrowth/partnership/>

Community Action for a Renewed Environment (CARE)

CARE is a competitive grant program that offers an innovative way for a community to organize and act to reduce toxic pollution in its local environment. Through CARE, a community creates a private partnership to reduce releases of toxic pollutants and minimize people’s exposure to them. By providing financial and technical assistance, EPA helps CARE communities ensure a renewed environment. Transportation and “smart-growth” type-projects are eligible. Grants range between \$90,000 and \$275,000. More information: <http://www.epa.gov/care/>

Community Development Block Grants (CDBG)

CDBG provides money for streetscape revitalization, including programs and projects with a high ratio of pedestrian improvements. Grantees may use CDBG funds for activities including but not limited to: acquiring real property; reconstructing or rehabilitating housing and other property; building public facilities and improvements, such as streets, sidewalks, and recreational facilities; planning and administrative expenses; providing public services for youths, seniors, disabled, and neighborhood watch. Trails and greenway projects that enhance accessibility are the best fit for this funding source. More information: www.hud.gov/cdbg



Community Transformation Grants

Community Transformation Grants administered through the Centers for Disease Control (CDC) support community-level efforts to reduce chronic diseases such as heart disease, cancer, stroke, and diabetes. Active transportation infrastructure and programs that promote healthy lifestyles are a good fit for this program, particularly if such improvements benefit groups experiencing the greatest burden of chronic disease. More information: <http://www.cdc.gov/communitytransformation/>

State Sources

Active Transportation Program (ATP)

With the consolidation of federal funding sources under the FAST Act, a number of state-funded programs centered on active transportation are now consolidated into a single program. The resulting ATP consolidated the Bicycle Transportation Account, the Safe Routes to Schools Program, and the Recreational Trails Program. ATP authorizing legislation (September 2013) also includes language to allow the ATP to receive funding from the newly established Cap-and-Trade Program in the future. The California Transportation Commission writes guidelines and allocates funds for the ATP, and the ATP is administered by the Caltrans Division of Local Assistance. Goals of the ATP are:

- Increase the proportion of trips by bicycling and walking;
- Increase safety and mobility for active transportation users;
- Advance regional agency active transport GHG reduction efforts;
- Enhance public health;
- Ensure disadvantaged communities share in program benefit;
- Provide a spectrum of projects for active transportation users.

More information: <http://www.dot.ca.gov/hq/LocalPrograms/atp/index.html>



Congestion Mitigation and Air Quality Improvement Program (CMAQ)

The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards for ozone, carbon monoxide, and particulate matter. The CMAQ program was reauthorized under the Transportation Equity Act for the 21st Century in 1998, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users in 2005, the Moving Ahead for Progress in the 21st Century Act in 2012, and most recently, the Fixing America's Surface Transportation Act in 2015 (FAST Act). The FAST Act provides approximately \$455 million of CMAQ funds annually to California. These funds are distributed to Metropolitan Planning Organizations and Regional Transportation Planning Agencies in federally designated air quality nonattainment and maintenance areas within the state in accordance with the formula set forth in Section 182.7 of the Streets and Highways Code. More information: http://www.dot.ca.gov/hq/transprog/federal/cmaq/CMAQ_Web_Page.html

State Highway Operation and Protection Program (SHOPP)

Caltrans funds the management, preservation, and safety improvements of the State Highway System (SHS) through this program which receives state and federal funding generated by taxes and fees placed on vehicle fuels. The SHOPP Plan identifies goal-based needs for a ten-year period, with the plan being updated every two years. The most recent update occurred in March 2016. More Information: <http://www.dot.ca.gov/hq/transprog/shopp.htm>

State Transportation Improvement Program (STIP)

STIP funds projects that may add capacity to the transportation network, consisting of two components, the Caltrans' Interregional Transportation Improvement Program (ITIP) and the Regional Transportation Improvement Program (RTIP). STIP funding is a mix of state, federal, and local taxes and fees. Bicycle and pedestrian projects may be programmed under ITIP and RTIP. More information: <http://www.catc.ca.gov/programs/stip.htm>

Sustainable Transportation Planning Grant Program

The Sustainable Transportation Planning Grant Program funds projects to improve mobility and lead to the programming and implementation of transportation improvement projects. In the past year, Caltrans awarded \$10.0 million in funding to 70 applicants in two sub-categories: Environmental Justice and Community Based Transportation Plans. More information: <http://www.dot.ca.gov/hq/tpp/grants.html>



Environmental Justice Grant Program (EJ)

The Environmental Justice Grant Program promotes the involvement of cities, counties, transit providers, and tribal governments to assist disproportionately impacted and disadvantaged communities by planning transportation projects. EJ has a clear focus on transportation improvements and community development which improve mobility, access, safety, affordable housing and economic development. More information: http://www.dot.ca.gov/hq/tpp/offices/ocp/completed_projects_ej.html

Community Based Transportation Planning (CBTP)

Community Based Transportation Planning promotes community involvement and partnership in transportation and land use planning projects. Grants include input, collaboration, and building consensus through an active public engagement process. CBTP supports livable and sustainable community concepts for transportation or mobility to promote community identity and quality of life. More information: http://www.dot.ca.gov/hq/tpp/offices/ocp/completed_projects_cbtp.html

Petroleum Violation Escrow Account (PVEA)

A series of federal court decisions against some United States oil companies ordered refunds to the states for price overcharges on crude oil and refined petroleum products during a period of aggressive price controls. Eligible PVEA-funded projects must save energy and provide a direct public benefit within a reasonable time frame. PVEA has been used to fund programs based on public transportation, intelligent bus routing and ride sharing, as well as highway and bridge maintenance. The Caltrans Division of Local Assistance administers funds for transportation-related PVEA projects. PVEA funds do not require a match, and can be used as match for additional federal funds. More information: www.dot.ca.gov/hq/LocalPrograms/lam/prog_g/g22state.pdf

Office of Traffic Safety (OTS) Grants

OTS distributes grant funding to new or ongoing traffic safety programs, and is supported by federal funding under the NHTSA and MAP-21. Grants establish new traffic safety programs, expand ongoing programs, or address deficiencies in current programs. Bicycle safety is a priority area. Grantees include government agencies, state colleges, state universities, school districts, fire departments, and public emergency services providers. Funds cannot replace existing program expenditures or be used for program maintenance, research, rehabilitation, or construction. Grants are competitive and evaluation criteria include greatest need or problem severity, potential traffic safety impacts, collision statistics and



rankings, and OTS grant previous performance. The application deadline is in January. There is no cap to the amount requested as long as all items meet proposal objectives. More information: <http://www.ots.ca.gov/Grants/Apply/default.asp>

Environmental Enhancement and Mitigation Program (EEMP)

The EEMP provides grant opportunities for projects that indirectly mitigate environmental impacts of new transportation facilities. Projects should fall into one of the following three categories: highway landscaping and urban forestry, resource lands projects, or roadside recreation facilities. Funds are available for land acquisition and construction. The local Caltrans district must support the project. The average award amount is \$250,000. More information: <http://www.dot.ca.gov/hq/LocalPrograms/EEM/homepage.htm>

California Strategic Growth Council

The Strategic Growth Council is a state agency that manages the Sustainable Communities Planning Grant and Incentives Program, as well as the Affordable Housing and Sustainable Communities (AHSC) program. Sustainable Communities Planning Grant and Incentives Program has wide-ranging applications, from reductions in greenhouse gas emissions, to improving water quality, to strengthening the economy. AHSC provides funding for land use, housing, transportation, and land preservation. The City of Oroville submitted an application for funds to complete bicycle and pedestrian facilities along Feather River Boulevard during the 2016 funding award cycle.

More information: http://sgc.ca.gov/m_grants.php

Regional and Local Sources

Special Business Improvement District

A business improvement district (BID) is a defined area within which businesses are required to pay an additional tax (or levy) in order to fund projects within the district's boundaries. The BID is often funded primarily through the levy but can also draw on other public and private funding streams. BIDs may go by other names, such as business improvement area (BIA), business revitalization zone (BRZ), community improvement district (CID), special services area (SSA), or special improvement district (SID). These districts typically fund services which are perceived by some businesses as being inadequately performed by government with its existing tax revenues, such as cleaning streets, providing security, making capital improvements, construction of pedestrian and streetscape enhancements, and marketing the area. The services provided by BIDs are supplemental to those already provided by the municipality.



Developer Impact Fees

As a condition for development approval, municipalities can require developers to provide specific infrastructure improvements including bikeway projects, commonly Class II bicycle facilities for portions of on-street, planned routes, and sidewalks. Funds can provide bicycle parking, shower and locker facilities, signal modifications, transit stop modifications, and storm water management infrastructure modifications. The type of facility should reflect the greatest need for the project location and area. Legal challenges to these types of fees have resulted in the requirement to illustrate a clear nexus between the project and the mandated improvement cost.

Roadway Construction, Repair, and Upgrade

Planned resurfacing and road diets combine motor vehicle, transit, bicycle, and pedestrian projects into one, multi-modal construction project. To ensure that planned roadway construction projects considers ways to include other modes, an active complete streets policy should be provable, and follow California's 2008 Complete Streets Act and Caltrans' 2014 Deputy Directive 64-R2, requiring the needs of all roadway users.

More information: http://www.dot.ca.gov/hq/tpp/offices/ocp/complete_streets.html

Utility Projects

By monitoring the capital improvement plans of local utility companies, it may be possible to coordinate upcoming utility projects with the installation of motor vehicle, transit, bicycle, and pedestrian infrastructure within the same area or corridor. Utility companies often mobilize the same type of forces required to construct transportation projects, representing a significant potential cost savings. Joint projects require a great deal of coordination, a careful delineation of scope items, and an approved agreement or memorandum of understanding.

Cable Installation Projects

Cable television and telephone companies sometimes need new cable routes within public right-of-way that most commonly occur in expanding fiber optic networks. It may be possible to reimburse for affected bicycle and pedestrian facilities that mitigate construction impacts. In cases where cable routes cross undeveloped areas, there could be consideration for the installation of new transportation facilities following completion of the cable trenching.



Transit Revenue

Eastern Sierra Transit Authority (ESTA) operates many of its public bus services with the assistance of Federal, State and Local funds. FTA Section 5311 funds are available for a portion of the ESTA rural fixed route service. FTA Section 5310 funds are available for the qualifying rural operations within the ESTA Dial-a-Ride service. As a Joint Powers Authority, ESTA can also be funded by the apportioned TDA funds of relevant jurisdictions as outlined in the Joint Powers Agreement between the County of Inyo, the County of Mono, the City of Bishop, and the Town of Mammoth Lakes. Fare box revenue from ESTA's fixed route and local Dial-a-Ride services accounts for a small portion of the Authority's operating and capital costs. ESTA fare revenues should not be seen as a major source for future capital investments, as they too are subsidized by the appropriate Federal and State funding mechanisms to cover operating costs.

Transportation Development Act (TDA)

The TDA provides local agencies with two major sources of funding -the Local Transportation Fund (LTF) and the State Transit Assistance fund (STA). These funds contribute to the development and support of public transportation and are allocated to county areas based on population, taxable sales, and transit performance.

Local Transportation Fund (LTF)

The LTF is derived from sales tax revenue and provide matching funds for the operation of Butte Regional Transit. Cities and Counties have the option of using LTF for local street and road projects, including bicycle and pedestrian projects, if the region can demonstrate there are no unmet transit needs which are reasonable to meet. BCAG provides oversight of the public hearing process used to identify unmet transit needs.

State Transit Assistance (STA) Program

STA funds are derived from a statewide sales tax on gasoline and diesel fuel that accrues into the Public Transportation Account (PTA), where half of the funds are allocated to Caltrans and the other half to RTPAs. Of the RTPA allocation, half is allocated to mass transit projects for needs such as vehicles, equipment, and terminals, and the other half is allocated to transit operators based on fare revenues.



Public-Private Partnerships (P3)

P3s are usually contractual agreements between a local or regional public agency charged with providing transportation infrastructure and/or services, and a private sector entity that is willing to design, build, operate, and/or maintain infrastructure or services. This type of arrangement allows for greater flexibility and speed in the delivery and financing of transportation projects. There are many P3 structures and varying degrees of responsibility and financial risk. FHWA and Caltrans provide tools, programs, and other support materials to assist local agencies in forming P3s.

Private Sources

PeopleForBikes Community Grant Program

PeopleForBikes, a coalition of bicycle suppliers and retailers, has since its beginning in 1999 awarded \$2.9 million in community grants and leveraged an additional \$670 million. The community grant program funds bicycle paths and rail trails, mountain bicycle trails, bicycle parks, BMX facilities, and large-scale bicycle advocacy initiatives. Spring 2015 grant awards contributed to greenway and other infrastructure projects, as well as bicycle parking and bicycle-related programming. More information: <http://www.peopleforbikes.org/pages/community-grants>

The Robert Wood Johnson Foundation (RWJF)

RWJF was established in 1972, and today it is the largest U.S. foundation devoted to improving the health and health care of all Americans. More information: <http://www.rwjf.org/applications/> Grants are concentrated in four areas:

- Assure all Americans have access to affordable, basic health care;
- Improve care and support for chronic health conditions;
- Promote healthy communities and lifestyles; and
- Reduce personal, social and economic harm of substance abuse.



Community Action for a Renewed Environment (CARE)

CARE is a competitive grant program that offers an innovative way for a community to organize and take action to reduce toxic pollution in its local environment. Through CARE, a community creates a private partnership to reduce releases of toxic pollutants and minimize people's exposure to them. By providing financial and technical assistance, EPA helps CARE communities ensure a renewed environment. Transportation and "smart-growth" type-projects are eligible. Grants range between \$90,000 and \$275,000. More information: <http://www.epa.gov/care/>

Corporate Donations

Corporate donations are often received in the form of liquid investments (i.e. cash, stock, bonds) and in the form of land, recognizing that creating places to bike and walk is a way to build community and attract newcomers. Bicycling and outdoor recreation businesses often support local projects and programs. Corporations typically create funds to facilitate a transaction with the given municipality. Donations are most often received upon the completion of a widely-supported capital improvement program, and can improve capital budgets and/or other projects.

Plan4Health Coalition

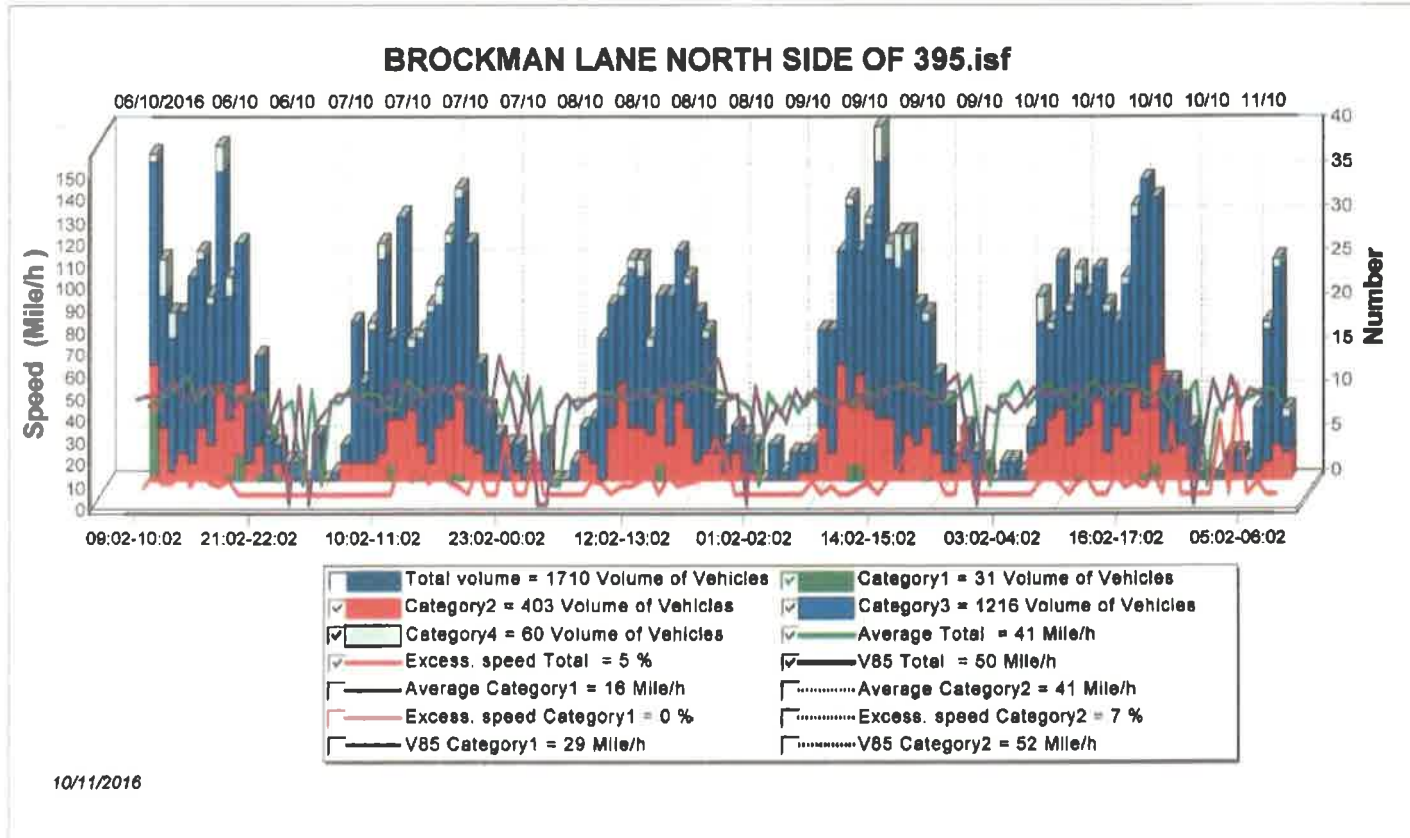
The APA and the APHA receive funding from the CDC to build local capacity to address population health and promote the inclusion of health in non-traditional sectors such as transportation. Each proposal must address inactivity, unhealthy diets, and/or health equity. Awards will average \$150,000. No more than two awards per state are granted. More Information: <https://www.apha.org/apha-communities/affiliates/plan-4-health>

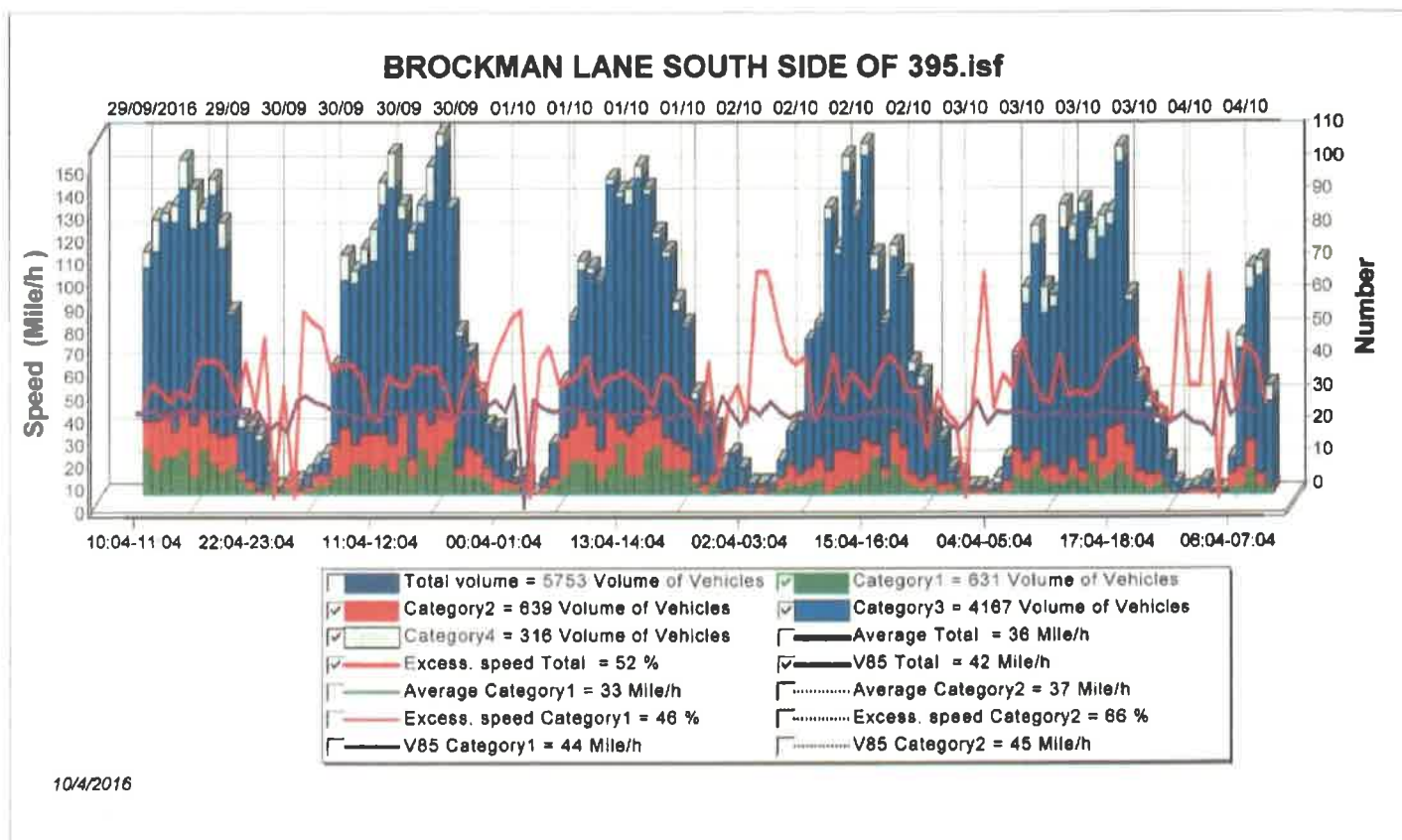
Other Private Sources

Volunteer programs may be developed to substantially reduce the cost of implementing some bicycle and pedestrian routes, particularly multi-use paths. A college design class may use such a multi-use route as a student project, working with a local landscape architectural or engineering firm. Work parties could be formed to help clear the right of way for a route. A local construction company may donate or discount services beyond what the volunteers can do. A challenge grant program with local businesses may be a good source of local funding, by which the businesses (or residents) can "adopt" a route or segment.



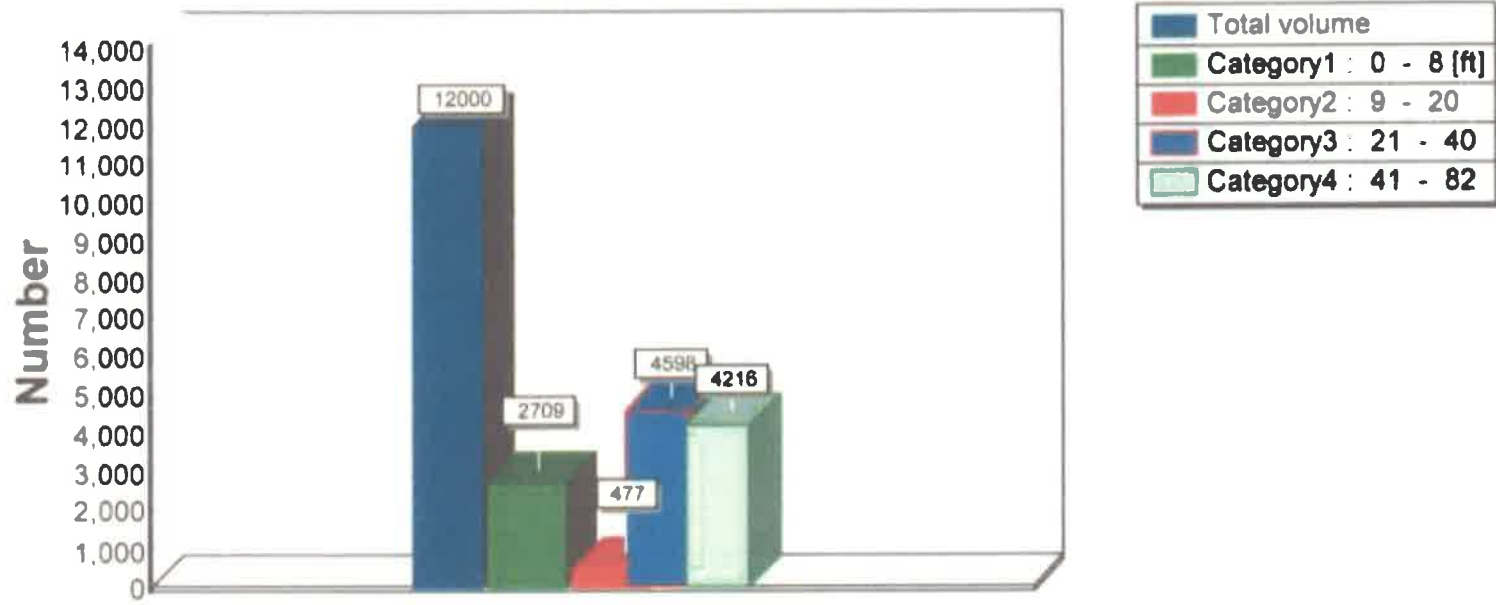
Appendix A: Inyo County Roads Department 2016-2017 Plan Area Traffic Counts







MAC GREGOR 150 FEET NORTH OF HIGHWAY 395.isf

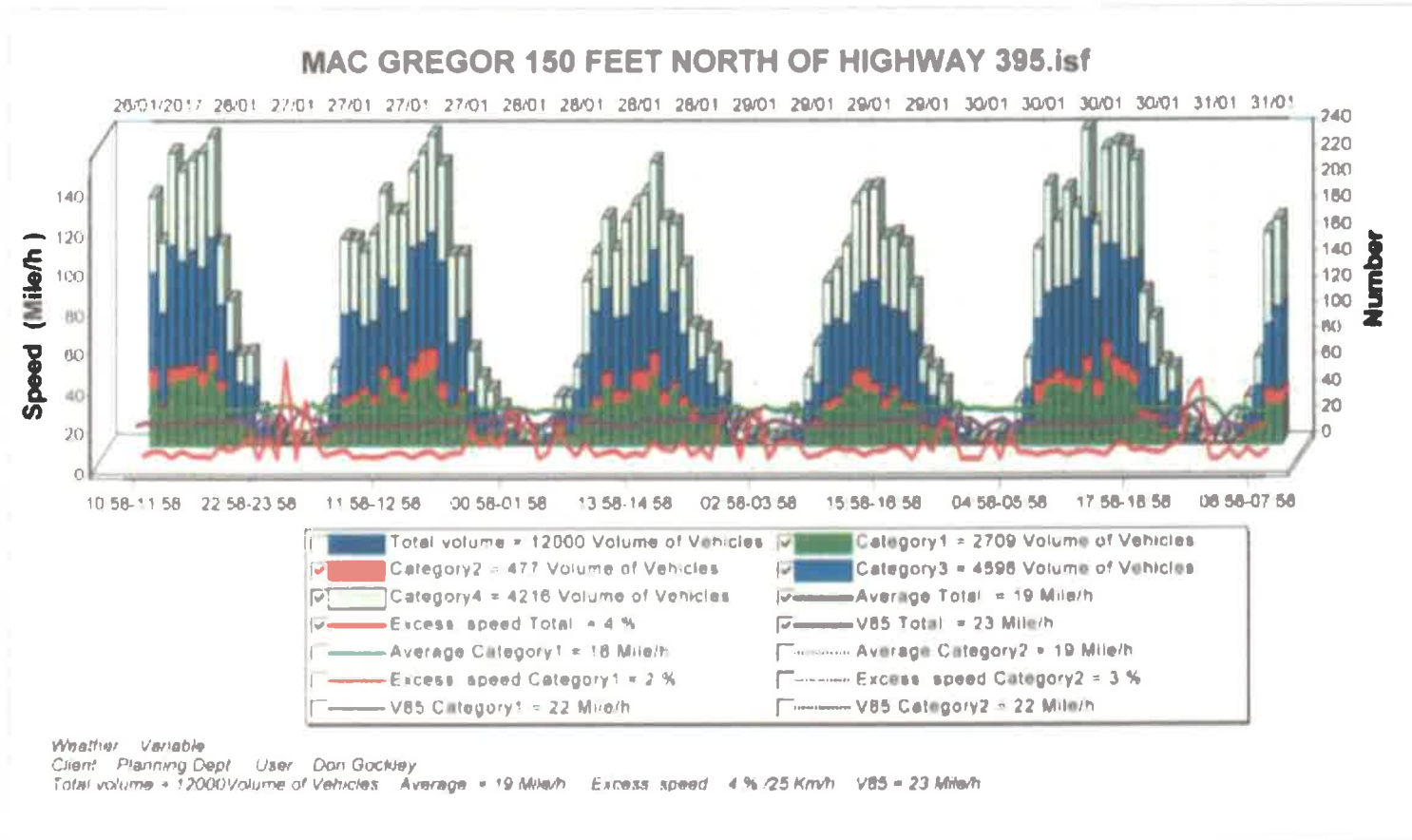


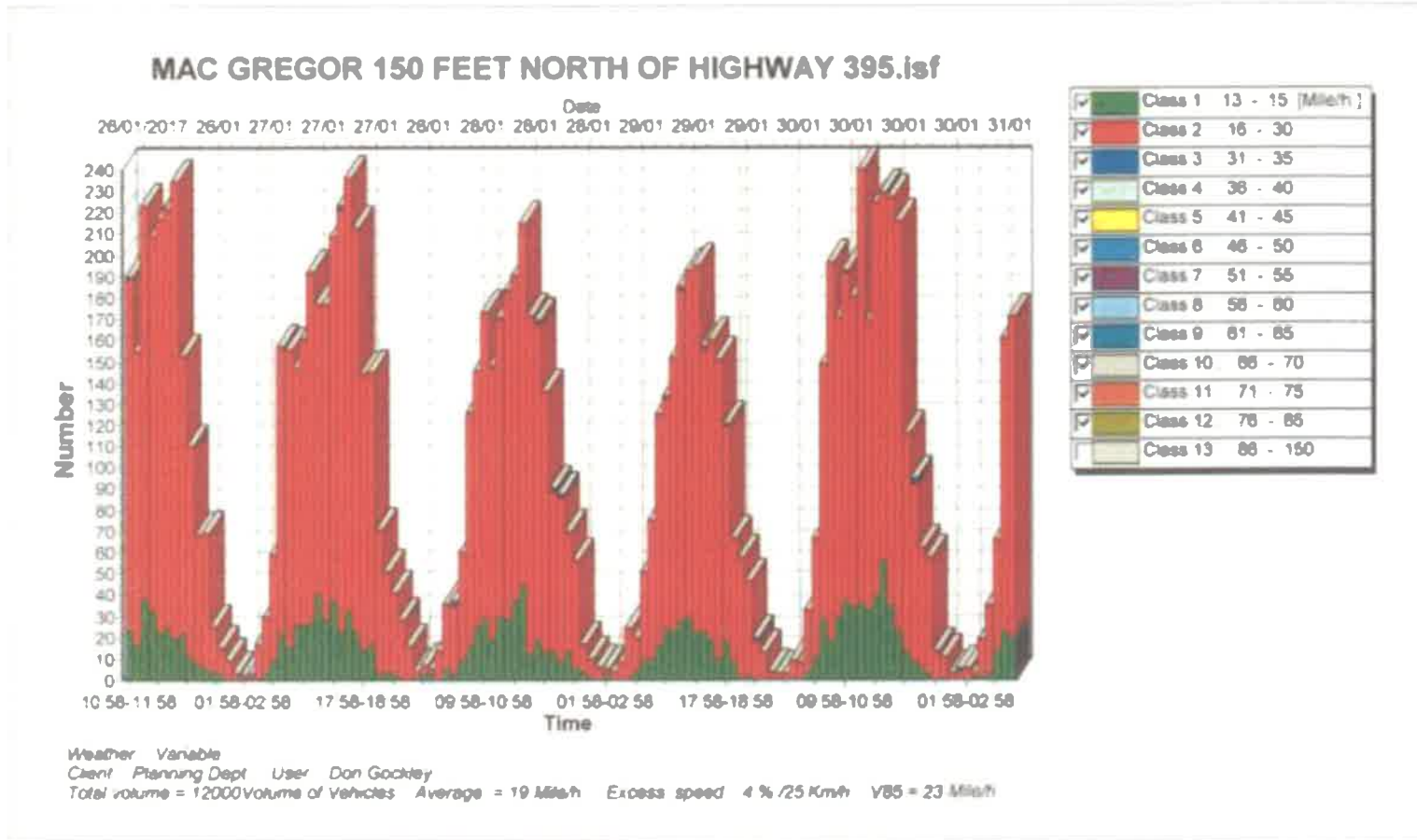
Start survey : 26/01/2017 10:58:00
Stop survey : 31/01/2017 08:53:29

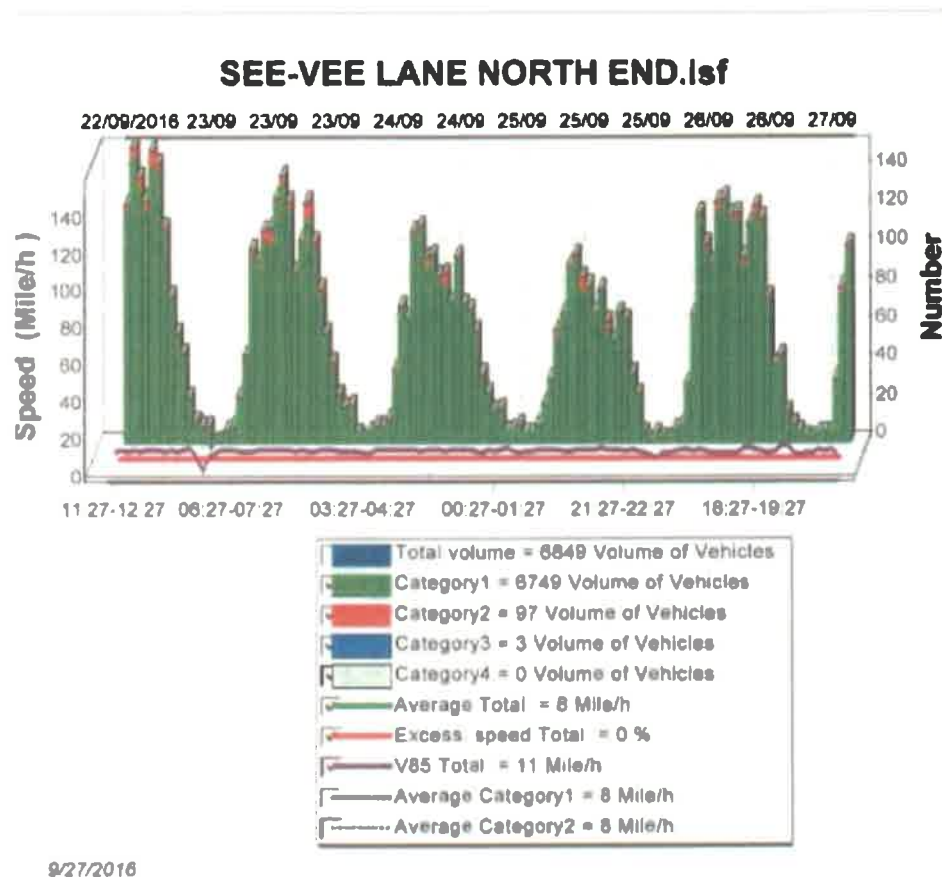
Weather : Variable

Client : Planning Dept User : Don Gockley

Total volume = 12000 Volume of Vehicles Average = 19 Mile/h Excess. speed : 4 % /25 Km/h V85 = 23 Mile/h



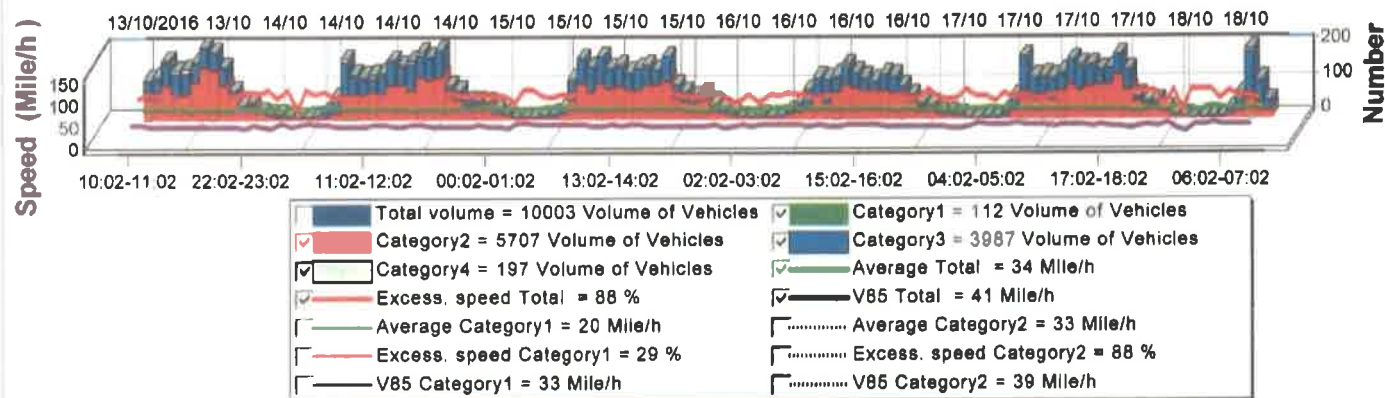




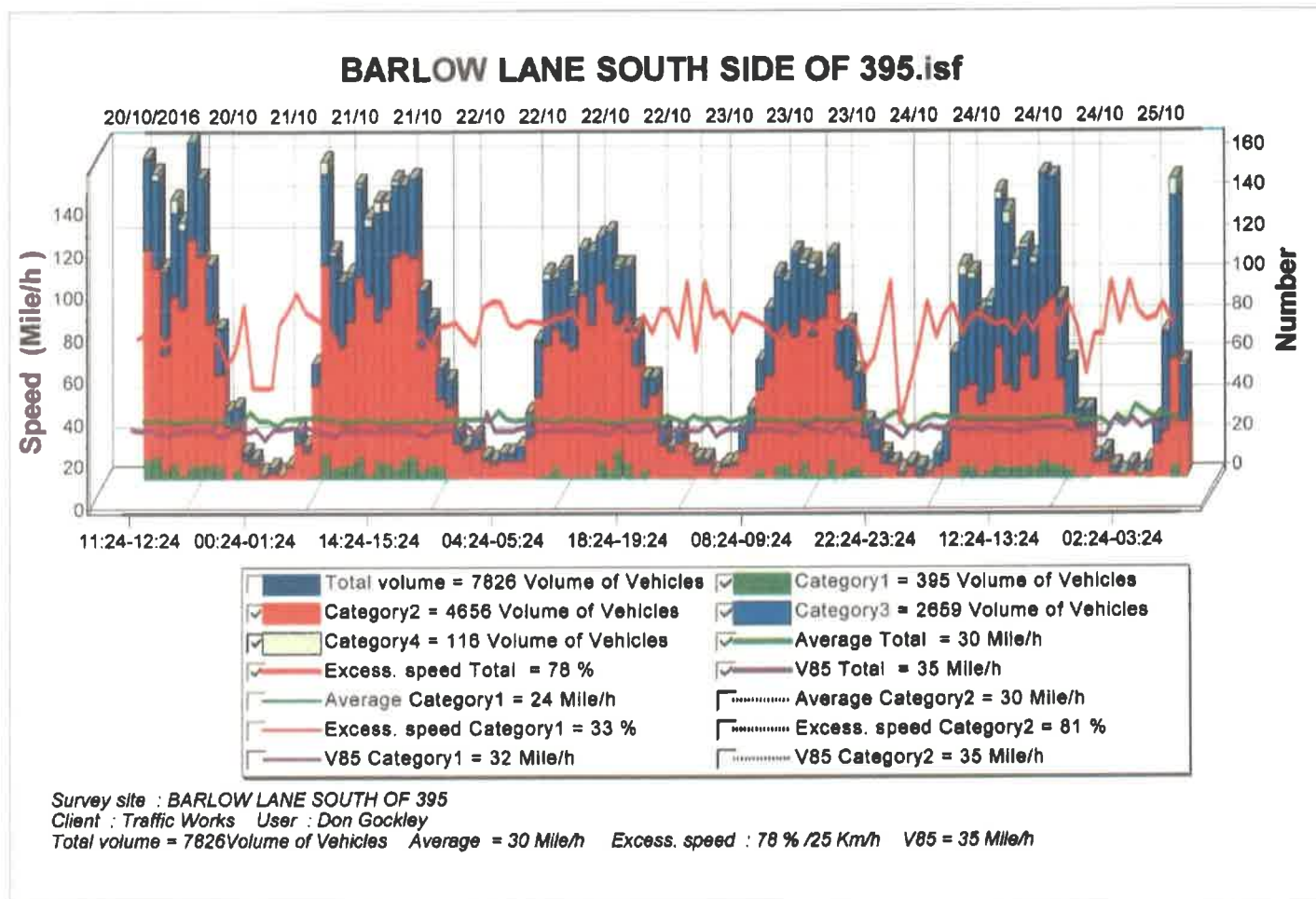


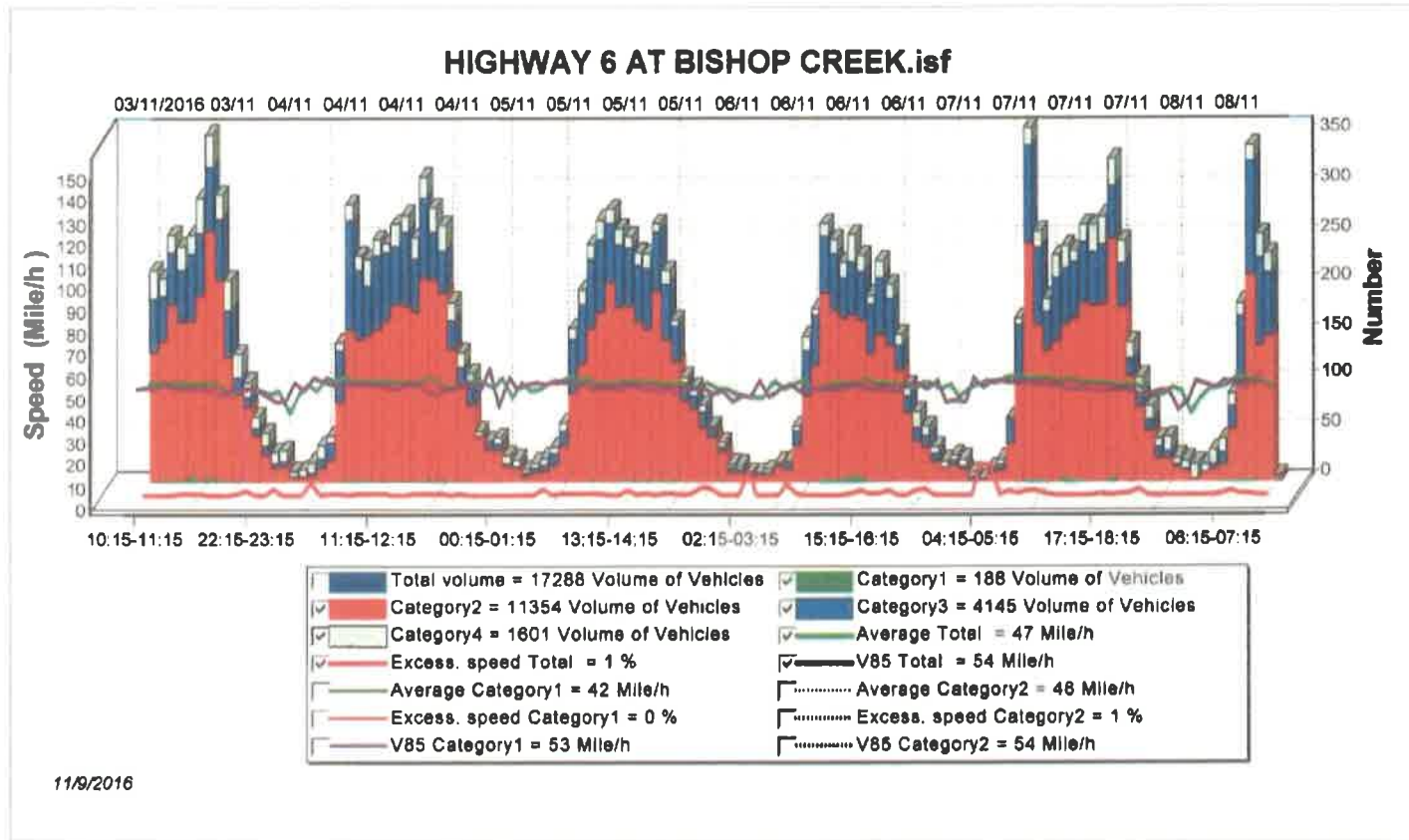
BARLOW LANE NORTH SIDE OF 395.isf

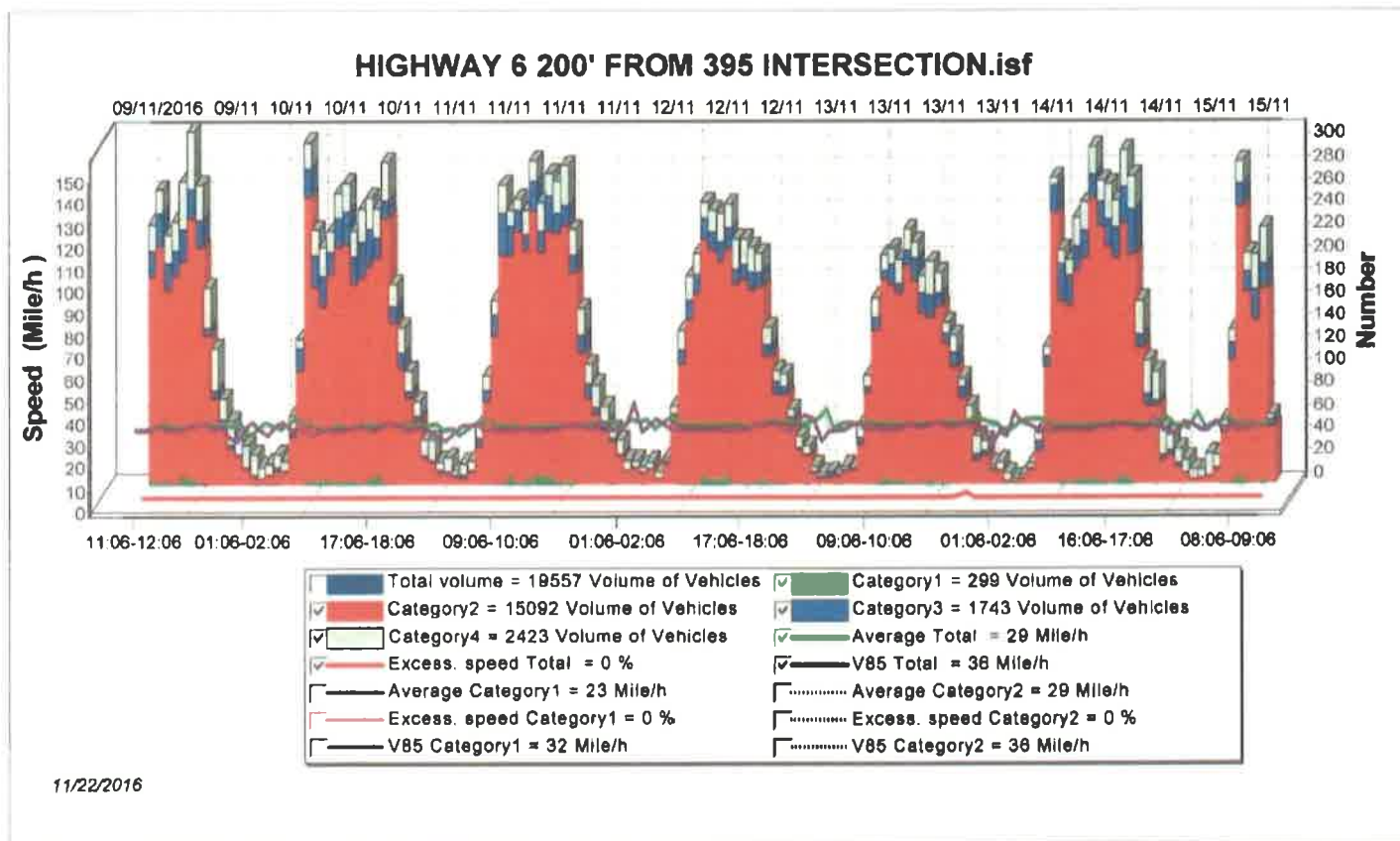
This graph shows the volume for each of the vehicle categories according to the time, and is based on an hourly flow. On the left of the graph is the speed in miles per hour and corresponds to the red, green and purple color coded horizontal lines running across the graph. At the top of the graph is the dates with in which the study was conducted from October 13th through October 18th. On the right of the graph is number of vehicles in each category corresponding to the color coding in page one and is also represented in the table on the bottom of this page. At the bottom of the graph is the time of the day and is hour for hour and shows how many vehicles in each category traveled on this road during any given hour throughout the five day study.

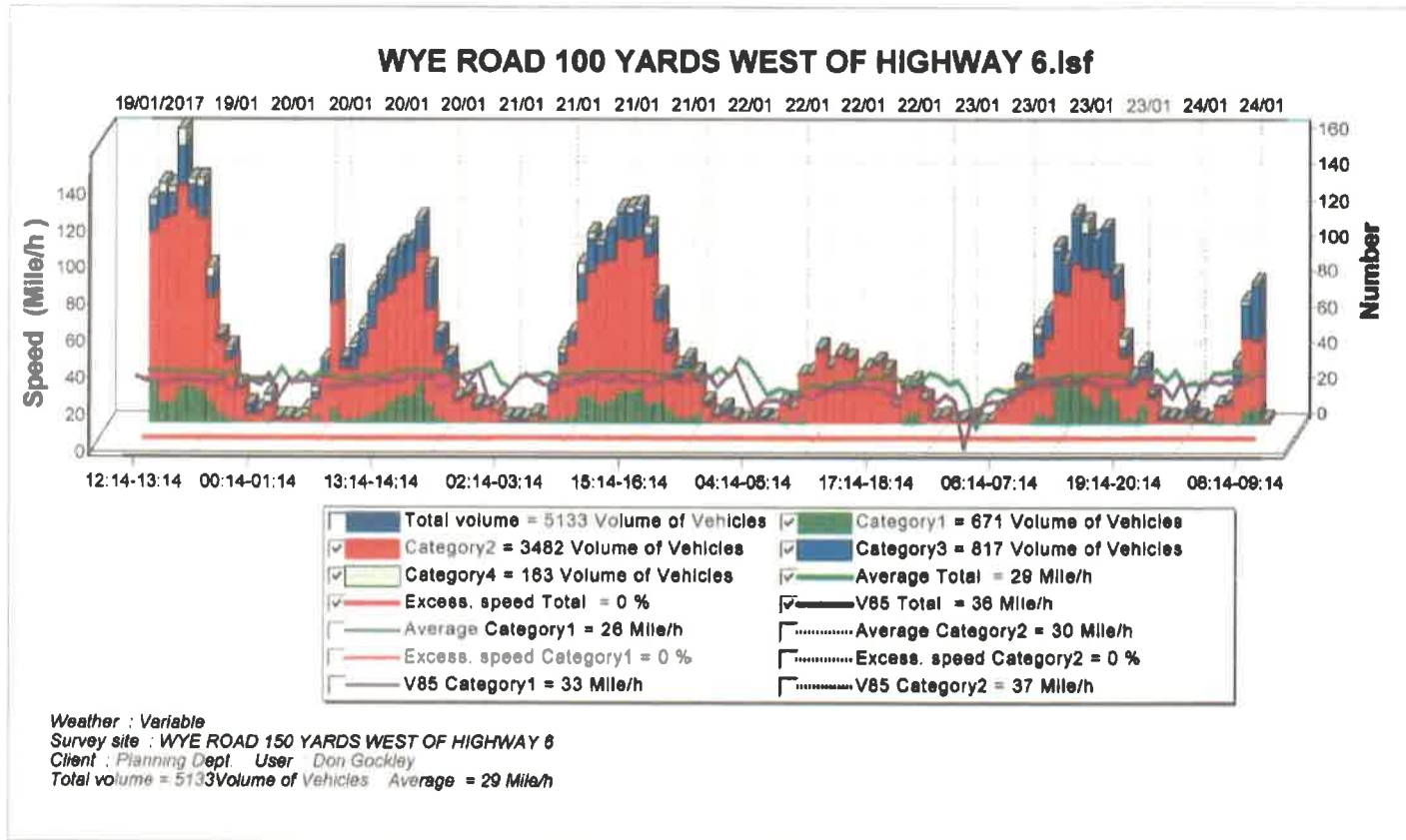


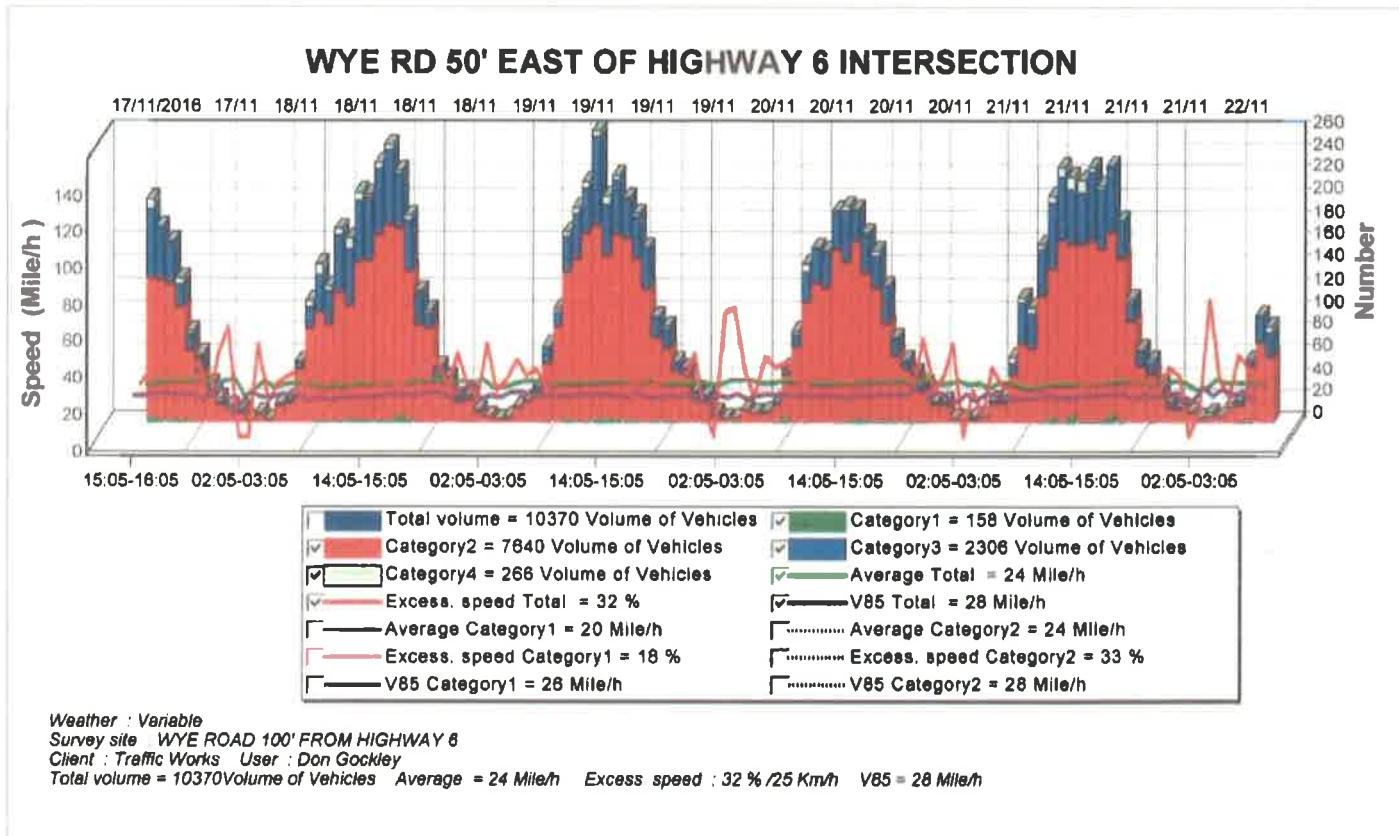
Weather : Variable
 Survey site : BARLOW LANE NORTH OF 395
 Client : Traffic Works User : Don Gockley
 Total volume = 10003 Volume of Vehicles Average = 34 Mile/h Excess. speed : 88 % /25 Km/h V85 = 41 Mile/h













Appendix B: Existing and Supporting Goals, Policies and Actions for Motor Vehicle Circulation

Maintain adequate capacity on State routes and local routes in Inyo County and City of Bishop (Goal 3, Inyo County Regional Transportation Plan, 2015)

Incorporate new developments in transportation technology, including ITS approaches (Goal 9, Inyo County Regional Transportation Plan, 2015)

Management of the transportation system (Goal 10, Inyo County Regional Transportation Plan, 2015)

Transportation Demand Management (TDM) (Goal 11, Inyo County Regional Transportation Plan, 2015)

Policy RH-1.8 Priority to Efficiency Projects. Give priority to transportation projects designed to improve the efficiency, safety, and quality of existing facilities. [Existing Streets, Roads, and Highways Policy]. (Inyo County General Plan Circulation Element, December 2001) (Policy 2.4, City of Bishop General Plan Mobility Element, 2012)

Policy RH-2.1 Improve U.S. 395 in Sections. Support improvements to U.S. 395 as funding allows. [Existing Streets, Roads, and Highways Goal 2 and Objective 8 revised] (Inyo County General Plan Circulation Element, December 2001)

Policy 1.3 Encourage transportation strategies that achieve energy conservation, reduce air pollution, and protect water and other environmental resources. (City of Bishop General Plan Mobility Element, 2012)

Policy 2.1 Promote street system additions and improvements that enhance accessibility. (City of Bishop General Plan Mobility Element, 2012)

Policy 2.6 Consider aesthetic values such as streetscape features in new roadways and roadway improvements. (City of Bishop General Plan Mobility Element, 2012)

Action 2.1 Pursue the construction of new roadway links as illustrated on the ME roadway plan. (City of Bishop General Plan Mobility Element, 2012)

Action 2.2 Develop and maintain the City street network consistent with the ME roadway plan, including appropriate roadway widths, bicycle lanes, and pedestrian amenities. (City of Bishop General Plan Mobility Element, 2012)

Action 2.5 Minimize the number of driveways by requiring shared/common driveways where feasible. (City of Bishop General Plan Mobility Element, 2012)



North Sierra Highway Sustainable Corridor Plan

Action 2.7 Require new utilities to be located underground and work with utility companies to move existing overhead facilities underground. (City of Bishop General Plan Mobility Element, 2012)

Action 2.8 Utilize intelligent transportation control systems to improve traffic flow and safety on the City's roadway system. (City of Bishop General Plan Mobility Element, 2012)

Action 2.9 Participate with the Inyo County LTC and Caltrans for evaluating measures to improve traffic flow in the City, with focus on major intersections through the downtown area. (City of Bishop General Plan Mobility Element, 2012)



Appendix C: Existing and Supporting Goals, Policies and Actions for Enhanced Transit

Policy 1.1 Promote accessible transportation services and facilities that are responsive to the needs of residents, businesses, and visitors. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.2 Facilitate future plans and programs for enhancing mobility while preserving the existing character of the City. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.3 Encourage transportation strategies that achieve energy conservation, reduce air pollution, and protect water and other environmental resources. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.4 Reduce the need for vehicular travel by facilitating non-auto modes of travel. (City of Bishop General Plan Mobility Element, 2012)

Policy 3.1: Encourage transit ridership between Bishop and the surrounding communities. (City of Bishop General Plan Mobility Element, 2012)

Policy 3.2 Enhance local transit accessibility for residents and visitors. (City of Bishop General Plan Mobility Element, 2012)

Action 3.2 Enhance local/regional bus system interface by providing convenient and attractive access locations. (City of Bishop General Plan Mobility Element, 2012)



Appendix D: Existing and Supporting Goals, Policies, and Actions for the Development of Bicycle, Pedestrian, and Disabled User Networks

A Transportation System Which Is Safe, Efficient, and Comfortable, Which Meets the Needs of People and Goods, and Enhances the Lifestyle of the County's Residents (Goal 2, Inyo County Regional Transportation Plan, 2015)

Encourage and Promote Greater Use of Active Means of Personal Transportation in the Region (Goal 5, Inyo County Regional Transportation Plan, 2015)

Land Use Integration (Goal 12, Inyo County Regional Transportation Plan, 2015) Policy RH-1.9 Plan Comprehensive Transportation System. Continually plan, prioritize, design, and develop a comprehensive transportation system in cooperative partnership . . . [Existing Street, Roads, and Highways Policy 1] (Inyo County General Plan Circulation Element, December 2001)

Policy 1.1 Promote accessible transportation services and facilities that are responsive to the needs of residents, businesses, and visitors. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.2 Facilitate future plans and programs for enhancing mobility while preserving the existing character of the City. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.3 Encourage transportation strategies that achieve energy conservation, reduce air pollution, and protect water and other environmental resources. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.4 Reduce the need for vehicular travel by facilitating non-auto modes of travel. (City of Bishop General Plan Mobility Element, 2012)

Policy 2.1 Promote street system additions and improvements that enhance accessibility. (City of Bishop General Plan Mobility Element, 2012)

Policy 2.5 Promote transportation programs that enhance the downtown area by improving accessibility. (City of Bishop General Plan Mobility Element, 2012)

Policy 4.1 Promote bicycle travel as part of serving the overall mobility needs of the City. (City of Bishop General Plan Mobility Element, 2012)



Policy 4.2 Encourage productive and complementary use of city street right of way for bicycle facilities. (City of Bishop General Plan Mobility Element, 2012)

Policy 4.3 Support the goals and implementing actions of the Inyo County Collaborative Bikeways Plan. (City of Bishop General Plan Mobility Element, 2012)

Policy 4.4 Promote connections of City bike facilities to trail networks outside of the City. (City of Bishop General Plan Mobility Element, 2012)

Action 4.1 Develop and maintain a system of bicycle facilities in accordance with the ME Bikeway Plan with emphasis on Class 1 and Class 2 facilities where possible. (City of Bishop General Plan Mobility Element, 2012)

Action 4.2 Coordinate planning for bicycle facilities with the County and the Bishop Paiute Tribe. (City of Bishop General Plan Mobility Element, 2012)

Action 4.3 Incorporate facilities suitable for bicycle use in the design of intersections, and other street-improvement/maintenance projects. (City of Bishop General Plan Mobility Element, 2012)

Action 4.4 Make improvements to streets, signs, and traffic signals as needed to improve bicycle convenience and safety and consider digital way-finding. (City of Bishop General Plan Mobility Element, 2012)

Action 4.5 Install bicycle parking in the Downtown area and at City parks, civic buildings, and other community centers. (City of Bishop General Plan Mobility Element, 2012)

Action 4.6 Work with the school district and college to promote cycling and bicycle access. (City of Bishop General Plan Mobility Element, 2012)

Action 4.7 Encourage employers to provide secure bicycle parking facilities. (City of Bishop General Plan Mobility Element, 2012)

Policy 6.1 Consider pedestrians in all land use and transportation planning. (City of Bishop General Plan Mobility Element, 2012)

Policy 6.2 Support the implementation of sidewalks and walkways on existing and future streets as in Policy 2.3. (City of Bishop General Plan Mobility Element, 2012)

Policy 6.3 Promote facilities and amenities that enhance the walkability of the City. (City of Bishop General Plan Mobility Element, 2012)



Policy 6.4 Require all new or renovated pedestrian facilities to be of a sufficient width to ensure pedestrian comfort and safety and to accommodate the special needs of the physically disabled. (City of Bishop General Plan Mobility Element, 2012)

Policy 6.5 Promote connections of City pedestrian facilities to trail networks outside of the City. (City of Bishop General Plan Mobility Element, 2012)

Action 6.1 Facilitate the creation of “walking tour” and “way-finding” information that can direct residents and visitors to experience the walkability of the City. (City of Bishop General Plan Mobility Element, 2012)

Action 6.2 Provide pedestrian-oriented features, such as benches, enhanced landscaping, and trash receptacles, in high pedestrian usage areas such as the Downtown and Park areas. (City of Bishop General Plan Mobility Element, 2012)

Action 6.3 Work with neighborhoods to implement sidewalks on unimproved local streets so that sidewalk continuity can be established. (City of Bishop General Plan Mobility Element, 2012)

Action 6.4 Require new development to provide sidewalks and other pedestrian-dedicated facilities on new public streets as in Policy 2.3. (City of Bishop General Plan Mobility Element, 2012)

Action 6.5 Pursue funding for the continued replacement and repair of sidewalks that have deteriorated due to age and tree-root invasion.

Action 6.6 Develop and implement a program to identify, prioritize, and fund the retrofitting of existing intersections that do not currently have handicapped access ramps or have currently sub-standard ramps at the street corners. (City of Bishop General Plan Mobility Element, 2012)

Action 6.8 Coordinate planning for pedestrians with the County and the Bishop Paiute Tribe. (City of Bishop General Plan Mobility Element, 2012)



Appendix E: Existing and Supporting Goals, Policies, and Actions for Enhanced Motorized Vehicle Parking

A Transportation System Which Is Safe, Efficient, and Comfortable, Which Meets the Needs of People and Goods, and Enhances the Lifestyle of the County's Residents (Goal 2, Inyo County Regional Transportation Plan, 2015)

Encourage and Promote Greater Use of Active Means of Personal Transportation in the Region (Goal 5, Inyo County Regional Transportation Plan, 2015)

Provide for the Parking Needs of Residents, Visitors, and Tourists (Goal 6, Inyo County Regional Transportation Plan, 2015)

Land Use Integration (Goal 12, Inyo County Regional Transportation Plan, 2015)

Policy RH-2.1 Improve U.S. 395 in Sections. Support improvements to U.S. 395 as funding allows. [Existing Streets, Roads, and Highways Goal 2 and Objective 8 revised] (Inyo County General Plan Circulation Element, December 2001)

Policy 7.1 Promote programs such as signage and parking management to facilitate parking for the downtown area and for community events.

Policy 7.2 Encourage development that reduces parking demand and promotes alternative means of travel.

Policy 7.3 Encourage and facilitate the establishment of convenient parking areas to enhance parking accessibility.

Policy 7.4 Ensure that adequate off street parking is incorporated into all new developments and redevelopments outside the downtown commercial area.

Action 7.1 Pursue opportunities for parking management actions that will result in convenient parking areas for downtown. (City of Bishop General Plan Mobility Element, 2012)

Action 7.2 Improve access to local businesses for visitors by providing signed parking areas with convenient accessibility. (City of Bishop General Plan Mobility Element, 2012)

Action 7.3 Improve accessibility to community events through clear directional signage, parking and shuttle services, and information sources, particularly for tourists. (City of Bishop General Plan Mobility Element, 2012)



Policy 1.1 Promote accessible transportation services and facilities that are responsive to the needs of residents, businesses, and visitors. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.2 Facilitate future plans and programs for enhancing mobility while preserving the existing character of the City. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.3 Encourage transportation strategies that achieve energy conservation, reduce air pollution, and protect water and other environmental resources. (City of Bishop General Plan Mobility Element, 2012)

Policy 1.4 Reduce the need for vehicular travel by facilitating non-auto modes of travel. (City of Bishop General Plan Mobility Element, 2012)

Policy 2.7 Ensure transportation facilities are developed, operated and maintained to protect and enhance water and other environmental resources. (City of Bishop General Plan Mobility Element, 2012)

Action 2.5 Minimize the number of driveways by requiring shared/common driveways where feasible. (City of Bishop General Plan Mobility Element, 2012)

Action 2.7 Require new utilities to be located underground and work with utility companies to move existing overhead facilities underground. (City of Bishop General Plan Mobility Element, 2012)

North Sierra Highway Strategic Plan



DECEMBER 2017



ACKNOWLEDGMENTS

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North Sierra Highway Strategic Plan

PREPARED FOR
County of Inyo and City of Bishop



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APPENDIX

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Chapter 1
INTRODUCTION

1.1 Executive Summary

The North Sierra Highway Plan (Plan) is the result of a collaborative effort by the County of Inyo and the City of Bishop to provide coordinated guidance for mobility, development, and public realm improvements over time. This Plan builds upon the mobility recommendations contained in the North Sierra Highway Sustainable Corridor Plan, summarized in Chapter 2 – Mobility and Streetscape.

The intent of the Plan is to focus on near-term opportunities while providing strategies for long-term planning efforts such as the development of a Specific Plan for the area which is ultimately envisioned. The Plan functions as a strategic plan and brings forward mobility recommendations from previous efforts and expands on strategies for key opportunity sites that offer near-term development potential. At the same time, the Plan provides a foundation for Specific Plan development during the next project phase. Next steps include augmentation of the Plan with comprehensive zoning and land use standards and companion infrastructure recommendations pursuant to State law. Environmental documentation in compliance with the California Environmental Quality Act would be prepared at that time.

Please refer to the implementation matrix provided in Chapter 4 – Implementation that identifies specific actions to address opportunity sites, phasing, funding sources, and Specific Plan development.

1.2 Project Area

The North Sierra Highway Plan boundary spans two miles of the North Sierra Highway, the stretch of US Route 395 north of downtown Bishop. The project area includes approximately 423 acres of land across Inyo County and the City of Bishop and adjacent to Paiute Tribal land. Notable areas included in the project boundary are Bishop Plaza, the entrance and exit to the Highlands community, the Tri County fairgrounds, the intersection of US Route 395, US Route 6, and Wye Road, and ranch land belonging to Los Angeles Department of Water and Power (LADWP). The defined planning area is illustrated in Figure 1-1.



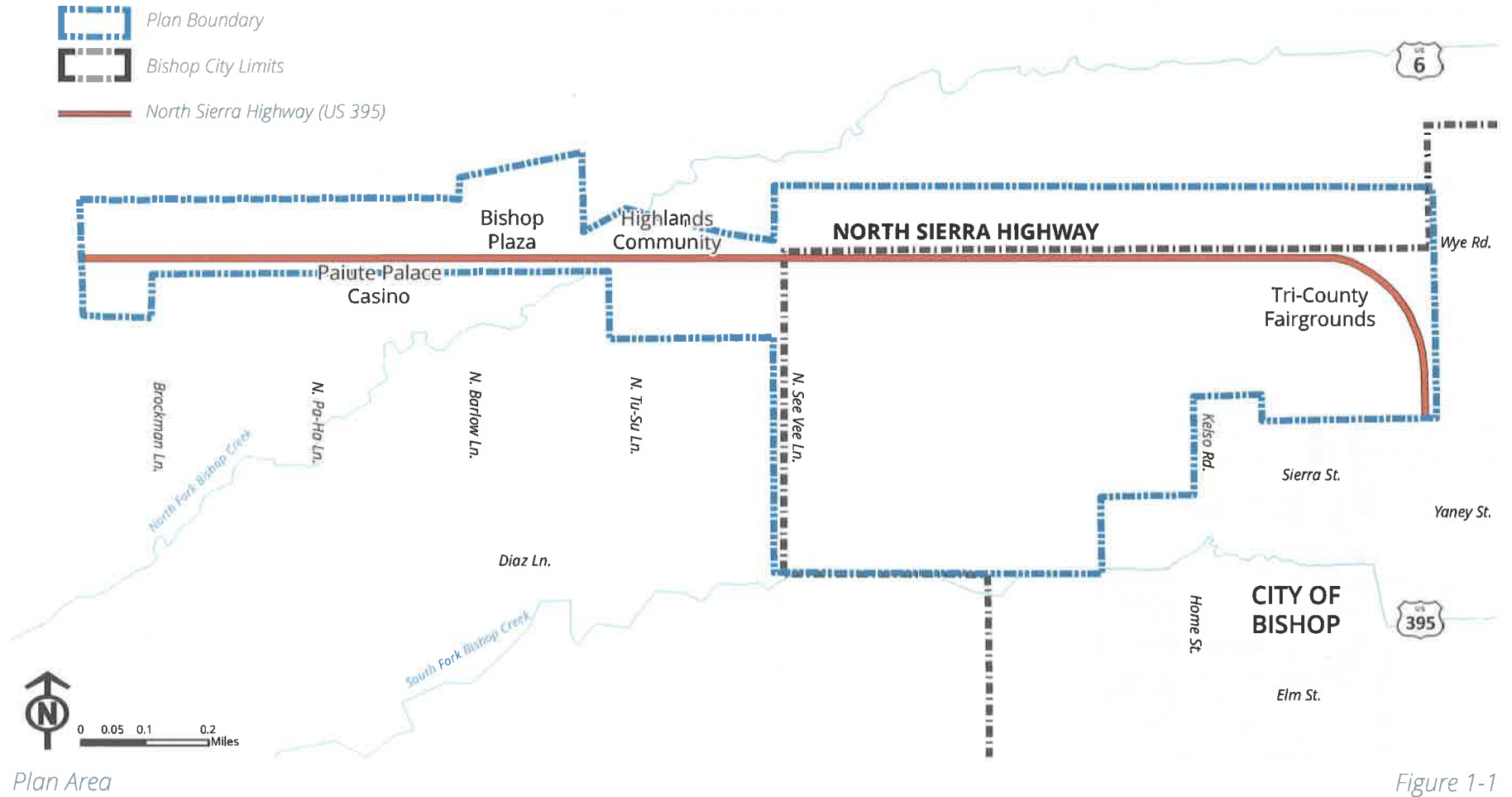


Figure 1-1

1.3 Grant Overview

The County of Inyo and the City of Bishop were awarded a grant under the Caltrans Sustainable Communities Program for Fiscal Year 2015-2016 to “develop a Sustainable Corridor Plan for the North Sierra Highway to better integrate multi-modal transportation, effectuate the streetscape utilizing community-developed design themes, and improve air quality and safety.” The Sustainable Corridor Plan is intended to help “energize local transit, walking, and bicycle use” and “support broader planning in the area, including the Bishop Paiute Reservation and the Tri-County Fairgrounds.”

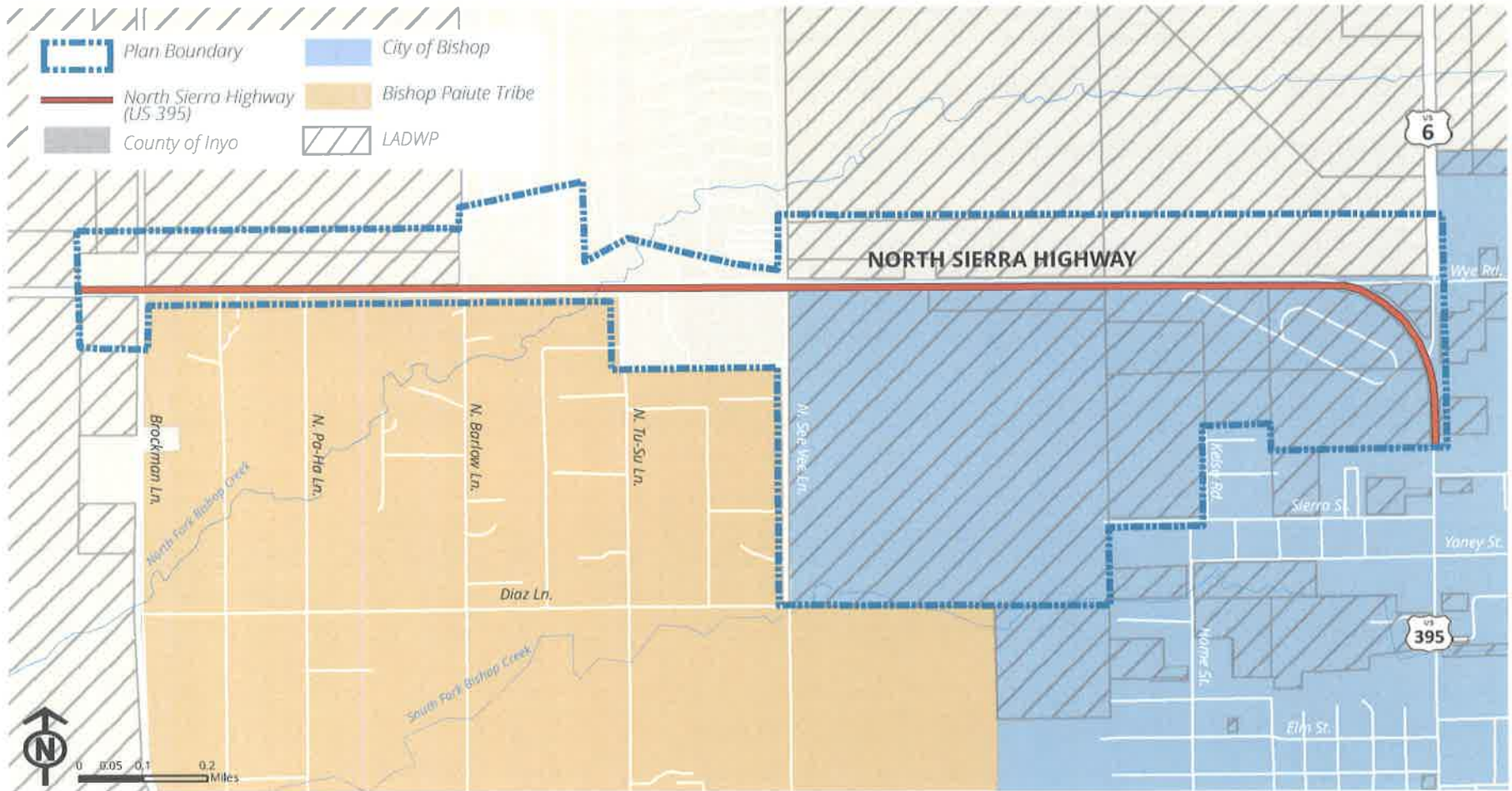


1.4 Jurisdictions

Jurisdiction of land within the project boundary is held by the County of Inyo and the City of Bishop, in proximity to Bishop Paiute Tribe lands. Additionally, the Los Angeles Department of Water and Power (LADWP) owns a significant portion of land within the project area as well as throughout the greater Owens Valley. Figure 1-2 illustrates jurisdictional boundaries.

The County of Inyo and the City of Bishop have each adopted a General Plan that respectively serve as their guiding planning document. The County of Inyo adopted an updated General Plan in 2001 and the City of Bishop adopted an updated General Plan in 1993. Zoning codes for each jurisdiction implement the respective General Plans and address land uses, development standards, operational requirements and other regulations addressing development.





Plan Jurisdictions

Figure 1-2



North Sierra Highway "Before" and "After" Concepts

1.5 Vision and Guiding Principles

The vision for the North Sierra Highway has been continually evolving over the past many years. The Plan builds upon the historical and striking natural context of the area while incorporating ongoing planning efforts to create a “road map” for targeted future planning as well as more near-term improvements. The vision emphasizes multi-modal options and public realm enhancements to create an inviting corridor serving a variety of uses. Through interactive design exercises, stakeholder interviews, and community feedback, the importance of appropriate design, enhancing the area’s identity, mobility safety and connections, and a sound economic foundation were identified as community priorities.

Guiding principles to support the shared vision include:

- Maintain the small-town character
- Create a balanced system of multi-modal mobility
- Support a safer, more walkable corridor
- Provide for a range of housing opportunities (pursuant to the City of Bishop General Plan)
- Leverage market conditions to entice investment
- Enhance the area’s distinctive identity
- Facilitate inter-agency coordination

1.6 Community Engagement

Community engagement greatly informed the development of the Corridor Plan. Several community engagement efforts were conducted in 2016 to assist the project team in identifying issues, vetting ideas, and prioritizing recommendations. To support engagement of implementing agencies, the North Sierra Highway Corridor Plan Advisory Committee (Advisory Committee) was formed. The Advisory Committee included representatives from:

- County of Inyo
- City of Bishop
- Bishop Paiute Tribe
- Caltrans
- Los Angeles Department of Water and Power
- Tri-County Fairgrounds
- Eastern Sierra Transit Authority
- Eastern Sierra Community Services District
- Bishop Rural Fire Protection District

Activities conducted during 2016 focused on issue identification, review of existing conditions and opportunities/ constraints, and consideration of preliminary concepts. Activities included:

- Key Stakeholder Meetings – May and July 2016
- Advisory Committee Meeting/Community Workshop – Project Introduction and Issue Identification – July 21, 2016
- Advisory Committee Meeting – Review of Preliminary Reports – September 21, 2016
- Community Charrette – October 18 and 19, 2016
 - Additional Stakeholder Meetings
 - Pop-up Event at Vons
 - Bus Tour of Project Area
 - Advisory Committee Meeting/Community Workshop – Explore Concepts
- Project Webpage – Hosted on County of Inyo website



Introductory Workshop

Primary themes expressed by participants throughout the process include:

- Maintain small-town character
- Increase pedestrian safety by creating bike lanes and walkability, adding lighting
- Create more highway crossing opportunities
- Address Wye Road area, and traffic egress issues from Vons/Kmart
- Maintain consistent speed limits
- Create path to schools
- Consider mixed-use development opportunities.

Meetings and community engagement conducted in 2017 focused on review of the draft North Sierra Highway Sustainable Corridor Plan and included:

- Advisory Committee meeting – May 17, 2017
- City of Bishop Planning Commission meeting – June 27, 2017
- County of Inyo Planning Commission meeting – June 28, 2017
- City of Bishop City Council meeting – July 10, 2017
- County of Inyo Board of Supervisors meeting – July 11, 2017

General feedback from the meetings indicated concurrence with Sustainable Corridor Plan recommendations and support for moving forward with this Plan to develop strategies for future development and improvements and companion implementation recommendations.

Meeting minutes for Advisory Committee meetings and public meetings as well as a summary of key stakeholder interviews may be accessed on the County of Inyo project website.



Preliminary Concepts Charette

1.7 Relevant Programs and Documents

General Plans

The General Plans serve as the guiding planning documents for the region. The County of Inyo adopted an updated General Plan in 2001. Elements include Government, Land Use, Economic Development, Housing, Circulation, Conservation/Open Space, and Public Safety. The City of Bishop adopted an updated General Plan in 1993. Elements include Economic Development, Land Use, Housing, Circulation, Noise, Public Services/Facilities, Parks/Recreation, Conservation/Open Space, and Safety. Land use designations within the project boundary for both Inyo County as well as the City of Bishop are displayed in Figure 1-3.

Overarching direction in the County of Inyo General Plan provides for the reasonable expansion of communities in a logical and contiguous manner that minimizes environmental impacts, minimizes public infrastructure and service costs, and furthers the county-wide economic development goals. In addition, the General Plan allows for mixed-use (commercial/residential) development in established communities. Coordination of the release of DWP lands for potential development and buffering of non-residential development to protect residential uses are also addressed.

County of Inyo General Plan Land Use designations within the project area are provided below:

- Retail Commercial (RC)
- Low Density Residential (RL)
- Medium High Density Residential (RMH)
- Agriculture (A)
- Natural Resources Designation (NR)

City of Bishop General Plan Land Use designations within the project area are provided below:

- Low Density Residential
- Medium Density Residential
- High Density Residential
- General Commercial
- Parks and Open Space
- Public Land

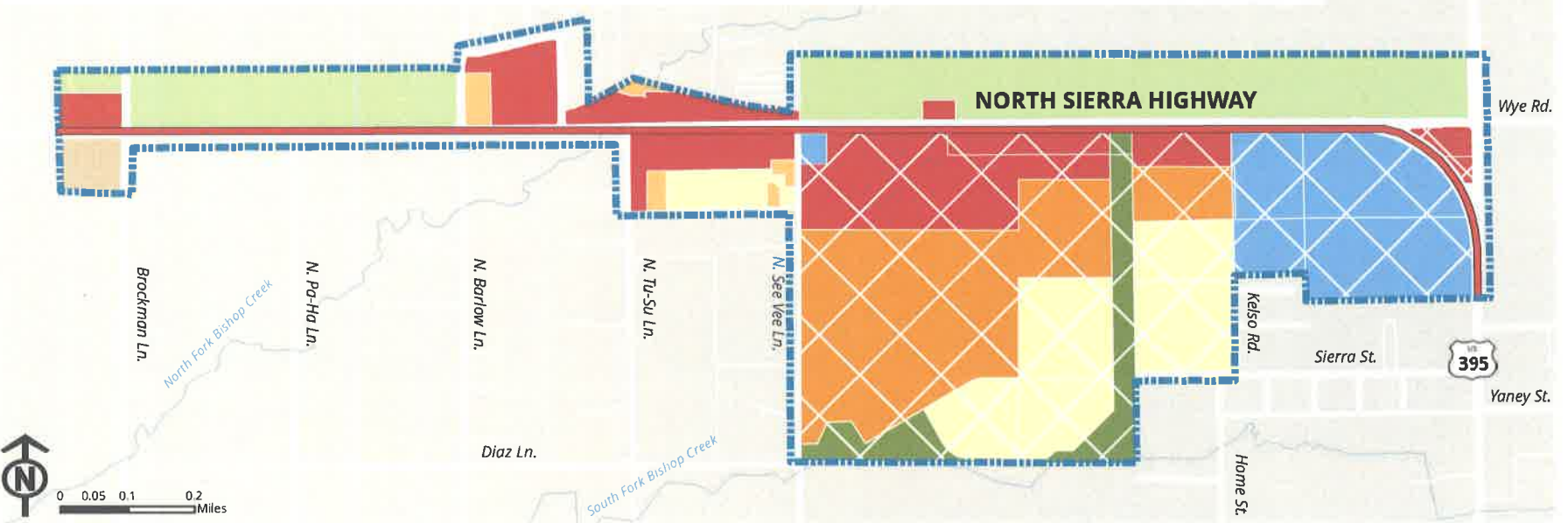
County of Inyo General Plan Land Use



City of Bishop General Plan Land Use



Map Features



General Plan Land Use

Figure 1-3

Zoning

Title 18 of the Inyo County Code addresses zoning throughout the County. Included in the project area are zones for Open Space, Multifamily, Single-family, Highway Services and Tourist Commercial, Professional Offices, General Commercial, and Tribal Lands. Title 17 of the City of Bishop Code of Ordinances addresses zoning throughout the City of Bishop. Designated zones within the project area include Low, Medium, and High Density Residential, General Commercial and Retail, General Commercial, Highway Commercial, Office and Professional, and Open Space. Zoning designations for both the County of Inyo and the City of Bishop are shown in Figure 1-4.

Open Space designations allow for a range of agricultural and livestock uses while the different Commercial zones provide for retail stores and services, offices and banks, eating establishments, religious and cultural institutions, motels, and auto-related uses. With approval of a conditional use permit, a wider range of uses may be permitted such as a truck stop, mixed-use development, multiple dwellings and mobile home parks. Residential zoning designations range to allow for single-family homes to multi-family developments. The Public zoning designation applies to land owned by a public agency that provides some form of public use, such as the Tri County Fairgrounds facility.

Another element of the land use context includes Bishop Paiute Tribal lands. The Tribe considers land use and planning policies for future development and improvements as an independent and adjacent jurisdiction.

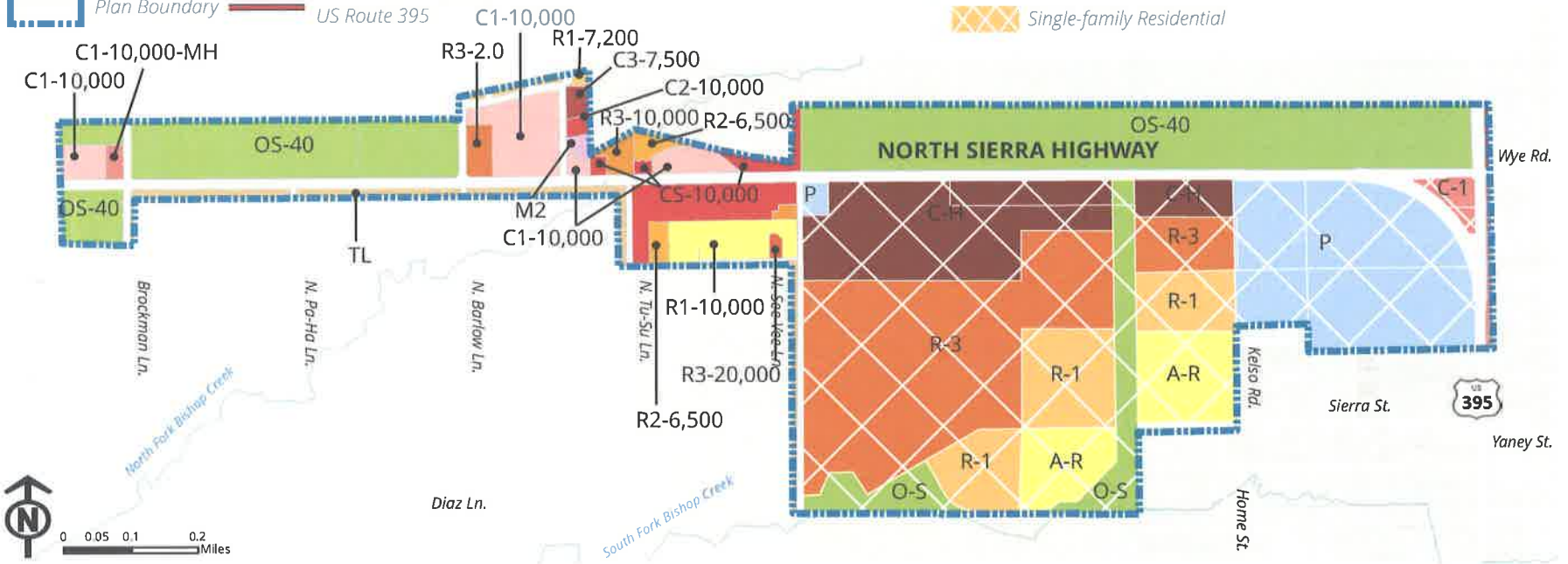
County of Inyo Zoning



City of Bishop Zoning



Map Features



County of Inyo and City of Bishop Zoning Designations

Figure 1-4

Chapter 2
**MOBILITY AND
STREETSCAPE**

The Plan recommends mobility improvements that support connectivity and encourage more diverse and sustainable mobility options. Mobility on the North Sierra Highway and surrounding area has been evaluated extensively in the North Sierra Highway Sustainable Corridor Plan (Corridor Plan). The following recommendations synthesize and carry forward the findings of the Corridor Plan.

2.1 Bicycle and Pedestrian Facilities

Though bicycle and pedestrian facilities are available in some sections of the Plan Area, they lack connectivity. Recommendations support the enhancement of existing facilities, and the creation of new facilities that form a complete bicycle and pedestrian network.



Existing Multi-use Path from N. Sierra Highway to Sierra Street

RECOMMENDATIONS

1. Connect the gaps in sidewalks along the Corridor and through key neighborhood streets. See Figure 2-1, Sidewalks and Pedestrian Crossings.
2. Provide dedicated pedestrian crossings on North Sierra Highway at Brockman Lane, See Vee Lane, and 200 feet east of the fairgrounds; Wye Road and US Route 6; and Main Street across from the Mule Days office. See Figure 2-1, Sidewalks and Pedestrian Crossings.
3. Connect existing bicycle facilities to complete the bicycle network. See Figure 2-3, Bicycle Facilities, Multi-use Paths, and Utility Undergrounding.
4. Provide crossing treatments where bicycle paths cross intersections in order to provide visual cues for both bicyclists and motorists.
5. Provide multi-use paths that accommodate pedestrian, bicycle, and equestrian use. Improve the existing path located at North Sierra Highway to Sierra Street. See Figure 2-2 for a conceptual illustration of a buffered multi-use pathway along North Sierra Highway. For locations of existing and proposed multi-use pathways, see Figure 2-3, Bicycle Facilities, Multi-use Paths, and Utility Undergrounding.

RECOMMENDATIONS

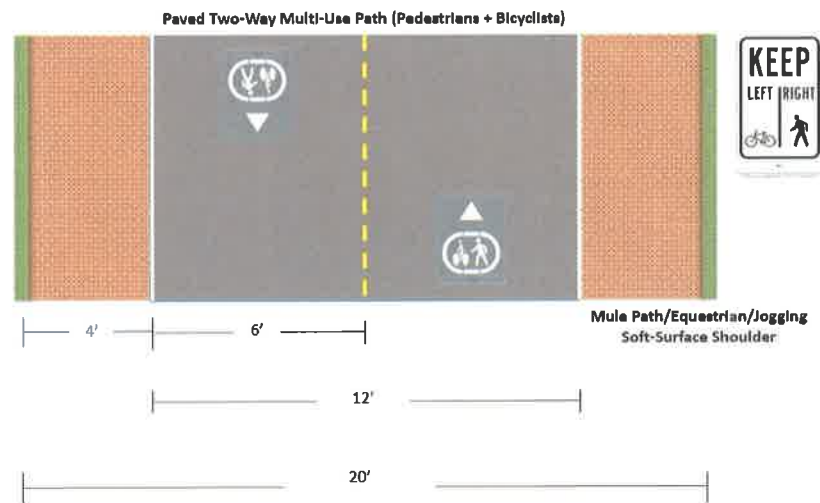
6. Underground utilities along North Sierra Highway in order to eliminate the obstruction of pedestrian facilities and to enhance the viewshed.
7. Encourage shared driveways; reduce curb cuts.
8. Provide street furnishings, including benches, trash receptacles, lighting, and crossing treatments, to enhance the pedestrian and bicyclist experience.



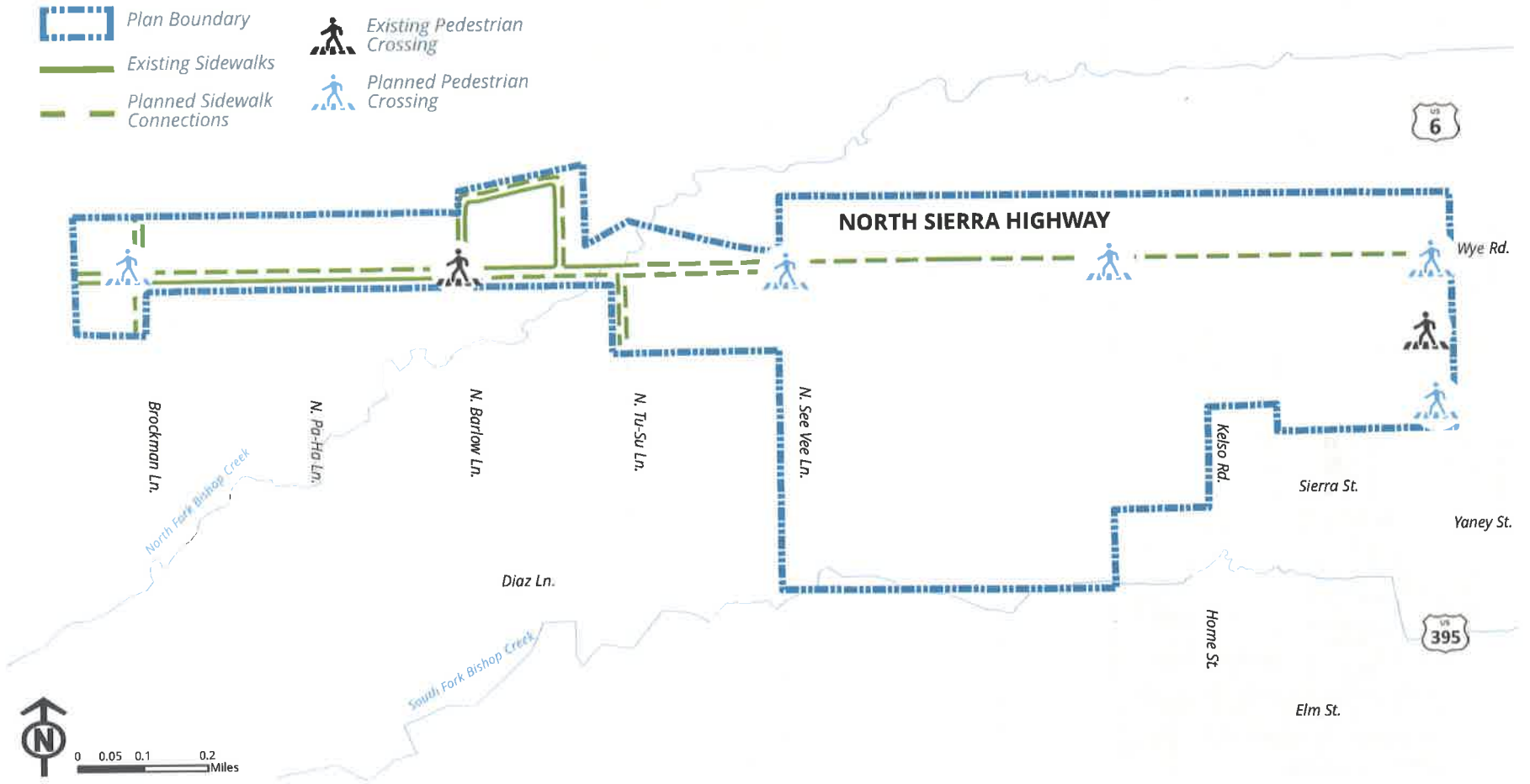
Bicycle Intersection Crossing Treatment



Lack of pedestrian facilities



Multi-Use Path Plan View



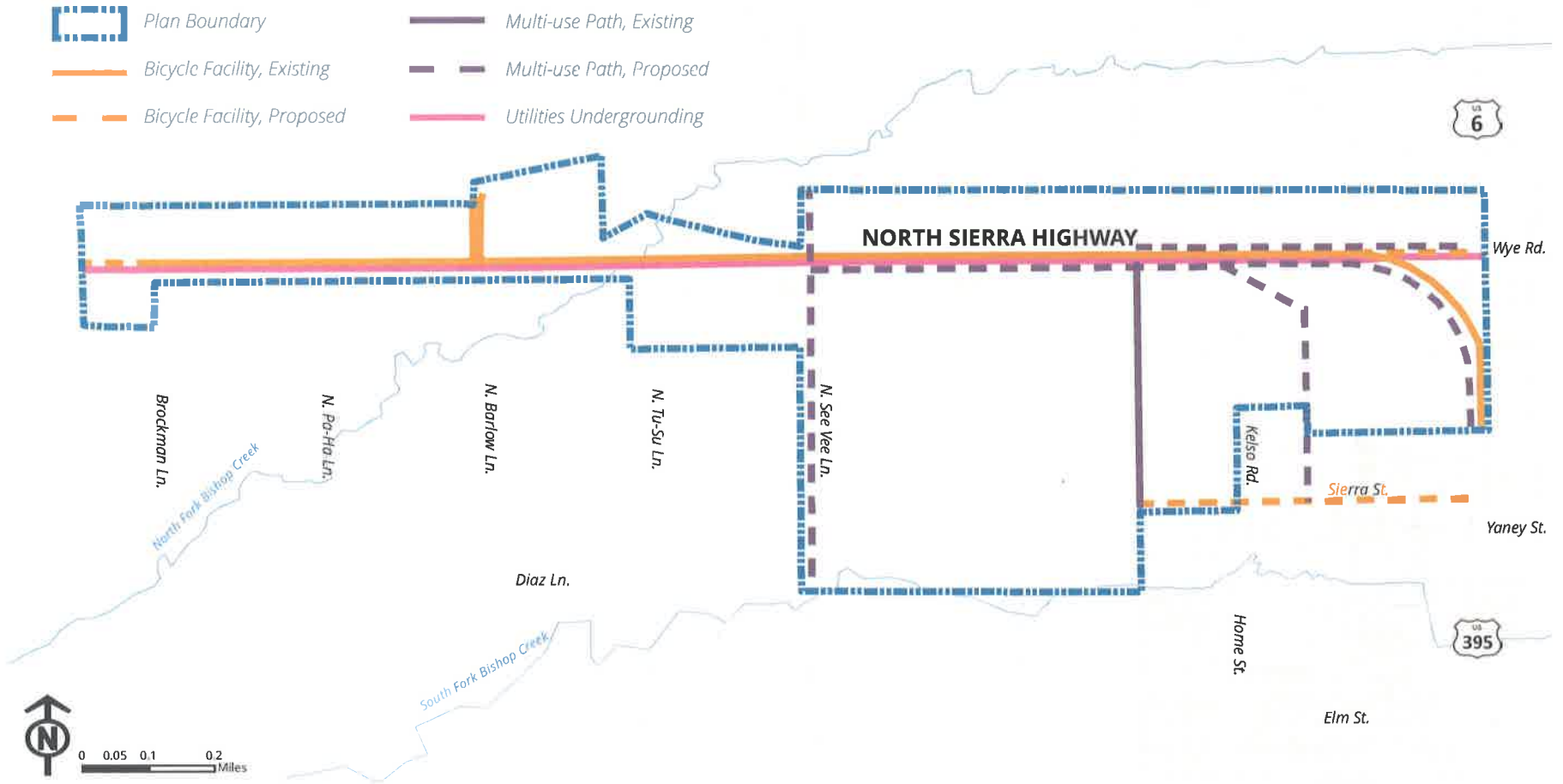
Sidewalks and Pedestrian Crossings

Figure 2-1



North Sierra Highway "Before" and "After" Concepts

Figure 2-2



Bicycle Facilities, Multi-use Paths, and Utility Undergrounding

Figure 2-3

2.2 Transit

Transit services in the Plan Area are provided by the Eastern Sierra Transit Authority (ESTA). ESTA provides limited service within the City of Bishop, and connecting Bishop to the greater Owens Valley.

RECOMMENDATIONS

1. Expand transit services and options.
2. Utilize curb extensions where feasible.
3. Incorporate shelters, seating, lighting, and bus schedules.
4. Provide transit pick-up and drop-off locations that connect to existing and planned pedestrian and bicycle facilities.



Existing Bus Shelter

2.3 Circulation and Parking

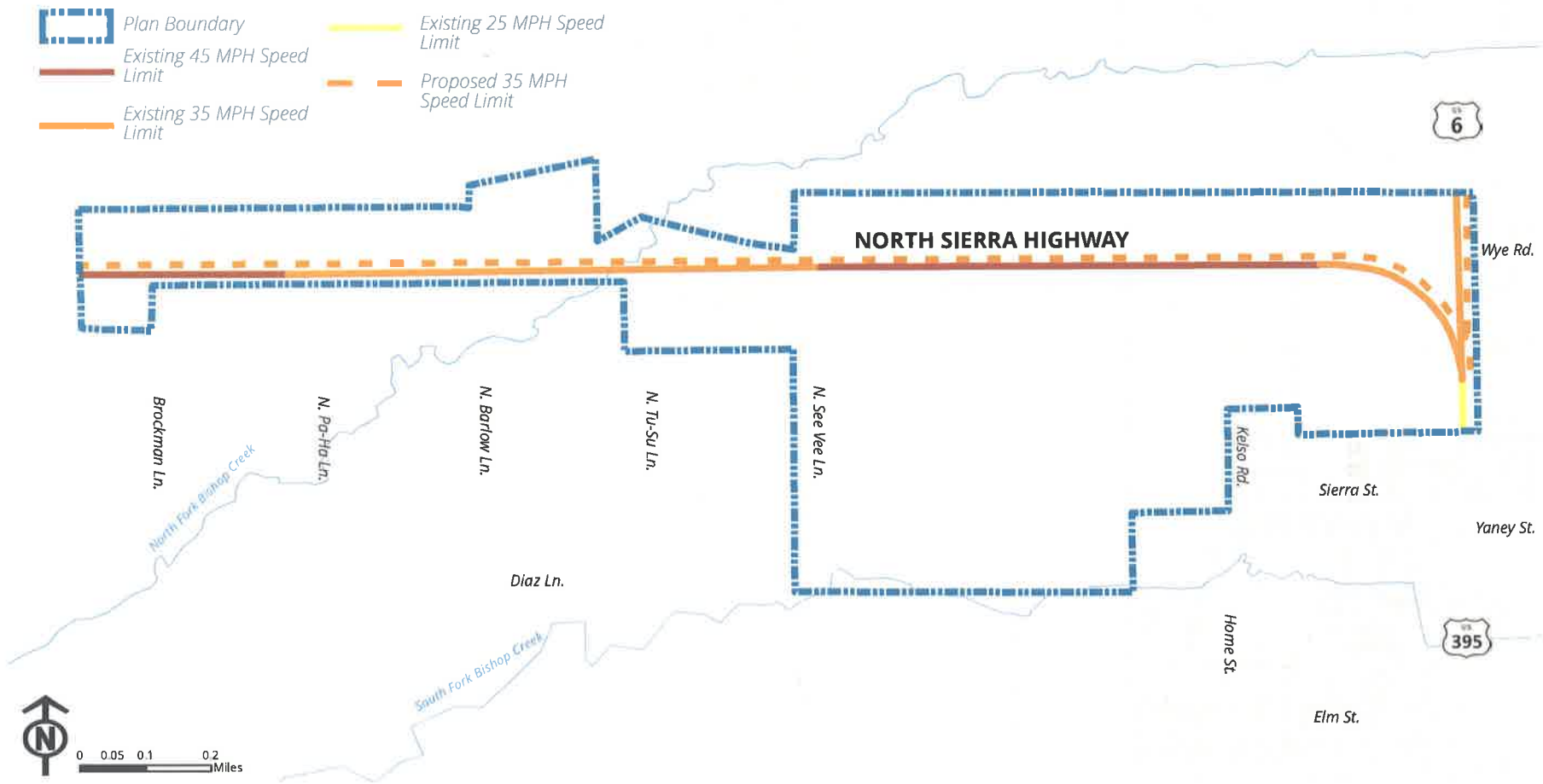
The Corridor Plan area contains the junction of two US Highway routes, US Route 395 and US Route 6, as well as connector roadways and neighborhood streets. Speed limits vary across the plan area, see Figure 2-5 for locations.

RECOMMENDATIONS

1. Install new traffic signals on North Sierra Highway at See Vee Lane and Brockman Lane.
2. Install a pedestrian-activated hybrid beacon or grade separated over-crossing north of the fairgrounds.
3. Establish more consistent speed limits along North Sierra Highway.
4. Reconfigure the "Wye" intersection and adjacent signal systems. See Figure 2-4 for the intersection alternative favored throughout the public outreach process. The reconfiguration will be dependent on engineering analysis, and establishment of funding mechanisms. Other possible alternatives can be found in the Corridor Plan.



Figure 2-4, "Wye" Intersection Reconfiguration Alternative



Speed Limits

Figure 2-5

2.4 Street Amenities

Streetscape amenities can improve the character of the Corridor and enhance the pedestrian experience. A consistent and cohesive style of streetscape amenities can serve to unify the Corridor with downtown Bishop. The following elements will beautify the corridor and neighboring streets while providing a practical purpose. The amenities consist of natural materials that serve to enhance the surroundings and maintain the area's rural feeling. Resulting from community engagement, the following recommendations were received favorably.

Street Furnishings

BENCHES

Benches serve as a welcoming place for pedestrians to rest, enjoy surroundings, or await transportation.

Victor Stanley Classic Collection (or similar)

- Slat seating of wood or recycled plastic
- Ductile iron end frames
- Available in four or six foot lengths
- Optional intermediate armrests



Proposed bench

RECEPTACLES

Receptacles improve the character of the corridor by maintaining a clean pedestrian area free of debris.

Victor Stanley Streetsites Collection (or similar)

- Wood slats in a cylindrical configuration
- Fully welded steel frames
- High density plastic liner
- Rubber-tipped leveling feet on the base
- Lids with or without ash trays optional



Proposed receptacle

FENCES

Fences can separate the public and private realm and improve the pedestrian experience.

Fencecrete America (or similar)

- Precast concrete product consisting of posts and panels that are steel reinforced with integrated color and textured pattern.
- Brick pilasters set atop concrete piers with a wall supported by continuous footing.



Proposed fencing

CROSSINGS

Crossings will enhance the pedestrian experience and provide cues to drivers to reduce their speed and look out for pedestrians. These crossings will be distributed in neighboring areas, parallel to the highway, rather than crossing the highway itself.

Custom Created (or similar)

- Stamped concrete with integral color (designed to give a wood appearance while remaining durable)



Proposed custom crossing treatment

LIGHTING

Lighting will enhance the pedestrian experience by improving visibility and helping to define the connectivity between residential areas, businesses, and destinations. Additional details like banners can provide an opportunity to display and define community identity.

South Coast Lighting and Design, Pacific Family (or similar)

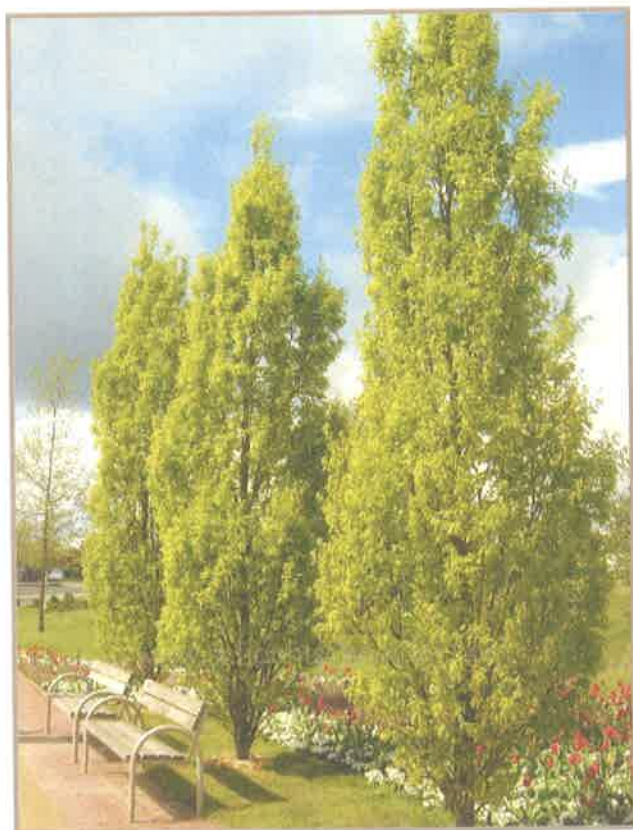


Proposed lighting

Landscaping

Landscaping is an opportunity to add character and visual appeal to the pedestrian environment. Landscaping will consist of drought-tolerant planting that complements the natural environment. Trees may also provide cues to drivers to reduce speeds.

Quercus Robur Fastigiata (Columnar English Oak) (or similar)



Proposed landscaping

Gateway Monuments

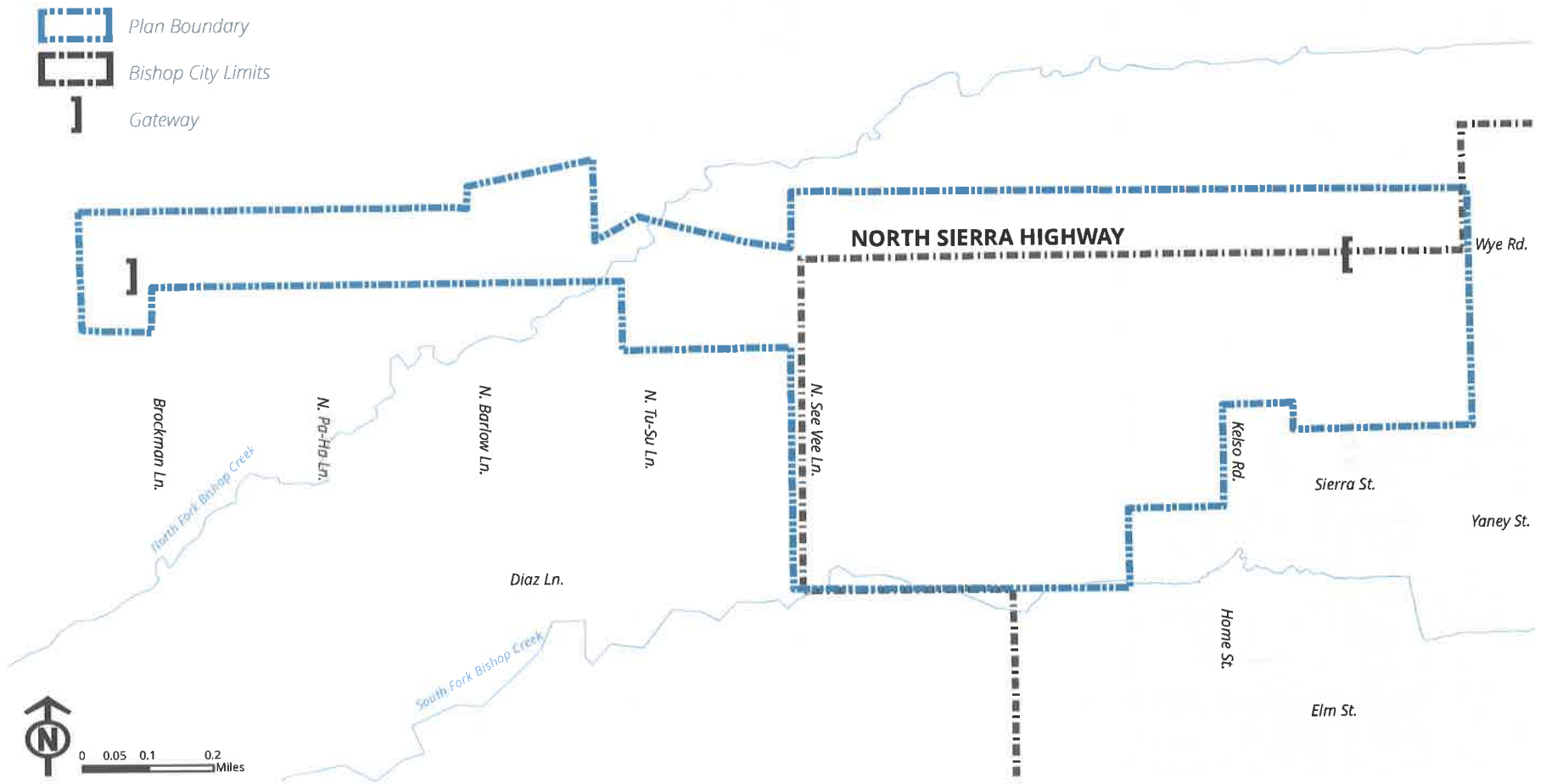
Gateway monuments may contribute to a stronger sense of identity for the North Sierra Highway corridor. Additionally, gateways and associated signage can serve to capture the interest of motorists, thereby slowing automobile traffic. See Figure 2-6 for potential locations.

Wayfinding

A signage program will direct residents and visitors to places of interest around the North Sierra Highway. Directional street signs should be oriented to drivers, with primary wayfinding signs being lit and landscaped at key locations. Possible locations of interest may include the Tri-County fairgrounds, the Paiute Palace casino, and the entrance to the Highlands Community.



Gateway monument example



Potential Locations of Gateway Monuments

Figure 2-6

Chapter 3

KEY OPPORTUNITY SITES AND STRATEGIES

3.1 Introduction

The entire Plan Area was evaluated for potential new development and redevelopment. Through this evaluation, five potential areas were identified (see Figure 3-1, Opportunity Sites Key Map, for locations). Potential opportunity sites were identified based on their current condition as vacant or underutilized, adjacency to existing development and intersections, greater potential for access to infrastructure, and minimal multi-jurisdictional conflicts.

Additionally, through an economic evaluation, uses were identified as economically viable for the North Sierra Highway Corridor. These identified uses were carefully considered, and conceptual graphic illustratives for four sites (Figures 3-2, 3-3, 3-4, and 3-5) were created based on the identified uses and current site conditions. For the fifth site, a conceptual narrative is provided. The following sections describe economic and LADWP considerations, followed by more specific information for each of the identified five key opportunity sites.

Economic Conditions

Economic and market conditions for the Plan Area were evaluated by Economic & Planning Systems (EPS), considering the regional, Inyo County and City of Bishop settings. Opportunities for the Plan Area were identified for sectors including information technology, manufacturing, health/education, and tourism, resulting in the following potential uses:

- Office sites, business park
- Industrial, wholesale-retail sites, maker spaces
- Medical and education
- Retail center/visitor services

In addition, affordable housing was identified as a potential near-term use. Other considerations affecting the timing and type of future development include:

- Alignment of multiple jurisdictions - County, City, Caltrans, Paiute Tribe
- City land ownership
- LA Department of Water and Power land ownership
- Tri County Fairgrounds
- Paiute Palace Casino/hotel expansion

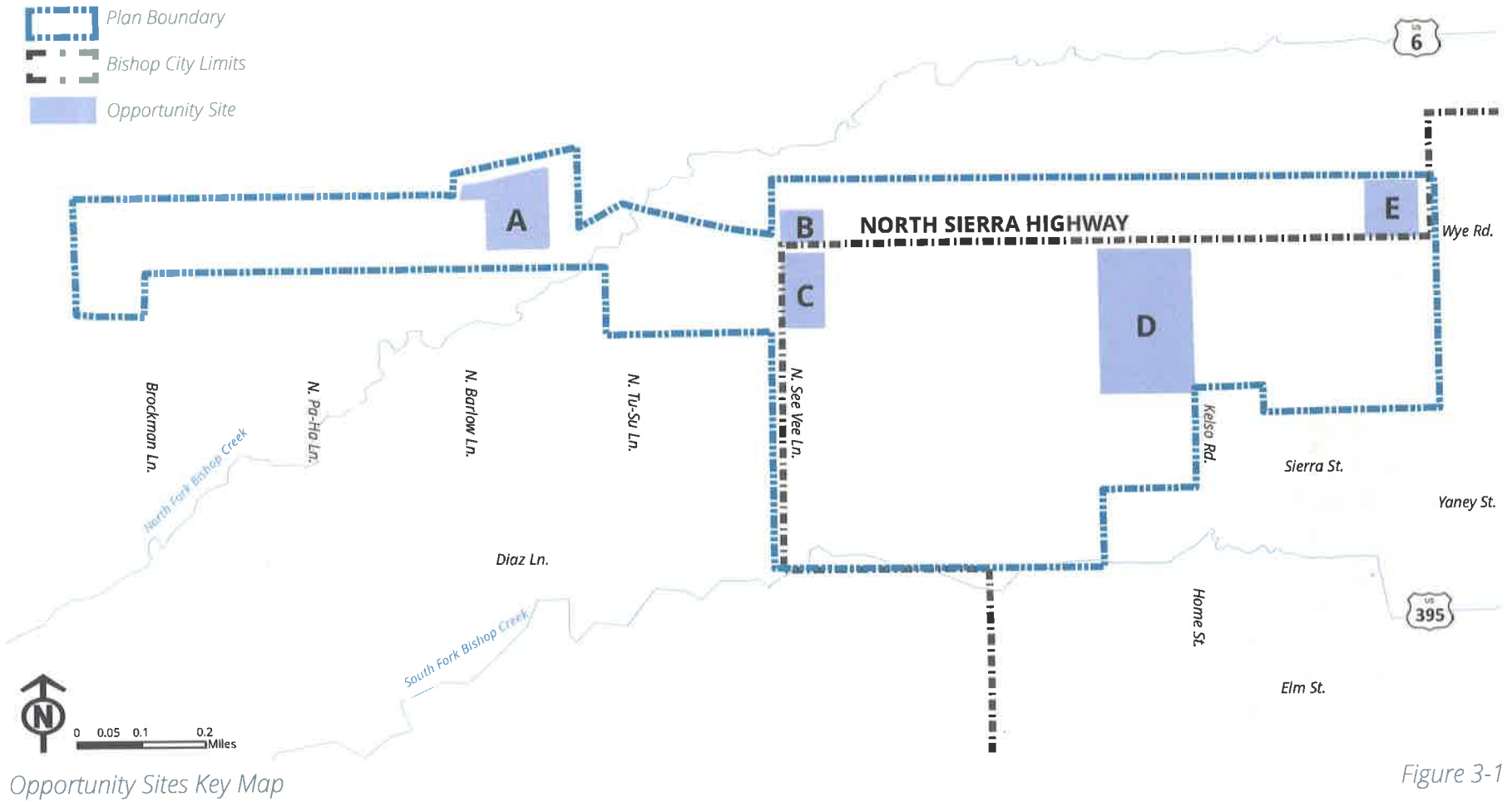


Figure 3-1

LADWP Considerations

Many parcels within the Plan Area are under ownership and management of the LADWP. Future potential development on these sites is subject to existing agreement terms and agency policies regarding the divestment of properties. The agreement between the County of Inyo and the City of Los Angeles and its Department of Water and Power govern the Long-Term Groundwater Management Plan for Owens Valley and Inyo County. Appendix A provides properties identified for divestment. In addition, divestment of DWP lands includes the following considerations:

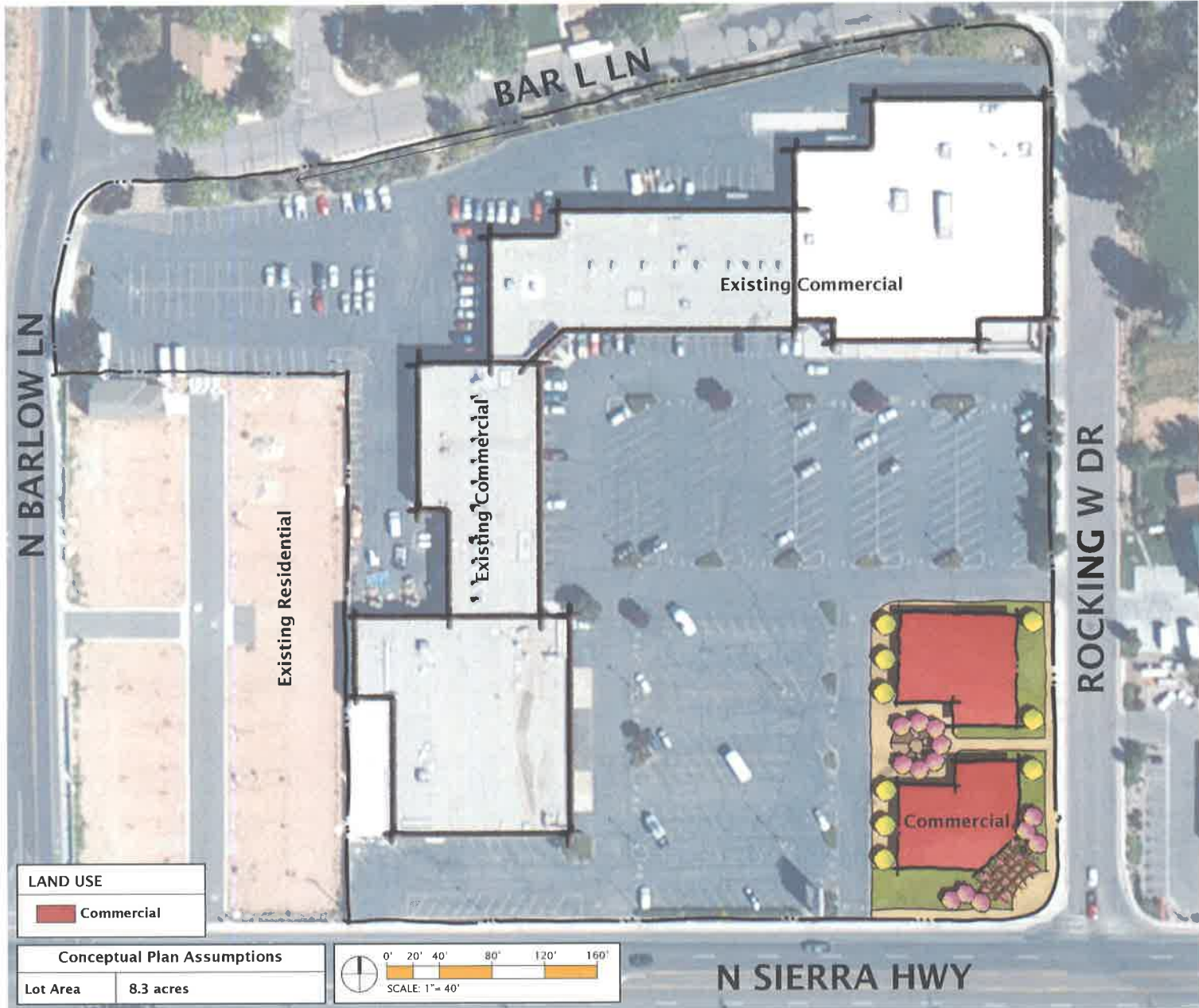
- Any divestment of land is regulated by the City of Los Angeles Charter and Administrative Code.
- Land in question must be under the control and management of the LADWP.
- The land is no longer needed for LADWP or other City operations.
- The divestment of the land is in the best interest of the City of Los Angeles.
- Any divestment must be approved by the Board of Commissioners for LADWP and then by the Los Angeles City Council.
- All divestments will be evaluated on a case-by-case basis.
- Any divestment must be consistent with laws that govern the City of Los Angeles.

3.2 Opportunity Sites

Opportunity Site A

Located at the northwest corner of North Sierra Highway and Rocking W Drive, the existing Bishop Plaza shopping center is partially vacant and a candidate for revitalization to serve both residents and visitors. The approximately 8.3-acre site provides a short-term opportunity to repurpose the viable building stock, as well as a long-term opportunity to redevelop the site to provide for residential uses.

In the short-term, the currently underutilized south east corner provides opportunity for infill development. Both existing building stock as well as infill development could accommodate economically-viable commercial uses, including retail and service-oriented businesses. With this preliminary concept, commercial uses would realize greater visibility along the highway and create an attractive and pedestrian-oriented street presence. Access and circulation could be provided from North Sierra Highway and Rocking W Drive.



Opportunity Site A Short-Term

Figure 3-2

In the long-term, the building stock in the rear could be redeveloped to provide for multifamily residential and amenities. The highway-fronting section of the site would still be utilized for infill commercial development for both nearby residents as well as visitors.

The site is located within the jurisdiction of Inyo County. Currently, the zoning designation is General Commercial Retail (C1-10,000) that establishes a 3-story, 40-foot building height maximum and 0-foot setbacks for front, side and rear yards. No minimum distance between buildings is required. Adjustments to zoning land uses and development standards may be required to accommodate the proposed land use mix.

To support site redevelopment, existing infrastructure for water and sewer services would be adequate. Water services are currently provided by Meadowcreek Mutual Water Company. Sewer services are currently provided by Eastern Sierra Community Service District.



Opportunity Site A Long-Term

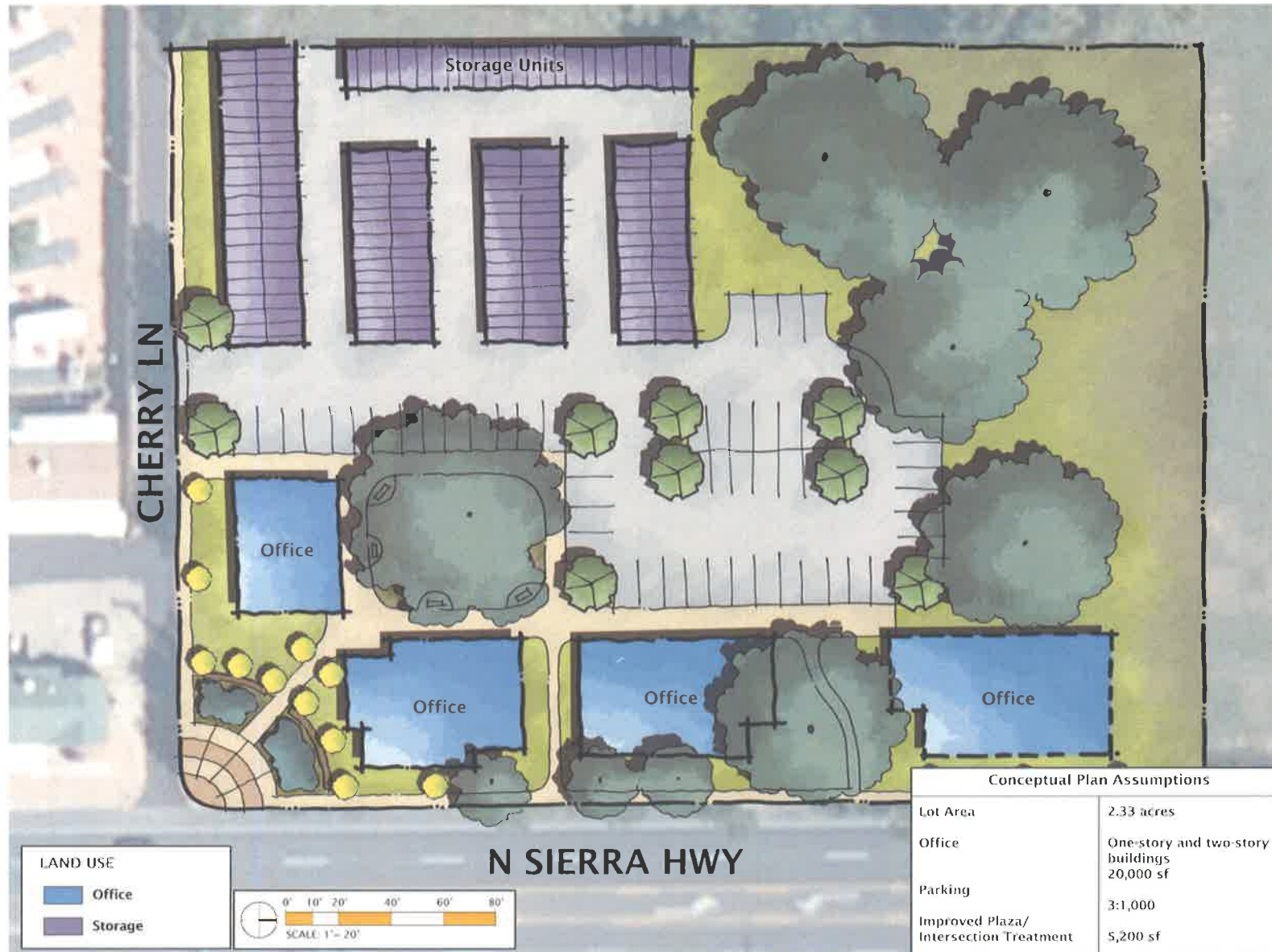
Figure 3-2

Opportunity Site B

Located at the northwest corner of North Sierra Highway and Cherry Lane/See Vee Lane, the approximately 2.33-acre, primarily vacant property could accommodate office and storage uses. The conceptual graphic depicts a design that would take access from Cherry Lane/See Vee Lane and take advantage of the traffic signal installation at this location. Office uses would be broken into several buildings fronting North Sierra Highway with storage units provided to the rear, buffered from highway view and providing a low-intensity use next to the residential Highland's RV Park. A corner plaza would provide an opportunity for pedestrian access, public art, and landscaping. The conceptual design considers site context by integrating and preserving a number of existing trees.

The site is located within the jurisdiction of Inyo County and is under LADWP land ownership. Currently, the zoning designation is Open Space (OS-40) with development standards primarily addressing farm and ranch development. Current zoning establishes a 2.5-story, 35-foot building height maximum and 10-foot minimum distance between. Fifty-foot setbacks are identified for front, side and rear yards. Adjustments to zoning land uses and development standards would be needed to accommodate the proposed land use mix.

To support site development, infrastructure improvements would be needed. Water services could be provided by Meadowcreek Mutual Water Company, Highlands Mobile Home Park or Owens Valley Water Company. Water infrastructure improvements needed to serve new development would include installation of a new water service line. For sewer services, the site is located within the Eastern Sierra Community Service District. Sewer infrastructure improvements would entail hooking into an existing, adjacent line. Please refer to Section 4.6 for preliminary cost estimates for needed improvements.



Opportunity Site B

Figure 3-3

Opportunity Site C

Located at the southwest corner of North Sierra Highway and See Vee Lane, the approximately 5.27-acre, underutilized site is a candidate for redevelopment due to its positioning adjacent to existing development and new signalized intersection. This opportunity site could accommodate medical office uses near North Sierra Highway with residential apartment uses to the rear. The conceptual design retains tree and waterway features with centralized parking. Apartments are supported by a park with a tot lot and back on to the natural area to the south. A corner plaza would provide an opportunity for pedestrian access, public art, and landscaping.

The site is located within the jurisdiction of the City of Bishop and is under LADWP land ownership. Currently, the zoning designation is Public (P)/Commercial Highway Services (C-H) and an emergency services building exists on a portion of the site. Development standards include a 30-foot, 2-story building height maximum and setbacks for front, rear, and side yards are 15 feet, 10 feet and 0 feet, respectively. Adjustments to zoning land uses and development standards would be needed to accommodate the proposed land use mix.

To support site development, infrastructure improvements would be needed. The site is within the jurisdiction of the City of Bishop for both water (utilizing an ESCSD line) and sewer services. Water infrastructure improvements needed to serve new development would include installation of a new water service line. Sewer infrastructure improvements would entail extending a sewer line from Sierra Street or Kelso Road. Please refer to Section 4.6 for preliminary cost estimates for needed improvements.



Opportunity Site C

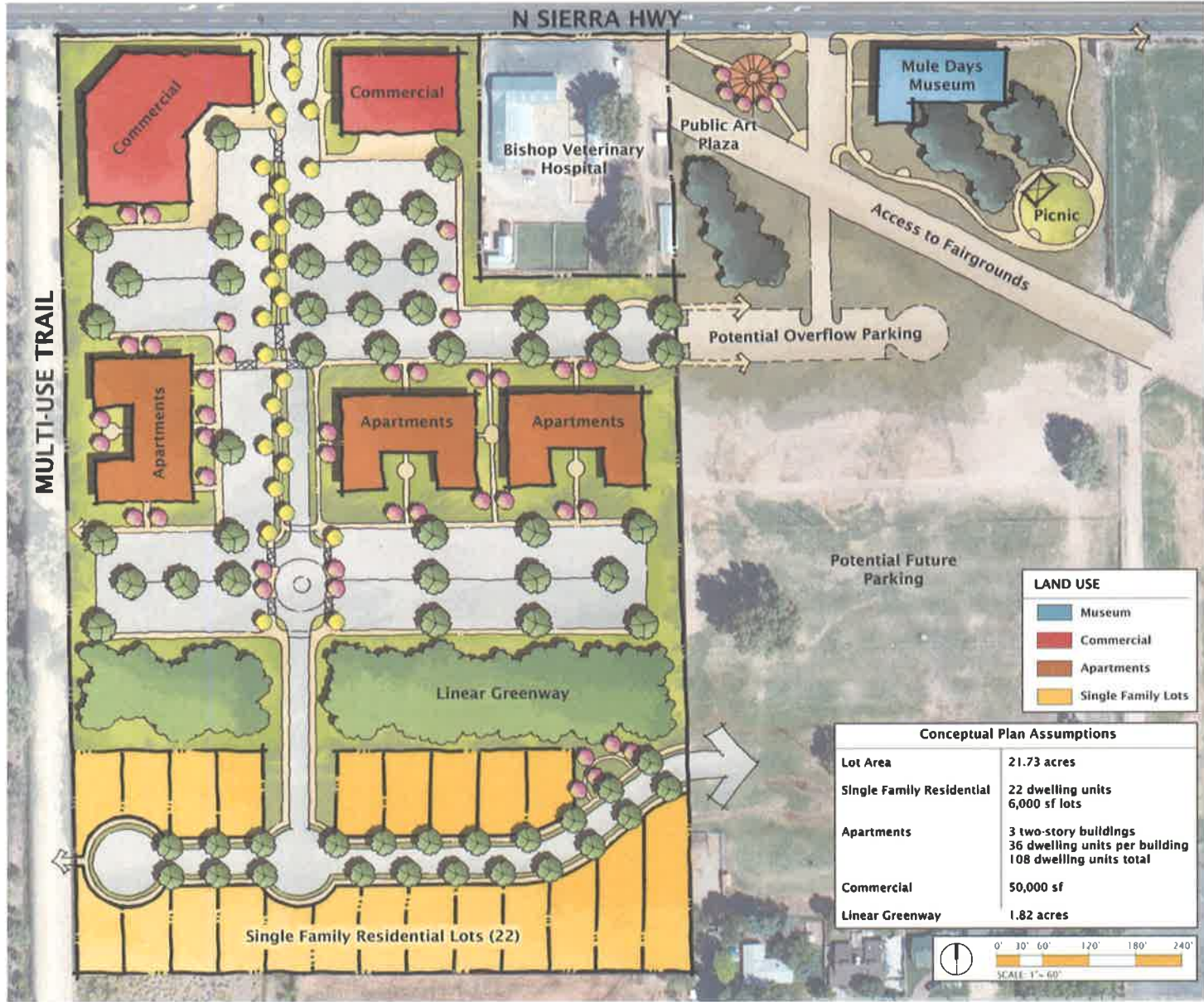
Figure 3-4

Opportunity Site D

Located to the west of the Tri County Fairgrounds and east of the existing multi-use path, the approximately 22-acre vacant site provides the opportunity to carry out uses envisioned in the City of Bishop General Plan and provide support for the Fairgrounds, including a potential location for a Mule Days Museum. Commercial uses are grouped near North Sierra Highway and the Bishop Veterinary Hospital, while apartments provide a transition between commercial uses and single-family residential uses to the south. Pedestrian connections are provided throughout and amenities include a linear greenway for the residential neighborhood. A public plaza with gateway and public art potential could be located along North Sierra Highway that could provide an entry treatment for access to the Fairgrounds. Vehicular connections link to Fairgrounds overflow parking or future improvements.

The site is located within the jurisdiction of the City of Bishop and is under LADWP land ownership. Currently, the zoning designation is Commercial Highway (C-H), Multiple Residential (R-3), and Single-Family Residential (R-1). Development standards include a 30-foot, 2-story building height maximum for commercial uses and 26 feet for residential uses. Commercial building setbacks for front, rear, and side yards are 15 feet, 10 feet and 0 feet, respectively, and residential setbacks for front, rear, and side yards are 10 feet, 5 feet, and 10 feet, respectively. Adjustments to zoning land uses and development standards may be needed to accommodate the proposed land use mix.

To support site development, infrastructure improvements would be needed. The site is within the jurisdiction of the City of Bishop for both water and sewer services. Water infrastructure improvements needed to serve new development would include installation of a new water service line. Sewer infrastructure improvements would entail extending a sewer line from Sierra Street or Kelso Road. Please refer to Section 4.6 for preliminary cost estimates for needed improvements.



Opportunity Site D

Figure 3-5

Opportunity Site E

Located at the northwest corner of State Route 6 and Wye Road, the approximately 4.8-acre, vacant site is adjacent to existing development on three sides. Uniquely situated near the confluence of two State highways, this location could be well suited to provide trucking and motorist services. Truck drivers currently can be seen resting along the undeveloped shoulder of State Route 6. As this potential use concept is less fully developed, a companion graphic is not provided. However, preliminary suggestions for this site received through public engagement would be to provide a truck/motorist support center to potentially include fuel, food, services and overnight accommodations.

The site is located within the jurisdiction of Inyo County and is under LADWP land ownership. Currently, the zoning designation is Open Space (OS-40) with development standards primarily addressing farm and ranch development. Current zoning establishes a 2.5-story, 35-foot building height maximum and 10-foot minimum distance between. Fifty-foot setbacks are identified for front, side and rear yards. Adjustments to zoning land uses and development standards would be needed to accommodate the proposed land use mix.

To support site development, infrastructure improvements would be needed. The site is within the jurisdiction of the City of Bishop for water services and within the jurisdiction of the Eastern Sierra Community Services District for sewer services. Water infrastructure improvements needed to serve new development would include installation of a new water service line. Sewer infrastructure improvements would entail hooking into an existing, adjacent line. Please refer to Section 4.6 for preliminary cost estimates for needed improvements.

Chapter 4
IMPLEMENTATION

4.1 Introduction

This chapter identifies strategies and actions that are necessary to implement the desired community benefits and public improvements identified within the Plan. Implementation requires a coordinated program of public and private action. Public improvements are especially important, as they add value to improving the highway area and lay the foundation for future private investment, in a sense “priming the pump,” and inspiring property owners, merchants, and investors to do the same. Each action will be guided, and in some cases carried out, by various County or City departments over time and included in the capital improvements program in an effort to ensure that community benefits and public infrastructure improvements remain a part of the ongoing operation of the respective jurisdictions. In some cases further study and analysis may be required to find realistic and timely solutions to implementation recommendations.

Each of the actions identified within this chapter and throughout the Plan document will be carried out by the private sector as development occurs over time and by the County or City through additional policy initiatives, regulatory governance, administrative programs, and capital investment. Monitoring of the effectiveness of the implementation program will be conducted commensurate with the County's and City's regular budget cycles. The Implementation Action Plan contains a summary of actions proposed within the Specific Plan and provides direction related to the responsible parties, timing and potential funding sources associated with the item.

4.2 Attracting Private Investments and Public Funding Benefits

This document identifies key opportunity sites within the study area that are potentially the most prone for redevelopment and the ultimate goal is to attract desired private investment. Broadly speaking, the following details two major ways that the County or City can facilitate desirable private development.

1. By creating a “conducive development environment” that is consistent with prevailing market demand for various land uses. This may include the following type of actions or policies:
 - a. Zoning that is responsive to market needs, such as rezoning key opportunity sites or establishing a Specific Plan for the Plan area
 - b. Establishing an agreement or basic understanding of what the Los Angeles Department of Water is willing to do with their property and document a process that is agreeable to both the local municipality and property owner. This will in turn minimize the guessing game/bureaucracy for a developer and yield an attractive investment opportunity
 - c. Improving mobility options ranging from vehicles, transit, bicycle and pedestrian modes

- d. Creating incentives in the form of new zoning, streamlined permitting, increased residential density, additional commercial square footage (FAR), and flexibility in development standards through a new development permit process to encourage lot consolidation and redevelopment of vacant, underutilized, and deteriorated properties
- e. Area-wide amenity investments, including streetscape improvements, landscaping, and signage
- f. Site-specific infrastructure and other necessary improvements
- g. Marketing of the Plan area to consumers, developers, and prospective business tenants
- h. Technical assistance to Plan area businesses

1. By providing direct or indirect financial incentives to area businesses, property owners, and key development projects. This can involve the following types of initiatives:
 - a. Waiving or reducing various local fees and taxes
 - b. Providing loans and/or grants for various business and property improvement purposes such as building façade renovations
 - c. Investing in site- or projects-specific infrastructure
 - d. Assisting in relocation of existing businesses
 - e. Creating ‘opportunity sites’ by making City-owned properties in the Specific Plan area available for appropriate development.

A key advantage to adopting a Specific Plan and certifying the Environmental Impact Report (EIR) is that it provides a vehicle for expedited approval of development proposals that are consistent with the community vision established by the Specific Plan. Developers consistently cite this type of provision as a key factor in selecting the communities where they will pursue projects. It is essential that the adopted plan reduce the need for discretionary approvals for projects that fall within the development ‘envelope’ established by the Specific Plan and streamline the subsequent CEQA requirements.

4.3 Key Development Opportunity Sites

A goal of the Plan is to identify development opportunities within the study area that would help to catalyze economic growth and revitalization. Thus, along with a series of City initiated public improvements, corresponding private development opportunities are also recommended. As described in Chapter 3, the Plan identifies five key opportunity sites for new development and redevelopment located on sites adjacent to existing development and utilities. The case studies represent potential development opportunities to be explored. These case studies are highly conceptual in nature and are only provided as illustrations of future potential. Any future project proposed on these sites will require staff review, public comment, and public hearings before any decision making occurs.

4.4 Potential Funding Mechanisms

In addition to County and City General Fund and Capital Improvement Programs, a variety of funding sources and financing opportunities can be pursued to implement Plan recommendations and specific improvements. Potential sources include federal, state, regional, local and private sources and are listed and described in Chapter 3 of the adopted North Sierra Highway Corridor Plan.

4.5 Implementation Action Plan

The vision and goals presented in the Plan are supported by the following Implementation Action Plan (Table 6-1). The Implementation Action Plan provides a summary of Plan recommendations and is presented in a table format providing a clear listing of major programs, projects, and actions needed for implementation.

The table is organized by topic, listing regulatory and programmatic actions in the first section, followed by improvements and studies in the second section. For each action item, the lead agency and support agency or department for the respective jurisdiction is listed under the responsibility heading followed by an indication of priority of the action and funding sources that would be most closely associated with the activity.

It is intended that the list of public actions be incorporated into the annual budgets of the implementing agencies, such as the City of Bishop and County of Inyo, as part of the annual budget setting process and included in the respective Capital Improvement Plan for executions. It should be noted that all actions listed in the action plan below must be authorized and initiated by City Council, Board of Supervisors and/or other official body.

Action Item	Timing	Responsibility		Potential Funding Sources
		Lead	Support/Coordination	
Regulatory Actions				
North Sierra Highway (NSH) Plan: Adopt Plan	1	County, City		Caltrans Grant
Specific Plan: Prepare a specific plan for the plan area and amend respective zoning and General Plan as needed	2	County, City	Caltrans, DWP	Grants/General Fund
Improvement Projects				
ADA Improvements: Install ADA-compliant pedestrian ramps at NSH intersections	1	County, City	Caltrans	SHOPP, ATP
Sidewalk Extensions: Fill sidewalk gaps in Plan area with 6-foot sidewalks, curb, and gutter	1	County, City	Caltrans	SHOPP, ATP, EPA, CDC, HUD
Multi-use Trails (Phase 1): Install two multi-use trails (south side of NSH between See Vee Lane and fairgrounds and east side of See Vee Lane between NSH and West Line Street)	1	County, City	DWP	Caltrans, ATP, EPA, CDC, HUD, CMAQ
Landscaping (Phase 1): Install landscaping in areas behind curb (on both sides of NSH between Brockman Land and See Vee Lane, and on the south side of NSH between See Vee Lane and fairgrounds)	2	County, City	Caltrans	CARE, EEMP
Pedestrian Lighting: Install pedestrian-scale lighting (or highway street lighting, as appropriate)	2	County, City	Caltrans	ATP, Inyo County Local Transportation Commission CIP, General Fund

Implementation Action Plan Matrix

Table 4-1

Action Item	Timing	Responsibility		Potential Funding Sources
		Lead	Support/Coordination	
Wayfinding Signage: Install consistent and recognizable wayfinding and parking access signage for destinations, services, and businesses	2,3	County, City	Caltrans	ATP, Inyo County Local Transportation Commission CIP, General Fund
Roadway Lighting: Install high downlighting on roadway segments where needed	2	County, City	Caltrans	ATP, Inyo County Local Transportation Commission CIP, General Fund
Streetscape Amenities: In areas adjacent to sidewalks and multi-use pathways, install hard surface areas, bicycle racks, benches and other street furniture	2	County, City	Caltrans	SHOPP, EPA, CDC, HUD, Chamber of Commerce, Business Improvement District?, League of American Bicyclists
Fairgrounds-Adjacent Improvements: Expand/improve existing sidewalk along Fairgrounds bend as a multi-use pathway, provide new Fairgrounds access/egress areas	2	Caltrans, Tri-County Fairgrounds, City	DWP	EPA, CDC, HUD
North-South Multi-Use Pathway: Install north-south, 12-foot wide multi-use path connection on the west side of the Fairgrounds and parallel to Fair Street	2	Tri-County Fairgrounds, City	DWP	EPA, CDC, HUD
Street Extensions: Plan and construct new streets and street extensions as recommended in the Corridor Plan	2	County, City	DWP	SHOPP, private development

Implementation Action Plan Matrix (continued)

Table 4-1

Action Item	Timing	Responsibility		Potential Funding Sources
		Lead	Support/Coordination	
West Gateway at Brockman Lane: Install gateway feature(s) at NSH/Brockman Lane	2	County	Caltrans, DWP	Chamber of Commerce, Business Improvement District
Public Parking: Establish/install public parking areas and shared parking areas	2,3	County, City	DWP, Bishop Paiute Tribe, Chamber of Commerce	STIP, SHOPP, Development Impact Fees, Chamber of Commerce, Bishop Paiute Tribe, Business Improvement District
Transit Technology: Implement transit operator and transit user ITS and technology advancements to improve transit/rideshare operations and user convenience	2	ESTA, Other Rideshare Services		Federal Transit Administration (FTA)
Multi-Use Paths (Phase 2): Install an off-street two-way multi-use path on the north side of NSH from See Vee Lane to US Route 6	3	County, City	DWP	ATP, EPA, CDC, HUD
Traffic Signal at NSH/Brockman Lane: Signalize intersection, install pedestrian countdown signal heads and timers	3	Caltrans, County		Caltrans District 9 Operations, SHOPP
Landscaping (Phase 2): Install landscaping in areas behind curb (on north side of NSH between See Vee Lane and Fairgrounds)	3	County, City	Caltrans	CARE, EEMP

Implementation Action Plan Matrix (continued)

Table 4-1

Action Item	Timing	Responsibility		Potential Funding Sources
		Lead	Support/Coordination	
East Gateway and Overcrossing: Install community/corridor gateway feature(s) potentially including multi-use overpass of NSH west of Fairgrounds	3	County, City, Caltrans	Chamber of Commerce, DWP	ATP, EPA, CDC, HUD
Wye Road Area Improvements: Modifications/improvements to Wye Road/ US Route 6 (signalization or alternative design), improvements to NSH bend, realignment and signalization of N. Main Street and east side Kmart/Vons driveway.	3	County, City	DWP, Tri-County Fairgrounds	HSIP, STIP, Chamber of Commerce, Business Improvement District
Autonomous Vehicles: Test and implement autonomous vehicle paratransit and ride-matching service for the Plan area and beyond	3	Caltrans, County, City	ESTA	PVEA
Underground Utilities: Replace existing overhead utilities with underground utilities where practical	3	Caltrans, Utility Providers	County, City, DWP	Private Development
Programs and Studies				
Speed Limits: Evaluate speed limits to facilitate establishing a consistent, appropriate speed limit along NSH for the Plan area	1	Caltrans	County, City	Caltrans District 9 Operations, SHOPP
Wayfinding and Gateway Program: Prepare a wayfinding and gateway program serving motorists, bicyclists and pedestrians	1	County, City, Chamber of Commerce	Tri-County Fairgrounds, Bishop Paiute Tribe	ATP, Inyo County Local Transportation Commission CIP, General Fund

Implementation Action Plan Matrix (continued)

Table 4-1

Action Item	Timing	Responsibility		Potential Funding Sources
		Lead	Support/Coordination	
Infrastructure Study: Identify needs and costs to implement infrastructure improvements to support development in the Plan area	1	County, City	Utility and Service Providers	General Fund, CIP
Branding Package: Develop a branding package including message, themes, and graphics	1	County, City, Chamber of Commerce	Tri-County Fairgrounds	General Fund, Business Improvement District
Business Incentives: Develop a menu of business incentives such as streamlined application review or waive/defer fees	2	County, City	Chamber of Commerce	General Fund
<p>Timing: 1 = Early Implementation (1-3 years) 2 = Near Term Implementation (4-10 years) 3 = Long Term Implementation (10-20 years)</p> <p>Funding Source Acronyms: ATP = Caltrans Active Transportation Program CARE = Community Action for a Renewed Environment CDC = Centers for Disease Control Community Transformation Grants CIP = Capital Improvement Program (City or County) CMAQ = Congestion Mitigation and Air Quality Program EEMP = Environmental Enhancement and Mitigation Program EPA = Environmental Protection Agency Partnership for Sustainable Communities Program FTA = Federal Transit Administration HSIP = Highway Safety Improvement Program HUD = US Department of Housing and Urban Development Community Development Block Grants PVEA = Petroleum Violation Escrow Account SHOPP = Caltrans State Highway Operation and Protection Program STIP = State Transportation Improvement Program</p>				

Implementation Action Plan Matrix (continued)

Table 4-1

4.6 Preliminary Cost Estimates

Preliminary cost estimates have been prepared for infrastructure improvements identified to support development of the opportunity sites discussed in Chapter 3 (see Table 4-2). Infrastructure improvement costs are estimated for individual sites, however, possible cost savings may be realized by developing nearby opportunity sites simultaneously. The provided costs should be considered rough estimates and, while not worst case, are generally 10-15% above median. Where water improvement costs provide a range, the upper end of the range is reflective of the need for an additional well to support development.

In addition, preliminary cost estimates have been prepared for multi-use trail recommendations contained in Chapter 2 (see Table 4-3). Trail improvement costs are estimated for individual trails, however, possible cost savings may be realized by developing trails simultaneously. The provided costs should be considered rough estimates and, while not worst case, are generally 10-15% above median. California Environmental Quality Act (CEQA) costs are near worst case, and could possibly be significantly less. If CEQA analysis for multiple trails is conducted simultaneously, there is significant potential for cost savings.

Opportunity Site	Improvements to Sewer System	System to Provide Sewer	Sewer Improvement Cost Estimate	Improvements to Water System	System to Provide Water	Water Improvement Cost Estimate
Site A	No Change/ Existing	Eastern Sierra Community Services District (ESCSD)	\$0	No Change/ Existing	Meadowcreek Mutual Water District	\$0
Site B	Hook in to Existing Adjacent Line	ESCSD	\$150,000	Provide New Service Line	Meadowcreek Mutual Water District, Highlands Mobile Home Park or Owens Valley Water District	\$500,000 to \$1.5 million
Site C	Hook in to Existing Adjacent Line	City of Bishop (utilizing ESCSD line)	\$400,000	Provide New Service Line	City of Bishop	\$500,000 to \$1.5 million
Site D	Extend from Sierra Street Line	City of Bishop	\$400,000	Provide New Service Line	City of Bishop	\$600,000
Site E	Hook in to Existing Adjacent Line	ESCSD	\$150,000	Provide New Service Line	City of Bishop	\$1,000,000

Infrastructure Extension Cost Estimates

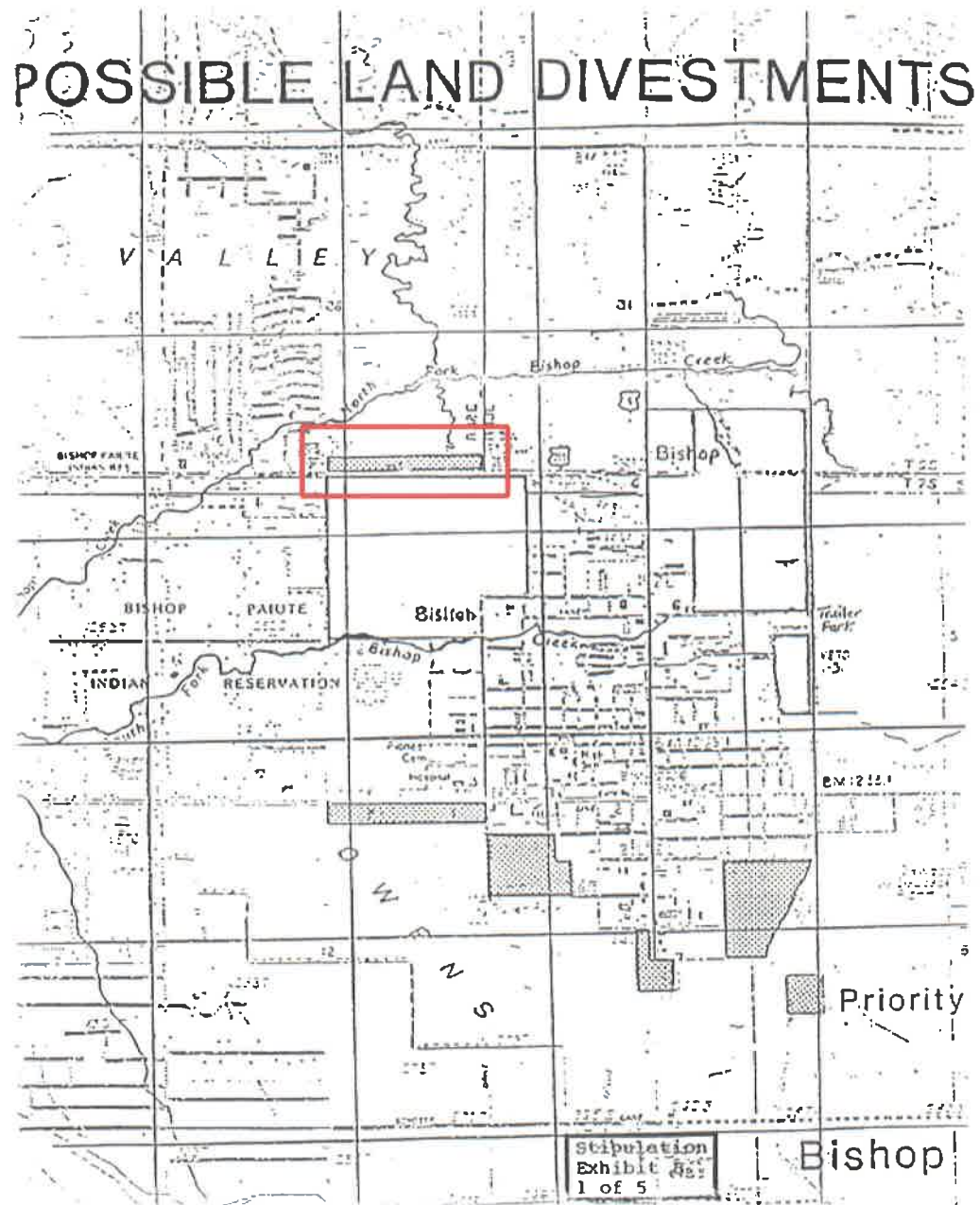
Table 4-2

Multi-Use Trail	Approximate Length	CEQA Costs	Estimated Construction Costs
South Side of North Sierra Highway, See Vee Lane to Fairgrounds	4,200 feet	\$250,000	\$480,000
East Side of See Vee Lane, North Sierra Highway to Proposed Town Trail	4,200 feet	\$250,000	\$480,000
Cherry Lane, North Sierra Highway to Choctaw	3,200 feet	\$250,000	\$360,000
North Side of North Sierra Highway, See Vee Lane to Highway 6	3,200 feet	\$250,000	\$600,000

Multi-Use Trail Cost Estimates

Table 4-3

Chapter A
APPENDIX



LADWP Possible Land Divestments



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

15

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin Carunchio, Clerk of the Board, County Administrator
BY: Darcy Ellis, Assistant Clerk of the Board

FOR THE BOARD MEETING OF: January 9, 2018

SUBJECT: Approval of Board of Supervisors meeting minutes

DEPARTMENTAL RECOMMENDATION: Request Board approve the minutes of the regular Board of Supervisors meetings of December 5, 2017 and December 12, 2017.

SUMMARY DISCUSSION: The Board is required to keep minutes of its proceedings. Once the Board has approved the minutes as requested, the minutes will be made available to the public via the County's webpage, www.inyocounty.us.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE: _____ Date: 12-29-17
(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

16

- Consent Departmental Correspondence Action Public Hearing
Scheduled Time for 11:00 a.m. Closed Session Informational

FROM: County Administrator/County Counsel/Planning/Public Works/Agricultural Commissioner

FOR THE BOARD MEETING OF: January 9, 2018

SUBJECT: Commercial Cannabis Regulation Ordinances

DEPARTMENTAL RECOMMENDATION:

Recommend your Board:

1. Conduct a public hearing and consider directing any additional modifications on the following actions regarding commercial cannabis activities affecting the unincorporated areas of Inyo County:
 - a proposed ordinance titled “AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING SECTION 18.06.030, AND ADDING SECTIONS, 18.06.161, 18.06.162, 18.06.163, 18.06.181, 18.06.182, 18.12.040, 18.21.040, 18.44.030, 18.45.030, 18.48.030, 18.49.040, 18.56.040, 18.57.040, AND 18.78.360 OF THE INYO COUNTY CODE”, approving Zone Reclassification No. 2017-05/Inyo County - Commercial Cannabis Activities (Attachment 1);
 - a proposed ordinance titled “AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, ADDING CHAPTER 18.82 TO THE INYO COUNTY CODE”, approving Zone Reclassification No. 2017-06/Inyo County Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation (Attachment 2);
 - a proposed ordinance titled ‘AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, ADDING CHAPTER 5.40 TO THE INYO COUNTY CODE” (Attachment 3);
2. Approve a resolution titled “A Resolution of the Board of Supervisors of the County Of Inyo, State of California” (Attachment 4), regarding the above zone reclassifications and certifying that the provisions of the California Environmental Quality Act (CEQA) have been met and making certain findings with respect to and approving Zone Reclassification No. 2017-05/Inyo County - Commercial Cannabis Activities; Zone Reclassification No. Zone Reclassification No. 2017-06/Inyo County Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation; and, An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 5.40 to the Inyo County Code;
3. Introduce and waive further reading of the above referenced Ordinances approving Zone Reclassification No. 2017-05/Inyo County - Commercial Cannabis Activities; Zone Reclassification No. 2017-06/Inyo County Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation; and An Ordinance Adding Chapter 5.40 Commercial Cannabis Business License to the Inyo County Code and schedule the enactment for 11:00 a.m., Tuesday, January 16, 2018 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

SUMMARY DISCUSSION:

Background

Over the past year, under the direction of your Board, staff has been working on land-use and business license regulations for commercial cannabis activities. After numerous Board of Supervisors workshops and seventeen public meetings, your Board directed staff to begin the codification process. This began with a presentation, public hearing, and recommendations on the Landuse Ordinances from the Planning Commission on December 20, 2017. The Planning Commission subsequently recommended that your Board adopt the draft ordinances with several changes. Your Board and the Planning Commission then held a joint meeting on January 2, 2018 to discuss the Commission's recommendations. After a presentation, public comment period and a lengthy discussion on the recommendations from the Planning Commission, your Board directed staff to include and analyze one of the Planning Commission's recommendations that considers the possibility of allowing for non-volatile manufacturing in the Rural Residential Zone.

Analyses of Permitting Non-Volatile Manufacturing in the Rural Residential Zone

As directed by your Board at its January 2, 2018 meeting, a version of the current proposed draft land use ordinance allowing for non-volatile manufacturing in the Rural Residential Zone, as well as, for micro-businesses that can include cultivation and manufacturing is included as (Attachment 5). **However, staff does not recommend this change remain in the land-use ordinance ultimately adopted by your Board for the following reasons:**

- A. Manufacturing is not allowed as a principle or conditionally permitted use in any of the county's residential zones, including property zoned Rural Residential;
- B. Under State Law, a jurisdiction must be able to make a finding that for proposed zone changes are consistent with its General Plan as the zoning code is intended to implement General Plan policy. It is unlikely that the County can make the necessary consistency finding to add non-volatile manufacturing and microbusinesses to Rural Residential zoning as its corresponding General Plan designations do not include these uses.
- C. To the extent that, in directing the possible inclusion of non-volatile manufacturing and microbusinesses as conditionally permitted uses in Rural Residential zones, your Board was persuaded by the need or desirability for a cultivator to be able to use a "shaker box" to collect "trichomes" from the plant in conjunction with the harvesting process. It appears that current State Law already includes and permits this activity under its definition of "cultivation" making further changes to the land-use ordinance unnecessary. The state's definition of cultivation is: "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis". And furthermore, State Law excludes these activities from the definition of manufacture with: "The term "manufacture" does not include the following:
 - (A) The repacking of cannabis products from a bulk shipping container by a distributor or dispensary where the product's original packaging and labeling is not otherwise altered;
 - (B) The placing of cannabis products into opaque packaging at a retail premises for purpose of complying with section 26070.1 of the Act; or
 - (C) The collection of the glandular trichomes that are dislodged from the cannabis plant incident to cultivation activities".Cultivation activities as defined by the state would be allowed in the Rural Residential zone by the County conditionally permitting cultivation, and the use of shaker box would not require also allowing manufacturing as a use.

- D. Even if your Board were to modify the proposed draft land-use ordinance to allow for non-volatile manufacturing and microbusinesses through the County zoning and proposed commercial cannabis business license code, current State emergency regulations would prohibit the issuance of a State microbusiness license unless the County also allowed either retail or distribution to occur in conjunction with the cultivation and manufacturing. State emergency regulations currently require a microbusiness to conduct three out of four of these activities and there was no discussion by or indication of support from your Board for allowing either commercial cannabis retail or distribution activities to occur on Rural Residential property.

However, if your Board is inclined proceed with allowing non-volatile manufacturing as well as, micro-businesses that can include cultivation and manufacturing in the Rural Residential Zone, then staff recommends that your Board postpone enactment of the ordinance to allow further review as to what additional changes to the proposed County regulations may be recommended to effect this one change. For example, it may be necessary to create a new definition of “cultivation” in the County Code, and it may be wise to understand the entire range – and associated land use impacts – associated with non-volatile manufacturing that goes beyond shaking tri-chomes from the plant.

Alternately, your Board could take a “wait and see” approach and consider modifications to the commercial cannabis regulations – including allowing non-volatile manufacturing as well as, micro-businesses that can include cultivation and manufacturing – after implementation of the initial County ordinances can be evaluated and final State regulations can be better analyzed.

Proposed Ordinances

Staff is asking your Board to introduce and conduct a public hearing on the proposed ordinances and potentially schedule them for adoption at a future meeting, in full or with specific changes (such as deleting the recent addition to provide non-volatile manufacturing and microbusinesses in the Rural Residential Zone). Updates to the ordinances that occurred after January 2, 2018, are highlighted in Attachment 5.

The proposed changes to Title 18 - Inyo County Zoning Code, regarding Commercial Cannabis Activities directed by your Board **on** January 2, 2018 include:

Rural Residential - 18.21

Non-volatile manufacturing and micro-businesses were also proposed to be allowed in the Rural Residential zone. **However, again, for reasons cited above, staff recommends not including these changes in the ordinance ultimately enacted by your Board.**

Proposed changes to Title 18 - Inyo County Zoning Code, regarding Commercial Cannabis Activities directed by your Board **prior** to January 2, 2018 (Attachment 1) include:

Open Space - 18.12

The Open Space Zone is proposed to allow for: commercial cannabis cultivation with 300-foot setbacks from all parcel lot lines; commercial cannabis manufacturing (with non-volatile solvents); and, cannabis micro-businesses.

Rural Residential - 18.21

With regard to the County's residential zones, commercial cannabis cultivation is only proposed for the Rural Residential zone and on parcels greater than 12-acres with a 300-foot setback from all parcel lot lines. There is an exception to this for the Stewart Valley and Charleston View areas located in Zone 5G. In these areas, cultivation is proposed to be allowed on parcels zoned Rural Residential that are 2.5-acres and greater and subject to any design guidelines and other conditions and regulations that may be required by the County.

Commercial Zones – Central Business-18.44, General Commercial and Retail-18.45, Highway Service and Tourist Commercial-18.48

These zones are proposed to allow for: commercial cannabis retail and delivery, distributors, and microbusiness.

Commercial Zone – Heavy Commercial 18.49

The Heavy Commercial Zone is proposed to allow for: commercial cannabis manufacturing (with non-volatile solvents), testing facilities, transportation and distribution, and microbusiness.

Industrial Zone – Light Industrial 18.56

The Light Industrial Zone is proposed to allow for: commercial cannabis cultivation (indoor only and subject to odor, noise and visual resource mitigation requirements), manufacturing (with non-volatile solvents), testing facilities, transportation and distribution, and microbusiness.

Industrial Zone – General Industrial and Extractive 18.57

The General Industrial and Extractive Zone is proposed to allow for: commercial cannabis cultivation (indoor only and subject to odor, noise and visual resource mitigation requirements), manufacturing (with volatile solvents), manufacturing (with non-volatile solvents), testing facilities, transportation and distribution, and microbusiness.

General Regulations 18.78

As an addition to Chapter 18.78 (General Regulations) of County Code, Section 18.78.360, subdivisions (A) and (B), propose to require all commercial cannabis projects to obtain a conditional use permit. The conditional use permit process will ensure that an evaluation pursuant to the California Environmental Quality Act is conducted for each application and that a noticed hearing is held with the Planning Commission that provides the opportunity and a forum for the public to comment. Section 18.78.360 (C) adds the proposed 600-foot additional buffers around parks, libraries and the Olancho School property located at 123 School Road, Olancho, CA 93545; and Section 18.78.360 (D) adds the 1,000-foot buffer restricting smoking while children are present around parks and libraries. The ability to require additional conditions above and beyond the minimum standards, is spelled out specifically for commercial cannabis activities in proposed 18.78.360 (E). Finally, 18.78.360 (F) proposes a larger radius of 1,500-feet than the 300-foot legal requirement for all other Planning Commission hearings for noticing hearings related to all commercial cannabis conditional use permits.

Environmental Review

Zone Reclassification 2017-05/Inyo County - Commercial Cannabis Activities, is Exempt from CEQA by SB 94 as it exempts, from CEQA, the adoption of an ordinance or regulation by a local jurisdiction if the ordinance or regulation requires discretionary review and approval of local permits or licenses for a commercial cannabis activity. All commercial cannabis activities will be required by this proposed Ordinance to obtain a conditional use permit, which requires discretionary approval.

Proposed Title 18 Ordinance Adding Chapter 18.82 - Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation

Commercial cannabis activities can be considered controversial and potentially impactful to the surrounding areas where they are permitted. In light of this, a proposed amendment to the Inyo County Code adding Chapter 18.82 (Attachment 2) is included. It sets forth special expedited abatement procedures for nuisances caused by commercial cannabis cultivation. This ordinance allows nuisances caused by cannabis cultivation to be addressed much more swiftly than possible through the existing Title 22 - Code Enforcement procedures. This is also aimed at preventing cultivators from delaying the abatement process until they are able to harvest the nuisance creating crops and thereby “abate” the nuisance and avoid the enforcement process. To do so, Chapter 18.82 as proposed sets forth a time frame where once a possible nuisance violation is received and a notice of violation is sent, a hearing can be held five days later, potentially resulting in an order directing the property owner to abate the nuisance within two days. If the nuisance is not abated as ordered, then the County may conduct whatever actions are necessary (including obtaining any required court orders) to abate at the cost to the owner/occupant. Under Title 22, this process can take 135 days or more.

Environmental Review

Zone Reclassification No. 2017-06/Inyo County – Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation is Exempt from CEQA as the proposed regulations will not directly impact the environment, and are not subject to CEQA, per the General Rule [CEQA Guidelines Section 15060(C)(2)]. Enforcement actions pursuant to the new chapter Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation is consistent with the classes of projects deemed exempt from CEQA pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of the Environment).

The Planning Commission held a Public Hearing on December 20, 2017 took public comment, made certain findings (Attachment 5, Planning Commission Staff Report) and voted to recommend that your Board Certify that ZR 2017-05 and ZR 2017-06 are exempt from CEQA and recommended that your Board approve both with recommended changes to: Rural Residential Zone (as described above) with a vote of 3-1 (one member was absent); recommended changes to Section 18.78.360 noticing requirement to be 300-ft, with vote of 3-1 (one member was absent); and, to adopt with a vote of 4-0 (one member was absent).

Proposed Ordinance adding Chapter 5.40 to Title 5 Business Licenses and Regulations

The DRAFT Business License Ordinance (Attachment 3) includes descriptions and a maps attachment of license zones. These are specific areas in the County, based primarily on Supervisorial Districts, and developed solely for the purpose of Cannabis Business License allocation.

The Business License Ordinance also proposes minimum application scoring evaluation criteria. These criteria were developed and subsequently updated based on what was important to the public and people representing business interests. They are meant to be used for application evaluations and are not prerequisites or requirements. Criteria that was especially important based on comments are: mitigations to impacts on police and fire services; residency considerations for operators and for hiring residents and proposed wages; and, community benefit plans that identify projects that will benefit local schools, community organizations and events. A business license renewal process is also included in the proposed DRAFT Business License Ordinance. It gives the Board of Supervisors the ability to review and adjust the permits as it deems appropriate.

Environmental Review

An Ordinance adding Chapter 5.40 to Title 5 Business Licenses and Regulation is Exempt from CEQA by SB 94 as it exempts, from CEQA, the adoption of an ordinance or regulation by a local jurisdiction if the ordinance or regulation requires discretionary review and approval of local permits or licenses for a

commercial cannabis activity. The issuance of a County of Inyo commercial cannabis business license will require a discretionary approval. In addition, anyone who is granted such a business license will be required to obtain a conditional use permit, which also requires discretionary approval.

ALTERNATIVES:


Your Board can provide direction on any of the proposed ordinances in their entirety, or provide direction with respect to specific policy considerations within each ordinance.






OTHER AGENCY INVOLVEMENT:

County departments and other local and state agencies.

FINANCING:

Other than consulting costs and staff time, there is no additional cost associated with considering the proposed regulations. Funding for HdL's consulting services is encumbered in the budget. The Fiscal Year 2017-2018 Board Approved Budget does not contemplate or rely on any revenue, or provide additional staffing, associated with the possible permitting and operation of commercial cannabis businesses occurring in 2018. At this time, the County is focused on developing the best possible public policies to meet the needs and desires of the community with regard to cannabis activities.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>1/4/18</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

- DEPARTMENT HEAD SIGNATURE:**
(Not to be signed until all approvals are received)  Date: 01-04-2018
- DEPARTMENT HEAD SIGNATURE:**
(Not to be signed until all approvals are received)  Date: 1/4/18
- DEPARTMENT HEAD SIGNATURE:**
(Not to be signed until all approvals are received)  Date: 1/4/18
- DEPARTMENT HEAD SIGNATURE:**
(Not to be signed until all approvals are received)  Date: 1-4-18
- DEPARTMENT HEAD SIGNATURE:**
(Not to be signed until all approvals are received)  Date: 1/4/18

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING SECTIONS 18.06.030, 18.12.040, 18.21.040, 18.44.030, 18.45.030, 18.48.030, 18.49.040, 18.56.040, AND 18.57.040, AND ADDING SECTIONS 18.06.161, 18.06.162, 18.06.163, 18.06.181, 18.06.182, AND 18.78.360 TO THE INYO COUNTY CODE

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION ONE. Purpose/Authority.

The purpose of this ordinance is to add to and amend sections of the County Zoning Ordinance, set forth in Title 18 of the Inyo County Code, to allow for the orderly development of commercial cannabis activities, while protecting the health, safety and welfare of Inyo County citizens, in the Open Space, Rural Residential, Central Business, General Commercial and Retail, Highway Services and Tourist Commercial, Heavy Commercial, Light Industrial and General Industrial and Extractive Zones and to add standards guiding commercial cannabis activities to be consistent with both California law and the goals of the Inyo County General Plan ED-4 and AG-1.2. This ordinance is enacted pursuant to the authority given this Board of Supervisors by the California Planning and Zoning Law, set forth in Government Code 65000 et seq., which authorizes a county to enact ordinances governing the uses of land within its jurisdiction.

SECTION TWO. Section 18.06.30 of the Inyo County Code is amended in its entirety to read as follows:

“18.06.030 Agriculture.

"Agriculture" means the tilling of soil, the raising of crops, horticulture, small livestock farming, dairying or animal husbandry, including all uses customarily incidental thereto, but not including cannabis cultivation, slaughterhouses, fertilizer works, bone yards or plants for the reduction of animal matter or any other industrial or agricultural use which is determined by the Planning Commission to be similarly objectionable because of noise, odor, smoke, dust or fumes.”

SECTION THREE. The Inyo County Code is amended to add section 18.06.161 as follows:

“18.06.161 Cannabis.

“Cannabis " means all parts of the plant Cannabis sativa Linnaeus., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include (a) industrial hemp, as defined in Section 11018.5 of the California Health and Safety Code as may be amended; or (b) The weight of any other

ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.”

SECTION FOUR. The Inyo County Code is amended to add section 18.06.162 as follows:

“18.06.162 Cannabis Accessories.

“Cannabis accessories” means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis or cannabis products into the human body.”

SECTION FIVE. The Inyo County Code is amended to add section 18.06.163 as follows:

“18.06.163 Cannabis Products.

“Cannabis products” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.”

SECTION SIX. The Inyo County Code is amended to add section 18.06.181 as follows:

“18.06.181 Commercial Cannabis Activity.

“Commercial cannabis activity” means any commercial business activity relating to cannabis, including but not limited to cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, and selling (wholesale and/or retail sales) of cannabis and any ancillary products and accessories in the unincorporated area of the County, whether or not carried on for gain or profit.”

SECTION SEVEN. The Inyo County Code is amended to add section 18.06.182 as follows:

“18.06.182 Commercial Cannabis Conditional Use Permit Classification.

Commercial cannabis conditional use permits potentially available under this Title 18 shall, at a minimum, be as follows:

- A. Cultivation Permit for commercial activity involving activity involving the planning, growing, harvesting, drying, curing, grading, or trimming of cannabis.
- B. Classification 6, "Manufacturing Level 1, for sites that manufacture cannabis products using nonvolatile solvents, or no solvents.
- C. Classification 7, Manufacturing Level 2, "for sites that manufacture cannabis products using volatile solvents.
- D. Classification 8, Testing Laboratory.
- E. Classification 10, "Retailer," for the retail sale and delivery of marijuana cannabis or marijuana cannabis products to customers.
- F. Classification 11, "Distributor" for the distribution of marijuana cannabis and marijuana cannabis products.

- G. Classification 12, "Microbusiness" for the cultivation of marijuana on an area less than 10,000-square-feet and to act as a licensed distributor, Level 1 manufacturer, and/or retailer."

SECTION EIGHT. Inyo County Code Section 18.12.040, Open Space – Conditional Uses, is amended to add subsections N, O, and P as follows:

"N. Commercial cannabis cultivation, which shall be three hundred (300) feet from all parcel lot lines, and shall comply with otherwise applicable yard requirements.

"O. Non-volatile cannabis manufacturing pursuant to commercial cannabis license classification 6.

"P. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section."

SECTION NINE. Inyo County Code Section 18.21.040, Rural Residential – Conditional Uses, is amended to add subsections H and I as follows:

"H. Commercial cannabis cultivation on parcels greater than twelve (12) acres, such cultivation shall be at least three hundred (300) feet from all parcel lot lines."

"I. Commercial cannabis cultivation on parcels greater than 2.5 acres shall be allowed only in the areas commonly known as Stewart Valley and Charleston View and subject to any design guidelines and other conditions and regulations, including set-backs, that may be promulgated or required by the County.

SECTION TEN. Inyo County Code Section 18.44.030, Central Business – Conditional Uses, is amended to add subsections H, I, and J as follows:

"H. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

"I. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

"J. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section."

SECTION ELEVEN. Inyo County Code Section 18.45.030, General Commercial and Retail – Conditional Uses, is amended to add subsections K, L, and M as follows:

"K. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

"L. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

"M. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section."

SECTION TWELVE. Inyo County Code Section 18.48.030, Highway Services and Tourist Commercial – Conditional Uses, is amended to add subsections L, M, and N as follows:

"L. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

“M. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

“N. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION THIRTEEN. Inyo County Code Section 18.49.040, Heavy Commercial – Conditional Uses, is amended to add subsections K, L, M, and N as follows:

“K. Non-volatile cannabis manufacturing pursuant to commercial cannabis license classification 6;

“L. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;

“M. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;

“N. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION FOURTEEN. Inyo County Code Section 18.56.040, Light Industrial – Conditional Uses, is amended to add subsections G, H, I, J, and K as follows:

“G. Commercial cannabis cultivation shall be conducted indoors only, and subject to odor, noise and visual resource mitigation requirements;

“H. Non-volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 6;

“I. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;

“J. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;

“K. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION FIFTEEN. Inyo County Code Section 18.57.040, General Industrial and Extractive – Conditional Uses, is amended to add subsections G, H, I, J, K, and L as follows:

“G. Commercial cannabis cultivation shall be conducted indoors only, and subject to odor, noise and visual resource mitigation requirements;

“H. Non-volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 6;

“I. Volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 7;

“J. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;

“K. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;

“L. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION SIXTEEN. The Inyo County Code is amended to add Section 18.78.360 as follows:

“18.78.360 Commercial Cannabis.

A. Conditional use permits are required in all instances of land use involving commercial cannabis activities. Issuance of any conditional use permit for commercial cannabis activities shall be contingent upon the commercial cannabis activity being conducted in compliance with all applicable State and local laws, including but not limited to Inyo County Code Chapters 3.50 (taxes) and 5.40 (business license). The business license required by Chapter 5.40 shall be obtained prior to the planning commission holding a hearing on an application for a conditional use permit pursuant to this section.

B. Conditional use permits for commercial cannabis activities are potentially available as follows:

1. Cultivation - in the Open Space, Rural Residential, Heavy Industrial and Extractive, and Light Industrial zones;
2. Manufacturer Level 1 - in the Open Space, Heavy Commercial, Light Industrial and Heavy Industrial and Extractive zones;
3. Manufacturer Level 2 - in the General Industrial and Extractive zone;
4. Retailer - in the Central Business, General Commercial and Retail, Highway Service and Tourist Commercial; Distributor – in the Heavy Commercial, General Industrial and Extractive and Light Industrial zones; and,
5. Microbusiness – in the Open Space, Heavy Commercial, General Industrial and Extractive and Light Industrial zones so long as the authorized microbusiness does not otherwise expand the types of permitted land uses within said zones.

C. Consistent with California Business and Professions Code section 26054(b), no commercial cannabis activities shall be conditionally permitted on a parcel within a 600-foot radius of 123 School Road, Olancho CA 93545, or a park or library in existence at the time the conditional use permit application is deemed complete by the Inyo County Planning Department. This section shall not include the area commonly known as “Laws”, provided that any cultivation in Laws shall be indoors and subject to odor mitigation requirements.

D. Consistent with California Health and Safety Code section 11362.3, no conditional use permit authorizing the smoking of cannabis or cannabis products shall be issued for a parcel within 1,000-feet of a park or library while children are present at any such facility.

E. Additional conditions beyond the minimum standards may be required to mitigate potential impacts identified in the County’s consideration of an application for a conditional use permit for commercial cannabis activity, including, but not limited to, measures to eliminate odor, unnatural light pollution and impacts to visual resources.

F. In addition to any requirements set forth in Inyo County Code Chapter 18.81, notice shall be provided to all properties located within 1,500-feet of the property the commercial cannabis activity is proposed on.”

SECTION SEVENTEEN.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such a

decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

SECTION EIGHTEEN. Effective date.

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption thereof, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of Inyo, State of California in accordance with Government Code Section 25124(b). The Clerk of the Board is hereby instructed and ordered to so publish a summary of this Ordinance together with the names of the Board voting for and against same.

PASSED AND ADOPTED this _____, by the following vote of the Inyo County Board of Supervisors:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Dan Totheroh, Chairperson

ATTEST: Kevin Carrunchio
Clerk to the Board

By: _____
Darcy Ellis, Assistant

**CHAPTER 18.82
EXPEDITED ABATEMENT PROCEDURE FOR NUISANCES CAUSED BY CANNABIS
CULTIVATION**

- 18.82.010 - Findings, Purpose and Authority**
- 18.82.020 - Consistency with Title 22**
- 18.82.030 - Scope of Chapter**
- 18.82.040 - Summary Abatement**
- 18.82.050 - Standard Abatement**
- 18.82.060 - Administrative Order to Show Cause**
- 18.82.070 - Service of Notice and Order to Show Cause**
- 18.82.080 - Automatic Hearing Procedures**
- 18.82.090 - Enforcement**
- 18.82.100 - Liability for Costs**
- 18.82.110 - General Penalty**
- 18.82.120 - Severance**

18.82.010 - Findings, Purpose and Authority.

The Board of Supervisors of Inyo County finds that effective abatement of nuisances caused by cultivation of cannabis requires a more expedient set of procedures than those otherwise appropriate for other types of nuisances as laid out in Inyo County Code Title 22. This chapter is enacted pursuant to Government Code Sections 25843 and 53069.4 to address the unique circumstances related to abatement of nuisances caused by cannabis cultivation.

18.82.020 – Consistency with Title 22.

To the extent they are not inconsistent, this Chapter shall incorporate the provisions of Title 22.

18.82.030 - Scope of Chapter.

Any cannabis cultivation activity not in compliance with all applicable provisions of the Inyo County Code is hereby declared to be a nuisance. When such a public nuisance is declared the procedures in this Chapter may be applied.

18.82.040 - Summary Abatement.

After a public nuisance is declared, the nuisance may be summarily abated by any reasonable means and without notice or hearing when immediate action is necessary to preserve or protect the public health or safety.

18.82.050 - Standard Abatement.

Whenever the County Administrator finds that a public nuisance caused by cultivation of cannabis exists within the unincorporated area of Inyo County, he or she may utilize the abatement procedures provided by Title 22 of this Code.

18.82.060 - Administrative Order to Show Cause.

As an alternative to the uniform abatement procedures provided in Title 22, the County Administrator may instead utilize the provisions of this Chapter, starting with the issuance of a notice and administrative order to show cause. The notice and order to show cause shall:

- A. Identify the owner(s) of the property upon which the nuisance exists, as named in the records of the county assessor, and identify the occupant(s), if other than the owner(s), and if known or reasonably identifiable.
- B. Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property.
- C. Identify such property by reference to the assessor's parcel number.
- D. Contain a statement describing the unlawful conditions existing on the premises that caused the declaration of a public nuisance, and that also describes the actions required to abate it.
- E. Contain a statement that the owner or occupant is required to abate the unlawful conditions caused by cannabis cultivation within five (5) calendar days after the date that said notice was served.
- F. Notify the recipient(s) that, unless the owner or occupant abates the conditions, a hearing will be held before a hearing officer appointed in accordance with this Chapter to determine whether there is any good cause why these conditions should not be abated.
- G. Specify the date, time, and location of the hearing to be held before a hearing officer, or state that the date, time and location of the hearing will be specified in a subsequent notice.
- H. State that the owner or occupant will be given an opportunity at the hearing to present and elicit testimony and other evidence regarding whether the conditions existing on the property constitute a nuisance under this chapter, or whether there is any other good cause why those conditions should not be abated.
- I. Contain a statement that, unless the owner or occupant abates the conditions, or shows good cause before the Hearing Officer why the conditions should not be abated, the enforcing officer, his or her Department, or other authorized designee will cause to be done whatever work is necessary to abate the nuisance.
- J. State that the abatement costs, including administrative costs and any general penalties imposed pursuant to Chapter 1.20, may be made a special assessment added to the county assessment roll and become a lien on the real property, or be placed on the unsecured tax roll.

18.82.070 - Service of Notice and Order to Show Cause.

The notice and order to show cause shall be served on each Owner and on each Occupant, if known to the County Administrator, of the subject property, in the following manner:

- A. By posting a copy of the notice in a conspicuous place in front of or on the real property on which, or in front of which, the nuisance exists, or if the property has no frontage upon any street, highway, or road, then upon the portion of the property nearest to a street, highway, or road, or most likely to give actual notice to the owner and any person known by the County Administrator to be in possession of the property; and
- B. By either personal service, or by United States mail, first class or overnight, or by overnight courier service. If by mail or courier service, then postage shall be prepaid with a certificate of mailing requested, and shall be addressed to each Owner at the address shown on the last equalized assessment roll or last known address according to the County Assessor, and addressed to each Occupant known to the County Administrator at the street address of the subject property.
- C. Date of service shall be deemed to be the date of personal service, or five (5) days after delivery by United States first class mail, or one (1) day after overnight delivery by either the United States mail or courier service.
- D. If the notice and order are properly and timely served, the failure of any owner or occupant to receive such notice shall not affect the validity of the proceedings conducted herein.

18.82.080 - Automatic Hearing Procedures.

- A. In order to hear cases brought by the County Administrator under this Chapter, the Board of Supervisors authorizes the use of a Hearing Officer consistent with Inyo County Code section 22.12.050. The County Administrator shall coordinate with County Counsel, prior to the issuance of any notice and order to abate, to ensure that a Hearing Officer is appointed for the purpose of presiding at the administrative hearings provided for by this Chapter.
- B. The Hearing Officer shall hold an administrative hearing to determine whether the conditions existing on the property subject to the notice constitute a nuisance under this Chapter, or whether there is any other good cause why those conditions should not be abated. This hearing shall be held no less than five (5) calendar days after service of the notice and order to show cause.
- C. Parties may choose to be represented by an attorney; however, formal rules of evidence or procedure shall not apply. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. Nonetheless, any failure to make a timely objection to offered evidence constitutes a waiver of the objection. The Hearing Officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.
- D. The hearing shall be conducted in the English language. The proponent of any testimony by a witness who does not proficiently speak the English language shall provide an interpreter who has been certified as an interpreter by either the State of California or the County of Inyo.
- E. The County Administrator shall first describe the acts or conditions constituting a nuisance. Thereafter, the Owner or Occupant of the property shall be given an opportunity at the hearing to present and elicit testimony and other evidence regarding whether the conditions

existing on the property constitute a nuisance under this Chapter, or whether there is any other good cause why those conditions should not be abated.

- F. In the event that the Owner or Occupant does not appear and present evidence at the hearing, the Hearing Officer may base their decision solely upon the evidence submitted by the Enforcement Officer. Failure of the Owner or Occupant to appear and present evidence at the hearing shall constitute a failure to exhaust administrative remedies.
- G. The Hearing Officer shall consider the evidence presented by the parties, and shall issue a written decision and order that either affirms, reverses, or modifies the determination contained in the administrative order to show cause issued by the Enforcement Officer, and may include findings relating to the existence or non-existence the alleged nuisance caused by cannabis cultivation, as well as findings concerning the propriety and means of abatement of the conditions set forth in the notice and order to show cause. If the notice and order to show cause has been combined with the administrative citation and penalties set forth in Inyo County Code Chapter 1.20, then the decision shall also include said matters. Such decision shall be served on the parties upon whom the notice and order to show cause was served and posted on the subject property at the same or at a similar place as utilized for the posting of the notice and order to show cause.

18.82.090 - Enforcement.

If the owner or occupant fails to abate any nuisance caused by the cultivation of cannabis within two (2) calendar days of the date of service of the decision of the Hearing Officer under this Chapter requiring such abatement, the County Administrator or other authorized designee may cause to be done whatever work is necessary to abate the nuisance. If necessary, the County Administrator may apply to a court of competent jurisdiction for a warrant authorizing entry upon the property for purposes of inspecting the property to determine if the nuisance remains and also for undertaking the work to abate the nuisance if the nuisance had not already been abated.

18.82.100 - Liability for Costs.

- A. In any enforcement action brought pursuant to this Chapter, each person who causes, permits, suffers, or maintains the nuisance caused by the cultivation of cannabis shall be liable for all costs incurred by the County, including, but not limited to, administrative costs, and any and all costs incurred to undertake, or to cause or compel any responsible party to undertake, any abatement action in compliance with the requirements of this chapter, whether those costs are incurred prior to, during, or following enactment of this chapter.
- B. The costs of abatement incurred as a result of enforcement pursuant to this Chapter may be recovered.

18.82.110 – General Penalty.

The general penalty set forth in Inyo County Code Chapter 1.20 may be imposed in conjunction with and pursuant to the procedures set forth in this Chapter.

18.82.120 - Severance.

The provisions of this Ordinance are separate and severable. If any provision of this Ordinance is for any reason held by a court to be unconstitutional or invalid, the Board declares that it would have passed this Ordinance irrespective of the invalidity of the provision held to be unconstitutional or invalid. Such unconstitutionality or invalidity shall therefore not affect the remaining provisions of this Ordinance, or the validity of its application to other persons or circumstances.

DRAFT

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF INYO, STATE OF CALIFORNIA,
ADDING CHAPTER 5.40 TO THE INYO COUNTY CODE**

WHEREAS, the State of California recently legalized the recreational use of cannabis and subsequently consolidated laws applicable to recreational use with those for medical use in the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA); and

WHEREAS, the MAUCRSA preserves the authorities of local public agencies to regulate commercial cannabis activity more stringently than required by state law; and

WHEREAS, the Inyo County Board of Supervisors wishes to add Chapter 5.40 as part of a holistic set of regulations around commercial cannabis activity in order to help ensure, among other things, that the industry does not substantially negatively impact County residents and visitors.

NOW, THEREFORE, the Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: Chapter 5.40, attached hereto as Exhibit A, is added to the Inyo County code.

SECTION II: EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this Ordinance together with the names of the Board members voting for and against same.

PASSED AND ADOPTED THIS __ DAY OF _____, 2017.

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

**Dan Tothero, Vice-Chairperson
Inyo County Board of Supervisors**

ATTEST:
**Kevin Carunchio
Clerk of the Board**

By: _____
Darcy Ellis, Assistant

Chapter 5.40

COMMERCIAL CANNABIS BUSINESS LICENSE

Sections:

- 5.40.010 - Purpose**
- 5.40.020 - Definitions**
- 5.40.030 - Applicability & Limitation**
- 5.40.040 - Commercial Cannabis Business License required**
- 5.40.050 - Separate license required for each place of business**
- 5.40.060 - Time of procurement and term**
- 5.40.070 - Limitation on number of licenses available**
- 5.40.080 - Form of application**
- 5.40.090 - License review and issuance process**
- 5.40.100 - Required fee payments**
- 5.40.110 - Reserved**
- 5.40.120 - Reserved**
- 5.40.130 - Licenses nontransferable**
- 5.40.140 - Grounds for revocation**
- 5.40.150 - Appeal**
- 5.40.160 - Enforcement of chapter**
- 5.40.170 - Penalty for violation**

5.40.010 - Purpose.

The purpose of this Chapter is to regulate the cultivation, processing, manufacturing testing, sale, delivery, distribution and transportation of medicinal and adult-use cannabis and cannabis products in a responsible manner to protect the health, safety, and welfare of the residents of Inyo County and to enforce rules and regulations consistent with state law. It is the further purpose of intent of this Title to require all commercial cannabis operators to obtain and renew annually a license to operate within Inyo County. Nothing in this Title is intended to authorize the possession, use, or provision of cannabis for purposes that violate state or federal law. The provisions of this Title are in addition to any other permits, licenses and approvals which may be required to conduct business in the County, and are in addition to any permits, licenses and approvals required under state, county, or other law.

5.40.020 - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth below when used in this chapter:

"Applicant" means the individual, partnership, association, limited liability company, or corporation that has applied for, but not yet obtained a Commercial Cannabis Business License

to operate and conduct a business for which a Commercial Cannabis Business License is required pursuant to the provisions of this chapter.

"Application" means a written request submitted to the County Commercial Cannabis Permit Office for any license required by this chapter.

"Business" means all activities engaged in or caused to be engaged within the unincorporated area of the County, and includes professions, trades, vocations, enterprises, establishments, occupations, and all and every kind of calling, any of which are conducted or carried on for the purpose of earning in whole or in part a profit or livelihood, whether or not a profit of livelihood actually is earned thereby, whether paid in money, goods, labor, or otherwise. A business shall also include a person as herein defined, but shall not include the services rendered by an employee to his or her employer. "Business" also means the soliciting of orders and the delivery of goods at either a fixed physical location and/or those that are operated on a mobile basis.

"Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant; its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" also means marijuana as defined by Section 11018 of the California Health and Safety Code and is not limited to medical cannabis.

"Cannabis product" means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product. "Cannabis product" also means marijuana products as defined by Section 11018.1 of the California Health and Safety Code and is not limited to medical cannabis products.

"Canopy" means all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether contiguous or noncontiguous on any one site. The plant canopy does not need to be continuous on any premise in determining the total square footage.

"Commercial cannabis business" means any business activity relating to cannabis, including but not limited to cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, and selling (wholesale and/or retail sales) of cannabis and any ancillary products and accessories in the unincorporated area of the County, whether or not carried on for gain or profit.

"Commercial cannabis business license" means the license issued pursuant to this chapter, which is required for all commercial cannabis business that is taxed pursuant to Inyo County Code Chapter 3.50 and California Revenue and Taxation Section 7284, and independent of any Conditional Use Permit that may be required to conduct a commercial cannabis business at a specific location.

"County Commercial Cannabis Permit Office" or "C3PO" means the Office of the Agricultural Commissioner of the County of Inyo, his or her deputies, or any other County officer charged with the administration of the provisions of this chapter unless otherwise designated by resolution of the Inyo County Board of Supervisors.

"Fixed place of business" means any establishment, store, office or central place for carrying on regular activities.

"Operator" means any person who is operating and conducting, or intends to operate and conduct, a commercial cannabis business for which a license is required pursuant to the provisions of this chapter.

"Premises" means the designated structure or structures and/or land specified in the application for a commercial cannabis business license that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis business will be or is conducted. A premises is not necessarily a parcel and one or more licenses may be required or issued per parcel.

"Person" means and includes an individual, partnership, corporation, limited liability company, firm, joint-venture, estate, trust, business trust, receiver, syndicate, association, cooperative or any other group or combination acting as a unit; when the terms used in this Section designate the principal, the same means and includes the clerk, agents, servants, representatives, and employees or such principals, it being the intent of this Chapter to license the business and not separate or individual acts or activities which constitute integral or related parts of the business except as otherwise provided in this Chapter.

5.40.030 – Applicability & Limitation.

This chapter applies in the unincorporated area of the County of Inyo. A Commercial Cannabis Business License granted pursuant to this chapter does not authorize any occupation or activity of any kind which is prohibited by any other County regulation, including zoning ordinances, or by any State statute, law, rule, order or regulation.

5.40.040 – Commercial Cannabis Business License required.

It is unlawful for any person to maintain, conduct, operate, or carry on within the unincorporated area of the County any commercial cannabis business, unless such person is issued a commercial cannabis business license pursuant to this chapter for such business, and such person is currently in compliance with all applicable state and local laws and regulations pertaining to the commercial cannabis business and the commercial cannabis activities, including the duty to obtain any required local land use approvals and state licenses.

5.40.050 - Separate license required for each class and place of business.

- A. A separate Commercial Cannabis Business License is required for each class of commercial cannabis land-use activity permitted by the County as set forth in Inyo County Code Section 18.06.182. Except for Classification 8 licenses (testing laboratory) all license classes may be distinguished based on whether the business is for commercial adult-use cannabis activity ("A") or for commercial medicinal cannabis activity ("M").

- B. A separate Commercial Cannabis Business License shall be required for each premises where commercial cannabis activity is carried on, at, or out of, regardless of ownership.
- C. A licensee may conduct its commercial cannabis business only at the location and in the manner specified in the Commercial Cannabis Business License.

5.40.060 - Time of procurement and term.

- A. The Commercial Cannabis Business License required by this chapter shall be procured prior to the commencement of business or, if the business is in operation and a license possessed, shall be renewed annually and prior to the expiration of such license in order for the license to remain valid.
- B. Operators who fail to annually renew their Commercial Cannabis Business License prior to the anniversary date on which the license was issued will be required to submit a new application, obtain all appropriate approvals, and pay the application and license fees in addition to any previous penalties due.
- C. As part of the annual renewal process, the County, acting through the Board of Supervisors at a public hearing noticed at least 10-days in advance, may:
 - 1. Amend the general conditions on Commercial Cannabis Business Licenses to impose additional general conditions based on relevant information brought to the County's attention in the preceding twelve months. If appropriate in the County's sole discretion, the County may specify a time period within which the Operator must comply with such additional conditions.
 - 2. Amend a specific Commercial Cannabis Business Licenses to apply additional specific conditions based on relevant information brought to the County's attention in the preceding twelve months. If appropriate in the County's sole discretion, the County may specify a time period within which the Operator must comply with such additional conditions.
 - 3. May choose to reduce the numbers of Classification(s) of Commercial Cannabis Business Licenses available in a specific Zone described in Section 5.40.070 below following the County's Ordinance amendment process. If the numbers of a Classification of Commercial Cannabis Business License are reduced in a Zone, all existing licensees must re-apply for a Commercial Cannabis License pursuant to section 5.40.090 below. If necessary and appropriate in the County's sole discretion, the County may grant a temporary extension to any affected existing license to prevent it from expiring during the application process specified by section 5.40.090.

5.40.070 – Limitation on number of licenses available.

- A. The number of Commercial Cannabis Business Licenses available for each class of commercial cannabis activity, as set forth in Inyo County Code Section 18.06.182, shall be limited by zone as described below, and as shown for convenience purposes on the maps attached herewith as Exhibit 1. Any amendment of this Ordinance further limiting the

number of Commercial Cannabis Business Licenses available shall not result in the revocation of any Commercial Cannabis Business License existing and in good standing at the time of such a reduction. The number of available licenses shall be as set forth below, provided however that only one license-classification per parcel shall count toward the applicable limit:

1. Zone 1 shall be comprised of the First Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance and the unincorporated Inyo County portion of the Second Supervisorial District encompassing Tu Su Lane on the west, Early Pond on the south and See Vee Lane on the east, as that supervisorial district existed at the time of enactment of this Ordinance. The Commercial Cannabis Business Licenses available in Zone 1 shall be as follows:

- a. Cultivation Licenses: 2
- b. Classification 6 Manufacturing Level 1: 1
- c. Classification 7 Manufacturing Level 2: 0
- d. Classification 8 Testing Laboratory: 1
- e. Classification 10 Retailer: 2
- f. Classification 11 Distributor: 1
- g. Classification 12 Microbusiness: 1

2. Zone 2 shall be comprised of the Second Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, excluding the unincorporated Inyo County portion of the Second Supervisorial District encompassing Tu Su Lane on the west, Early Pond on the south and See Vee Lane on the east, which shall be assigned to Zone 1 above. The Commercial Cannabis Business Licenses available in Zone 2 shall be as follows:

- a. Cultivation Licenses: 2
- b. Classification 6 Manufacturing Level 1: Combined with Classification 7, 2 total
- c. Classification 7 Manufacturing Level 2: Combined with Classification 6, 2 total
- d. Classification 8 Testing Laboratory: 1
- e. Classification 10 Retailer: 0
- f. Classification 11 Distributor: 1
- g. Classification 12 Microbusiness: 0

3. Zone 3 shall be comprised of the Third Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance. The Commercial Cannabis Business Licenses available in Zone 3 shall be as follows:

- a. Cultivation Licenses: 0
 - b. Classification 6 Manufacturing Level 1: 0
 - c. Classification 7 Manufacturing Level 2: 0
 - d. Classification 8 Testing Laboratory: 0
 - e. Classification 10 Retailer: 0
 - f. Classification 11 Distributor: 0
 - g. Classification 12 Microbusiness: 0
4. Zone 4 shall be comprised of the Fourth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance. The Commercial Cannabis Business Licenses available in Zone 4 shall be as follows:
- a. Cultivation Licenses: 2
 - b. Classification 6 Manufacturing Level 1: 1
 - c. Classification 7 Manufacturing Level 2: 0
 - d. Classification 8 Testing Laboratory: 0
 - e. Classification 10 Retailer: 0
 - f. Classification 11 Distributor: 1
 - g. Classification 12 Microbusiness: 1
5. 5A. Zone 5A shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the Fourth Supervisorial District; on the east, from Owenyo Lone Pine Road and Dolomite Loop Road to Highway 136 between Owenyo Lone Pine Road and Highway 395; and Highway 395 south to the intersection of Cottonwood Creek Road; on the south, westward from Cottonwood Creek Road, along Cottonwood Creek, to Horseshoe Meadows Road. to the end of Horseshoe Meadows Road and due west approximately 2.6-miles to the County line. The Commercial Cannabis Business Licenses available in Zone 5A shall be as follows:
- a. Cultivation Licenses: 2
 - b. Classification 6 Manufacturing Level 1: 1
 - c. Classification 7 Manufacturing Level 2: 0
 - d. Classification 8 Testing Laboratory: 1
 - e. Classification 10 Retailer: 0
 - f. Classification 11 Distributor: 1
 - g. Classification 12 Microbusiness: 1

5B. Zone 5B shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the southern boundary of Zone 5A extending to 2.5-miles due east of the junction of Cottonwood Creek Road and Highway 395; on the east, from 2.5-miles due east of the junction of Cottonwood Creek Road and Highway 395 and extending south, along a line 2.5-miles east and parallel to Highway 395, to the northern boundary of Zone 5C, also being the southern line of Township 19 South M.D.B & M. approximately 2.5 miles from Highway 395; on the south, westward from the northern boundary of Zone 5C approximately 2.5 miles from Highway 395 to the County line; and, on the west the County line to the southern boundary of Zone 5A. The Commercial Cannabis Business Licenses available in Zone 5B shall be as follows:

- a. Cultivation Licenses: 0
- b. Classification 6 Manufacturing Level 1: 0
- c. Classification 7 Manufacturing Level 2: 0
- d. Classification 8 Testing Laboratory: 0
- e. Classification 10 Retailer: 0
- f. Classification 11 Distributor: 0
- g. Classification 12 Microbusiness: 0

5C. Zone 5C shall be comprised of the area Within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the southern boundary of Zone 5B, also being the southern line of Township 19 South M.D.B & M. and extended along the southern boundary of Zone 5D approximately 5-miles; on the east, the western boundary of the China Lake Naval Weapons Station; on the south, the County line; and, on the west, the County line to the boundary of Zone 5B. The Commercial Cannabis Business Licenses available in Zone 5C shall be as follows:

- a. Cultivation Licenses: 5
- b. Classification 6 Manufacturing Level 1: 1
- c. Classification 7 Manufacturing Level 2: 0
- d. Classification 8 Testing Laboratory: 1
- e. Classification 10 Retailer: 1
- f. Classification 11 Distributor: 1
- g. Classification 12 Microbusiness: 1

5D. Zone 5D shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by:

on the north, the intersection of Owenyo Lone Pine Road and the boundary of the Fourth Supervisorial District east along the boundary of the Fourth Supervisorial District to the western boundary of Death Valley National Park; on the east, southward along the western boundary of Death Valley National Park to its intersection with Old Toll Road south to Ophir Road, and continuing south on Ophir Road to the northern boundary of the China Lake Naval Weapons Station, also being the southern line of Township 19 South M.D.B & M; on the south, the northern boundary of the China Lake Naval Weapons Station, also being the southern line of Township 19 South M.D.B & M, extending due west to the northeast corner of Zone 5C and extending 5-miles west along the northern boundary of Zone 5C, also being the southern line of Township 19 South M.D.B & M, to a point 2.5-miles east of Highway 395; and, on the west, 2.5-miles east of Highway 395 and extending north, along a line 2.5-miles east and parallel to Highway 395 until a point 2.5-miles due west of the junction of Cottonwood Creek Road and Highway 395; and north following Highway 395 to the junction of Highway 395 and Highway 136 and following Highway 136 east to Dolomite Loop Rd, and following Dolomite Loop Rd. north to Owenyo Lone Pine Rd. and following Owenyo Lone Pine Rd to the southern boundary of District 4. The Commercial Cannabis Business Licenses available in Zone 5D shall be as follows:

- a. Cultivation Licenses: 2
- b. Classification 6 Manufacturing Level 1: 1
- c. Classification 7 Manufacturing Level 2: 0
- d. Classification 8 Testing Laboratory: 0
- e. Classification 10 Retailer: 0
- f. Classification 11 Distributor: 1
- g. Classification 12 Microbusiness: 1

5E. Zone 5E shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north and the east, the western boundary of Death Valley National Park; on the south, the County line; and, on the west the eastern boundary of the China Lake Naval Weapons Station to the south boundary of Zone 5D; and on the north, the north boundary of China Lake Naval Weapons Station east to Ophir Road and north along Old Ophir Road to the intersection with the boundary of Death Valley National Park. The Commercial Cannabis Business Licenses available in Zone 5E shall be as follows:

- a. Cultivation Licenses: 5
- b. Classification 6 Manufacturing Level 1: 2
- c. Classification 7 Manufacturing Level 2: 1
- d. Classification 8 Testing Laboratory: 1

- e. Classification 10 Retailer: 1
- f. Classification 11 Distributor: 2
- g. Classification 12 Microbusiness: 1

5F. Zone 5F shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north; by the southern boundary of Zone 4; and on the east, the Nevada State line south to the northern crest of the Nopah mountain range and south along the crest of the Nopah mountain range to the County line; and on the south, the County line to the western boundary of Death Valley National Park; and, on the west, the western boundary of Death Valley National Park to the southern boundary of Zone 4. The Commercial Cannabis Business Licenses available in Zone 5F shall be as follows:

- a. Cultivation Licenses: 10
- b. Classification 6 Manufacturing Level 1: 5
- c. Classification 7 Manufacturing Level 2: 0
- d. Classification 8 Testing Laboratory: 1
- e. Classification 10 Retailer: 1
- f. Classification 11 Distributor: 2
- g. Classification 12 Microbusiness: 2

5G. Zone 5G shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north and east, the intersection of northern crest of the Nopah mountain range and the Nevada State line south along the State line to the Inyo County line; on the south, the County line to the boundary of Zone 5F; and, on the west, the crest of the Nopah mountain range northward to the intersection with the Nevada State line. The Commercial Cannabis Business Licenses available in Zone 5G shall be as follows:

- a. Cultivation Licenses:
 - 1. 10 for cultivation activities of 5,000 square feet or less; and
 - 2. 5 for cultivation activities including those greater than 5,000 square feet.
- b. Classification 6 Manufacturing Level 1: 10
- c. Classification 7 Manufacturing Level 2: 0
- d. Classification 8 Testing Laboratory: 1
- e. Classification 10 Retailer: 1
- f. Classification 11 Distributor: 2
- g. Classification 12 Microbusiness: 2

B. Issuance of Commercial Cannabis Business Licenses for commercial cannabis business activities subject to the provisions of this Chapter but not subject to the County's land use regulations or definitions set forth in Inyo County Code Section 18.06.182, may be considered on an individual basis unless limited by amendments to this Chapter.

5.40.080- Form of application.

- A. The C3PO shall create a standard application consistent with requirements of this section. The application shall become part of the record for any directly related hearing subsequently conducted to consider an application for a Conditional Use Permit required by Title 18 of this Code.
- B. The applicant for the Commercial Cannabis Business License required by this chapter shall be the operator of the business.
- C. Every application for a Commercial Cannabis Business License and/or renewal required by this chapter shall be signed by the applicant under penalty of perjury on a form required for such application and shall include, but is not limited to, the following information:
 - 1. The name and mailing address of the applicant and the names of all other persons having an ownership interest in the applicant applying for a license. If the applicant is not a natural person: the entity's address for its principal place of business and the name and mailing address of an officer who is duly authorized to accept the service of legal process;
 - 2. Contact information for the operator, including telephone number, e-mail address, and mailing address where the operator can be reached at any time if an emergency or code compliance issue arises;
 - 3. The name under which the operator will be doing business;
 - 4. The exact nature of the commercial cannabis business;
 - 5. The exact location of the commercial cannabis business including the Assessor's Parcel Number(s) and street address or the route or territory to be covered if no fixed place of business;
 - 6. The name and address of the owner of the property where the commercial cannabis business is located;
 - 7. The name and address of the lessor and/or lessees, if different from the owner of the property where the commercial cannabis business is located, if the location of the business is based on a lease or option to lease the location;
 - 8. A copy of all applicable permits or licenses required by the State of California. If required licenses or permits have not been issued by the State of California pending issuance of a Commercial Cannabis Business License required by this chapter, a copy of the draft or actual application(s) for all permits or licenses required by the State of California.

9. Such other information as the C3PO may request in order to evaluate and process the application for a business license.

5.40.090– License review and issuance process

- A. It is the intent of the County to consider applications for Commercial Cannabis Business Licenses required by this chapter pursuant to a competitive process.
- B. All applications for a Commercial Cannabis Business License shall be filed with the C3PO after payment of any required fees established by Resolution of the Board.
- C. Whenever there exists an available Commercial Cannabis Business License(s), but no sooner than January 1, 2018, the C3PO shall issue a notice of available Commercial Cannabis Business License(s) and a request for applications therefor. Said notice shall specify how applications shall be submitted, the deadline for submitting applications, and the scoring criteria utilized for ranking the applications. The C3PO shall allow at least 60 days for applications to be submitted after issuance of the notice of availability.
- D. Initial Application Evaluation.
 1. The C3PO shall conduct an initial review of all Applications and reject any Application that meets any of the following criteria:
 - a. The Application is incomplete.
 - b. The required fees have not been paid.
 - c. The applicant has knowingly made a false statement of material fact or has knowingly omitted a material fact from the Application.
 - d. The proposed commercial cannabis business at the proposed location is not allowed as a conditional use or is otherwise prohibited by any state or local law or regulation.
 - e. Any person who is listed in the Application as required by this chapter has been convicted of a felony within the past three (3) years. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
 - f. Any person who is listed in the Application as required by this chapter is delinquent in the payment of any applicable County taxes or fees.
 - g. Any person who is listed in the Application as required by this chapter is then in violation of any County Code.
 2. First Rejection.
 - a. If the C3PO rejects an Application, the Office shall specify in writing the reasons for the decision and, except for an Application that was previously rejected for any of the same reason(s), notify the applicant that the decision shall become final unless the applicant files an amended application within fourteen (14) days of the date the C3PO mailed notice of the rejection notice. Only one amended application shall be allowed per review period
 3. Second Rejection.

a.If the C3PO rejects an Application for a second time for any of the same reasons forming the basis of a prior rejection, the notice of rejection shall specify in writing the reasons for the decision and the right of the applicant to file an appeal pursuant to section 5.40.150.

4. Upon close of the initial review period, all Applications that are not rejected shall proceed to the Application Scoring Evaluation.

E. Application Scoring Evaluation.

1. The C3PO shall develop detailed objective review criteria for evaluation of competing Applications, which shall be scored on a point system or equivalent quantitative evaluation scale tied to each set of review criteria (“Review Criteria”). At a minimum, said Review Criteria shall include but may not be limited to the following considerations or combinations thereof:

a.Adequacy of the security plan taking into consideration the Sheriff’s evaluation of said plan;

b.Adequacy of the operating plan;

c.Appropriateness of site location;

d.Proposed measures to mitigate potential negative impacts to the community including but not limited to police and fire community safety considerations;

e.Environmental considerations including water sources;

f. Residency considerations, including: operator residing within the County; hiring preferences for residents of unincorporated Inyo County; and, wages proposed to be paid to employees.

g.Community Benefit Plan, including but not limited to identification of a designated community liaison, and identified support for school-related and community-based organizations; and,

h.Any prior or existing operation of a commercial cannabis business subject to this chapter, with those conducted in good standing to receive a ten percent increase in total score and those not conducted in good standing to receive a ten percent decrease in total score.

2. The C3PO may conduct the Application Scoring Evaluation through a committee of County staff representing appropriate departments, other local agencies, and/or through use of a third party consultant.

3. After Applications are scored, the C3PO shall provide the results of Application Scoring Evaluation to the Board of Supervisors for its consideration along with any recommendations for which Application(s) to approve, and the reasons therefor.

F. The Board of Supervisors’ consideration of applications for a Commercial Cannabis Business License, and any approval of such license will occur at a public hearing for which a public notice had been published 14-days in advance.

G. The Board of Supervisors shall have the authority to determine, in its sole discretion, the competing applications that will be approved for a Commercial Cannabis Business License.

In making its decision, the Board may adjust the results of the Application Scoring Evaluation. The decision of the Board of Supervisors is final and not subject to further administrative appeal.

- H. An application for a Commercial Cannabis Business License must achieve a score of at least 80% of the total possible points on the final Application Scoring Approval Evaluation approved by the Board of Supervisors in order to be awarded a Commercial Cannabis Business License.
- I. Upon the Board of Supervisors approving issuance of a Commercial Cannabis Business License, the C3PO shall provide the license to the applicant with 30 days of any conditions that may apply being met, and will be responsible for administering and enforcing the license terms and conditions. The Commercial Cannabis Business License shall be in the form prescribed by the Commercial Cannabis Business Permit Office and must contain, at a minimum, the licensee's name, the business name, the license classification, the location of the business operation, and the commencement and expiration dates of the license.
- J. Commercial Cannabis Business Licenses shall be conditionally issued contingent on applicant obtaining all applicable permits and licenses required by the County and/or State of California, and presenting same to the C3PO, within six (6) months of issuance of a Commercial Cannabis Business Licenses. Commercial Cannabis Business Licenses shall be void if the applicable State license(s) or permit(s), or local land use approvals, are not presented to the C3PO within six (6) months unless the C3PO agrees, in writing, to extend to deadline for obtaining and submitting the State permit(s) or license(s) for a period not to exceed an additional six (6) months. Any additional extension shall require the approval of the Board of Supervisors.
- K. Commercial Cannabis Business Licenses shall be conditionally issued contingent on the applicant remaining current on payment of all County fees and taxes, and compliance with all County regulations.
- L. Every licensee having a fixed place of business shall display the valid license in a conspicuous place in such place of business. Every licensee not having a fixed place of business shall carry such license on their person at all times during any actions related to the conduct of carrying on the licensed commercial cannabis business activity, and shall exhibit it, whenever requested, to any person.

5.40.100 - Required fee payments.

- A. Each Licensee shall pay an annual license fee, in such amount as adopted by the Board of Supervisors by Resolution, for the administration of the Commercial Cannabis Business License chapter, including monitoring and enforcing compliance with terms of the license.
- B. The Board of Supervisors may enact fees as may be necessary to recover the County's costs of inspection, enforcement, and corrective actions in relation to the Commercial Cannabis Business License.

5.40.110 – Reserved.

5.40.120 – Reserved.

5.40.130 - Licenses nontransferable.

Absent approval of the Board of Supervisors, no license granted under the provisions of this Chapter shall be transferable or removable to another location, operator, person, or entity. For purposes of this section, a transfer shall include, but is not limited to, the change in corporate control of a Licensee as set forth in the California Revenue and Taxation Code Division 1 Part 0.5 Chapter 2, as may be amended.

5.40.140 - Grounds for revocation.

- A. Any of the following shall be grounds for revocation of a Commercial Cannabis Business License:
 - 1. Violation of any conditions of the license;
 - 2. Violation of any provisions of this chapter or other applicable County regulations;
 - 3. Failure to pay fees or taxes, including those imposed by Chapter 3.50, or fines or penalties associated with said business when due and payable;
 - 4. Failure to obtain any other license or permit required by State law or County regulation to conduct the business, or such other required licenses or permits have been suspended or revoked.
- B. Notwithstanding any provision in the Inyo County Code to the contrary, if the C3PO intends to revoke a Commercial Cannabis Business License, the C3PO or any other County officer charged with the administration of the provisions of this Chapter shall specify in writing the reasons for the decision and notify the applicant that the decision shall become final unless the applicant seeks an appeal pursuant to Section 5.40.150 of this chapter within ten (10) calendar days of the date of service of the written decision of the C3PO or any other County officer charged with the administration of the provisions of this chapter. The notice shall specify whether the revocation is immediately imposed for public health or safety reasons or shall be effective following the hearing. The notice of the decision shall be served or mailed to the applicant at the address indicated on the application.
- C. No person may secure any Commercial Cannabis Business License if that person has had any license issued under this Chapter revoked within the preceding six months.

5.40.150 - Appeal.

- A. Any applicant aggrieved by any decision of the C3PO with respect to any second rejection of an application for a second time shall, within five (5) days of the date the rejection notice was mailed, make application in writing to the County Administrative Officer, or designee, for a hearing on the decision.

- B. Any applicant aggrieved by any decision of the C3PO with respect to the revocation a Commercial Cannabis Business License shall, within ten (10) days, make application in writing to the County Administrative Officer, or designee, for a hearing on the decision before the Board of Supervisors.
- C. If application for a hearing is not made within the time prescribed, the rejection, revocation, or other decision or shall become a final action that is not subject to any further administrative remedy.
- C. If such application is made within the prescribed time period, the County Administrative Officer, or designee, shall give no fewer than five days written notice to the applicant to show cause at a hearing at a time and place fixed in the notice why the decision should not be upheld.
- D. At the hearing, the applicant may appear and offer evidence why such decision should be vacated. Within sixty (60) days after the hearing, the County Administrative Officer, or designee, shall determine if the decision shall be upheld and shall thereafter give written notice to the applicant. The decision of the County Administrative Officer, or designee, shall be final and not subject to further administrative appeal.

5.40.160 - Enforcement of Chapter.

- A. It shall be the duty of the C3PO to collect the permit fees, issue the permits approved by the Board of Supervisors, and perform the duties required by this chapter. The C3PO or any other County officer charged with the administration of the provisions of this chapter may adopt such rules and regulations consistent with the purpose, intent, and express terms of this chapter deemed necessary to supplement or clarify such provisions or aid in their enforcement. To that end representatives of the C3PO, or any other County officer charged with the administration of the provisions of this chapter shall be permitted to enter, free of charge during normal business hours, any such place of business required to be licensed under this chapter, for the purpose of inspection or to demand the display of any permit required hereby.
- B. Any permit fees, fines or penalties required to be paid by any commercial cannabis business under the provisions of this chapter shall be deemed a debt owed by the business to the County. Any business owing money to the County under the provisions of this chapter shall be liable to an action brought in the name of the County of Inyo for the recovery of such amount.

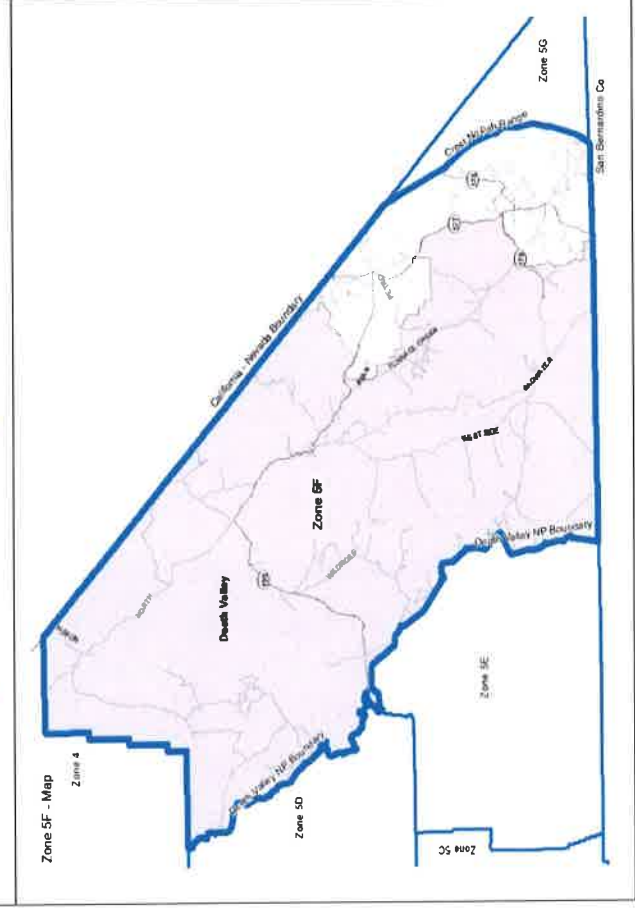
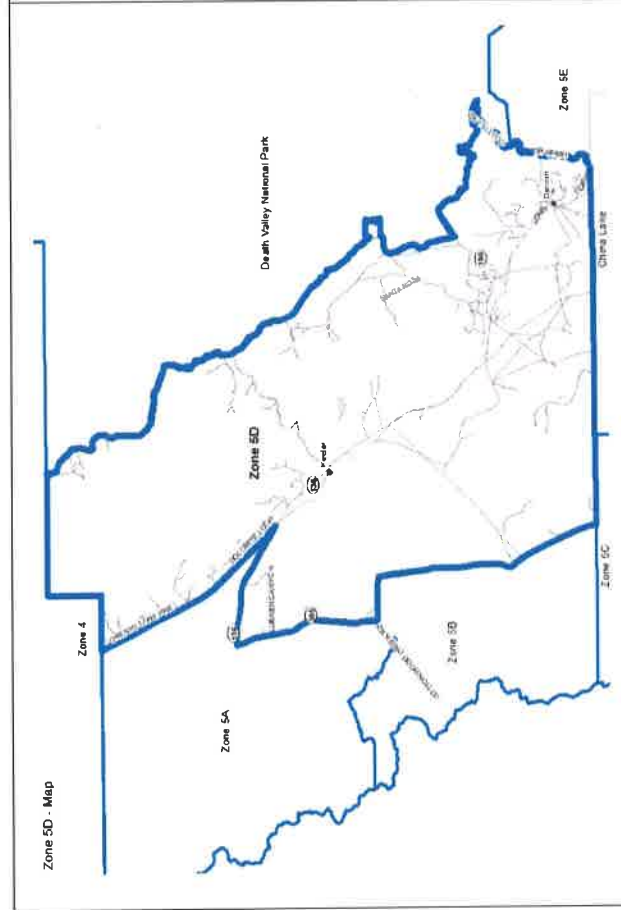
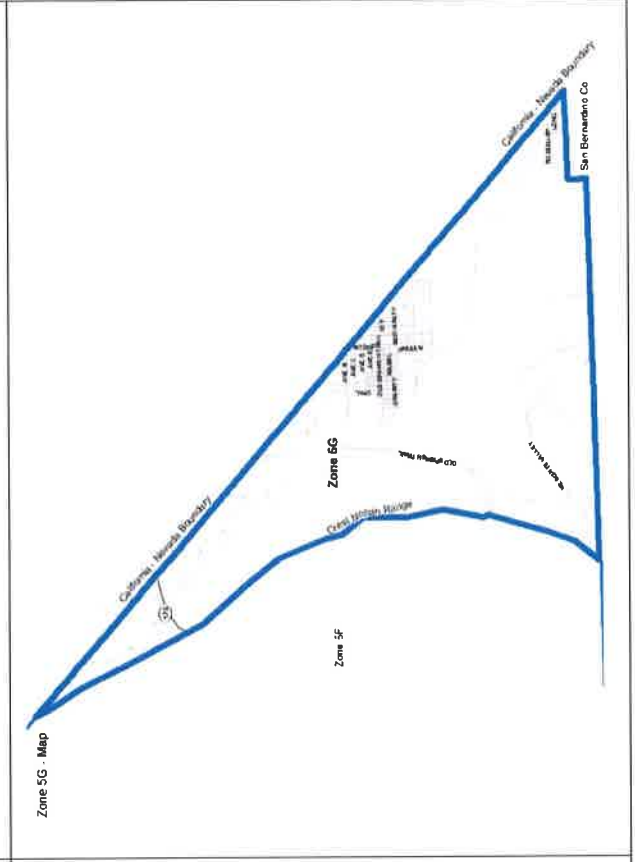
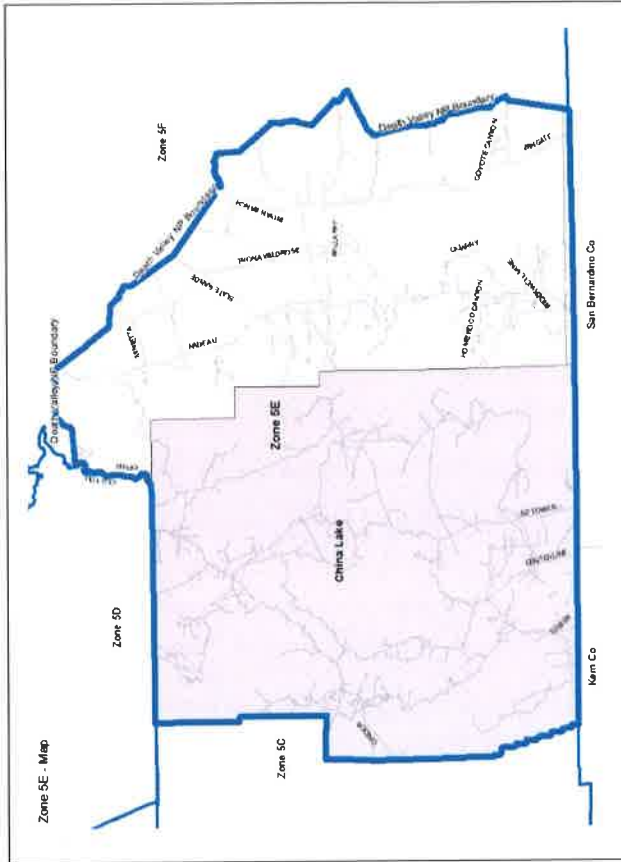
5.40.170 - Penalty for violation.

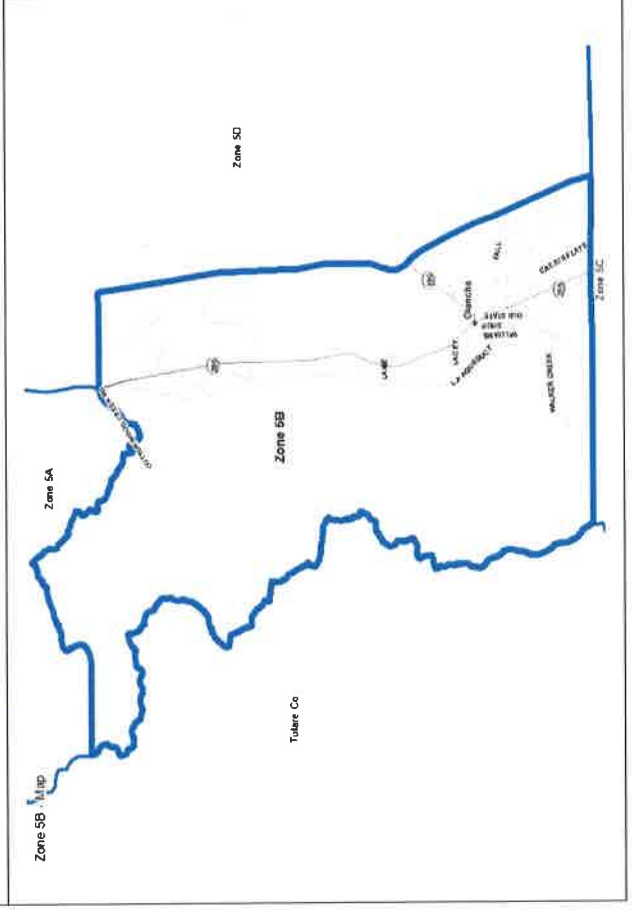
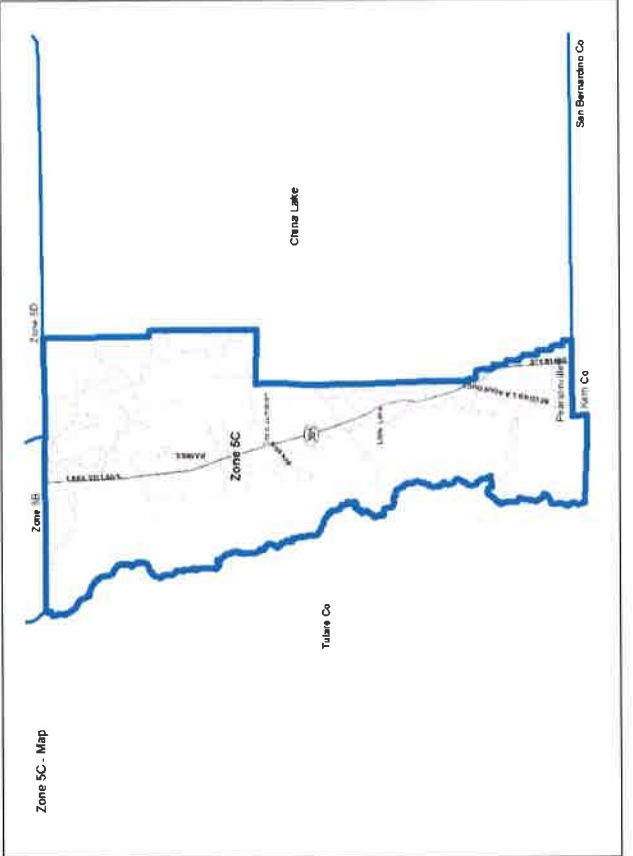
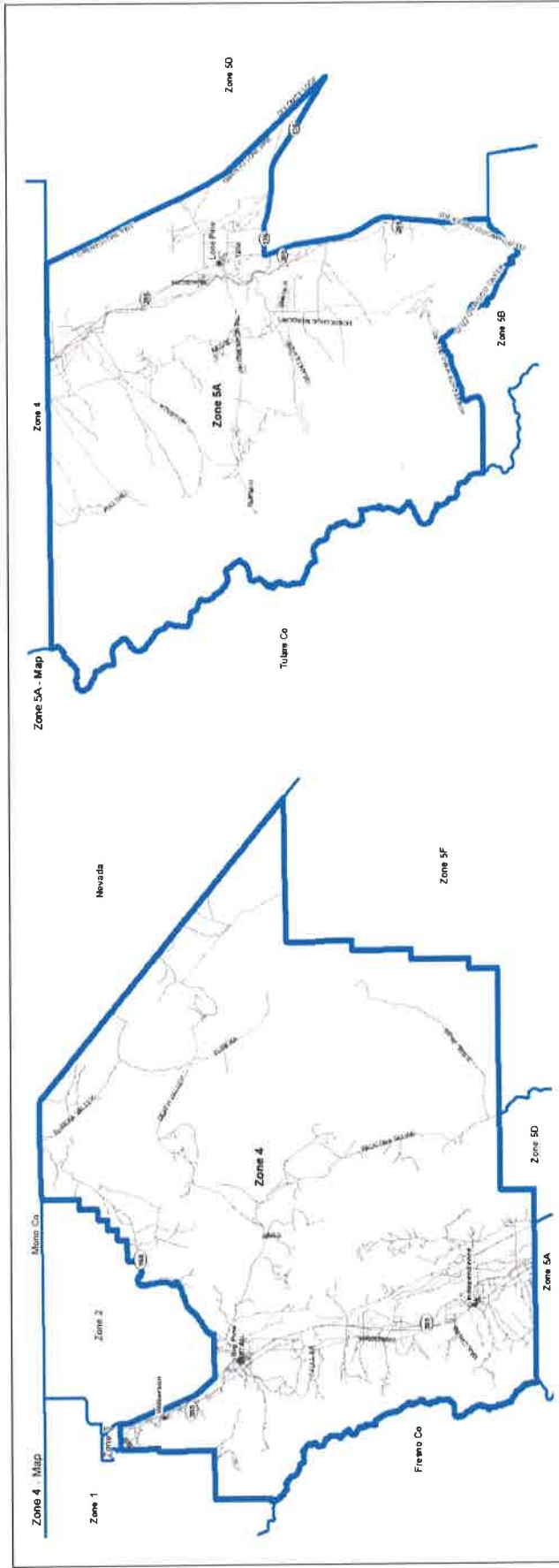
- A. Notwithstanding any other applicable penalty, criminal penalties shall continue to apply to an unlicensed person engaging in commercial cannabis activity in violation of this chapter.
- B. Any condition caused or allowed to exist in violation of any of the provisions of this chapter shall be deemed a public nuisance and shall, at the discretion of the Commercial Cannabis Business Permit Office or any other County officer charged with the administration of the

provisions of this Chapter, be subject to an administrative action pursuant to 1.20 of the Inyo County Code and/or any other applicable law.

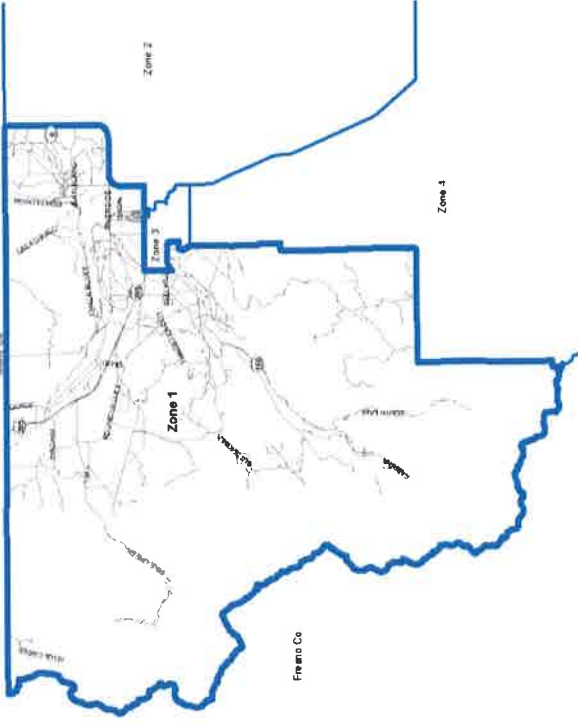
DRAFT

Exhibit 1

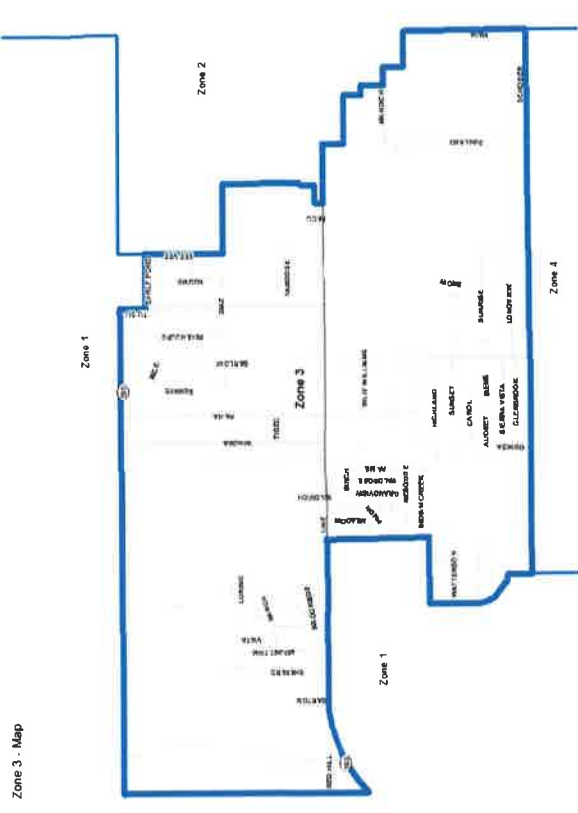




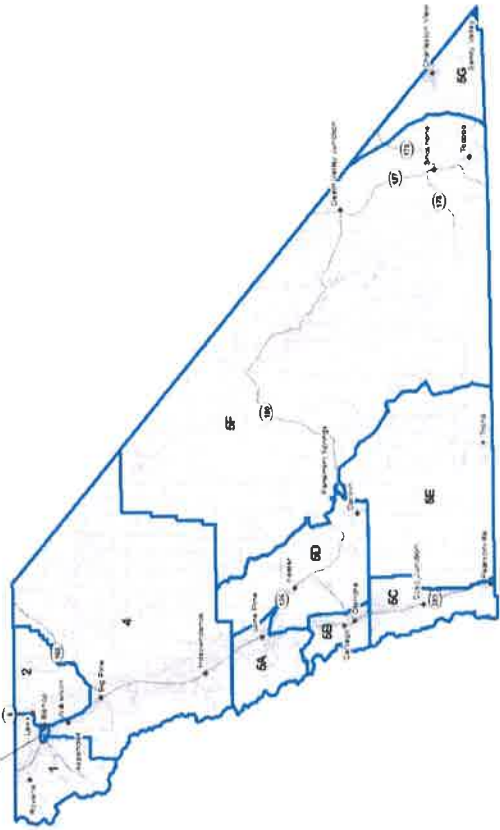
Zone 1 - Map



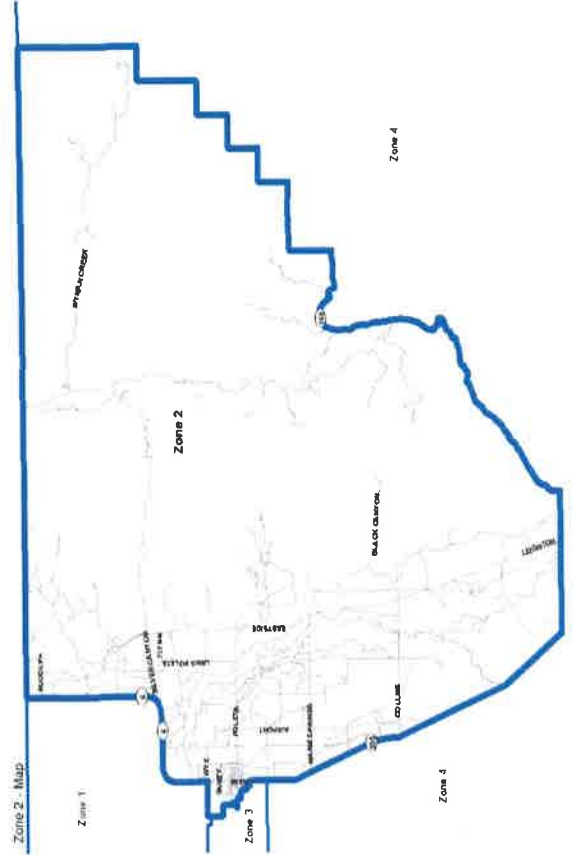
Zone 3 - Map



Licensing Zones



Zone 2 - Map



RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, CERTIFYING THAT THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) HAVE BEEN MET AND MAKING CERTAIN FINDINGS WITH RESPECT TO AND APPROVING ZONE RECLASSIFICATION NO. 2017-05/INYO COUNTY-COMMERCIAL CANNABIS ACTIVITIES AND ZONE RECLASSIFICATION NO. 2017-06/INYO COUNTY-COUNTY EXPEDITED ABATEMENT PROCEDURE FOR NUISANCES CAUSED BY CANNABIS CULTIVATION AND AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, ADDING CHAPTER 5.40 TO THE INYO COUNTY CODE

WHEREAS, the State of California recently legalized the recreational use of cannabis and subsequently consolidated laws applicable to recreational use with those for medical use in the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA); and

WHEREAS, the MAUCRSA preserves the authorities of local public agencies to regulate commercial cannabis activity more stringently than required by state law; and

WHEREAS, the Inyo County Board of Supervisors wishes to add Chapter 5.40 as part of a holistic set of regulations around commercial cannabis activity in order to help ensure, among other things, that the industry does not substantially negatively impact County residents and visitors; and

WHEREAS, adding chapter 5.40 to the Inyo County Code is Exempt from CEQA by SB 94 as it exempts, from CEQA, the adoption of an ordinance or regulation by a local jurisdiction if the ordinance or regulation requires discretionary review and approval of local permits or licenses for a commercial cannabis activity. Issuances of such commercial cannabis business licenses will require a discretionary approval. And all commercial cannabis activities will also be required to obtain a conditional use permit, which requires discretionary approval; and

WHEREAS, the Inyo County Board of Supervisors, through Section 15.12.040 of Inyo County Code, has designated the Planning Commission as the Environmental Review Board pursuant to Section 15002 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, pursuant to Section 15025 of the State CEQA Guidelines as implemented by Section 15.12.040 of the Inyo County Code (CEQA Procedures), the Planning Commission is responsible for the environmental review of all County projects; and

WHEREAS, the Inyo County Planning Department Exempted Zone Reclassification 2017-05/Inyo County - Commercial Cannabis Activities, from CEQA by SB 94 as it exempts, from CEQA, the adoption of an ordinance or regulation by a local jurisdiction if the ordinance or regulation requires discretionary review and approval of local permits or licenses for a commercial cannabis activity. All commercial cannabis activities will be required by this

proposed Ordinance to obtain a conditional use permit, which requires discretionary approval;
and

WHEREAS, the Inyo County Planning Department Exempted Zone Reclassification No. 2017-06/Inyo County – Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation from CEQA as the proposed regulations will not directly impact the environment, and are not subject to CEQA, per the General Rule [CEQA Guidelines Section 15060(C)(2)]. Enforcement actions pursuant to the new chapter Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation is consistent with the classes of projects deemed exempt from CEQA pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of the Environment); and

WHEREAS, the Inyo County Planning Commission is required to conduct a public hearing on proposed Zone Reclassifications, and to make a recommendation to the Board of Supervisors on the Zone Reclassifications (Sections 65854 and 65855 of Government Code);
and

WHEREAS, on December 9, 2017 the County provided notice in the Inyo Register for a public hearing to take public comment on Draft Zone Reclassifications No. 2017-05 and No. 2017-06; and

WHEREAS, the Inyo County Planning Commission held a public hearing on December 20, 2017, to review and consider a request for recommendations for approval of Zone Reclassifications No. 2017-05 and No. 2017-06, and considered the staff report for the application and all oral and written comments regarding the application; and

WHEREAS, following said public hearing the Planning Commission recommended that this Board of Supervisors:

1. Certify that the requirements of the California Environmental Quality Act have been satisfied with respect to Zone Reclassifications No. 2017-05 and No. 2017-06; and;
2. Approve Zone Reclassifications No. 2017-05 and No. 2017-06 with specific updates; and

WHEREAS, pursuant to that recommendation, this Board of Supervisors held a public hearing on January 9, 2018, and considered all written and oral testimony presented concerning Zone Reclassifications No. 2017-05 and No. 2017-06; and

WHEREAS, this Board of Supervisors held a public hearing on January 9, 2018, and considered all written and oral testimony presented concerning an Ordinance Adding Chapter 5.40 to the Inyo County Code.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the January 9, 2018 hearing, including the Staff Report

concerning the above described proposed project, this Board makes the following findings for the proposed project:

RECOMMENDED FINDINGS

1. The provisions of the California Environmental Quality Act (CEQA) have been satisfied, for Zone Reclassification No.2017-05 as the project was deemed Exempt from CEQA by SB 94 as it exempts, from CEQA, the adoption of an ordinance or regulation by a local jurisdiction if the ordinance or regulation requires discretionary review and approval of local permits or licenses for a commercial cannabis activity. All commercial cannabis activities will be required by this proposed Ordinance to obtain a conditional use permit, which requires discretionary approval.
2. The provisions of the California Environmental Quality Act (CEQA) have been satisfied, for Zone Reclassification 2017-06 as the project was deemed Exempt from CEQA as the proposed regulations will not directly impact the environment, and are not subject to CEQA, per the General Rule [CEQA Guidelines Section 15060(C)(2)]. Enforcement actions pursuant to the new chapter Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation is consistent with the classes of projects deemed exempt from CEQA pursuant to CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of the Environment).
3. The provisions of the California Environmental Quality Act (CEQA) have been satisfied, for An Ordinance of the Board of Supervisors of the County Of Inyo, State Of California, Adding Chapter 5.40 to the Inyo County Code as the Ordinance was deemed Exempt from CEQA by SB 94 as it exempts, from CEQA, the adoption of an ordinance or regulation by a local jurisdiction if the ordinance or regulation requires discretionary review and approval of local permits or licenses for a commercial cannabis activity. Issuance of a commercial cannabis business license requires a discretionary approval. And all commercial cannabis activities will also be required to obtain a conditional use permit, which requires discretionary approval.
4. Based on substantial evidence in the record, the proposed Zone Reclassifications are consistent with the Goals and Policies of the Inyo County General Plan.
5. Based on substantial evidence in the record, the proposed Zone Reclassifications are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

BE IT FURTHER RESOLVED that the Board of Supervisors of Inyo County, State of California, does hereby declare that it has considered Zone Reclassifications No. 2017-05 and No. 2017-06 and An Ordinance of the Board of Supervisors of the County Of Inyo, State Of California, Adding Chapter 5.40 to the Inyo County Code, which reflects the independent judgment of this Board and which complies with CEQA.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby approve Zone Reclassifications No. 2017-05 and No.2017-06 and An Ordinance of the Board of Supervisors of the County Of Inyo, State Of California,

Adding Chapter 5.40 to the Inyo County Code that shall take effect thirty days after the date of this Resolution.

PASSED AND ADOPTED THIS JANUARY 16TH, 2018

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Totheroh, Chairperson
Inyo County Board of Supervisors

ATTEST:

KEVIN CARUNCHIO
Clerk of the Board

By _____
Darcy Ellis, Assistant

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING SECTIONS 18.06.030, 18.12.040, 18.21.040, 18.44.030, 18.45.030, 18.48.030, 18.49.040, 18.56.040, AND 18.57.040, AND ADDING SECTIONS 18.06.161, 18.06.162, 18.06.163, 18.06.181, 18.06.182, AND 18.78.360 TO THE INYO COUNTY CODE

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION ONE. Purpose/Authority.

The purpose of this ordinance is to add to and amend sections of the County Zoning Ordinance, set forth in Title 18 of the Inyo County Code, to allow for the orderly development of commercial cannabis activities, while protecting the health, safety and welfare of Inyo County citizens, in the Open Space, Rural Residential, Central Business, General Commercial and Retail, Highway Services and Tourist Commercial, Heavy Commercial, Light Industrial and General Industrial and Extractive Zones and to add standards guiding commercial cannabis activities to be consistent with both California law and the goals of the Inyo County General Plan ED-4 and AG-1.2. This ordinance is enacted pursuant to the authority given this Board of Supervisors by the California Planning and Zoning Law, set forth in Government Code 65000 et seq., which authorizes a county to enact ordinances governing the uses of land within its jurisdiction.

SECTION TWO. Section 18.06.30 of the Inyo County Code is amended in its entirety to read as follows:

“18.06.030 Agriculture.

"Agriculture" means the tilling of soil, the raising of crops, horticulture, small livestock farming, dairying or animal husbandry, including all uses customarily incidental thereto, but not including cannabis cultivation, slaughterhouses, fertilizer works, bone yards or plants for the reduction of animal matter or any other industrial or agricultural use which is determined by the Planning Commission to be similarly objectionable because of noise, odor, smoke, dust or fumes.”

SECTION THREE. The Inyo County Code is amended to add section 18.06.161 as follows:

“18.06.161 Cannabis.

“Cannabis " means all parts of the plant Cannabis sativa Linnaeus., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include (a) industrial hemp, as defined in Section 11018.5 of the California Health and Safety Code as may be amended; or (b) The weight of any other

ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.”

SECTION FOUR. The Inyo County Code is amended to add section 18.06.162 as follows:

“18.06.162 Cannabis Accessories.

“Cannabis accessories” means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis or cannabis products into the human body.”

SECTION FIVE. The Inyo County Code is amended to add section 18.06.163 as follows:

“18.06.163 Cannabis Products.

“Cannabis products” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.”

SECTION SIX. The Inyo County Code is amended to add section 18.06.181 as follows:

“18.06.181 Commercial Cannabis Activity.

“Commercial cannabis activity” means any commercial business activity relating to cannabis, including but not limited to cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, and selling (wholesale and/or retail sales) of cannabis and any ancillary products and accessories in the unincorporated area of the County, whether or not carried on for gain or profit.”

SECTION SEVEN. The Inyo County Code is amended to add section 18.06.182 as follows:

“18.06.182 Commercial Cannabis Conditional Use Permit Classification.

Commercial cannabis conditional use permits potentially available under this Title 18 shall, at a minimum, be as follows:

- A. Cultivation Permit for commercial activity involving activity involving the planning, growing, harvesting, drying, curing, grading, or trimming of cannabis.
- B. Classification 6, "Manufacturing Level 1, for sites that manufacture cannabis products using nonvolatile solvents, or no solvents.
- C. Classification 7, Manufacturing Level 2, "for sites that manufacture cannabis products using volatile solvents.
- D. Classification 8, Testing Laboratory.
- E. Classification 10, "Retailer," for the retail sale and delivery of marijuana cannabis or marijuana cannabis products to customers.
- F. Classification 11, "Distributor" for the distribution of marijuana cannabis and marijuana cannabis products.

G. Classification 12, "Microbusiness" for the cultivation of marijuana on an area less than 10,000-square-feet and to act as a licensed distributor, Level 1 manufacturer, and/or retailer."

SECTION EIGHT. Inyo County Code Section 18.12.040, Open Space – Conditional Uses, is amended to add subsections N, O, and P as follows:

"N. Commercial cannabis cultivation, which shall be three hundred (300) feet from all parcel lot lines, and shall comply with otherwise applicable yard requirements.

"O. Non-volatile cannabis manufacturing pursuant to commercial cannabis license classification 6.

"P. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section."

SECTION NINE. Inyo County Code Section 18.21.040, Rural Residential – Conditional Uses, is amended to add subsections H, ~~and I~~, J and K as follows:

"H. Commercial cannabis cultivation on parcels greater than twelve (12) acres, such cultivation shall be at least three hundred (300) feet from all parcel lot lines."

"I. Commercial cannabis cultivation on parcels greater than 2.5 acres shall be allowed only in the areas commonly known as Stewart Valley and Charleston View and subject to any design guidelines and other conditions and regulations, including set-backs, that may be promulgated or required by the County.

J. Non-volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 6. Such cultivation activity shall only be permitted concurrently with a licensed commercial cannabis cultivation operation on the same parcel

K. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section."

SECTION TEN. Inyo County Code Section 18.44.030, Central Business – Conditional Uses, is amended to add subsections H, I, and J as follows:

"H. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

"I. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

"J. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section."

SECTION ELEVEN. Inyo County Code Section 18.45.030, General Commercial and Retail – Conditional Uses, is amended to add subsections K, L, and M as follows:

"K. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

"L. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

"M. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section."

SECTION TWELVE. Inyo County Code Section 18.48.030, Highway Services and Tourist Commercial – Conditional Uses, is amended to add subsections L, M, and N as follows:

“L. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

“M. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

“N. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION THIRTEEN. Inyo County Code Section 18.49.040, Heavy Commercial – Conditional Uses, is amended to add subsections K, L, M, and N as follows:

“K. Non-volatile cannabis manufacturing pursuant to commercial cannabis license classification 6;

“L. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;

“M. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;

“N. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION FOURTEEN. Inyo County Code Section 18.56.040, Light Industrial – Conditional Uses, is amended to add subsections G, H, I, J, and K as follows:

“G. Commercial cannabis cultivation shall be conducted indoors only, and subject to odor, noise and visual resource mitigation requirements;

“H. Non-volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 6;

“I. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;

“J. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;

“K. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION FIFTEEN. Inyo County Code Section 18.57.040, General Industrial and Extractive – Conditional Uses, is amended to add subsections G, H, I, J, K, and L as follows:

“G. Commercial cannabis cultivation shall be conducted indoors only, and subject to odor, noise and visual resource mitigation requirements;

“H. Non-volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 6;

“I. Volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 7;

“J. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;

“K. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;

“L. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.”

SECTION SIXTEEN. The Inyo County Code is amended to add Section 18.78.360 as follows:

“18.78.360 Commercial Cannabis.

A. Conditional use permits are required in all instances of land use involving commercial cannabis activities. Issuance of any conditional use permit for commercial cannabis activities shall be contingent upon the commercial cannabis activity being conducted in compliance with all applicable State and local laws, including but not limited to Inyo County Code Chapters 3.50 (taxes) and 5.40 (business license). The business license required by Chapter 5.40 shall be obtained prior to the planning commission holding a hearing on an application for a conditional use permit pursuant to this section.

B. Conditional use permits for commercial cannabis activities are potentially available as follows:

1. Cultivation - in the Open Space, Rural Residential, Heavy Industrial and Extractive, and Light Industrial zones;
2. Manufacturer Level 1 - in the Open Space, Heavy Commercial, Light Industrial and Heavy Industrial and Extractive zones;
3. Manufacturer Level 2 - in the General Industrial and Extractive zone;
4. Retailer - in the Central Business, General Commercial and Retail, Highway Service and Tourist Commercial; Distributor – in the Heavy Commercial, General Industrial and Extractive and Light Industrial zones; and,
5. Microbusiness – in the Open Space, Rural Residential, Heavy Commercial, General Industrial and Extractive and Light Industrial zones so long as the authorized microbusiness does not otherwise expand the types of permitted land uses within said zones.

C. Consistent with California Business and Professions Code section 26054(b), no commercial cannabis activities shall be conditionally permitted on a parcel within a 600-foot radius of 123 School Road, Olancho CA 93545, or a park or library in existence at the time the conditional use permit application is deemed complete by the Inyo County Planning Department. This section shall not include the area commonly known as “Laws”, provided that any cultivation in Laws shall be indoors and subject to odor mitigation requirements.

D. Consistent with California Health and Safety Code section 11362.3, no conditional use permit authorizing the smoking of cannabis or cannabis products shall be issued for a parcel within 1,000-feet of a park or library while children are present at any such facility.

E. Additional conditions beyond the minimum standards may be required to mitigate potential impacts identified in the County’s consideration of an application for a conditional use permit for commercial cannabis activity, including, but not limited to, measures to eliminate odor, unnatural light pollution and impacts to visual resources.

F. In addition to any requirements set forth in Inyo County Code Chapter 18.81, notice shall be provided to all properties located within 1,500-feet of the property the commercial cannabis activity is proposed on.”

SECTION SEVENTEEN.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

SECTION EIGHTEEN. Effective date.

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption thereof, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of Inyo, State of California in accordance with Government Code Section 25124(b). The Clerk of the Board is hereby instructed and ordered to so publish a summary of this Ordinance together with the names of the Board voting for and against same.

PASSED AND ADOPTED this _____, by the following vote of the Inyo County Board of Supervisors:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Dan Totheroh, Chairperson

ATTEST: Kevin Carrunchio
Clerk to the Board

By: _____
Darcy Ellis, Assistant



Office of the Attorney General
Washington, D. C. 20530

January 4, 2018

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: Jefferson B. Sessions, III
Attorney General

A handwritten signature in black ink, appearing to be "Jefferson B. Sessions, III", written over the printed name.

SUBJECT: Marijuana Enforcement

In the Controlled Substances Act, Congress has generally prohibited the cultivation, distribution, and possession of marijuana. 21 U.S.C. § 801 *et seq.* It has established significant penalties for these crimes. 21 U.S.C. § 841 *et seq.* These activities also may serve as the basis for the prosecution of other crimes, such as those prohibited by the money laundering statutes, the unlicensed money transmitter statute, and the Bank Secrecy Act. 18 U.S.C. §§ 1956-57, 1960; 31 U.S.C. § 5318. These statutes reflect Congress's determination that marijuana is a dangerous drug and that marijuana activity is a serious crime.

In deciding which marijuana activities to prosecute under these laws with the Department's finite resources, prosecutors should follow the well-established principles that govern all federal prosecutions. Attorney General Benjamin Civiletti originally set forth these principles in 1980, and they have been refined over time, as reflected in chapter 9-27.000 of the U.S. Attorneys' Manual. These principles require federal prosecutors deciding which cases to prosecute to weigh all relevant considerations, including federal law enforcement priorities set by the Attorney General, the seriousness of the crime, the deterrent effect of criminal prosecution, and the cumulative impact of particular crimes on the community.

Given the Department's well-established general principles, previous nationwide guidance specific to marijuana enforcement is unnecessary and is rescinded, effective immediately.¹ This memorandum is intended solely as a guide to the exercise of investigative and prosecutorial discretion in accordance with all applicable laws, regulations, and appropriations. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal.

¹ Previous guidance includes: David W. Ogden, Deputy Att'y Gen., Memorandum for Selected United States Attorneys: Investigations and Prosecutions in States Authorizing the Medical Use of Marijuana (Oct. 19, 2009); James M. Cole, Deputy Att'y Gen., Memorandum for United States Attorneys: Guidance Regarding the Ogden Memo in Jurisdictions Seeking to Authorize Marijuana for Medical Use (June 29, 2011); James M. Cole, Deputy Att'y Gen., Memorandum for All United States Attorneys: Guidance Regarding Marijuana Enforcement (Aug. 29, 2013); James M. Cole, Deputy Att'y Gen., Memorandum for All United States Attorneys: Guidance Regarding Marijuana Related Financial Crimes (Feb. 14, 2014); and Monty Wilkinson, Director of the Executive Office for U.S. Att'ys, Policy Statement Regarding Marijuana Issues in Indian Country (Oct. 28, 2014).

#18

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December 28, 2017

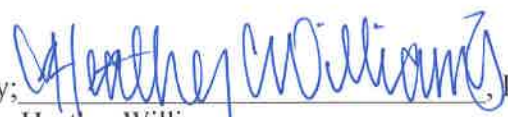
Honorable Board of Supervisors
County of Inyo
Independence, Calif. 93526

Honorable Board Members:

In Accordance with Section 26905 and 26921 of the Government Code and your orders of February 5, 1950 and January 3, 1956, an actual count of money in the hands of the Treasurer was made on this date. The count showed the funds to be in balance, pending written verification of inactive accounts.

Very Truly Yours,

Amy Shepherd
Auditor-Controller

By: , Deputy
Heather Williams

STATEMENT

MONEY IN COUNTY TREASURY

FOR OCTOBER-DECEMBER 2017

STATE OF CALIFORNIA
COUNTY OF INYO

The undersigned, County Auditor, having counted the money in the County Treasury of said County, as required by Section 26921 of the Government Code, and being duly sworn on oath, makes the following report for the period ending December 28, 2017.

Amount of money that should be in the treasury on December 28, 2017

is	\$122,996,726.53	
Receipts from 04/01/17-06/30/17	\$53,015,352.89	
(Less paid warrants) Amount actually therein is	(\$41,029,943.94)	
Active Balance		\$2,266,782.15
Silver		\$18.97
Currency		\$904.00
Certificates of Deposit		\$102,795,728.72
CD		\$24,472,812.86
Local Agency Debt		\$769,661.02
Deposits on Hand		
Corp Obligation		\$4,652,203.11
	134,982,135.48	\$134,958,110.83

Difference:

- 11-13-17 CASH RECON ERROR \$.50
- DEP CORRECTION (\$11.98)
- DEP CORRECTION (\$888.17)
- 12-28-17 EL CASH DEPOSIT TRANSIT (\$23,125.00)

Amy Shepherd

County Auditor

Subscribed and sworn to before me this 3rd day of January 2018



[Signature]

Assistant Clerk of the Board of Supervisors
INYO COUNTY