

# Agenda

# County of Inyo Planning Commission

Board of Supervisors Room  
Inyo County Administrative Center  
Independence, California

**VACANT**  
**CAITLIN (KATE) J. MORLEY**  
**TODD VOGEL**  
**CALLIE PEEK**  
**SCOTT KEMP**

CATHREEN RICHARDS  
PAULA RIESEN  
MICHAEL ERRANTE  
NATE GREENBERG  
CHRISTIAN MILOVICH

**FIRST DISTRICT**  
**SECOND DISTRICT (CHAIR)**  
**THIRD DISTRICT (VICE CHAIR)**  
**FOURTH DISTRICT**  
**FIFTH DISTRICT**

PLANNING DIRECTOR  
PROJECT COORDINATOR  
PUBLIC WORKS DIRECTOR  
COUNTY ADMINISTRATOR  
COUNTY COUNSEL

Inyo County Planning Commission  
Post Office Drawer L  
Independence, CA 93526  
(760) 878-0263  
(760) 872-2712 FAX  
inyoplanning@inyocounty.us

**NOTICE TO THE PUBLIC:** In order to minimize the spread of the COVID-19 virus, Governor Newsom has issued Executive Orders that temporarily suspend certain requirements of the Brown Act. Please be advised that the Planning Commission will be conducting its hearing exclusively via videoconference by which Planning Commission Members and staff will be participating. The videoconference will be accessible to the public by computer, tablet or smartphone at:

<https://us02web.zoom.us/j/88220733189?pwd=U1UzU1BLWGHjbEJIT2k0Vk9rb2tMQT09>

You can also dial in by phone at 1-669-900-6833 Meeting Id: 882 2073 3189 and then enter Passcode: 870545. Public Comment may be provided by emailing the comments prior to the meeting. All emailed comments will be read into the record, and the Planning Commission will take that feedback into consideration as it deliberates. Please send comments to: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)

Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order or the items are continued. Estimated start times are indicated for each item. The times are approximate and no item will be discussed before its listed time.

Lunch Break will be given at the Planning Commission's convenience.

The Planning Commission Chairperson will announce when public testimony can be given for items on the Agenda. The Commission will consider testimony on both the project and related environmental documents.

The applicant or any interested person may appeal all final decisions of the Planning Commission to the Board of Supervisors. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days per ICC Chapter 15 [California Environmental Quality Act (CEQA) Procedures] and Chapter 18 (Zoning), and 10 calendar days per ICC Chapter 16 (Subdivisions), of the action by the Planning Commission. If an appeal is filed, there is a fee of \$300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

**Public Notice:** In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 72 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 Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

## February 22, 2023

10:00  
A.M.

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL** – Roll Call to be taken by staff.
3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

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| <b>Action Item</b>                        | 4. <b>APPROVAL OF MINUTES</b> – Approval of minutes from the December 7, 2022 Planning Commission Meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Action Item</b>                        | 5. <b>NOMINATION &amp; ELECTION OF CHAIR PERSON</b> – The Commission will accept nominations for Chairperson for 2023 and hold election.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Action Item</b>                        | 6. <b>NOMINATION &amp; ELECTION OF VICE CHAIR PERSON</b> – The Commission will accept nominations for Vice-Chairperson for 2023 and hold election.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Action Item<br/>Public<br/>Hearing</b> | 7. <b>GENERAL PLAN AMENDMENT (GPA) -2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY AND ZONE RECLASSIFICATION (ZR)- 2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY</b> – With the help of HELIX Environmental Planning Inc., a vacant lands inventory and a zoning and General Plan review of properties located in the County was conducted. This information was used to identify parcels land that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density. Eight total parcels were selected: three in the Bishop area, one in Independence and four in Lone Pine. They were then evaluated under the California Environmental Quality Act (CEQA) and are now being recommended for General Plan and zoning designation changes. |

**COMMISSIONERS' REPORT/COMMENTS**

Commissioners to give their report/comments to staff.

**PLANNING DIRECTOR'S REPORT**

Planning Director, Cathreen Richards, will update the Commission on various topics.

# COUNTY OF INYO

## PLANNING COMMISSION

### MINUTES OF DECEMBER 7, 2022 MEETING

**COMMISSIONERS:**

LANIE SOMERS  
CAITLIN (KATE) J. MORLEY  
TODD VOGEL  
CALLIE PEEK  
SCOTT KEMP

FIRST DISTRICT  
SECOND DISTRICT (CHAIR)  
THIRD DISTRICT (VICE)  
FOURTH DISTRICT  
FIFTH DISTRICT

Inyo County Planning Commission  
Post Office Drawer L  
Independence, CA 93526  
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**STAFF:**

CATHREEN RICHARDS  
CHRISTIAN MILOVICH  
PAULA RIESEN  
NATE GREENBERG  
MIKE ERRANTE

PLANNING DIRECTOR  
ASSISTANT COUNTY COUNSEL  
PROJECT COORDINATOR  
COUNTY ADMINISTRATOR  
PUBLIC WORKS DIRECTOR

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The Inyo County Planning Commission met in regular session on Wednesday, December 7, 2022. Commissioner Morley opened the meeting at 10:01 a.m. These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

**ITEM 1:**     **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:01 a.m.

**ITEM 2:**     **ROLL CALL** - Commissioners: Caitlin Morley, Todd Vogel, Scott Kemp and Lanie Somers were present.

Staff present: Cathreen Richards, Planning Director; Paula Riesen, Project Coordinator, and Christian Milovich, Assistant County Counsel.

Staff absent: Nate Greenberg, County Administrator; Michael Errante, Public Works Director.

**ITEM 3:**     **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

Chair Morley opened the Public Comment Period at 10:02 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:03 a.m.

**ITEM 4:**     **APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the October 12, 2022 meeting of the Planning Commission.

**MOTION:** Commissioner Todd Vogel made the motion to approve the minutes. The motion was seconded by Commissioner Lanie Somers.

The Motion passed 4-0 at 10:04 a.m.

**ITEM 5:** **TENTATIVE PARCEL MAP 422** - The applicant has re-applied for a previously approved Tentative Parcel Map (TPM) 422/Olancha Lake to combine seven separate parcels into one. The request is part of a greater business plan for a commercial RV and camping business.

Cathreen Richards, Planning Director gave staff report.

Chair Morley opened the Public Comment Period at 10:08 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:08 a.m.

**MOTION:** Commissioner Todd Vogel made a motion to approve TPM 422. Commissioner Lanie Somers made the second.

The Motion passed 4-0 at 10:09 a.m.

**ITEM 6:** **ZONE TEXT AMENDMENT-2022-02/INYO COUNTY-ZONING CODE UPDATES** - Staff has prepared a draft ordinance updating Title 18 of the County Code to reflect: the General Plan Housing Element update; new state housing laws; and/or where the California Department of Housing and Community Development required specific policies in the Housing Element. The Planning Commission will be considering providing a recommendation to the Board of Supervisors to adopt these proposed changes. This project is exempt from CEQA by the 'Common Sense Rule' found in 14 CCR Section 15061(b)(3).

Cathreen Richards, Planning Director gave staff report.

Chair Morley opened the Public Comment Period at 10:26 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:26 a.m.

**MOTION:** Commissioner Todd Vogel made a motion to approve ZTA-2022-02-Zoning Code Updates and find the proposed project exempt from the requirement of CEQA. Commissioner Lanie Somers made the second.

The Motion passed 4-0 at 10:27 a.m.

**ITEM 7:** ZONE TEXT AMENDMENT-2022-03/INYO COUNTY - REASONABLE ACCOMMODATION - Staff has prepared a draft Reasonable Accommodation Ordinance to remove land use, zoning and building constraints to the development of housing for individuals with disabilities to ensure equal access to housing. The Planning Commission will be considering providing a recommendation to the Board of Supervisors to adopt these proposed changes. This project is exempt from CEQA by the 'Common Sense Rule' found in 14 CCR Section 15061(b)(3).

Cathreen Richards, Planning Director gave staff report.

Chair Morley opened the Public Comment Period at 10:33 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:33 a.m.

**MOTION:** Commissioner Todd Vogel made a motion to approve ZTA-2022-03- Reasonable Accommodation and find the proposed project exempt from the requirements of CEQA. Commissioner Lanie Somers made the second.

The Motion passed 4-0 at 10:35 a.m.

#### **COMMISSIONERS' REPORT/COMMENTS –**

Chair Kate Morley wanted to share that she went to the 91st CCPAC Conference in Pleasanton, California. This year's presentation was not as strong as the last two but still beneficial.

#### **DIRECTOR'S REPORT –**

Planning Director, Cathreen Richards, said there will need to be a Planning Commission meeting January 25, 2023. Director Richards also announced that this would be Commissioner Somers last meeting as the First District Planning Commissioner as the District Boundary has moved and she no longer lives in it. Director Richards thanked Commissioner Somers for her service on the Commission. Commissioner Somers stated that she had enjoyed serving and thanked everyone.

#### **ADJOURNMENT –**

Chair Kate Morley requested a motion to adjourn the meeting at 10:42 a.m. The next meeting will be January 25 2023, at 10:00 a.m.

The motion was made by Commissioner Lanie Somers.  
Seconded by Commissioner Scott Kemp.

Motion passed 4-0.

Prepared by:  
Paula Riesen  
Inyo County Planning Department



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**AGENDA ITEM NO.:** 7 (Action Item – Public Hearing)  
**PLANNING COMMISSION**  
**MEETING DATE:** February 22, 2023

**SUBJECT:** Zone Reclassification (ZR) 2023-01/Inyo  
County - Vacant lands and Housing  
Opportunity; General Plan Amendment  
(GPA) 2023-01/Inyo County - Vacant lands  
and Housing Opportunity

#### **EXECUTIVE SUMMARY**

Staff applied for and received a Senate Bill (SB) 2 grant that is directed at planning assistance to help local jurisdictions achieve affordable housing. With the help of HELIX Environmental Planning Inc., a vacant lands inventory and a zoning and General Plan review of properties located in the County was conducted. This information was used to identify parcels land that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density. These parcels were then evaluated under the California Environmental Quality Act (CEQA) and are now being recommended for General Plan and zoning designation changes.

#### **PROJECT INFORMATION**

**Supervisory District:** County-wide

**Applicants:** Inyo County

**Landowners:** Multiple  
**Address/**

**Community:** County-wide

**A.P.N.:** County-wide

**Surrounding Land Use:** Various

**Recommended Action:**

**Approve a Resolution Recommending that the Board of Supervisors:**

**1.) Make certain findings with respect to, and approve, Zone Text Amendment ZTA/2023-01/Inyo County - Vacant lands and Housing Opportunity, changing parcels:**

- **Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business;**
- **Bishop (APN 008-240-02) from Public to Central Business;**
- **Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above;**
- **Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above;**
- **Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,**
- **Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.**

**2.) Make certain findings with respect to, and approve a resolution adopting, General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity changing parcels:**

- **Bishop (APN 008-240-01) from Public Facilities to Central Business District;**
- **Bishop (008-240-02) from Agriculture to Central Business District;**
- **Bishop (APN 008-190-01) from Retail Commercial to Residential High Density;**
- **Independence (APN 002-160-08) from Residential Ranch to Residential Medium Density;**
- **Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and,**
- **Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density.**



**3. Certify the Environmental Impact Report was prepared in compliance with the California Environmental Quality.**

**Alternatives:**

- 1.) Recommend modifications to the proposal.
- 2.) Recommend denial.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

**BACKGROUND**

Staff applied for the SB 2 grant funding to address current shortage of family-wage and other affordable housing opportunities in the County. There are many factors that contribute to this including:

- A lack of available private property for development;
- Difficulties in the provision of infrastructure and services;
- Little interest from builders to provide “family-wage” and/or “affordable” housing choices;
- State subdivision regulations that prohibit subdivision of areas outside Community Service District Boundaries (Fire); and,
- Outdated zoning and General Plan designations and regulations.

*Project strategy*

The project’s intended strategy was to:

- Conduct a vacant lands inventory and General Plan/zoning designations review of private properties located throughout the County (GIS exercise with set criteria).
- The information was also to be used to help identify parcels of land for the Regional Housing Needs Allocation (RHNA) for the Housing Element update.
- Identify land that may be appropriate for designation changes to promote housing opportunities, primarily by increasing allowable residential density.
- Include evaluating an increase the amount of multi-family zoning available in the County and/or additional zoning areas with principal permitting for mobile home parks.
- Review of the County's current zoning with a focus on commercial zones for opportunities for infill (residential) development as well as Accessory Dwelling Units (ADU).
- Give preference to areas near public transportation and other services.

**Environmental Impact Report**

*Scoping*

On November 5, 2020, after the initial review, a CEQA Notice of Preparation was submitted to the State Clearinghouse. This was followed by a scoping meeting held on November 18, 2020. The scoping meeting was held to:

- Provide information on the Environmental Impact Report (EIR) process.
- Identify the environmental issues the EIR would address.
- Solicit community input on the environmental issues that may be involved with the proposed project.
- Collect comments on the environmental analysis of the proposed project, especially for:
  - The range of alternatives to be considered to avoid or reduce impacts;
  - Potential environmental impacts of greatest concern to public agencies, organizations and individuals; and,
  - Avoidance, minimization and mitigation measures.

The scoping meeting resulted in staff getting very good comments, these included:

- There is an environmental constraints document that was produced by the City of Bishop around 2012 that might have relevant information to this proposed project.
- Better define which Los Angeles Department of Water and Power (DWP) parcels to include, perhaps defining a sphere of influence for each neighborhood or town within which to include parcels.
- Support for mixed use commercial and residential zoning.
- Include DWP lands, particularly lots on Main Street in Lone Pine, even if they are not on divestment lists because it may be possible to request divestment.
- Consider bringing in a large septic tank to support additional housing in areas such as Charleston View or Cartago even if these areas would otherwise fall outside the boundaries of the parcels under review because they do not fall within a sewer or water district.
- Include vacant or lightly developed County-owned lands for consideration.
- Several suggestions for increasing residential density, including easing restrictions for renting rooms in existing housing and changing existing zoning to allow for duplexes and additional accessory dwelling units (ADU) in certain zones.

#### *Draft Environmental Impact Report*

County and consultant staff used the ideas collected at the scoping meeting to complete the vacant lands analysis and zone/General Plan designations review. This information was used to generate a project description and baseline for the Environmental Impact Report (EIR) and a final draft parcel list for proposed designation changes. The Geographic Information Systems (GIS) analysis was conducted with a set of parameters to find the best parcel candidates for designation changes that met the project's objectives and could be inclusive of the scoping comments. The GIS process employed county accessor parcel data with overlays to determine the best fit for county purposes, starting with the countywide parcel dataset, the following parameters were used to identify parcels:

1. Classified as vacant according to county assessor data coding.
2. Located within a local fire protection district.
3. Located within or adjacent to a water and sewer/sanitary service district.

4. Located in an area without high environmental concerns including: Alquist-Priolo identified earthquake fault zones; flood prone areas per the Federal Emergency Management Agency (FEMA) flood maps; and, High and Very High fire hazard zone classifications, per Cal Fire.
5. County and DWP ownership. These were added after the scoping meeting based on public comment.
6. Identified parcels with residential zoning designations that were greater than 0.5 (this was based on requirements in the housing element for the RHNA), and parcels in the Central Business District (CBD) designation.
7. Compiled a list of parcels that met the initial criteria and added parcels identified as priorities in the 2014 Housing Element update.
8. For each parcel included in the recommendation, evaluations of the current minimum and maximum housing density and minimum and maximum number of dwelling units supported by the target parcels was generated.

The preliminary results found 48-parcels that matched the criteria, 27 of these are located in the CBD designation and 14 are in other zoning designations. The parcel list was then further refined by information found in the City of Bishop Constraints report. Eight parcels totaling 32-acres were then evaluated by the Draft Environmental Impact Report.

These parcels are (maps attached):

#### *Bishop*

Three undeveloped parcels in the Bishop area, two of the Bishop area parcels (APNs 008-240-01 and 02) are proposed for a General Plan designation change to Central Business District from Public Service Facilities and Agriculture designations; and zoning designation changes to Central Business from Public and Light Industrial - Precise Plan. The third Bishop parcel (APN 008-190-01) is proposed for a General Plan land use designation change from Retail Commercial to Residential High Density and includes a zone change from Single-Family Residential to Multiple Family Residential. Combined, the three Bishop parcels would allow for a maximum of 344 dwelling units.

#### *Independence*

An undeveloped parcel in Independence is 16.9 acres and located along Mazourka Canyon Road, east of Edwards Street. The project parcel is identified as APN 002-160-08. It is owned by DWP and is included on the DWP property divestment list. It was evaluated for a proposed zone change from Rural Residential, 1-acre minimum to Multiple Family Residential and a General Plan change from Residential Ranch to Residential Medium Density for a maximum of 128 dwelling units.

#### *Lone Pine*

Four Lone Pine parcels APNs 005-072-06; 005-072-07; 005-072-24; and 005-072-30 are proposed for a General Plan designation change from Public Facilities and Residential Medium-High Density to Residential High Density and a rezone from Public and Multiple Family 2-units to Multiple Family Residential 3-units and above. Combined, the four Lone Pine Parcels would allow for a maximum of approximately 20 dwelling units.

These parcels are currently being used as a county road yard that is located inside a residential neighborhood.

The project objectives drafted per Section 15124 of the CEQA Guidelines are:

- Provide for increased housing opportunities in Inyo County primarily through increasing allowable residential density within existing and established communities, especially within the Central Business District land use designation.
- Allow for increased housing opportunities (primarily multi-family) in certain commercial zones ministerially (no additional discretionary action needed).
- Focus future housing opportunities to vacant land located adjacent to existing public transit stops and public utilities/services.
- Minimize direct and indirect impact from increased housing opportunities on the physical, biological, cultural, political, and socioeconomic environments.
- Identify zone changes to be consistent with General Plan land use designations to maximize density.

Project alternatives for the EIR were drafted per Section 15126.6 of the CEQA Guidelines, and include:

1. Proposed Project: Increased housing opportunities resulting in a net increase of approximately 219-492 Dwelling Units
2. No Project Alternative: No change to General Plan land use designations or zoning ordinance.
3. Reduced Housing Opportunity Alternative – This alternative would eliminate the Independence parcel and evaluate up to 364 additional dwelling units.

For this EIR staff also applied for an additional state grant (Regional Early Action Planning Grant) or REAP. This grant was used to provide a Vehicle Miles Traveled (VMT) study and recommendations report to enhance the EIR.

The Draft EIR<sup>1</sup> was prepared and posted on the State CEQA Clearinghouse and recorded with the County Clerk for advertising on November 30, 2022 for a 45-day review period ending on January 16, 2023. The County received one comment on January 17, 2023 from DWP (comment attached).

## **FINDINGS**

*General Plan:* The proposed General Plan land use designation changes are being conducted to increase the allowed density on the parcels chosen for the project as part of a State program to promote housing opportunities through an SB2 grant. Changing the General Plan designations to:

Bishop parcels – Residential High Density (RH) and Central Business District (CBD) designations will result in 7.6 to 24 dwelling units per acre (du/acre) that correspond with the proposed Multiple Family Residential (R-3) and Central Business (CB) zones.

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<sup>1</sup> <https://www.inyocounty.us/sites/default/files/2022-12/Vacant%20Lands%20DEIR%2011.30.2022.pdf>

Independence parcel – Residential Medium Density (RM) designation will result in a 4.6 to 7.5 du/acre that corresponds with the proposed R-3 zoning designation.

Lone Pine Parcels – RH designation will result in a 15.1 to 24 du/acre that corresponds with the proposed R-3 zoning designation.

The RH designation is to be used in areas where single-family and multiple family residential units are appropriate and access to adequate water and sewer connections are available. All three areas can accommodate the increase in housing density as evaluated by the EIR and will increase the potential for increased housing opportunity as provided by the State grant program. The CBD designation allows for main street type commercial uses as well as multiple-family dwellings and mixed use projects. The parcels identified for the CBD designation have access to adequate water and sewer services and are appropriate for higher density housing development with mitigations per the EIR analysis. It too will increase the potential for increased housing density. The RM designation is to be used in areas where single-family residential units are appropriate and access to adequate water and sewer connections are available.

*Zoning:* The proposed zoning designation changes are being conducted to be consistent with the allowed density on the parcels, per the proposed General Plan changes and consist of:

Bishop parcels – Central Business (CB) allows for multiple-family dwellings 3-units and above and mixed-use commercial/residential projects, and Multiple Family Residential (R-3) that allows for residential development at 3-units and above.

Independence parcel – R-3 designation allows for residential development at 3-units and above.

Lone Pine Parcels – R-3 designation allows for residential development at 3-units and above.

#### *Tribal Consultation*

General Plan updates require that jurisdictions offer consultation opportunities to local Tribes. Pursuant to Government Code Section 65352.3, Tribes have 90-days, after receiving invitations to consult on GPAs to request consultation opportunities. Staff mailed consultation invitations on November 5<sup>th</sup>, 2020 to the: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Kern Valley Indian Council, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Walker River Reservation, pursuant to the list provided by the Native American Heritage Commission. The Big Pine Paiute Tribe of the Owens Valley requested consultation, but did not engage in scheduling one. No other Tribes requested consultation and the 90-day window for a consultation request has passed.

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter on November 4, 2020 about the project and the opportunity for consultation. The tribes notified were as follows: the Twenty-Nine Palms Band of Mission Indians, Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Cabazon Band of the Mission Indians, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the Tribes requested consultation.

#### *Environmental Review*

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County – Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County- Vacant Lands and Housing Opportunity. The Draft EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. The issues that are analyzed in detail in the Draft EIR include: aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology and soils; greenhouse gas (GHG) emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation; tribal cultural resources; utilities and service systems; and, wildfire.

The analysis contained in the Draft EIR identified potentially significant impacts for biological resources, with the proposed project having the potential to affect sensitive or special-status species, a sensitive natural community, or State or federally protected wetlands. With the implementation of mitigation measures that include rare plant surveys, surveys for Owens Valley vole, avoidance measures for special-status fish, Swainson's hawk and nesting bird surveys, and the completion of a jurisdictional delineation, all potentially significant impacts would be mitigated to a less than significant level. Potentially significant impacts were also identified for cultural resources, but mitigation measures including inadvertent discovery of cultural resources procedures, cultural resource investigations, and procedures for the inadvertent discovery of human remains would reduce potentially significant impacts to a less than significant level. Site-specific geotechnical investigations and avoidance and minimization measures for paleontological resources would be implemented to reduce geology and soils impacts to a less than significant level. The proposed project would also implement stormwater quality protection measures to reduce hydrology and water quality impacts to a less than significant level. Construction noise reduction measures and construction vibration limits would be implemented to reduce noise impacts to a less than significant level. The County would require developers to demonstrate the proposed development would have a residential density equal to or greater than 4.5 dwelling units per acre prior to issuance of a grading permit to reduce transportation impacts to a less than significant level. A minimum density greater than 4.5 dwelling units per acre would meet the criteria for reducing vehicles miles traveled (VMT) at least 15 percent below the County average. Potentially significant impacts were also identified for tribal cultural resources, but mitigation measures including inadvertent discovery of tribal cultural resources

procedures would reduce potentially significant impacts to a less than significant level. The proposed project would demonstrate adequate water supply prior to issuance of a grading permit in order to reduce potentially significant impacts to a less than significant level. Table ES-1 (located at the end of the Executive Summary) summarizes the project's potentially significant environmental impacts and proposed mitigation measures by issue, as discussed in Section 4.1-4.20 of the Draft EIR.

*Noticing*

The project was noticed on February 11, 2023 in the Inyo Register. No comments have been received by staff to date.

**RECOMMENDATIONS**

Planning Department staff is recommending:

The Planning Commission adopt a resolution (attached) recommending the Board of Supervisors:

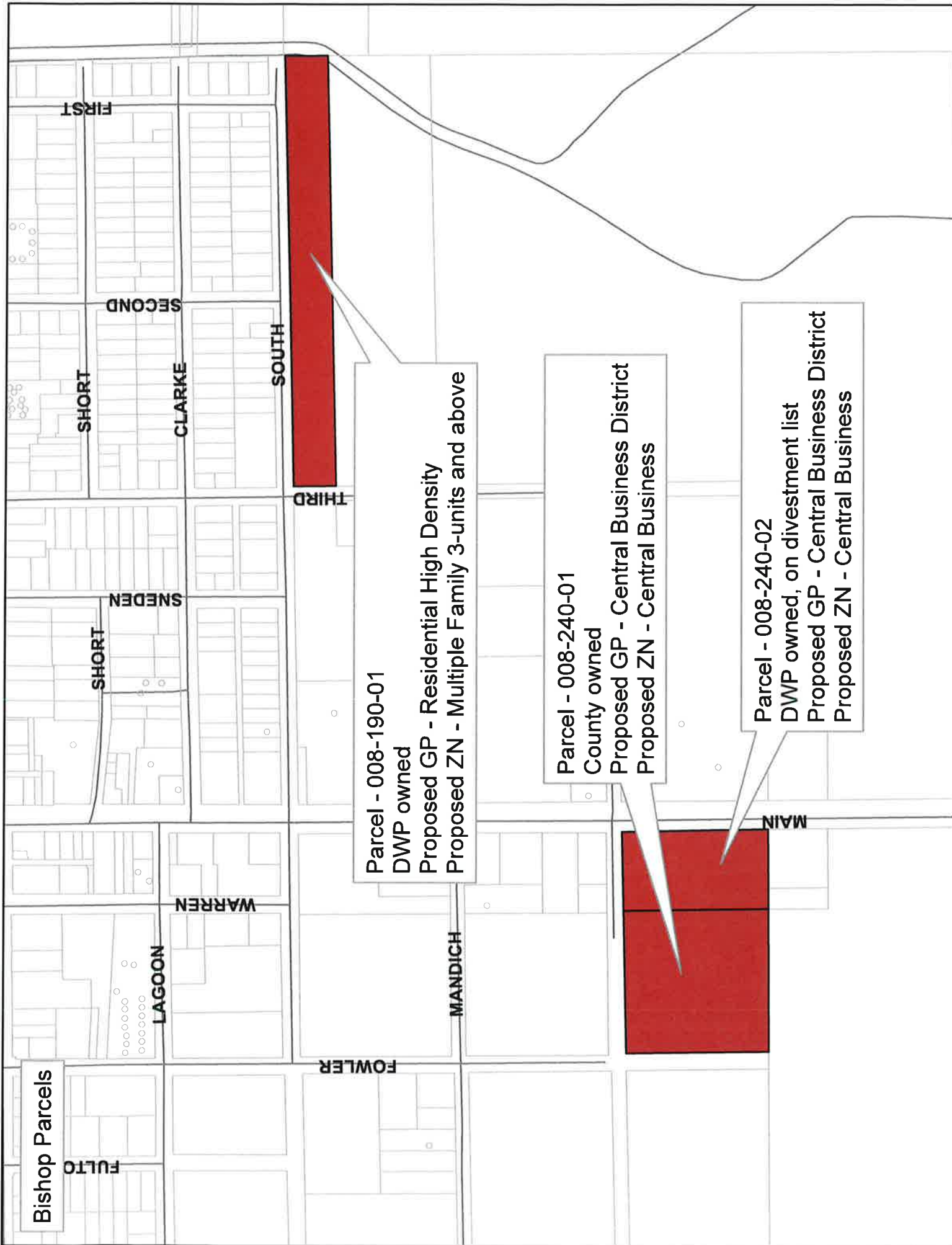
1. Adopt a Resolution Approving General Plan Amendment 2023-01/Inyo County - Vacant lands and Housing Opportunity
2. Adopt an Ordinance Approving Zone Reclassification 2023-01/Inyo County - Vacant lands and Housing Opportunity; and,
3. Approve and certify the EIR was prepared in compliance with CEQA.

**ATTACHMENTS**

- Maps of parcels proposed for General Plan and zone reclassifications
- Comment letter
- Response to comments
- Draft Planning Commission Resolution
- Draft Board Ordinance
- Draft Board Resolution

Attachment - Maps



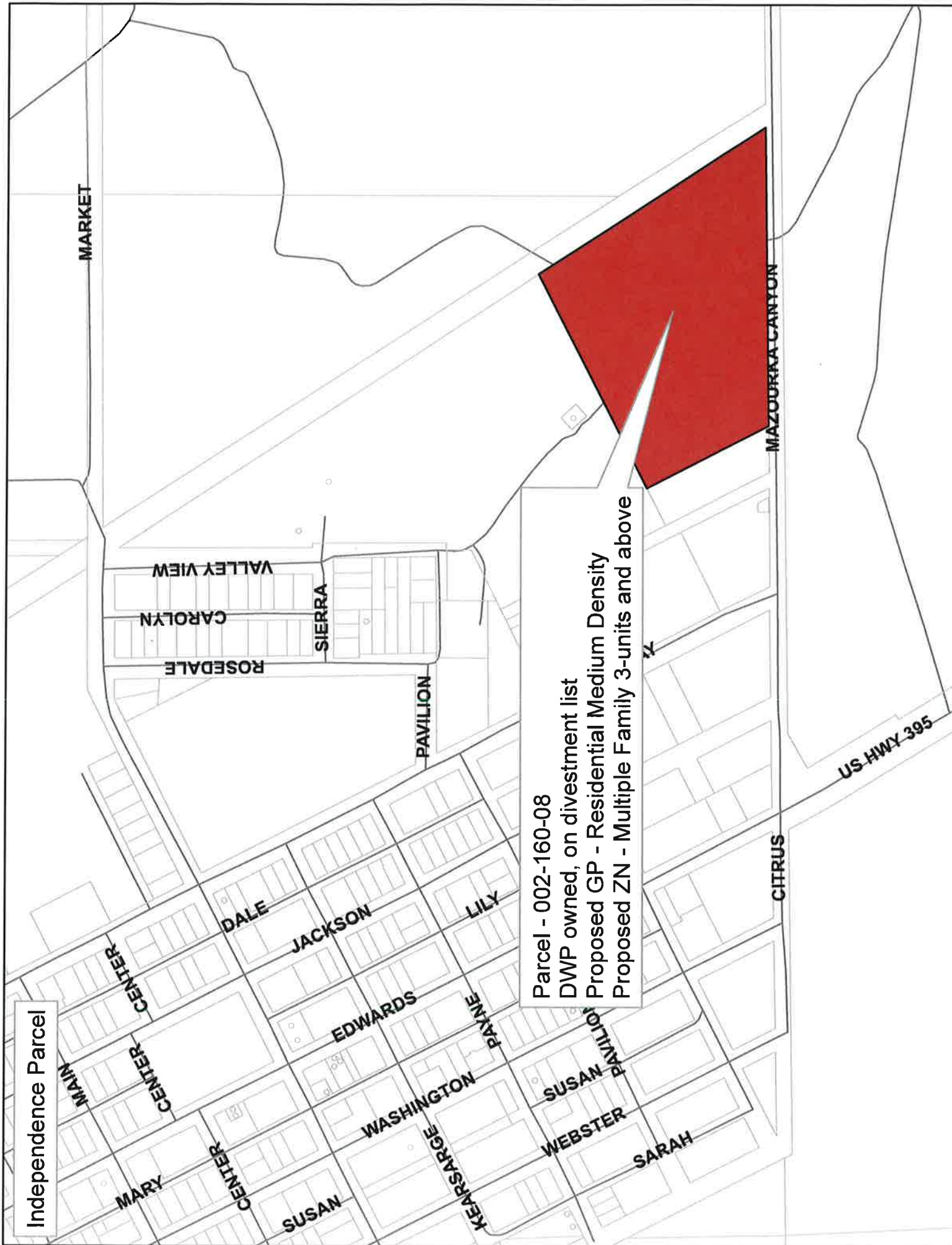


Bishop Parcels

Parcel - 008-190-01  
DWP owned  
Proposed GP - Residential High Density  
Proposed ZN - Multiple Family 3-units and above

Parcel - 008-240-01  
County owned  
Proposed GP - Central Business District  
Proposed ZN - Central Business

Parcel - 008-240-02  
DWP owned, on divestment list  
Proposed GP - Central Business District  
Proposed ZN - Central Business



Independence Parcel

Parcel - 002-160-08  
DWP owned, on divestment list  
Proposed GP - Residential Medium Density  
Proposed ZN - Multiple Family 3-units and above

MARKET

VALLEY VIEW

CAROLYN

ROSEDALE

SIERRA

PAVILION

DALE

JACKSON

LILY

EDWARDS

PAYNE

WASHINGTON

KEARSARGE

SUSAN

WEBSTER

SARAH

CENTER

MARY

CENTER

SUSAN

CITRUS

US-HWY 395

MAZOURRA CANYON

Lone Pine Parcels

WILLOW

Parcel - 005-072-30  
Parcel - 005-072-07

DWP owned

Proposed GP - Residential High Density

Proposed ZN - Multiple Family 3-units and above

MCELROY

BUSH

Parcel - 005-072-07  
Parcel - 005-072-24

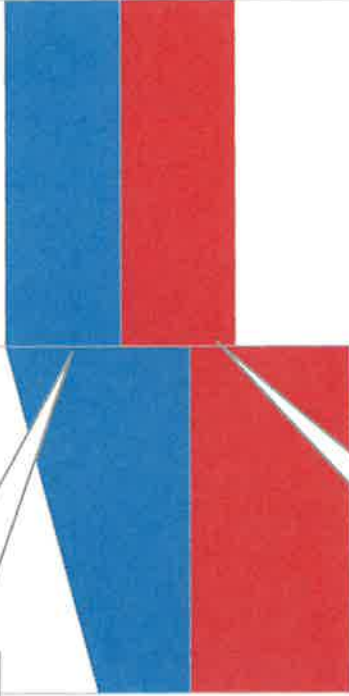
County owned

Proposed GP - Residential High Density

Proposed ZN - Multiple Family 3-units and above

HAY

MOUNTAIN VIEW



Attachment - Comments



BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners  
Cynthia McClain-Hill, President

Cynthia M. Ruiz, Vice President

Mia Lehrer

Nicole Neeman Brady

Nurit Katz

Chante L. Mitchell, Secretary

Martin L. Adams, General Manager and Chief Engineer

January 17, 2023

Ms. Cathreen Richards, Planning Director  
Inyo County Planning Department  
P.O. Drawer L  
Independence, CA 93526  
[crichards@inyocounty.us](mailto:crichards@inyocounty.us)

Dear Ms. Richards:

Subject: Public Comments on Draft Environmental Impact Report (DEIR)  
(SCH No. 2020110088)

The Los Angeles Department of Water and Power (LADWP) is providing comments on the Notice of Availability filed on November 30, 2022, regarding Inyo County's (County) Vacant Lands Inventory and Zoning Evaluation for Possible Housing Opportunities. The proposed project is to change the General Plan and Zoning designations on eight vacant parcels, most owned by the City of Los Angeles, to promote increased housing opportunities. The County finds that the project would have no significant and unavoidable environmental effects, and the potential effects would be less than significant with mitigation incorporated. LADWP does not concur with some of the findings and offers the following comments for consideration:

### **Bishop Area**

Assessor Parcel No. 008-190-01

- This area is leased for livestock grazing and classified as Type-C vegetation under the Inyo-Los Angeles Long-Term Water Agreement (Water Agreement). China Slough, a water conveyance ditch, traverses the parcel's southern boundary. Relocation of ditch or reduction of parcel will be required. Relocation of the ditch, loss of riparian areas, and the effect on the Water Agreement have not been analyzed.
- Reduction of the parcel size to exclude the China Slough ditch from the parcel, requires a 50-foot offset on each side of the ditch for operation and maintenance purposes and possibly a lot line adjustment, which was not addressed.

- This parcel is outside of the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-serve agreement with the City of Bishop and/or Eastern Sierra Community Service District should be in place before granting high-density land entitlements that require access to a sewer treatment plant.
- Hydrology analysis on page 4.10-15, HYD-3, does not analyze relocation of the China Slough Ditch or putting it in an underground conduit. LADWP is unable to divest in land needed for operational purposes.

Assessor Parcel No. 008-240-02

- This area is leased for livestock grazing and classified as Type-E vegetation under the Water Agreement. Water conveyance ditches traverse the southern and eastern parcel boundaries. The same comments for APN 008-190-01 pertain to this parcel. Impacts on LADWP operations have not been considered.
- This parcel is outside of the City of Bishop with no legal access to municipal water. An annexation or an out-of-serve agreement with the City of Bishop should be in place before granting high-density development land entitlements. LADWP is required to reserve all water and water rights. Development can only occur should the City of Bishop service the property with water.
- This parcel is subject to the objectives of the 1997 Memorandum of Understanding (MOU) between Lessor and the County of Inyo, the California Department of Fish and Game (Department of Fish and Wildlife as of 2012), the California State Lands Commission, the Sierra Club, the Owens Valley Committee, and Carla Scheidlinger ("1997 MOU"). The development of grazing management plans (collectively, the "Grazing Management Plan") to meet the 1997 MOU objectives include measures to accomplish the goal of sustainable agriculture. It is not clear how the proposed change affects the MOU.
- Page 4.2-5 discusses *Impact Analysis*. It concludes under AG-1 through AG-4 there are no impacts to agricultural property. AG-2 acknowledges this parcel has a general plan agricultural land use designation with a light industrial zoning use designation. AG-4 states the parcel is not currently used or zoned for agricultural use. Therefore, the proposed project would not convert agricultural land to non-agricultural use and concludes there will be no impact. This is not accurate. The land is currently under ranch lease, irrigated, and used for livestock grazing purposes.

Ms. Cathreen Richards

Page 3

January 17, 2023

- Hydrology analysis on page 4.10-15, HYD-3, does not analyze the relocation of the irrigation ditches or putting them in an underground conduit. LADWP is unable to divest in land needed for operational purposes.

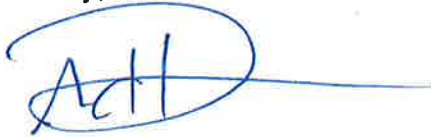
### **Independence**

Assessor Parcel No. 002-160-08

- The County should consider purchasing the Independence wastewater treatment system for future development purposes.

If you have any questions regarding these comments, please write to LADWP at 300 Mandich Street, Bishop, CA 93514.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam", with a long horizontal line extending to the right.

Adam Perez  
Manager of Aqueduct

SRC:fm  
c: Mrs. Sue Chudy

**Attachment – Response to comments**



# Memorandum

HELIX Environmental Planning, Inc.  
1180 Iron Point Road, Suite 130  
Folsom, CA 95630  
916.435.1205 tel  
[www.helixepi.com](http://www.helixepi.com)



**Date:** 07 February 2023

**To:** Cathreen Richards, Inyo County Planning Director

**cc:**

**From:** Robert Edgerton, Principal Planner

**Subject:** Inyo County Vacant Lands EIR – Response to LADWP Comment Letter

A single comment letter was received by the Inyo County Planning Department (County) regarding the public review draft Environmental Impact Report (EIR) for the proposed Vacant Lands Inventory and Zoning Evaluation for Possible Housing Opportunities project. Although the comment letter from the Los Angeles Department of Water and Power (LADWP) was written and received after the close of the public comment period, the County has prepared written responses to the comments.

Communication between Inyo County Planning Department and LADWP in regards to the Vacant Lands EIR began February 2021, as LADWP requested to participate in the planning process for the Vacant Lands EIR. During and subsequent to the Notice of Preparation phase for the EIR, the County provided LADWP with an overview of the project and requested that LADWP provide comment on LADWP-owned parcels during the EIR process. No further communication was provided by LADWP until the County received the late comment letter on January 17, 2023.

LADWP comments are provided in bold text below, followed by County responses to comments.

## **BISHOP AREA**

Assessor Parcel No. 008-190-01

***This area is leased for livestock grazing and classified as Type-C vegetation under the Inyo-Los Angeles Long-Term Water Agreement (Water Agreement). China Slough, a water conveyance ditch, traverses the parcel's southern boundary. Relocation of the ditch or reduction of parcels will be required. Relocation of the ditch, loss of riparian areas, and the effect on the Water Agreement have not been analyzed.***

As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not currently propose development on any parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for future residential lots. In the future, if a developer seeks to build residential dwelling units on one of the subject parcels, they are required to submit an entitlement application and prepare subsequent analysis for any proposed development. As no development is currently proposed, the China Slough ditch is not proposed for relocation.

***Reduction of the parcel size to exclude the China Slough ditch from the parcel, requires a 50-foot offset on each side of the ditch for operation and maintenance purposes and possibly a lot line adjustment, which was not addressed.***

As stated on Page 3-4 of the draft EIR, the proposed project would include rezoning one Bishop parcel (APN 008-190-01) to R-3. The R-3 zoning district allows for multiple-family dwelling units as a principal permitted use. The parcel size would not be reduced to exclude the China Slough ditch, it will only be rezoned to allow for future residential lots. Future development proposals seeking residential entitlement of this parcel would be required to comply with setback requirements from the slough for LADWP maintenance purposes.

***This parcel is outside the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-service agreement with the City of Bishop and/or Eastern Sierra Community Service District should be in place before granting high-density land entitlements that require access to a sewer treatment plant.***

As stated on Page 4.19-12 of the draft EIR, although water availability in the City of Bishop is currently unknown, all eight of the proposed project parcels are located within the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet, which is 84 percent of the basin's groundwater supply. The Sustainable Groundwater Management Act (SGMA) 2019 Basin Prioritization report estimated an 8 percent population growth in the Owens Valley Groundwater Basin from 2010 to 2030. As discussed in Section 4.14 of the draft EIR, Population and Housing, the population growth rate between 2010 (18,546 people) and 2020 (18,584 people) is less than 0.01 percent. Therefore, the portion of the proposed project located in the City of Bishop is anticipated to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and/or multiple dry years.

Additionally, as mentioned on Page 4.19-12 of the draft EIR, wastewater treatment for the Bishop parcels would be provided by the City of Bishop. Connections to the wastewater treatment system are available in the adjacent utility easements along the roads bordering the Bishop parcels. According to Deston Dishion, Public Works Director for the City of Bishop, the City has adequate capacity to provide wastewater services to the maximum number of proposed units in Bishop (D. Dishion, personal communication, August 3, 2021). In the future, if a developer proposes to build residential dwelling units on a Bishop parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

***Hydrology analysis on Page 4.10-15, HYD-3, does not analyze relocation of the China Slough Ditch or putting it in an underground conduit. LADWP is unable to divest in land needed for operational purposes.***

As stated on Page 3 2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not propose any development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the

future, if a developer proposes to build residential dwelling units on the referenced parcel, they are required to submit applications and prepare subsequent analysis, including environmental analysis, as necessary, for any proposed development. As no development is currently proposed, the China Slough ditch would not need to be relocated.

Assessor Parcel No. 008-240-02

***This area is leased for livestock grazing and classified as Type-E vegetation under the Water Agreement. Water conveyance ditches traverse the southern and eastern parcel boundaries. The same comments for APN 008-190-01 pertain to this parcel. Impacts on LADWP operations have not been considered.***

Parcel 008-240-02 is listed in the Long Term Water Agreement as a divestment parcel. As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not currently propose development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the future, if a developer proposes to build residential dwelling units on the referenced parcel, they are required to submit applications and prepare subsequent analysis, including further environmental analysis, as necessary, for any proposed development. As no development is currently proposed, the water conveyance ditches would not need to be relocated and impacts to DWP's operations and any changes required to be made to the Long Term Water Agreement would have to be considered at the time of divestment.

***This parcel is outside the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-service agreement with the City of Bishop should be in place before granting high-density development land entitlements. LADWP is required to reserve all water and water rights. Development can only occur should the City of Bishop service the property with water.***

As stated on Page 4.19-12 of the draft EIR, although water availability in the City of Bishop is currently unknown, all eight of the proposed project parcels are located within the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet, which is 84 percent of the basin's groundwater supply. The Sustainable Groundwater Management Act (SGMA) 2019 Basin Prioritization report estimated an 8 percent population growth in the Owens Valley Groundwater Basin from 2010 to 2030. As discussed in Section 4.14 of the draft EIR, Population and Housing, the population growth rate between 2010 (18,546 people) and 2020 (18,584 people) is less than 0.01 percent. Therefore, the portion of the proposed project located in the City of Bishop is anticipated to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and/or multiple dry years.

Additionally, as mentioned on Page 4.19-12 of the draft EIR, wastewater treatment for the Bishop parcels would be provided by the City of Bishop. Connections to the wastewater treatment system are available in the adjacent utility easements along the roads bordering the Bishop parcels. According to Deston Dishion, Public Works Director for the City of Bishop, the City has adequate capacity to provide wastewater services to the maximum number of proposed units in Bishop (D. Dishion, personal communication, August 3, 2021). In the future, if a developer proposes to build residential dwelling units

on a Bishop parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

***The parcel is subject to the objectives of the 1997 Memorandum of Understanding (MOU) between Lessor and the County of Inyo, the California Department of Fish and Game (Department of Fish and Wildlife as of 2012), the California State Lands Commission, the Sierra Club, the Owens Valley Committee, the Carla Scheidlinger ("1997 MOU"). The development of grazing management plans (collectively, the "Grazing Management Plan") to meet the 1997 MOU objectives include measures to accomplish the goal of sustainable agriculture. It is not clear how the proposed change affects the MOU.***

Parcel 008-240-02 is listed as a divestment parcel in the Long Term Water Agreement. Any changes to the MOU and managements plans as currently set forth would be reviewed and amended if necessary at the time of divestment and again if a development proposal is submitted. As stated on Page 4.2-5 of the draft EIR, one parcel in Bishop, APN 008-240-02, currently has an agricultural land use designation under the General Plan. However, the parcel is zoned as light industrial (M2-PP) and is currently vacant. Page 4.2-6 of the draft EIR states that the proposed project is not located on land zoned for or involved in the production of agriculture or timber, and therefore the proposed project would have no impact and would not contribute to a potential cumulative impact to these resources. As the parcel is zoned light industrial and is currently vacant, it is not currently used or zoned for agricultural use.

***Page 4.2-5 discusses Impact Analysis. It concludes under AG-1 through AG-4 there are no impacts to agricultural property. AG-2 acknowledges this parcel has a general plan agricultural land use designation with a light industrial zoning use designation. AG-4 states the parcel is not currently used or zoned for agricultural use. Therefore, the proposed project would not convert agricultural land to non-agricultural use and concluded there will be no impact. This is not accurate. The land is currently under ranch lease, irrigated, and used for livestock grazing purposes.***

As stated on Page 4.2-5 of the draft EIR, one parcel in Bishop, APN 008-240-02, currently has an agricultural land use designation under the General Plan. However, the parcel is zoned as light industrial (M2-PP) and is currently vacant. Page 4.2-6 of the draft EIR states that the proposed project is not located on land zoned for or involved in the production of agriculture or timber, and therefore the proposed project to rezone would have no impact and would not contribute to a potential cumulative impact to these resources. As the parcel is zoned light industrial and is currently vacant, it is not currently used or zoned for agricultural use.

***Hydrology analysis on page 4.10-15, HYD-3, does not analyze the relocation of the irrigation ditches or putting them in an underground conduit. LADWP is unable to divest in land needed for operation purposes.***

As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not propose any development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the future, if a developer proposes to build residential dwelling units on the referenced parcel, they are

required to submit applications and prepare subsequent analysis, including further environmental review, as necessary, for any proposed development.

INDEPENDENCE

Assessor Parcel No. 002-160-08

***The County should consider purchasing the Independence wastewater treatment system for future development purposes.***

As stated on Page 4.19-13 of the draft EIR, per a personal communication with the LADWP Independence Chief Plant Operator, the wastewater system in Independence was designed to serve a population roughly three times the size of Independence's existing population and therefore has capacity to serve the maximum number of additional units proposed by this project. In the future, if a developer proposes to build residential dwelling units on the parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.



Attachment - Draft Resolution

**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PROJECT WAS PREPARED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ZONE RECLASSIFICATION (ZR) 2023-01/INYO COUNTY - VACANT LANDS AND HOUSING OPPORTUNITY AND GENERAL PLAN AMENDMENT (GPA) 2023-01/INYO COUNTY -VACANT LANDS AND HOUSING OPPORTUNITY**

**WHEREAS**, the Inyo County Board of Supervisors, through Inyo County Code (ICC) Section 15.12.040, has designated the Planning Commission to serve as the Environmental Review Board pursuant to Section 15022 of the California Environmental Quality Act (CEQA) Guidelines, which is responsible for the environmental review of all County projects; and

**WHEREAS**, the Environmental Impact Report (EIR) for the proposed project was prepared in compliance with CEQA; and

**WHEREAS**, mitigation and avoidance measures were prepared to reduce potentially significant impacts to a less than significant level; and

**WHEREAS**, the Inyo County Planning Commission held a duly noticed public hearing on February 22, 2023 to review and consider ZR 2023-01/Inyo County Vacant lands and Housing Opportunity and GPA 2023-01/Inyo County-Vacant lands and Housing Opportunity and considered the staff report for the project and all oral and written comments regarding the proposal; and

**WHEREAS**, ICC Section 18.03.020 states in part that it is necessary for the zoning ordinance to be consistent with the General Plan; and

**WHEREAS**, the approval of ZR 2023-01 will result in the reclassification of the zoning of eight parcels in the county to allow for more dwelling units and these changes are concurrent with corresponding General Plan designations that increase the allowed density of dwelling units on the same parcels causing the zoning code to be compliant with the General Plan with regard to certain residential densities; and

**WHEREAS**, the approval of GPA 2023-01 will result in the reclassification of General Plan designations on eight parcels in the county and these changes are consistent with the changes to the Inyo County Zoning code as it causes higher densities matching the increase of dwelling units concurrent with the zoning code.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that based on all written and oral comments and input received during the February 22, 2023, hearing, including but



not limited to the Planning Department Staff Report and all associated attachments, the Planning Commission makes the following findings regarding the proposal and hereby recommends that the Board of Supervisors adopt the following findings for the proposed project:

**RECOMMENDED FINDINGS:**

1. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level.
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan.
3. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

**BE IT FURTHER RESOLVED** that the Planning Commission recommends that the Board of Supervisors take the following actions:

**RECOMMENDED ACTIONS:**

1. Make certain findings with respect to, and approve, Zone Text Amendment ZTA/2023-01/Inyo County - Vacant lands and Housing Opportunity, changing parcels: Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business; Bishop (APN 008-240-02) from Public to Central Business; Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above; Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and, Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.
2. Make certain findings with respect to, and approve, General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity changing parcels: Bishop (APN 008-240-01; 008-240-02) from Public Facilities to Central Business District; Bishop (008-240-02) from Agriculture to Central Business District; Bishop (APN 008-190-01) from Retail Commercial to Residential High Density; Independence (APN 002-160-08) from Residential Ranch to Residential Medium

Density; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and, Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density.

3. Certify the Environmental Impact Report was prepared in compliance with the California Environmental Quality Act.

PASSED AND ADOPTED this 22<sup>nd</sup> day of February, 2023, by the following vote of the Inyo County Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Chairperson  
Inyo County Planning Commission

ATTEST:  
Cathreen Richards, Planning Director

By \_\_\_\_\_  
Paula Riesen, Secretary of the Commission



Attachment - Draft Ordinance

## ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2023-01/INYO COUNTY-VACANT LANDS AND HOUSING OPPORTUNITY AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING EIGHT PARCELS OF LAND INCLUDING, IN THE BISHOP AREA: (APN 008-240-01) FROM LIGHT INDUSTRIAL PRECISE PLAN TO CENTRAL BUSINESS; (APN 008-240-02) FROM PUBLIC TO CENTRAL BUSINESS; (APN 008-190-01) FROM ONE FAMILY RESIDENTIAL TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; IN INDEPENDENCE: (APN 002-160-08) FROM RURAL RESIDENTIAL TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; AND IN LONE PINE: (APN 005-072-07; 005-072-24; 005-072-30) FROM PUBLIC TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; AND, (APN 005-072-06) MULTIPLE FAMILY RESIDENTIAL 2-UNITS TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE

WHEREAS, county staff applied for and was awarded a Senate Bill (SB) 2 grant to conduct a vacant lands inventory and a zoning and General Plan review of properties located in the County; and

WHEREAS, this information was used to identify parcels that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density; and

WHEREAS, eight separate parcels of land located in the Bishop area, Independence and Lone Pine were identified for General Plan and zoning designation changes to increase the allowable housing densities and dwelling units; and

WHEREAS, an Environmental Impact Report (EIR) was prepared in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, as required by law, the EIR was posted to the State CEQA Clearinghouse on November 5, 2022; filed with the County Clerk; and advertised in the Inyo Register; for a forty-five day review and comment period, ending on January 16, 2023; and

WHEREAS, one comment was submitted on January 17, 2023 from the Los Angeles Department of Water and Power; and

WHEREAS, on February 22, 2023 the Inyo County Planning Commission received a presentation from staff regarding the proposed reclassification of zoning designations on eight separate parcels of land and the associated EIR including avoidance, mitigation measures and comments; held a public hearing and received public comment; made all necessary findings and adopted a resolution recommending the Board of Supervisors adopt the resolution amending the General Plan, adopt the ordinance approving Zone Reclassification No. 2023-01 and certify the EIR was prepared in compliance with CEQA; and

WHEREAS, on March 28, 2023, the Board held a duly noticed public hearing.

NOW, THEREFORE, the Board of Supervisors, County of Inyo, ordains as follows:

#### SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police powers of the Board of Supervisors and Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establishes the procedure for the Board of Supervisors to enact changes to the Zoning Ordinance of the County as set forth in Title 18 of said code. The Board of Supervisors is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

#### SECTION II: FINDINGS

The recitals above are incorporated herein as Findings.

After considering all testimony, information and evidence, submitted, including the recommendation of the Inyo County Planning Commission and statements made at the public hearings held on this matter, this Board finds as follows:

- (1) In accordance with Inyo County Code Section 18.81.320, the Inyo County Planning Commission considered amendments to the zoning map of the County of Inyo to change the designations on eight separate parcels to increase housing opportunity as described in Section III of this Ordinance.
- (2) On February 22, 2023 the Inyo County Planning Commission conducted a duly noticed public hearing on Zone Reclassification (ZR) 2023-01/Inyo County - Vacant lands and Housing Opportunity, following which, the Commission made various findings and recommended that this Board amend Title 18, to rezone the parcels as described in Section III of this Ordinance.
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Staff presented eight parcels of land to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended to best match the proposed zoning and in support of higher density housing.
- (5) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment changing designations on eight separate parcels.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the parcels to allow for more housing opportunity within already developed and disturbed areas, which have adequate services and available infrastructure, as this best matches the current policies of the State and County and helps to limit development pressure on currently undeveloped areas of the County.

(7) Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level.

### SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on eight separate parcels is changed, as follows:

- Bishop (APN 008-240-01) from Light Industrial, Precise Plan to Central Business;
- Bishop (APN 008-240-02) from Public to Central Business;
- Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above;
- Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,
- Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.

### SECTION IV: 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 28<sup>TH</sup> DAY OF MARCH, 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Jennifer Roeser Chairperson

ATTEST: Nathan Greenberg  
Clerk to the Board

By: \_\_\_\_\_  
Darcy Ellis, Assistant

**Attachment – Draft Board Resolution**



**RESOLUTION NO.**

**A RESOLUTION OF INYO COUNTY BOARD OF SUPERVISORS ADOPTING  
GENERAL PLAN AMENDMENT (GPA) 2023-01/INYO COUNTY-VACANT  
LANDS AND HOUSING OPPORTUNITY**

**WHEREAS**, on March 28, 2023, the Inyo County Board of Supervisors held a duly noticed public hearing to review and consider ZR 2023-01/Inyo County Vacant lands and Housing Opportunity and GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity and considered the staff report for the project and all oral and written comments regarding the proposal; and

**WHEREAS**, ICC Section 18.03.020 states in part that it is necessary for the zoning ordinance to be consistent with the General Plan; and

**WHEREAS**, the approval of ZR 2023-01 will result in the reclassification of the zoning of eight parcels in the county to allow for more dwelling units and these changes are concurrent with corresponding General Plan designations that increase the allowed density of dwelling units on the same parcels causing the zoning code to be compliant with the General Plan with regard to certain residential densities; and

**WHEREAS**, on February 22, 2023, the Inyo County Planning Commission held a duly noticed public hearing, following which it approved a resolution recommending the Board of Supervisors adopt GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity and certify the EIR was prepared in compliance with CEQA; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level; and

**WHEREAS**, having reviewed and considered all the information and evidence presented to it, including public testimony, written comments, staff reports and presentations, and the recommendation of the Planning Commission, the Board of Supervisors now makes the required findings and adopts GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

**NOW, THEREFORE, BE IT RESOLVED** that the Inyo County Board of Supervisors hereby finds and resolves as follows:

**SECTION ONE:** The recitals above are incorporated herein as Findings.

**SECTION TWO:** The Board of Supervisors certifies the EIR for GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

**SECTION THREE:** The Board of Supervisors finds that the General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity which changes parcels: Bishop (APN 008-240-01; 008-240-02) from Public Facilities to Central Business District; Bishop (008-240-02) from Agriculture to Central Business District; Bishop (APN 008-190-01) from Retail Commercial to Residential High Density; Independence (APN 002-160-08) from Residential Ranch to Residential Medium Density; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and, Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density is consistent with the goals and policies of the same and any applicable area plans, is reasonable and beneficial at this time, and will not have a substantial adverse effect on surrounding properties.

**PASSED AND ADOPTED this 28<sup>th</sup> day of March, 2023, by the following vote of the Inyo County Board of Supervisor:**

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Jennifer Roeser, Chair

ATTEST: Nathan Greenberg  
Clerk of the Board

By \_\_\_\_\_  
Darcy Ellis, Assistant