

ORDINANCE NO. 2022-01 Outdoor Seating

**AN ORDINANCE OF THE INYO COUNTY BOARD OF SUPERVISORS
AMENDING SECTION 18.44.030(G) AND ADDING SECTIONS
18.44.040(C), 18.48.040(D), 18.45.040(D), AND 18.54.030(F) TO
THE INYO COUNTY CODE PERTAINING TO ZONING**

WHEREAS, Title 18 of the Inyo County Code (ICC) sets forth zoning requirements within the unincorporated area of the County; and

WHEREAS, on July 21, 2020 due to the Global COVID-19 Pandemic, the Board of Supervisors temporarily suspended regulations regarding outdoor seating so that businesses affected by forced, indoor closers could continue to do business; and

WHEREAS, sections 18.44 and 18.48 of the ICC currently include outdoor seating as a use requiring prior approval by the Inyo County Planning Commission; and

WHEREAS, the Board finds that the experience of outdoor seating as an allowed use during the suspension of these regulations was positive; and

WHEREAS, the Board now wishes to amend sections 18.44 and 18.48 of the ICC to allow outdoor seating outright as an accessory use when combined with or involving a permitted use; and

WHEREAS, sections 18.45 and 18.54 currently do not allow for outdoor seating as a use under any circumstance; and

WHEREAS, the Board now wishes to amend sections 18.45 and 18.54 to allow outdoor seating as an accessory use when combined with or involving a permitted use; and

WHEREAS, the Inyo County Planning Commission met to discuss the proposal to allow for outdoor seating as an accessory use when combined with or involving a permitted use in Inyo County Code sections 18.44, 18.48, 18.45 and 18.54 with regard to consistency with the Inyo County Zoning Code, General Plan, and the California Environmental Quality Act and concurred with staff recommendations.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO ORDAINS AS FOLLOWS:

SECTION ONE: Section 18.44.030(G) of the Inyo County Code is hereby amended to read as follows:

“18.44.030 Conditional Uses

G. Any permitted use when combined with or involving any outdoor display of goods, or outdoor business activity.

SECTION TWO: Section 18.44.030 of the Inyo County Code is amended by adding the following section C:

“18.44.030 Accessory Uses.

C. Outdoor seating when combined with or involving a permitted use.

SECTION THREE: Chapter 18.48.040 of the Inyo County Code is amended by adding the following section D:

“18.48.040 Accessory Uses.

D. Outdoor seating when combined with or involving a permitted use.

SECTION FOUR: Chapter 18.45.040 of the Inyo County Code is amended by adding the following section D:

“18.45.040 Accessory Uses.

D. Outdoor seating when combined with or involving a permitted use.

SECTION FIVE: Chapter 18.54.030 of the Inyo County Code is amended by adding the following section F:

“18.54.030 Accessory Uses.

F. Outdoor seating when combined with or involving a permitted use.

SECTION SIX: 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 _____, 2022.

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Totheroh, Chair
Inyo County Board of Supervisors

ATTEST:

By: _____