

# Memorandum

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**Date:** June 5, 2023

**To:** Cathleen Richards, Inyo County Planning Department

**From:** Robert Edgerton, AICP CEP, HELIX Environmental Planning

**Subject:** Final Environmental Impact Report for the Vacant Lands Inventory and Zoning Evaluation for Possibly Housing Opportunities Project, Inyo County, CA

**Message:** On May 2<sup>nd</sup>, 2023, General Plan Amendment 2023-01/Inyo County – Vacant Lands and Housing Opportunity and Zone Reclassification 2023-01/Inyo County – Vacant Lands and Housing Opportunity were presented to the Inyo County Board of Supervisors for review and consideration. The Board of Supervisors opted to adopt an alternative to the Reduce Housing Opportunity Alternative, as described below under *Project Description*. The recirculation of the Draft Environmental Impact Report (EIR) is unwarranted as the Board of Supervisors decision resulted in a reduction of proposed parcels and the total number of dwelling units (DU) that could be constructed.

This memorandum describes the proposed project as adopted by the Board of Supervisors, including project overview, purpose, objectives, and project description, and as such constitutes the Final EIR.

## Project Overview

Inyo County (County) is proposing to amend the General Plan land use designation and zoning for five vacant parcels throughout the County to promote increased housing opportunities. The parcel assessment process included a County-wide vacant lands inventory and zoning review for properties with the following characteristics: classified as vacant according to County assessor's data; located within a local fire protection district; located within or adjacent to a water and/or sanitary sewer service district; and, designated as private, County, or under City of Los Angeles ownership. The vacant lands inventory and zoning review also focused on commercial zones for opportunities for infill (residential) development; properties near public transportation and other services were considered prime candidates to be included in the proposed project. This information was used to identify land that may be appropriate for General Plan land use and zoning changes to promote housing opportunities, primarily by increasing allowable residential density.

Although not included as part of the proposed project and not evaluated as part of this EIR, the County is encouraging the construction of Accessory Dwelling Units (ADU) as an effective way to provide more housing in infill communities without changing the existing character of residential neighborhoods. ADU is a catch-all term for a secondary home on a residential lot and are inherently less expensive homes that can meet the needs of low- to moderate-income families without the need for public subsidy. Ways to encourage more ADUs for permanent housing that the County may consider include allowing for two

ADUs per parcel, not allowing additional ADUs to be used for short-term rentals, removing all parking requirements for ADUs, and relaxing front-yard setback requirements for ADUs.

To further the goals of Senate Bill 2 (SB 2), the County is also encouraging the development of more mobile home parks throughout the County. Mobile homes are consistently the most affordable housing type in Inyo County, but the development of mobile home parks currently requires a Conditional Use Permit (CUP). Ways the County could streamline the mobile home approval process and create more mobile home opportunities include changing the Multiple Family Residential (R-3) zoning to allow for mobile home and/or recreational vehicle parks by right (no CUP required), changing some open-space zoning to R-3, especially in the more rural areas, and finding infrastructure opportunities to put large septic tanks in certain rural areas to help promote mobile home park development. This may result in changes from single-family to multi-family and changes to ministerially allow for mobile home parks, as well as allowing for multi-family residential uses in certain commercial zones without requiring discretionary approval.

Another approach to increase housing opportunities in the County is to encourage “missing middle” zoning. “Missing middle” describes multi-unit housing that fits within the scale of existing neighborhoods. While this term is sometimes used to refer to affordable housing for middle income households, in this discussion, the “missing middle” is referring to the housing type (duplexes, triplexes, fourplexes, townhomes, courtyard apartments, and bungalow courts) often absent in Inyo County’s unincorporated communities. Missing middle housing types are less expensive to develop than large apartment buildings, tend to become affordable rental housing as they age, provide sufficient density to support the retail and transit that are associated with walkable neighborhoods, and are usually compatible with the character of single-family neighborhood. Ways to consider for creating more missing middle zoning include zoning changes from single-family residential neighborhoods to multi-family (two units) and multi-family (three units and above) residential.

Ultimately, the Board of Supervisors identified the five project parcels for proposed land use changes to increase the allowable residential density; the environmental impacts associated with the General Plan land use designation changes and up-zoning to multi-family residential uses are evaluated in detail in this EIR.

## Project Purpose

Inyo County is California’s second largest county by acreage yet more than 98 percent of its landmass is managed by federal, State, or municipal entities. Consequently, the County has struggled to maintain an adequate housing stock and meet its affordable housing requirements. Accordingly, the County sought and received funding under the SB 2 Planning Grants Program, administered by the HCD, to confront the issue of housing stock and affordability for its current and future residents. The County has identified that several factors contribute to this issue, including but not limited to: lack of available vacant private property for development; infrastructure and services constraints; lack of developer interest in family-wage or affordable housing development; State subdivision regulations that prohibit subdivision of areas outside Community Service District Boundaries (Fire); and, outdated zoning. The goal of the proposed project is to streamline the housing approval process for key parcels identified for increased residential dwelling capacity to accelerate housing production and reduce population emigration through processing General Plan land use designation and zoning changes for the proposed project parcels.

## Project Objectives

Per Section 15124 of the CEQA Guidelines, the County identified the following objectives for the proposed project:

- Provide for increased housing opportunities in Inyo County by processing General Plan land use designation and zoning changes for select parcels within existing and established communities to allow for residential or higher density residential uses;
- Focus future housing opportunities to vacant land located adjacent to existing public transit stops and public utilities and services;
- Minimize direct and indirect impact from increased housing opportunities on the physical, biological, cultural, political, and socioeconomic environments; and,
- Identify zone changes to be consistent with General Plan land use designations to maximize density.

## Project Description

Per the SB 2 grant provided by Housing and Community Development Department (HCD), the County conducted a vacant lands inventory and public outreach campaign to seek input from community members and is seeking amendments to the County General Plan and zoning ordinance for five parcels in the County to increase the allowable housing density on those select parcels. The combined acreage of the five project parcels is 17.7-acres, and the project parcels are located in or near the communities of Independence and Lone Pine.

The proposed project would allow for a combined maximum of 73 residential DUs on the five project parcels proposed for General Plan land use designation and zoning changes. The average household size in Inyo County is 2.18 persons per household, and the proposed project could provide additional housing to accommodate approximately 160 persons (US Census 2019). The current median water use for indoor residential water use is 48 gallons per capita per day (gpcd) (DWR 2021). Assuming the proposed project would accommodate 160 persons, the water demand would be approximately 2.80 million gallons (or 8.60 acre-feet) of water per year. The project description identifies the maximum number of DUs that could be developed in each community in accordance with the proposed General Plan land use designation and zoning changes. See below for a detailed discussion by the community and see Table 1 for the existing and proposed land uses for the proposed project parcels.

**TABLE 1**  
**EXISTING AND PROPOSED LAND USES FOR PROJECT PARCELS**

No.	APN	Location	Existing GP Designation	Existing Zoning	Proposed GP Designation	Proposed Zoning	Parcel Size (acres)	Proposed Units
<b>1</b>	002-160-08	Independence	RR	RR-1.0	RL	R-1*	16.9	61
<b>2</b>	005-072-06	Lone Pine	RMH	R-2	RMH	R-3	0.2	3
<b>3</b>	005-072-07	Lone Pine	PF	P	RMH	R-3	0.2	3
<b>4</b>	005-072-24	Lone Pine	PF	P	RMH	R-3	0.2	3
<b>5</b>	005-072-30	Lone Pine	PF	P	RMH	R-3	0.2	3
<b>Total</b>							<b>17.7</b>	<b>73</b>

**Sources:** Inyo County 2001; 2021.

**Acronyms:**

APN = Assessor's Parcel Number

GP = General Plan

\*= 12,000 square foot lot minimum

*General Plan Designations:*

RR = Residential Ranch, PF = Public Service Facilities, A = Agriculture, RC = Retail Commercial, RMH = Residential Medium-High Density, RM = Residential Medium Density, CBD = Central Business District, RL = Residential Low Density, and RH = Residential High Density.

*Zoning Designations:*

RR-1.0 = Rural Residential, 1-acre minimum, P = Public, M2-PP = Light Industrial - Precise Plan Overlay, R-1 = Single Family Residential, R-2 = Duplex, R-3 = Multiple Family Residential, and CB = Central Business.

Independence Parcel

The Independence parcel is proposed for a General Plan land use designation change to Residential Low Density (RL) but is currently designated for Residential Ranch (RR). The proposed project also includes a zoning amendment to rezone the parcel from Rural Residential, 1.0 acre minimum (RR-1.0) to Single-Family Residential (R-1) with a 12,000 square foot lot minimum.

The proposed project would include amending the General Plan to change the land use designation for the Independence parcel to RL. Allowable density for RL is between 2.0 to 4.5 DUs per acre (du/ac), and the Independence parcel is 16.9-acres. Therefore, the General Plan land use designation change would allow for a maximum of 61 DUs to be developed on the Independence parcel (Inyo County 2001).

As noted above, the proposed project would include rezoning the Independence parcel to R-1, and the R-1 zone district allows for one single-family dwelling on a lot as a principal permitted use. The maximum building height for the principal structure would be two and one-half stories or up to 35 feet tall. The front and rear yard setbacks would be 25 and 20 feet respectively, and side yard setbacks would be 5 feet (Inyo County 2021). The off-street parking requirement for the R-1 zone district is two designated spaces for each dwelling unit. The proposed project would provide for a total of 122 off-street parking spaces to accommodate parking for the proposed 61 DUs to be developed on the Independence parcel.

The proposed project assumes maximum buildout of the parcel as allowed by the General Plan land use designation and zoning. The entire 16.9 acres would be disturbed during site preparation and grading, and any trees on the parcel would be removed.

### Bishop Parcels

The Board of Supervisors opted to remove all potential parcels in Bishop from the proposed project.

### Lone Pine Parcels

Four Lone Pine parcels are proposed for a General Plan land use designation change to Residential Medium-High Density (RMH) but are currently designated for Public Facilities (PF) and RMH. The proposed project also includes a zoning amendment to rezone the parcel from Public (P) and Duplex (R-2) to Multiple Family Residential (R-3).

The proposed project would include amending the General Plan to change the land use designation for the Lone Pine parcels to RMH. Allowable density for RMH is between 7.6 to 15 du/ac. The proposed project would change the General Plan land use designation to a total of 0.8-acre in Lone Pine to RMH which would allow for a maximum of approximately 12 DUs to be developed on those four parcels in Lone Pine combined (Inyo County 2001).

As noted above, the proposed project would include rezoning the Lone Pine parcels to R-3. The R-3 zone district allows for multiple-family dwelling units as a principal permitted use. The maximum building height for the principal structure would be three stories or up to 40 feet tall. Because these parcels are adjacent to parcels within the R-2 zone, the front yard setbacks would be 25 feet unless the adjacent property has a nonconforming structure. If the project parcel(s) is adjacent to a nonconforming structure, then the front yard setback would be the same as the adjacent developed property. The rear yard setbacks would be 15 feet, and side yard setbacks would be 5 feet for each story (Inyo County 2021). The off-street parking requirement for the R-3 zone district is two designated spaces plus one guest parking space for each of the four DUs. The proposed project would provide for a total of 27 off-street parking spaces to accommodate parking for the proposed 12 DUs to be developed on the Lone Pine parcels combined. The entire 0.8-acre area is disturbed, and any trees on the parcel would be removed.

## **CONCLUSION**

As adopted by the Board of Supervisors, the proposed project is seeking amendments to the County General Plan and zoning ordinance for five parcels in the County to increase the allowable housing density on those select parcels, as outlined in Table 1. However, as previously stated, recirculation of the Draft EIR is unwarranted as the Board of Supervisors opted for a reduction in the number of originally proposed parcels and to reduce the total number of DUs that could be constructed.

## REFERENCES

- California Department of Water Resources (DWR). 2021. Public Review Draft Report to the Legislature on Results of the Indoor Residential Water Use Study. Water Use Efficiency. Accessed on May 15, 2023 and available at: <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Water-Use-And-Efficiency/AB-1668-and-SB-606-Conservation/IRWUS-Public-Review-Draft-ReportPAO7May21-v1.pdf>.
- Inyo County. 2021. Inyo County Code: Title 18 Zoning. Current through Ordinance 1264, effective March 21, 2021. Accessible at: <http://www.qcode.us/codes/inyocounty/>.
2001. Goals and Policies Report for the Inyo County General Plan. December. Accessible at: <https://www.inyocounty.us/sites/default/files/2020-02/GP%20Goals%20and%20Policy%20Report%2012.2001.pdf>.
- US Census Bureau. 2019. American Community Survey 5-Year Estimates. Table S1101: Household and Families, Inyo County. Accessed May 15, 2023 and available at: <https://data.census.gov/cedsci/table?text=s1101&g=0500000US06027&tid=ACST5Y2019.S1101>.