

# Agenda

## County of Inyo Planning Commission

Board of Supervisors Room  
Inyo County Administrative Center  
Independence, California

### INYO COUNTY PLANNING COMMISSION

**Howard Lehwald**  
**Caitlin (Kate) J. Morley**  
**Todd Vogel**  
**Callie Peek**  
**Scott Kemp**

**First District**  
**Second District**  
**Third District (Chair)**  
**Fourth District (Vice Chair)**  
**Fifth District**

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

#### STAFF

Cathreen Richards  
Ryan Standridge  
Danielle Visuano  
Cynthia Draper  
Michael Errante  
Nate Greenberg  
Christian Milovic

Planning Director  
Associate Planner  
Associate Planner  
Assistant Planner  
Public Works Director  
County Administrator  
Assistant County Counsel

**This meeting will be held in the Board of Supervisors Room located at 224 N. Edwards Street, in Independence California, beginning at 10:00 a.m.**

- 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).

**October 23, 2024**

**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.

4. **APPROVAL OF MINUTES** – Approval of minutes from the July 24, 2024, Planning Commission Meeting.

Action  
Item /  
Public  
Hearing

5. **CONDITIONAL USE PERMIT 2024-07 / SHELL STATION REIMAGE TO 76.** The applicant is requesting a Conditional Use Permit (CUP) for the reimagining of a fuel station from Shell to 76. The property is zoned Central Business (CB) and is located at 109 S. Main St., Big Pine, California (APN: 004-032-01). A gas station and food mart have been operating on the site for many years. The applicant has applied for the CUP to reimage existing unpermitted and nonconforming Shell brand signage to 76 to include the canopy, fuel pumps, Food Mart, Hi-rise and Mid-rise signs, and to add a new electronic price reader to the Mid-rise sign. This project is Categorically Exempt under CEQA.

Action  
Item /  
Public  
Hearing

6. **CONDITIONAL USE PERMIT (CUP) 2021-04/GREWAL.** The applicant has applied for a Conditional Use Permit to change a one-family residence on a property located at 2218 North Sierra Highway, in the Bishop area, to a multiple family structure (duplex). The dwelling is located in the Highway Services and Tourist Commercial (C2) zone, which requires a CUP for multiple family dwellings. This project is Exempt from CEQA pursuant to 15301 – Existing Facilities.

7. **COMMISSIONERS' REPORTS/COMMENTS**

8. **PLANNING DIRECTOR'S REPORT**

9. **ADJORN**

# COUNTY OF INYO PLANNING COMMISSION

## MINUTES OF JULY 24, 2024 MEETING

### COMMISSIONERS:

HOWARD LEHWALD  
CAITLIN (KATE) J. MORLEY  
TODD VOGEL  
CALLIE PEEK  
SCOTT KEMP

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

Inyo County Planning Commission  
Post Office Drawer L  
Independence, CA 93526  
(760) 878-0263  
(760) 872-0712 FAX

### STAFF:

CATHREEN RICHARDS  
CHRISTIAN MILOVICH  
RYAN STANDRIDGE  
DANIELLE VISUAÑO  
CYNTHIA DRAPER  
SALLY FAIRCLOTH  
NATE GREENBERG  
MIKE ERRANTE

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

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The Inyo County Planning Commission met in regular session on Wednesday, July 24, 2024. Chair Vogel 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, Todd Vogel, Callie Peek, Kate Morley, Scott Kemp, and Howard Lehwald were present.

Staff present: Cathreen Richards, Planning Director, Sally Faircloth, 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 Vogel opened and closed the Public Comment Period at 10:03 a.m.  
No comments were made.

**ITEM 4:**     **APPROVAL OF MINUTES** – Approval of minutes from June 26, 2024, Planning Commission Meeting.

**MOTION:**     Commissioner Kemp made the motion to approve the minutes. The motion was seconded by Chair Vogel.

Minutes were approved unanimously by general consent.

**ITEM 5: REQUEST FROM INYO COUNTY PURSUANT TO GOVERNMENT CODE SECTION 65402(a) TO REPORT ON INYO COUNTY'S INTENDED ACQUISITION OF THE BISHOP, INDEPENDENCE, AND LONE PINE LANDFILLS, FOR PURPOSE OF CONTINUING LANDFILL OPERATIONS.**

Cathreen Richards, Planning Director, presented the item for County Counsel. The Planning Commission was asked to make a finding that the purchase of the landfills to continue operations is consistent with the General Plan designations assigned to the parcels they are located on. The landfills, at these locations, also predates the County General Plan and Zoning Code.

**MOTION:** Commissioner Kemp made the motion to approve that the location, purpose and extent of such acquisitions conform with Inyo County's adopted General Plan and issue a report accordingly.

The motion was seconded by commissioner Peek.

The Motion passed 5-0 at 10:10 a.m.

**ITEM 6: ZONE TEXT AMENDMENT 2024-03/INYO COUNTY-ANIMAL MAINTENANCE -** Staff has drafted a proposed ordinance to update Section 18.78.310 – Animal Maintenance; and Subsections 18.12.020 (D) and 18.12.040 (J) Open Space, of the Inyo County Code to: update and make clear the limitations of the number of animals allowed, by zoning and lot size, and setting forth appropriate conditions for animals to be kept; identify prohibited nuisances; and include a requirement for all kennels to obtain a conditional use permit and kennel license to operate. The project is Exempt from the California Environmental Quality Act by the Common Sense Rule 15061(b)(3). Subsequent conditional use permits for kennels will require additional site specific CEQA evaluations.

Cathreen Richards, Planning Director, presented the staff report as well as presenting a slide show. Ms. Richards also recommended the Planning Commission adopt attached resolution recommending the Board of Supervisors consider ZTA 2024-03 make certain findings and adopt the proposed ordinance updating Section 18.78.310 – Animal Maintenance and Subsections 18.12.020 (D) and 18.12.040(J) Open Space, of the Inyo County Code. Upon completion of Ms. Richards' presentation, she also introduced Ms. Tehauna Tiffany, Code Compliance Officer. Ms. Tiffany was in attendance should there be any questions pertaining to Code Compliance issues regarding animals.

Commissioners had questions and comments regarding the language of the ordinance.

After much discussion, Chair Vogel advised that this item be brought back to the Commission at a later date.

**COMMISSIONER'S REPORT/COMMENTS –**

Commissioner Lehwald commented that he received a formal written complaint and inquired as to who the appropriate contact person would be to receive this information.

Ms. Richards and Ms. Tiffany were able to answer his question to his satisfaction.

No comments were made by the other commissioners.

**DIRECTOR'S REPORT** –

Planning Director, Cathreen Richards, stated August 28, 2024, Planning Commission meeting will be cancelled and reconvene on September 25, 2024.

**ADJOURNMENT:**

Commissioner Kemp motioned to adjourn the meeting at 11:30 a.m.

Seconded by Chair Todd Vogel.

Motion passed unanimously.

Prepared by:  
Sally Faircloth  
Project Coordinator



**Planning Department  
168 North Edwards Street  
Post Office Drawer L  
Independence, California 93526**

**Phone: (760) 878-0263  
FAX: (760) 878-0382  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)**

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**AGENDA ITEM NO.:** #5 (Action Item – Public Hearing)  
**PLANNING COMMISSION MEETING DATE:** October 23, 2024  
**SUBJECT:** Conditional Use Permit (CUP)  
2024-07/Shell Station Reimage to 76

#### **EXECUTIVE SUMMARY**

The applicant is requesting a CUP for the reimagining of a fuel station from Shell to 76. The property is zoned Central Business (CB) and is located at 109 S. Main St., Big Pine, California (APN: 004-032-01). A gas station and food mart have been operating on the site for many years. The applicant has applied for the CUP to change existing unapproved and nonconforming Shell brand signs to 76 to include the canopy, fuel pumps, Food Mart, Hi-rise sign and Mid-rise, and to replace a manual illuminated price display with a new electronic fuel price display.

#### **PROJECT INFORMATION**

**Supervisory District:** 4

**Project Applicant:** Aaron Hamilton

**Property Owner:** Baljinnyam Dashdorj

**Site Address:** 109 S. Main Street

**Community:** Big Pine

**A.P.N.:** 004-032-01

**General Plan:** Central Business District (CBD)

**Zoning:** Central Business (CB)

**Size of Parcel:** 2-acres

**Surrounding Land Use:**

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Gas Station and food mart with truck scales	Central Business District (CBD)	Central Business (CB)
North	Crocker Avenue	NA	NA
East	Highway 395	NA	NA
South	Single family residence	Central Business District (CBD)	Central Business (CB)
West	Multiple Residential, mini storage	Residential Medium High (RMH), Heavy Commercial (HV)	Multiple Residential Zone (R-3), Heavy Commercial (C-4)

**Staff Recommended Action:** 1.) Approve the Conditional Use Permit (CUP) 2024-07 / Shell Station Reimage to 76 and find the project is exempt under CEQA.

**Alternatives:**

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:** Danielle Visuaño

**STAFF ANALYSIS**

Background and Overview

The applicant is requesting the CUP to reimage the Shell station unapproved and nonconforming signage to 76 to include the canopy, fuel pumps, Food Mart, Hi-rise sign and Mid-rise sign, and to add a new electronic price display to the Mid-rise sign (sign plan attached). The existing signage and two (2) pole signs are unpermitted by the Planning Department and exceed the area and height requirements of Inyo County Code (ICC) section 18.75.100 (C) and 18.75.110 (B), respectfully, making the signage nonconforming. A CUP is required to allow for the nonconforming signage to come into compliance consistent with the requirements of ICC section 18.78.250, which states making changes to a nonconforming use requires a CUP, and to allow for the use of a new electronic price display on the Mid-Rise sign consistent with ICC section 18.75.120.

## 1. Total Area of Signage

The current Shell signage was never approved or permitted through the Planning Department making it nonconforming. ICC 18.75.100 (C), allows for signs totaling of not more than 600 square feet in a Central Business zone for a parcel of this size. The applicant is seeking to replace the current Shell signage with 76 signage and add additional signage for a total of 325.92 square feet, which less than the allowed 600 square feet. The change in signage includes the canopy, fuel pumps, Food Mart, Hi-rise and Mid-rise signs.

There will also be new additional 76 signage on the diesel pumps, which currently have no Shell signage, behind the Food Mart. This new diesel pump 76 signage is part of the overall total of 375.92 square feet that is being requested by the applicant under this CUP. The signs for the diesel pumps meet all the requirements for signs under the ICC and do not require any special consideration.

The approval of this CUP will bring all the existing nonconforming signage that will be replaced into compliance and approve the new diesel pump signage.

## 2. Mid-Rise Pole Sign and Electronic Fuel Price Display

The existing Mid-rise pole sign does not meet the size requirements per ICC 18.75.100(C)(2) allowing for signage up to 50 square feet per sign. The Mid-rise will have an illuminated 76 sign replacing the illuminated Shell sign, and an electronic fuel price display replacing the manual price display. In total the Mid-rise sign will be 94.97 square feet which is more than the allowed 50 square foot limit making the sign nonconforming. Since the sign is nonconforming it requires an approval of this CUP to bring the size of the sign into compliance.

The Mid-rise sign is 30 feet in height and does not meet the height requirements of ICC 18.75.110(B) providing that a sign shall not exceed 25 feet in height. The height of the sign is nonconforming and requires approval of this CUP to bring the height into compliance.

The proposed additional change to the Mid-rise sign is to replace the illuminated manual price display with an electric price display. The use of an electric price display requires a CUP, as provided under ICC 18.75.120. The applicant is requesting approval of this CUP to be able to utilize their electronic fuel price display.

## 3. High-Rise Pole Sign

The existing Hi-rise pole sign is illuminated and will remain illuminated. The applicant is proposing to only change the sign image from Shell to 76 without making any other changes. The area of the Hi-rise sign is 168.45 square feet



which exceeds the allowed 50 square feet under ICC 18.75.100(C)(2) making this sign nonconforming. Since the sign is nonconforming it requires approval of this CUP to bring the size of the sign into compliance

This Hi-rise sign is 75 feet in height and does not meet the height requirements of ICC 18.75.110(B) providing that a sign shall not exceed 25 feet in height. The height of the sign is nonconforming and requires approval of this CUP to bring the height into compliance.

#### 4. Number of Pole Signs

There are two existing pole signs that the applicant is requesting to reimage, the Mid-rise and Hi-rise signs. According to ICC 18.75.100(C)(3) no more than one pole sign is permitted on each lot. Since these two pole signs are existing on this one parcel and never received permit approval from the Planning Department they are nonconforming. The applicant is seeking to bring these two pole signs into compliance with the approval of this CUP.

#### General Plan Consistency

The goal of this project is to allow for the reimagining of a Shell station to a 76 station to include the canopy, fuel pumps, Food Mart, Hi-rise sign and Mid-rise sign which will include a new electronic price display. The project is consistent with the General Plan designation of Central Business District (CBD) in which it is located, as it allows for commercial uses including retail and transportation services such as gas stations and the reimagining of the signage to 76 is related to the allowed use.

#### Zoning Ordinance Consistency

The Central Business (CB) designation allows for gas stations as a permitted use and electronic signs as a conditional use. The current uses on the site are well established although unapproved and nonconforming. The applicant is seeking the CUP to have all signage to include the canopy, fuel pumps, Food Mart, Hi-rise sign and Mid-rise sign to be brought into compliance and to allow for the new electronic fuel price display. By acquiring the CUP the applicant is creating consistency with the code.

#### **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This application for a CUP is for reimagining of a Shell station to a 76 station to include the canopy, fuel pumps, Food Mart, Hi-rise sign and Mid-rise sign which will include a new electronic price display. No other building or use changes are part of the project and the entire property is disturbed.

## **NOTICING & REVIEW**

The application for CUP 2024-07/Shell Station Reimage to 76 has been reviewed by the appropriate county departments. The CUP is being conditioned with meeting all State and County Building Codes including those related to lighting.

The hearing for CUP 2024-07/Shell Station Reimage to 76 was noticed on October 12, 2024 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County Code. No comments have been received to date.

## **RECOMMENDATION**

Planning Department staff recommends the approval of CUP 2024-07/Shell Station Reimage to 76, with the following Findings and Conditions of Approval:

## **FINDINGS**

1. The proposed CUP is exempt by the Common Sense Rule 15061(b) (3) that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and, the provisions of the California Environmental Quality Act have been satisfied.

*[Evidence: The Common Sense Rule 15061(b) (3) states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The application for this CUP is for the reimagining of a Shell station to a 76 station to include the canopy, fuel pumps, Food Mart, Hi-rise sign and Mid-rise sign which will include a new electronic price display. The property has been in use as a gas station and food mart for many years. The CUP will be bring the nonconforming signage into conformity and allow for the addition of an electric fuel price display. No new development changes are proposed as part of the project and the entire property is already disturbed (graded and compacted).]*

2. The proposed CUP is consistent with the Inyo County General Plan Land Use designation of CBD.

*[Evidence: The goal of this project is to bring the nonconforming signage into compliance to allow for branding change from Shell to 76 and allow for the new electronic fuel price display. The project is consistent with the General Plan designation of CBD in which it is located as it allows for commercial uses including retail and transportation services such as gas stations; and therefore, the CUP is consistent with the County's General Plan as the signage is directly related to the allowed use.]*

3. The proposed CUP is consistent with the Inyo County Zoning Ordinance, which permits "Electronic Signs" as a conditional use in the CB Zone.

*[Evidence: The CB designation allows for fuel station signage along with an electronic sign as a conditional use. The current uses on the site are well established. The applicant is seeking the use permit to reimage the nonconforming signage of a Shell station to a 76 station along with adding an electronic fuel price display, in*

*compliance with County's zoning ordinance. By acquiring the CUP the applicant is creating consistency with the code.]*

4. The proposed CUP is necessary or desirable.  
*[Evidence: The General Plan's Visual Resources Goal VIS-1.5 - Outdoor Advertising: Outdoor advertising shall promote business in a manner that does not significantly degrade natural and community visual resources. The existing signage will be changed to 76 and an electronic fuel price display will replace the illuminated manual fuel display. The existing fuel station and food mart have been at this location for many years and has not caused issues to date. The only changes will be the brand change from Shell to 76 and the fuel prices will be electronically displayed. The Mid-rise pole sign will be 94.97 square feet and have an electronic component with lit fuels prices. It is and will remain 30 feet in height, two-sided and illuminated, enabling drivers to see the sign while driving along Highway 395. The Hi-rise sign will remain 168.45 square feet and will remain 75 feet in height. It will help promote a local business that caters to visitors and semi-truck drivers; and therefore, is a desirable use.]*
5. The proposed CUP is properly related to other uses and transportation and service facilities in the vicinity.  
*[Evidence: The proposed CUP is to allow for reimagining of the Shell station to a 76 station and provide an electronic sign to display fuel prices. The signs will not likely increase the current level of vehicles exiting and entering Highway 395; and therefore the project will have no impact on the transportation or service facilities in the vicinity.]*
6. The proposed CUP would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.  
*[Evidence: The proposed CUP is to allow for reimagining of the Shell station to a 76 station and provide a new electronic sign to display fuels prices to a currently existing fuel station. The signs will not create impacts on the health or safety of persons living or working in the vicinity.]*
7. Operating requirements necessitate the CUP for the site.  
*[Evidence: For the reimagining of the nonconforming Shell signage to 76 and to add an electronic fuel price display, a CUP is required per the Inyo County Code. Therefore, the CUP is necessary for the signs at the site.]*

#### **CONDITIONS OF APPROVAL**

1. Hold Harmless

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body

concerning CUP 2024-07/Shell Station Reimage to 76. The County reserves the right to prepare its own defense.

2. Compliance with County Code

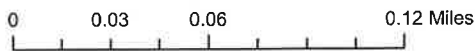
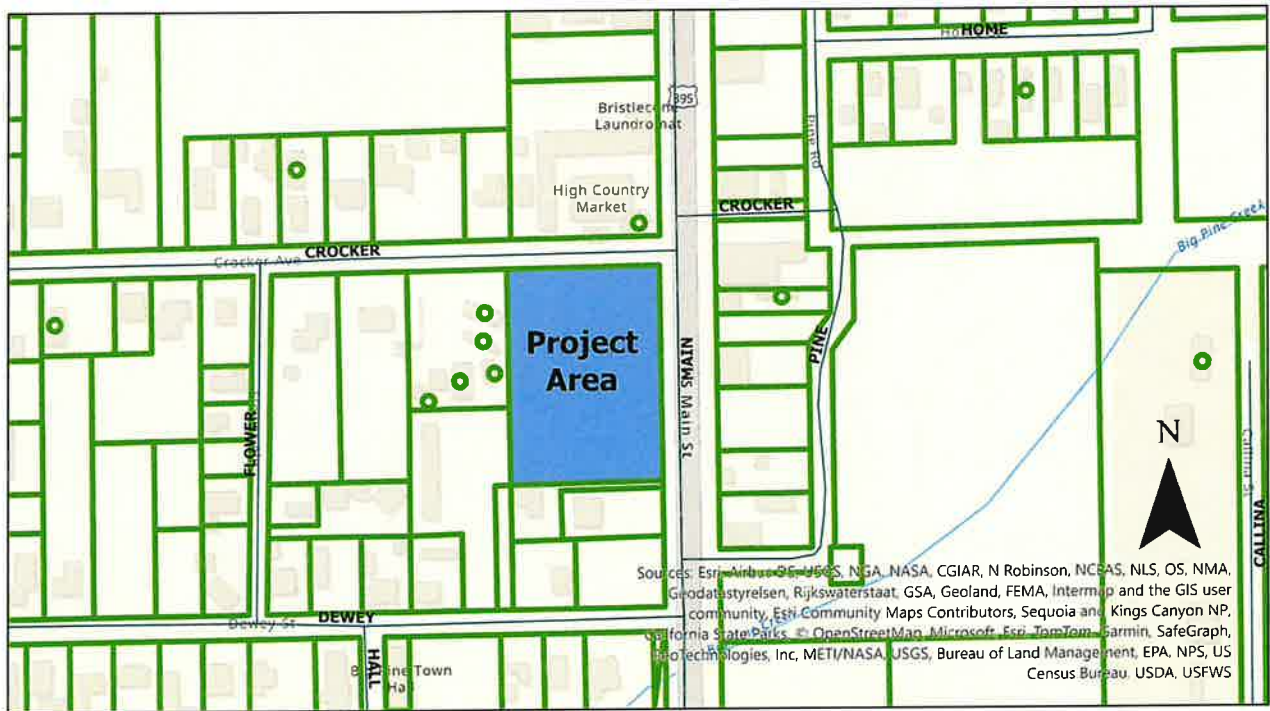
The applicant/developer shall conform to all applicable provisions of Inyo County Code including the Building Code and the County Outdoor Lighting Ordinance. Failure to meet these conditions may result in the revocation of CUP 2024-07/Shell Station Reimage to 76. If the use provided by this CUP is not established within one year of the approval date it will become void.

Attachments:

- Vicinity Map
- Sign Plan

# CUP 2024-07/Shell Station Reimage to 76

**VICINITY MAP**  
**APN: 004-032-01**  
**109 S. Main St., Big Pine, CA**



**Overview**

EXISTING



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21034 Osborne St. (P) 818.993.5406  
Canoga Park, CA 91304 (F) 818.993.2174  
State License 853228

**Job Location**

109 S Main St.  
Big Pine, CA 93513

**Owner Information**

Big Red Rooster Flow  
Two Northfield Plaza, Suite 211  
Northfield, IL 60093  
P: 847-886-0455  
F: 847-600-4277

**Project Information**

Project - 76 Flyers Energy  
Designed by - PS  
Date - 09.23.2024  
Revision - 2.0

**Approval**

X \_\_\_\_\_ DATE \_\_\_\_\_

I have reviewed all renderings and I am satisfied with the look and the scope of the work listed within.  
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PERMIT PACK



Vicinity Map



	Sign Type	QTY	SQFT	Total
<b>A</b>	Canopy			
<b>1</b>	Canopy Logo	2	11	22
<b>2</b>	Valence Logo	8	.82	6.56
<b>B</b>	C-Store			
<b>3</b>	Food Mart Letters	1	14.26	14.26
<b>C</b>	MID	1	94.97	94.97
<b>D</b>	Hi-Rise	1	168.45	168.45



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**Project Information**

Project: 76 Flyers Energy  
 Designed by: PS  
 Date: 08.23.2024  
 Revision: 1.0

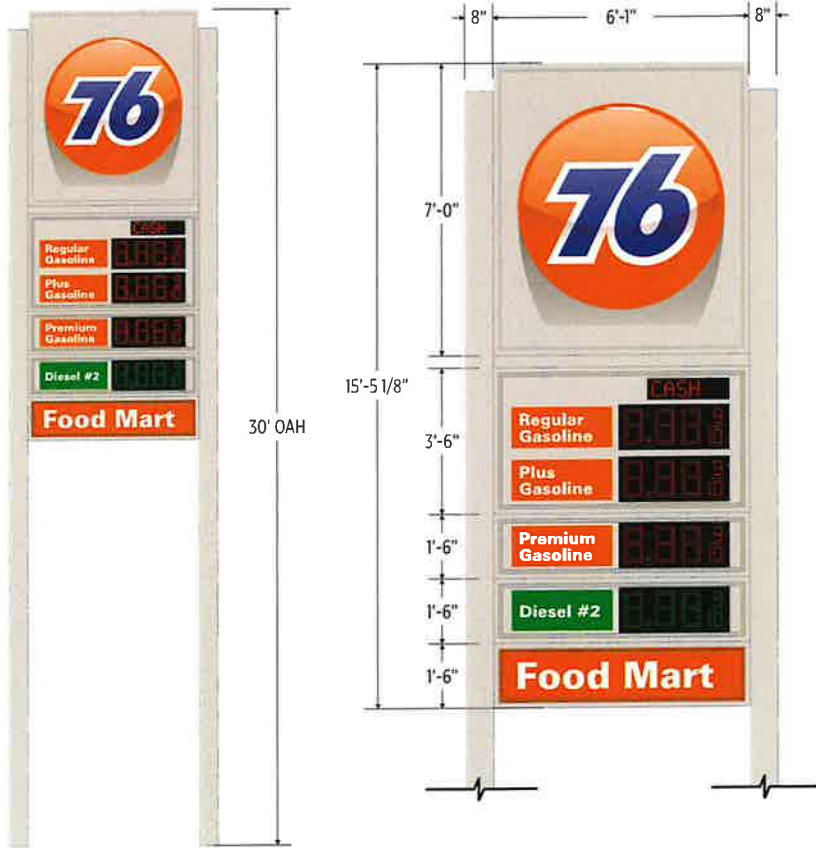
**Approval**

X \_\_\_\_\_ DATE \_\_\_\_\_  
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Signage Re-Face



4P LED Shell Dual Pole MID   Double Sided	
Logos	Pan Formed
Faces	Acrylic/Plexiglass
Pricer	PWM 10' LED's, Connect Electrical, Test
Toggle	6" Able Toggle Digit 'Cash - Credit/Debit'
Install	New Faces, Test Electrical.
Paint	Paint cabinets/poles to Brand spec.

1:40  
12" LEDs  
94.97%

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**Project Information**  
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Designed by PS  
Date 08.23.2024  
Revision 1.0

Approval

X \_\_\_\_\_ DATE \_\_\_\_\_

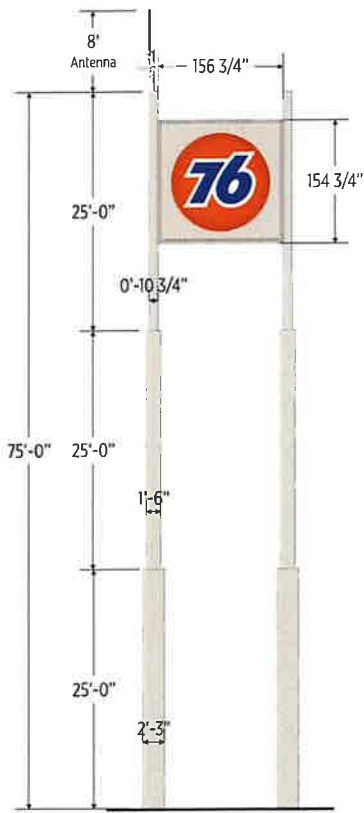
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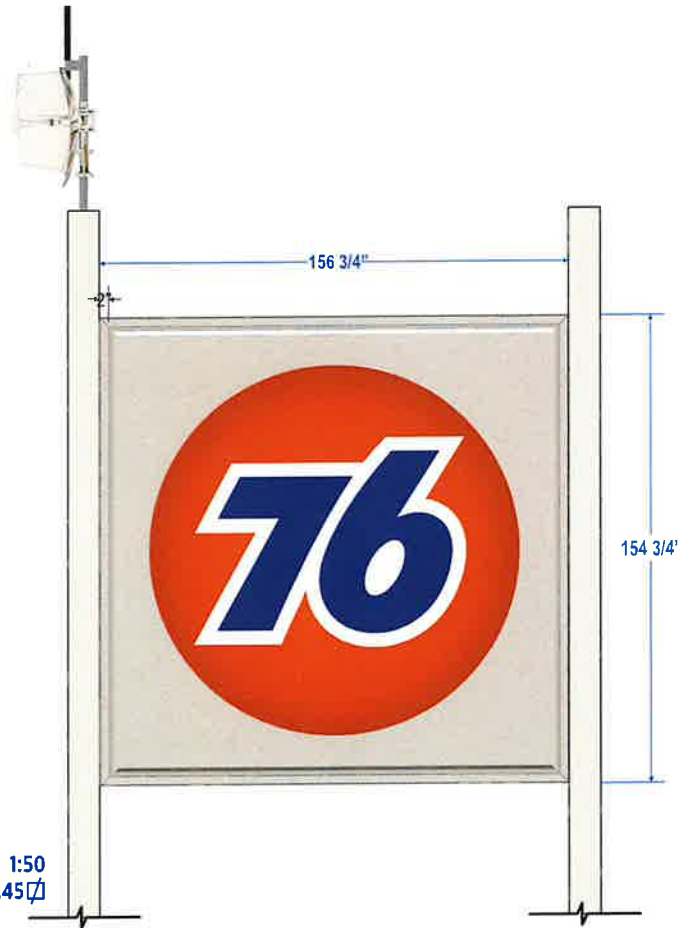
PERMIT PACK



**High Rise Signage**



1:175



1:50  
168.45



Shell High Rise Sign Reface	
Logos	Vinyl
Faces	Panaflex Face
Install	Replacing existing High Rise face with new 76 Flex Faces. 2" Retainers, 3/4" Deep Returns
Paint	Paint HR Poles & Returns Silver



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**Planning Department  
168 North Edwards Street  
Post Office Drawer L  
Independence, California 93526**

**Phone: (760) 878-0263  
FAX: (760) 872-2712  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)**

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**AGENDA ITEM NO.:** 6 (Action Item- Public Hearing)  
**PLANNING COMMISSION MEETING DATE:** October 23, 2024  
**SUBJECT:** Conditional Use Permit (CUP) 2021-04/Grewal

#### **EXECUTIVE SUMMARY**

The applicant has applied for a CUP to change a one-family residence on a property located at 2218 North Sierra Highway, in the Bishop area, to a multiple family structure (duplex). The dwelling is located in the Highway Services and Tourist Commercial (C2) zone, which requires a CUP for multiple family dwellings. This project is Exempt from CEQA pursuant to 15301 - Existing Facilities.

#### **PROJECT INFORMATION.**

**Supervisory District:** 3

**Project Applicant:** Amary Grewal

**Property Owner:** Sierra Storage LLC

**Site Address/** 2218 North Sierra Highway

**Community:** Bishop, CA

**A.P.N.:** 011-120-49

**General Plan:** Retail Commercial (RC)

**Zoning:** Highway Service and Tourist Commercial (C2)

**Size of Parcel:** Approximately 17,424-square-feet

**Surrounding Land Use:**

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
Site	Commercial/Storage and one family dwelling	Retail Commercial (RC)	Highway Services and Tourist Commercial-10,000 sq-ft minimum (C2-10,000)
North	Highway 395/North Sierra Highway	No designation	No designation, highway right ofway
East	Commercial/restaurant /retail	Retail Commercial (RC)	Highway Services and Tourist Commercial-10,000 sq-ft minimum (C2-10,000)
South	Residential	Residential Low Density (RL)	One-Family Residences (R1)
West	Apartments	Retail Commercial (RC)	Highway Services and Tourist Commercial - 10,000 sq-ft minimum (C2-10,000)

**Staff Recommended Action:** **Make certain Findings with respect to and Approve Conditional Use Permit 2021-04/Grewal subject to the Findings and Conditions of Approval as recommended in this staff report.**

**Alternatives:**

- 1.) Deny the CUP
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Planner:** Cathreen Richards

**STAFF ANALYSIS**

Background and Overview

The applicant has applied for a CUP to allow for a multi-family use on a property located at 2218 North Sierra Highway, in the Bishop area. The applicant wishes to remodel an existing one-family home into a duplex. The dwelling has been on the site since 1935 and began as a one-family residence. A mini-storage facility was built years later on the property behind the dwelling unit. The dwelling has also been used as an antique store and a caretaker unit for the mini storage facility. It has since been unoccupied for many years due to its condition. The approval of a CUP will result in the duplex conversion being compliant under the requirements of the Highway Service and Tourist Commercial (C2) zoning district. This proposal will help the county with much needed housing.

Site Location Map



Building Proposed to be Converted to a Duplex Back



Front



Conditional Use Permit 2021-04/Grewal

General Plan Consistency

The goal of this project is to allow for a multiple-family dwelling, which will be created from a remodel of an existing one-family dwelling. The project is consistent with the General Plan designation of RC as it allows for residential dwellings subject to discretionary review. Since the applicant has applied for a CUP based on zoning requirements, it satisfies the General Plan requirement for discretionary review of residential projects.

Zoning Ordinance Consistency

The C2 zoning designation allows for multiple-family dwellings under Conditional Uses - 18.48.030 (0). This is a request for a CUP to allow for the one-family dwelling to be converted to a duplex, which if approved, will be compliant with the County's zoning ordinance.

Noticing

Planning Staff routed the application for the CUP to other County departments and to the Eastern Sierra Community Service District. The County Environmental Health Department and the State Water Board verified that there is reliable water service from the approved water system located on the parcel directly west of the property serving an apartment complex and can be shared with the proposed duplex.

The Planning Commission Hearing for CUP 2021-04/Grewal was advertised in the Inyo Register on October 12<sup>th</sup>, 2024 and notices were mailed to properties within 300-feet of the project location. Staff has received no comments as of the date of this hearing.

### **ENVIRONMENTAL REVIEW**

Conditional Use Permit 2021-04/Grewal is Categorically Exempt under CEQA Guidelines 15301, Existing Facilities -Class I. Class I Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination . . . .

The CUP is being applied for to permit a (multiple-family use) duplex that will be created by a remodel from an already existing one-family dwelling located at the site with no changes to the footprint of the building and is therefore exempt.

### **RECOMMENDATION**

Planning Department staff recommends the approval of Conditional Use Permit No. 2021-04/Grewal, with the following Findings and Conditions of Approval:

### **FINDINGS**

1. The proposed Conditional Use Permit is exempt under CEQA Guidelines 15301, Existing Facilities - Class I and the provisions of the California Environmental Quality Act have been satisfied.

*[Evidence: Class I Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination . . . . The CUP is being applied for to permit a multiple-family use (duplex) that will be created by a remodel from an already existing one-family dwelling located at the site with no changes to the footprint of the building on an already highly disturbed parcel and is therefore exempt.]*

2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Retail Commercial (RC).

*[Evidence: The goal of this project is to allow for a multiple-family dwelling (duplex), which will be created from a remodel of an existing non-conforming one-family dwelling. The project is consistent with the General Plan designation of RC as it allows for residential dwellings subject to discretionary review. Since the applicant has applied for a CUP based on zoning requirements, it satisfies the General Plan requirement for discretionary review of residential projects.]*

3. The proposed Conditional Use Permit is consistent with Inyo County Ordinance 18.48.030 (0) that allows for multiple-family use in Highway Services and Tourist Commercial (C2) designation with a CUP.

*[Evidence: The C2 zoning designation allows for multiple-family dwellings under Conditional Uses - 18.48.030 (0). This is a request for a CUP to allow for the non-conforming single-family dwelling to be converted to a duplex, which if approved, will be compliant with the County's zoning ordinance per the CUP.]*

4. The proposed Conditional Use Permit is necessary or desirable.  
*[Evidence: The General Plan's Housing Element Goal 3.0 states: Encourage the adequate provision of housing by location, type of unit, and price to meet the existing and future needs of Inyo County residents. The one-family residence has been at this location for many years and the owner is currently proposing to create a duplex out of it. This will provide for much needed additional housing in the county; and therefore, is a desirable use.]*
5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.  
*[Evidence: The proposed CUP is being requested to allow for a multiple-family use pursuant to County's Zoning Code. It will not cause additional impact to the current level or type of use as it will only create one additional housing unit in the same building with the same footprint as the current single-family dwelling. Along with the current dwelling unit, the parcel also has commercial storage units on it. The addition of one unit within the existing building footprint, will have no impact on transportation or service facilities in the vicinity.]*
6. The proposed CUP would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.  
*[Evidence: The proposed CUP is proposed to allow for a multiple-family residential use to be compliant with the County's C2 zoning. The only change will be an additional residential unit within the already existing building. This will not result in a change to the existing residential use, only slightly increase it. It also has adequate sewer and water service; and therefore, it will not create impacts on the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.]*
7. Operating requirements necessitate the CUP for the site.  
*[Evidence: The multiple-family use in the C2 zone requires a CUP per 18.48.030 (OJ.)]*

## **CONDITIONS OF APPROVAL**

### **1. Hold Harmless**

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2021-04/Grewal. The County reserves the right to prepare its own defense.

2. The applicant shall work with the Department of Building and Safety and Environmental Health to ensure all State and County requirements have been met

and all required permits are obtained for the remodel and operation of the duplex.  
Failure to comply shall result in the revocation of CUP 2021-04/Grewal.

ATTACHMENT

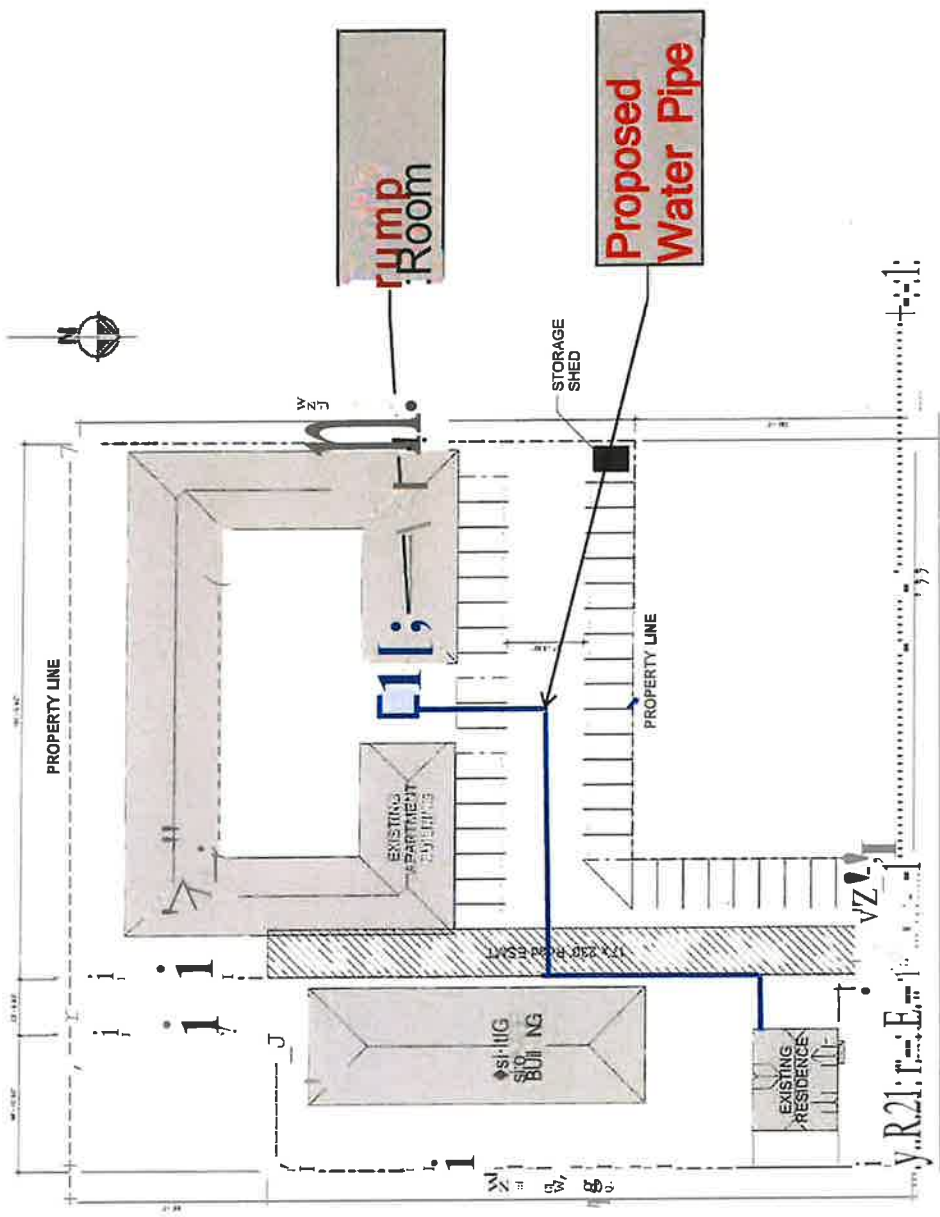
- Building Plans





911ASIHIEW:  
 Z182130 Nillima  
 M  
 EB-P013514  
 UA

Project No.	218
Scale	
Date	
Author	
Checker	
Project Name	911ASIHIEW
Sheet No.	01



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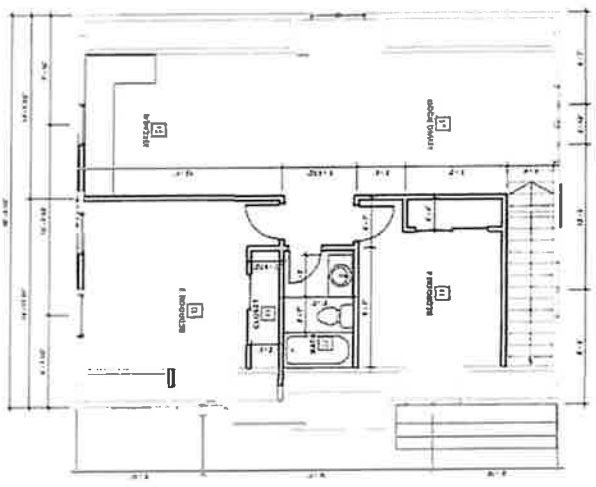
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 1"=20'-0"

**WALL LEGEND**

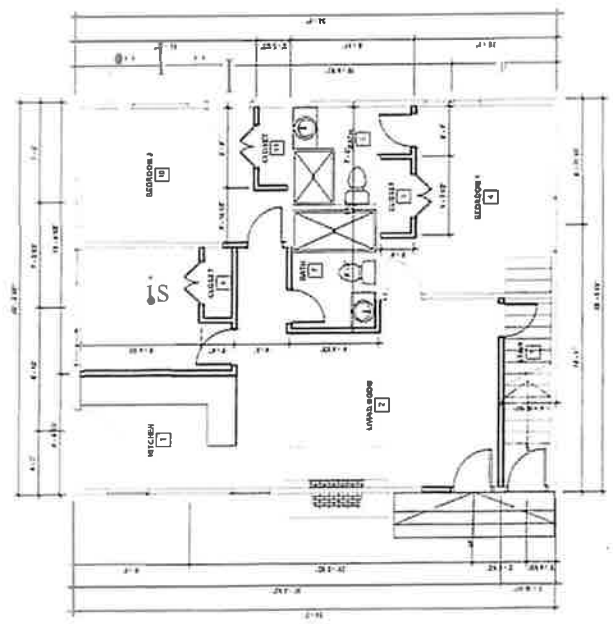
- EXISTING WALLS TO REMAIN
- WALLS TO REMOVE
- NEW WALLS

SEPA-STORME, LLC  
 8 BANISTER WAY  
 BERKELEY, CA 94704  
 USA

DESCRIPTION	DATE	BY	CHKD



2ND BED ROOM



1ST BED ROOM

Project No: 04

Scale: 1/8" = 1'-0"

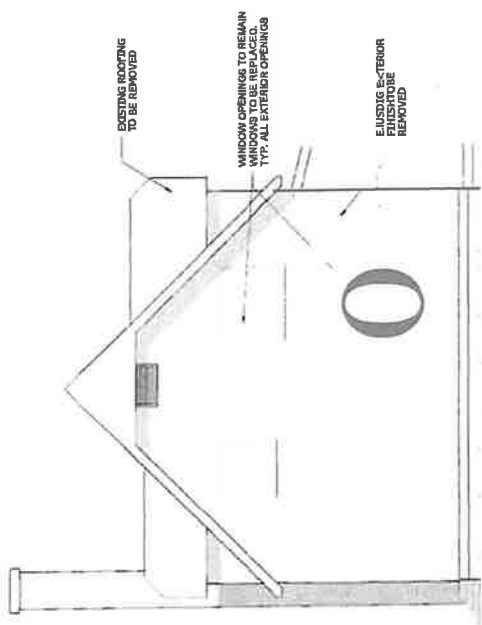
PROPOSED FLOOR PLANS

Sheet No: 10-102

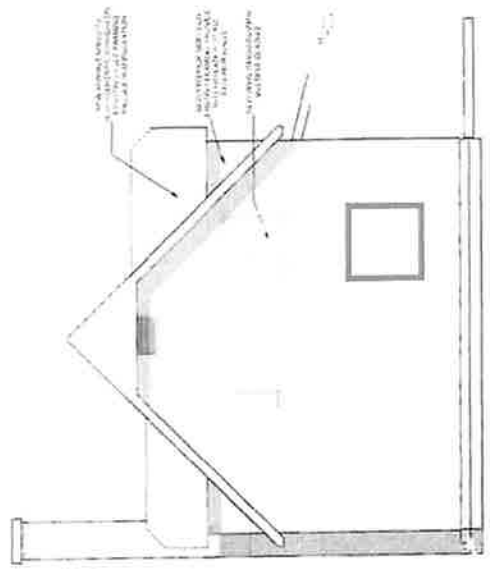
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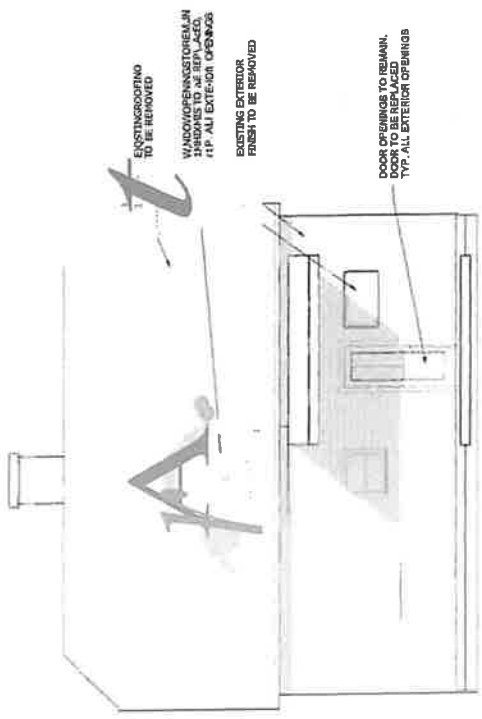
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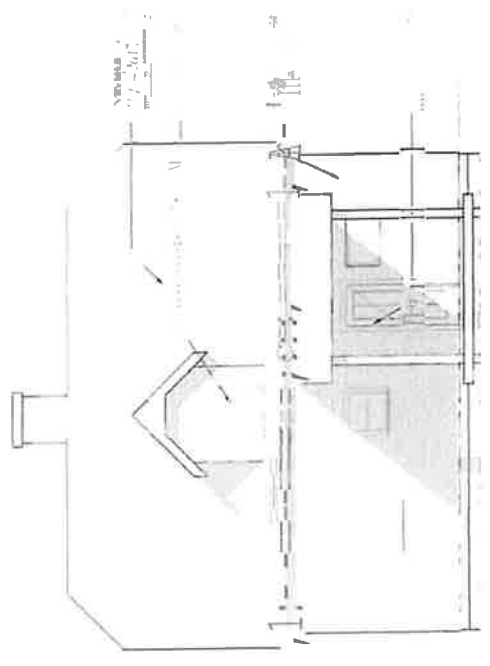
**1** RIGHT ELEVATION- EXISTING  
 11.1.14.14



**2** RIGHT ELEVATION - PROPOSED  
 11.1.14.14



**3** REAR ELEVATION - EXISTING  
 11.1.14.14



**4** REAR ELEVATION- PROPOSED  
 11.1.14.14

Project Name	11.1.14.14
Client	EXCIVIL TUJAKICIG
Scale	1:50
Date	1.1.14.14