

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
Aaron Cassell

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

STAFF

Cathreen Richards
Danielle Visuaño
Ryan Standridge
Cynthia Draper
Sally Faircloth
Michael Errante
Nate Greenberg
Christian Milovich

Planning Director
Senior Planner
Associate Planner
Associate Planner
Project Coordinator
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).

May 28, 2025

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. **CORRECTION TO PREVIOUS MEETING MINUTES (Informational Item)** – During the April 23, 2025, meeting, it was noted that the minutes from the February 26, 2025 meeting contained an error in recording the vote counts for agenda items 4, 5, 6, and 7. The correct vote count for these items should reflect the motion passing 4–0, with Chair Vogel absent for all four items. This correction is hereby noted for the official record.
5. **APPROVAL OF MINUTES** – Approval of minutes from the April 23, 2025, Planning Commission Meeting.

**Action
Item /
Public
Hearing**

6. **CONDITIONAL USE PERMIT (CUP) 2025-02/STARRENBURG -**
The applicant is requesting approval of a Conditional Use Permit (CUP) to allow an existing non-conforming front yard fence to exceed the maximum permitted height of 3.5 feet (42 inches), as stipulated by Inyo County zoning regulations. The fence, which is currently in place, stands 5.4 feet (65 inches) tall. The subject property is located at 632 Tuttle Creek Road in Lone Pine, within the Alabama Hills neighborhood. This project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303(e), New Construction or Conversion of Small Structures – Class 3

**Action
Item /
Public
Hearing**

7. **TENTATIVE PARCEL MAP-431; GENERAL PLAN AMEDMENT- 2024-03; ZONE RECLASSIFICATION 2024-03; VARIANCE 2025-01/BIG PINE PETROLEUM –**
The applicant (Mohamad Najm) is requesting to subdivide a parcel into three parcels based on each parcel’s established use. This action requires a Tentative Parcel Map. This tentative parcel map also requires a Zone Reclassification and General Plan Amendment to create the correct land use designation for one of the proposed new parcels. Additionally, the tentative parcel map requires a variance due to setback encroachments of established structures. The project is located in Big Pine, CA. This project is exempt from CEQA under General Rule 15061(b)(3).

**Action
Item /
Public
Hearing**

8. **RESIDENTIAL INFILL PROJECT WORKSHOP #2 (INFORMATIONAL)**
Planning staff along with the consultant, Precision Civil Engineering, Inc., will conduct a second Planning Commission workshop to discuss the progress of the Residential Infill Project for the communities of Big Pine, Independence, and Lone Pine. The second workshop will discuss the public responses from the first set of workshops held in the communities in February along with the responses to Survey #1. The second workshop will also elaborate further on identifying potential updates and modifications to the zoning and General Plan requirements that may help infill housing in the communities of Big Pine, Independence, and Lone Pine along with a focus on exiting residential density and design standards and their relationship with the California Building Code, review of ADU requirements, and review of vacant and underutilized parcels.

9. **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: identify prohibited nuisances, stream buffers, and include a requirement for all kennels to obtain a conditional use permit. 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.

10. **COMMISSIONERS’ REPORTS/COMMENTS**

11. **PLANNING DIRECTOR’S REPORT**

12. **ADJORN**

COUNTY OF INYO PLANNING COMMISSION

MINUTES OF APRIL 23, 2025 MEETING

COMMISSIONERS:

HOWARD LEHWALD
CAITLIN (KATE) J. MORLEY
TODD VOGEL
CALLIE PEEK
AARON CASSELL

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 VISUANO
CYNTHIA DRAPER
SALLY FAIRCLOTH
NATE GREENBERG
MIKE ERRANTE

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

The Inyo County Planning Commission met in regular session on Wednesday, April 23, 2025. Commissioner Peek opened the meeting at 10:05 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 10:05 a.m.

ITEM 2: **ROLL CALL** - Commissioners, Callie Peek, Kate Morley, Howard Lehwald, and Aaron Cassell were present.

Staff present: Cathreen Richards, Planning Director, Danielle Visuaño, Senior Planner, Cynthia Draper, Associate Planner, 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.

Vice-Chair Peek opened Public Comment Period at 10:06 a.m.

Vice-Chair Peek asked if there was anyone in the audience wishing to make a public comment.

No comments were made.

Vice-Chair Peek closed Public Comment Period at 10:06 a.m.

ITEM 4: **APPROVAL OF MINUTES** – Approval of minutes from the February 26, 2025, Planning Commission Meeting.

Commissioner Morley requested clarification regarding the vote count on pages 2, 6, and 8 of the minutes, specifically concerning agenda items 4, 5, 6, and 7. It was noted that all four items should reflect a vote count of 4–0, with Todd Vogel absent.

MOTION: Commissioner Lehwald made a motion to approve the modified minutes reflecting the vote counts as clarified by Commissioner Morley. The motion was seconded by Commissioner Morley.

Minutes were approved with the modified minutes 4-0 with Chair Vogel absent.

ITEM 5: **CONDITIONAL USE PERMIT (CUP) 2023-02/LEON7FARMS**

The applicant has requested a Conditional Use Permit (CUP) to cultivate cannabis on a 2.5-acre parcel at 631 Ruby Lane, Charleston View, CA, in unincorporated Inyo County (APN 048-364-070). The project includes approximately 3,000 square feet of cannabis cultivation within two greenhouses, as well as five shipping containers for seed processing, drying, employee breaks, and equipment storage. The site is surrounded by vacant land, with the nearest town, Pahrump, NV, about 30 miles to the north. This project is classified as a Mitigated Negative Declaration under the California Environmental Quality Act (CEQA).

Associate Planner Cynthia Draper distributed a public comment letter to the commission that had been received after the staff report was finalized.

Ms. Draper then proceeded with the presentation of the staff report and accompanying slideshow.

Commissioner Morley asked if the comments from the Cannabis Control were implemented in the conditions of approval.

Ms. Draper explained and answered Commissioner Morley’s question to her satisfaction.

Commissioner Lehwald asked who monitors the state recommendations.

Ms. Draper responded to Commissioner Lehwald’s question by stating that, based on California Department of Fish and Wildlife (CDFW) requirements, the applicant is required to conduct pre-construction surveys and submit them to her prior to the start of any work. She also added that the Cannabis Control recommendations are suggested and not required.

Cathreen Richards, Planning Director, provided additional clarification and confirmed Ms. Draper’s response, which satisfactorily addressed Commissioner Lehwald’s question.

Commissioner Lehwald asked about timelines.

Ms. Draper stated that there are conditions of approval which must be met within one year of the approval date; otherwise, the Conditional Use Permit (CUP) will become void if no progress has been made.

Vice-Chair Peek asked if any other county departments had any issues with the current plan.

Ms. Draper noted that a question had arisen with county departments, including Building and Safety and Environmental Health, regarding the water supply. However, it had been previously agreed that water hauling would be allowed on a temporary basis, with the understanding that a well would be installed and fully permitted in due course.

Commissioner Lehwald inquired about zoning regulation conflicts between Rural Residential and Rural Recreation.

Both Ms. Draper and Ms. Richards responded to Commissioner Lehwald's question to his satisfaction.

Commissioner Morley asked about air quality control requirements.

Ms. Draper stated that air quality standards must comply with the requirements set by the Great Basin Unified Air Pollution Control District, particularly regarding dust control measures.

Vice-Chair Peek opened and closed the Public Comment Period at 10:30 a.m.

No comments were made.

Vice-Chair Peek opened discussion with the Commissioners at 10:30 a.m.

Commissioner Lehwald opened a discussion about distribution.

Mr. Nathan Reade, the Agriculture Commissioner, was present in the audience and was invited by Vice-Chair Peek to come up to the podium and respond to Commissioner Lehwald's question.

Mr. Reade explained that every step of the process, including plant identification and licensing, is monitored and regulated by the state.

MOTION: Commissioner Morley made a motion to approve CUP 2023-02/Leon7Farms and to include findings 1-7 and 6 conditions of approval inside the staff packet and certify this project as a Mitigated Negative Declaration under CEQA.

The motion was seconded by Commissioner Cassell.

The Motion passed 3-1 at 10:34 a.m. with Chair Vogel absent.

ITEM 6: TENTATIVE PARCEL MAP No. 433/ESLS-BALTAZAR

The applicant is seeking approval to subdivide a 5 acre parcel into two equal parcels of 2.5 acres each. Both proposed parcels currently do not contain any structures and there are no plans for new construction. The subdivision will not create any setback issues for any future development of dwellings or accessory structures. The property is located at 1990 Indian Springs Dr. Alabama Hills, California. Both proposed parcels are zoned Rural Residential (RR-2.5), which requires a minimum lot size of 2.5-acres, and are designated as Rural Residential Medium (RRM) use in the General Plan. This project is exempt from CEQA under General Rule 15061(b)(3).

Danielle Visuaño, Senior Planner, presented the staff report accompanied by a slideshow that included a vicinity map.

Commissioner Cassell asked a question regarding a possible recommendation alternative for the proposed septic.

Ms. Visuaño stated that the matter would require an Engineer's Alternative Determination.

Commissioner Lehwald inquired about the standard procedures or policies regarding holding the homeowner responsible for load improvements.

Cathreen Richards, Planning Director, was able to answer Commissioner Lehwald's question to his satisfaction.

Vice-Chair Peek asked Ms. Visuaño a question about road placement.

Ms. Visuaño used one of the slideshow images to show Vice-Chair Peek the road placement on the vicinity map displayed on screen.

Vice-Chair Peek opened for Public Hearing at 10:46 a.m.

No comments were made.

Vice-Chair Peek closed the public hearing and opened discussion with the Commissioners at 10:46 a.m.

MOTION: Commissioner Morley moved to approve and find the proposed Tentative Parcel Map No. 433/ESLS-Baltazar is exempt from the requirements of CEQA make certain findings with respect to and approve Tentative Parcel Map No. 433/ESLS-Baltazar subject to conditions of approval and to waive the street improvements and utility installations required by Inyo County Code Section 16.40.10 as permitted.

The motion was seconded by Commissioner Cassell.

The Motion passed 4-0 at 10:50 a.m. with Chair Vogel absent.

ITEM 7: CONDITIONAL USE PERMIT 2019-06/GROW4GOLDVIOLATION HEARING –
On August 28, 2019 the Planning Commission, upon the recommendation of staff, approved a CUP for the applicant to operate a commercial cannabis cultivation operation located approximately 26-miles southeast of the community of Charleston View in Sandy Valley on Long Rd. The project proposal included drying and packaging the cultivated product at the project site. The CUP was conditioned with, among other things, a requirement to conform to all applicable provisions of the Inyo County Code and State Regulations. The applicant has failed to meet these conditions as the operation is being conducted with no building, electrical or plumbing permits, therefore, staff is recommending the revocation of the CUP. This action is exempt from CEQA under 15321 – Enforcement Actions by Regulatory Agencies.

Before beginning her presentation, Danielle Visuaño, Senior Planner, announced that she wished to provide the received public comments to both the commissioners and the public for their review.

Ms. Visuaño provided an explanation of the documents she had just distributed for review and reiterated that copies had also been made available for the public to view.

Christian Milovich, Assistant County Counsel, informed the Commission that the two individuals seated in the front row of the audience were representatives of Grow4Gold and might wish to address the Commission later in the meeting. She also noted that all documents provided to the Commission for review had likewise been made available to the two Grow4Gold representatives as well as to the public

Ms. Visuaño then proceeded with the presentation of the staff report and accompanying slideshow.

Commissioner Morley requested a clearer image of one of the on-site buildings and subsequently asked for confirmation that the building was unpermitted.

Ms. Visuaño confirmed that the building Commissioner Morley was referring to was, in fact, unpermitted.

Vice-Chair Peek asked if any of the structures were permitted.

Ms. Visuaño confirmed that none of the structures on site were permitted, except for electrical permits and the Conditional Use Permit.

Commissioner Morley asked for further clarification on whether building permit applications had been submitted but never finalized.

Ms. Visuaño stated that building permit applications had been submitted but contained several deficiencies and, as a result, could not be approved or finalized.

Vice-Chair Peek directed a question to Mr. Nathan Reade, Inyo/Mono County Agriculture Commissioner, who was seated in the audience, regarding whether the applicant could comply with state laws for the cultivation and distribution of cannabis if permits are not kept up.

Mr. Reade stated that, to his knowledge, there have been no issues with this business reported to his department or at the state level. However, he emphasized that the applicant must remain in compliance with both the state license and the Conditional Use Permit (CUP) issued by Inyo County to maintain compliance with state requirements.

Vice-Chair Peek directed a question to Mr. Tyson Sparrow, Technical Building Official, who was seated in the audience, regarding the timeline for achieving compliance with the Building and Safety Department.

Tyson Sparrow, the Technical Building Official for Inyo County, has confirmed that all commercial cannabis project reviews are currently being outsourced to a third-party firm, Wildan. Wildan is responsible for the review of all outstanding and pending permit applications, including those submitted by Grow4Gold. As of now, none of the submitted permits have been approved.

Commissioners asked various questions of Mr. Sparrow.

Mr. Sparrow satisfactorily addressed all questions from the Commissioners regarding structures, project timelines, professional assessments, and unapproved permits. He also provided copies of all unapproved permits submitted by Grow4Gold to his department, making them available to both the Commission and the public.

Vice -Chair Peek asked a question regarding the revocation process.

Ms. Richards stated an applicant can reapply for a Conditional Use Permit in one year after the revocation process.

Mr. Reade further clarified that when an applicant's Conditional Use Permit (CUP) is revoked, the associated business license is also revoked by the County. His department then notifies the State that the applicant is no longer in compliance. He also stated that, to obtain a valid state license, an applicant must have both a Conditional Use Permit (CUP) and a County-issued commercial cultivation license—though not necessarily in a specific order.

Vice-Chair Peek called upon the applicants sitting in the audience to speak on their behalf.

Mr. Benjamin Hynes and Mr. Ian Wilson addressed the Commission on behalf of Grow4Gold, providing an explanation of the current situation regarding non-permitted structures, incomplete permits, engineers/architects and associated timelines.

Vice-Chair Peek commented to the applicants on the status of their building permits, noting missing or omitted information, and expressed concern over their lack of follow-up with the Building and Safety Department within a period of five years.

Commissioner Cassell asked the applicants if a contractor was ever contacted.

Mr. Wilson stated that he had contacted an architect named Tim Zamora, who is based outside the county and is not a licensed contractor.

Commissioner Cassell reiterated the importance of working with a licensed contractor, emphasizing that contractors are well-versed in the County's requirements and procedures.

Mr. Hynes presented an email document from his cellphone that he wished to share with the Commission for the record, at which point Assistant County Counsel, Christian Milovich, asked whether written copies could be provided.

At that point, Mr. Hynes asked if he could forward the email to Planning Commission Secretary Sally Faircloth so the document could be printed and made available for review.

Commissioner Morley asked more questions of the applicants and timelines of various departments such as Environmental Health, CEQA and California Department of Fish and Wildlife.

Mr. Hynes and Mr. Wilson both stated that some of those items had been completed in relation to Fish and Wildlife and with CEQA.

Ms. Faircloth was able to produce sufficient copies for the Commission, Assistant County Counsel, staff, and the public.

For the record, the printed copy of the email detailed a discussion regarding field cover material requirements with the County.

Commissioner Cassell asked Mr. Sparrow a question regarding the email.

Mr. Sparrow was able to answer Commissioner Cassell to his satisfaction.

Commissioner Morley asked Mr. Sparrow a follow-up question in regard to the field covering structure and size.

Mr. Sparrow responded to Commissioner Morley, stating that the structure was extensive and significantly different from what was originally presented.

Ms. Visuaño reiterated to the Commission the ongoing confusion surrounding the project, noting frequent changes, missed timelines, and a lack of consistent communication.

Vice-Chair Peek opened public hearing at 12:31 p.m.

Commissioner Lehwald expressed uncertainty regarding the nature of the item and recommended allowing additional time for review. He also requested clarification on available options before making a final decision on the matter.

Assistant County Counsel, Christian Milovich, outlined the options available to the Commission at that time prior to deciding.

Vice-Chair Peek closed the public hearing and opened discussion with the Commissioners at 12:36 p.m.

Commissioner Lehwald proposed that staff reconvene discussion of this item in 30 days.

Commissioner Morley stated that she was prepared to make a decision and proceed with revocation based on the information presented and the amount of time that has elapsed.

Commissioner Cassell expressed sympathy, acknowledging the challenges of seeking answers while managing a business. He recognized that five years is a significant amount of time but stated he was not opposed to postponing the item for an additional 6 to 8 weeks to determine if further progress could be made on the project prior to deciding.

Vice-Chair Peek expressed concern over the five-year period of noncompliance, emphasizing that it is a particularly lengthy and troubling duration.

Commissioner Morley commented on wanting to hear from the third-party contractor, Wildan, regarding an upcoming schedule.

Vice-Chair Peek asked Mr. Sparrow, Inyo County Building Official, to inquire with Wildan and obtain an updated timeline permit schedule.

Mr. Sparrow stated he would reach out to Wildan via portal to obtain answers for the commission.

Vice-Chair Peek stated commission, and staff would like to see the Wildan update on permits and approvals.

Ms. Visuaño, on behalf of staff, suggested that the Commission reconvene in June to revisit this item.

MOTION: Vice-Chair Peek made a motion to continue the Public Hearing to the June 25, 2025, meeting and requested an update on permit statuses and approvals from Wildan, along with any updated staff recommendations from the County and any other relevant evidence.

The motion was seconded by Commissioner Cassell.

The Motion passed 3-1 at 12:55 p.m. with Chair Vogel absent.

ITEM 8: ZONE TEXT AMENDMENT 2024-03 / MAINTENANCE OF ANIMALS

Staff is reintroducing this item that was originally presented to the Planning Commission on July 24, 2024. It includes an updated proposed ordinance to update Section 18.78.310 – Maintenance of Animals; and Subsections 18.12.020 (D) and 18.12.040 (J) Open Space, of the Inyo County Code to:

- identify prohibited nuisances;
- add stream buffer language; and,
- include a requirement for kennels in the Open Space zone to obtain a Conditional Use Permit (CUP).

The project is Exempt from the California Environmental Quality Act by the Common Sense Rule 15061(b)(3). Subsequent CUPs for kennels will require project specific CEQA evaluations.

Following the roll call at 10:06 a.m., Chair Peek announced the removal of agenda item number eight from the agenda due to a notice error.

COMMISSIONERS' REPORT/COMMENTS

Assistant County Counsel stated that Item 8 was removed from the agenda due to a notice error. She explained that zoning changes now require a 20-day notice, as opposed to the previous 10-day requirement, and the posted notice did not meet the updated timeline.

Vice-Chair Peek announced she will not be in attendance for the June 25, 2025, meeting.

DIRECTOR'S REPORT

Planning Director Cathreen Richards announced the next meeting will be on May 28, 2025.

ADJOURNMENT

Vice-Chair Peek adjourned the meeting at 1:01 p.m.

Prepared by:
Sally Faircloth
Planning Department



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

AGENDA ITEM NO.: 6 (Action Item – Public Hearing)

PLANNING COMMISSION MEETING DATE: May 28, 2025

SUBJECT: Conditional Use Permit (CUP) 2025-02
Starrenburg

EXECUTIVE SUMMARY

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow an existing non-conforming front yard fence to exceed the maximum permitted height of 3.5 feet (42 inches), as stipulated by Inyo County zoning regulations. The fence, which is currently in place, stands 5.4 feet (65 inches) tall. The subject property is located at 632 Tuttle Creek Road in Lone Pine, within the Alabama Hills neighborhood. This project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303(e), New Construction or Conversion of Small Structures – Class 3

PROJECT INFORMATION

Supervisory District: 5

Project Applicant: Joost van Starrenburg

Property Owner: Paul Bridwell

Site Address: 632 Tuttle Creek Road

Community: Lone Pine, CA

A.P.N.: 026-360-19

General Plan: Residential Rural Medium Density (RRM)

Zoning: Rural Residential with a 3-acre minimum (RR-3.0)

Size of Parcel: Approximately 3.9 acres

Surrounding Land Use:

Location:	Use:	Zoning	General Plan Designation
Site	Single-Family Residence	Rural Residential (RR 3.0)	Residential Rural Medium Density (RRM)
North	WELL	Rural Residential (RR 3.0)	Residential Rural Medium Density (RRM)
East	Single-Family Residence	Rural Residential (RR 3.0)	Residential Rural Medium Density (RRM)
South	Single-Family Residence	Rural Residential (RR 3.0)	Residential Rural Medium Density (RRM)
West	DWP/Open Space Agriculture	Open Space (OS-40)	Natural Resources (NR)

Staff Recommended Action:

1.) Approve the Conditional Use Permit (CUP) 2025-02/Starrenburg 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:

Cynthia Draper

STAFF ANALYSIS**Background and Overview**

The applicant Joost van Starrenburg is requesting approval of a Conditional Use Permit (CUP) to allow an existing non-conforming front yard fence to exceed the maximum permitted height of 3.5 feet (42 inches), as stipulated by Inyo County zoning regulations. The fence, located at 632 Tuttle Creek Road in Lone Pine, within the Alabama Hills neighborhood, currently stands approximately 5.4 feet (65 inches) tall.

The property owner, Paul Bridwell, moved into the property in 2023, at which time the non-conforming front yard fence was already in place. Unaware that the fence exceeded current height limits or that a CUP was required for modifications, the owner hired the applicant to upgrade and improve it. The original fence, constructed in 1998 at a height of approximately 5.75 feet, was in poor condition and needed repair. As part of the upgrade, the fence height was reduced to 5.4 feet, slightly decreasing the degree of non-conformance.

Believing the work to be routine maintenance and aesthetic improvement, the owner proceeded without knowledge of the fence's non-conforming status. The issue came to light only after the owner received a code violation notice from the County. This CUP application is being submitted to bring the property into compliance and resolve the violation. The fence fronts Tuttle Creek Road to the west and faces vacant agricultural land owned by the Department of Water and Power (DWP). The current height serves several practical purposes: it helps contain the owner's multiple large dogs by limiting their visibility and preventing escape, deters wildlife such as coyotes and bobcats, and enhances privacy. Additionally, the updated design improves the visual appeal of the property. The fence is constructed in a manner that does not obstruct views of local traffic and maintains adequate visibility for vehicles traveling along Tuttle Creek Road. Requiring the fence to be removed and rebuilt to meet current standards would impose a financial burden on the owner, given the recent investment in materials and labor.

Zoning Ordinance Consistency

The subject property is zoned Rural Residential (RR), which is intended to support residential development while maintaining the rural character and open space values of the surrounding area. Fences, walls, and hedges are regulated under Section 18.78.160 of the Inyo County Code, which allows fences up to 6 feet in height on side and rear yards, and up to 3.5 feet in height in required front yards. These fence height regulations apply uniformly across all zoning designations in the County, not just to properties within the RR zone. Additionally, Section 18.21.050 establishes setback requirements, including a front yard setback of 50 feet, side yard setbacks of 20 feet, and rear yard setbacks of 30 feet for properties within the Rural Residential (RR) zone.

The proposed fence upgrade, while exceeding the standard height limit for front yard fences, is consistent with the Rural Residential (RR) zone's intent to accommodate residential uses that maintain the rural character of the area. The fence serves practical purposes, including privacy, animal containment, and protection from wildlife, which are compatible with the rural residential nature of the zone. The property meets all required setback standards as outlined in the RR zoning regulations, including front, side, and rear yards. The upgraded fence does not introduce any new land use that conflicts with the goals of the Rural Residential (RR) zone.

General Plan Consistency

The subject property has a General Plan land use designation of Rural Residential Medium Density (RRM), which is intended to support medium-density residential development while preserving the open space, scenic character, and rural lifestyle of the area. The proposed fence upgrade, while slightly exceeding the standard front yard height limit, is consistent with the goals and policies of the RRM designation. The fence contributes to the functional and aesthetic enhancement of the property without altering its residential use or impacting the surrounding rural character. It supports the safety and privacy of the residents, helps contain domestic animals, and provides a deterrent to local wildlife—that are typical in rural settings. The upgraded fence remains within the property boundaries and complies with all applicable setback requirements. Therefore, the project aligns with

the intent of the RRM designation to allow for reasonable improvements that support continued rural residential living.

ENVIRONMENTAL REVIEW

Conditional Use Permit 2025-02/Starrenburg is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(e), New Construction or Conversion of Small Structures – Class 3.

This exemption applies to the construction and replacement of small structures, including fences and other accessory features. The project involves a minor upgrade to an existing residential fence and qualifies as a small structure under this provision.

The project will not result in any significant environmental impacts, and no further environmental review is required under CEQA.

NOTICING & REVIEW

Planning Staff routed the application for the CUP to the Building and Safety Department for review. No issues were reported with the project, and the department noted that they do not believe the fence obstructs visibility for local traffic.

The Planning Commission Hearing for CUP 2025-02/Starrenburg was advertised in the Inyo Register on May 17, 2025 and notices were mailed to properties within 300-feet of the project location. Staff has received no comments to date.

RECOMMENDATION

Planning Department staff recommends the approval of Conditional Use Permit No. 2025-02/ Starrenburg, with the following Findings and Conditions of Approval:

FINDINGS

1. The proposed Conditional Use Permit is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(e), New Construction or Conversion of Small Structures – Class 3.; and the provisions of the California Environmental Quality Act have been satisfied.
[Evidence: Class 3 consists of the construction and replacement of small structures, including fences and other accessory features. The project involves a minor upgrade to an existing residential fence and qualifies as a small structure under this provision. The CUP is being applied for to permit the continued use of an existing non-conforming fence and its minor upgrade, which does not involve a major expansion of use. The fence remains in the same location and the upgrade primarily addresses re-

pair and aesthetic improvements without a change in the existing residential use of the property.]

2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Rural Residential Medium Density (RRM).

[Evidence: The property is designated Rural Residential Medium Density (RRM) in the Inyo County General Plan, which allows for low-density residential development while maintaining the rural character of the area. The proposed fence upgrade supports the continued residential use of the property without altering its existing function. The fence provides enhanced privacy, animal containment, and protection from wildlife, which are compatible with the residential uses encouraged under the RRM designation. The project aligns with the General Plan's goals of preserving the rural character and supporting reasonable improvements to residential properties.]

3. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance:

[Evidence: The subject property is zoned Rural Residential (RR), and fences are regulated under Section 18.78.160 of the Inyo County Zoning Ordinance. The proposed fence exceeds the maximum height of 3.5 feet in the front yard, but the requested CUP will allow the continued use of the non-conforming fence. The property complies with setback requirements as specified for the RR zone, including a front yard setback of 50 feet, side yard setbacks of 20 feet, and rear yard setbacks of 30 feet. The CUP is being sought to bring the fence into compliance with the Zoning Ordinance and resolve the existing non-conformity.]

4. The proposed Conditional Use Permit is necessary or desirable.

[Evidence: The continued use of the property for residential purposes, including the upgraded fence, supports the goals of the General Plan and Zoning Ordinance. The fence provides privacy, animal containment, and protection from wildlife, all of which are desirable features for a residential property in a rural area. Additionally, requiring the removal of the existing fence would impose a financial burden on the property owner, making the CUP a necessary and reasonable means to resolve the non-conforming status of the fence.]

5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.

[Evidence: The proposed CUP seeks to maintain an existing residential use and non-conforming fence in compliance with Inyo County zoning regulations. The fence height will not change or increase the current level of use or development on the property, nor will it require additional transportation or service infrastructure. As such, there will be no significant impact on surrounding uses or transportation and service facilities.]

6. The proposed Conditional Use Permit 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 CUP is requested to bring the property into compliance with zoning regulations regarding the height of the front yard fence. The upgraded fence does not introduce any new land use or change the nature of the existing residential use. It provides benefits such as privacy, animal containment, and protection from wildlife. The fence will not adversely affect the health or safety of persons living or working in the vicinity, nor will it be materially detrimental to the public welfare.]

7. Operating requirements necessitate the Conditional Use Permit for the site.

[Evidence: The property needs a CUP to bring the existing non-conforming fence into compliance with Inyo County's Zoning Ordinance, specifically Section 18.78.160 regarding fence heights in residential areas. The CUP will resolve the current non-conforming status of the fence, allowing for continued use of the property in compliance with the County's regulations. Therefore, the CUP is necessary for the proper operation of the site and the continued residential use of the property.]

CONDITIONS OF APPROVAL

1. Hold Harmless

The applicant/developer shall defend, indemnify, and hold harmless Inyo County, including its agents, officers, and employees, from any claims, actions, or proceedings against the County related to the approval of Conditional Use Permit No. 2025-02/Leon7Starrenburg. The County reserves the right to prepare its own defense..

2. Compliance with County Code

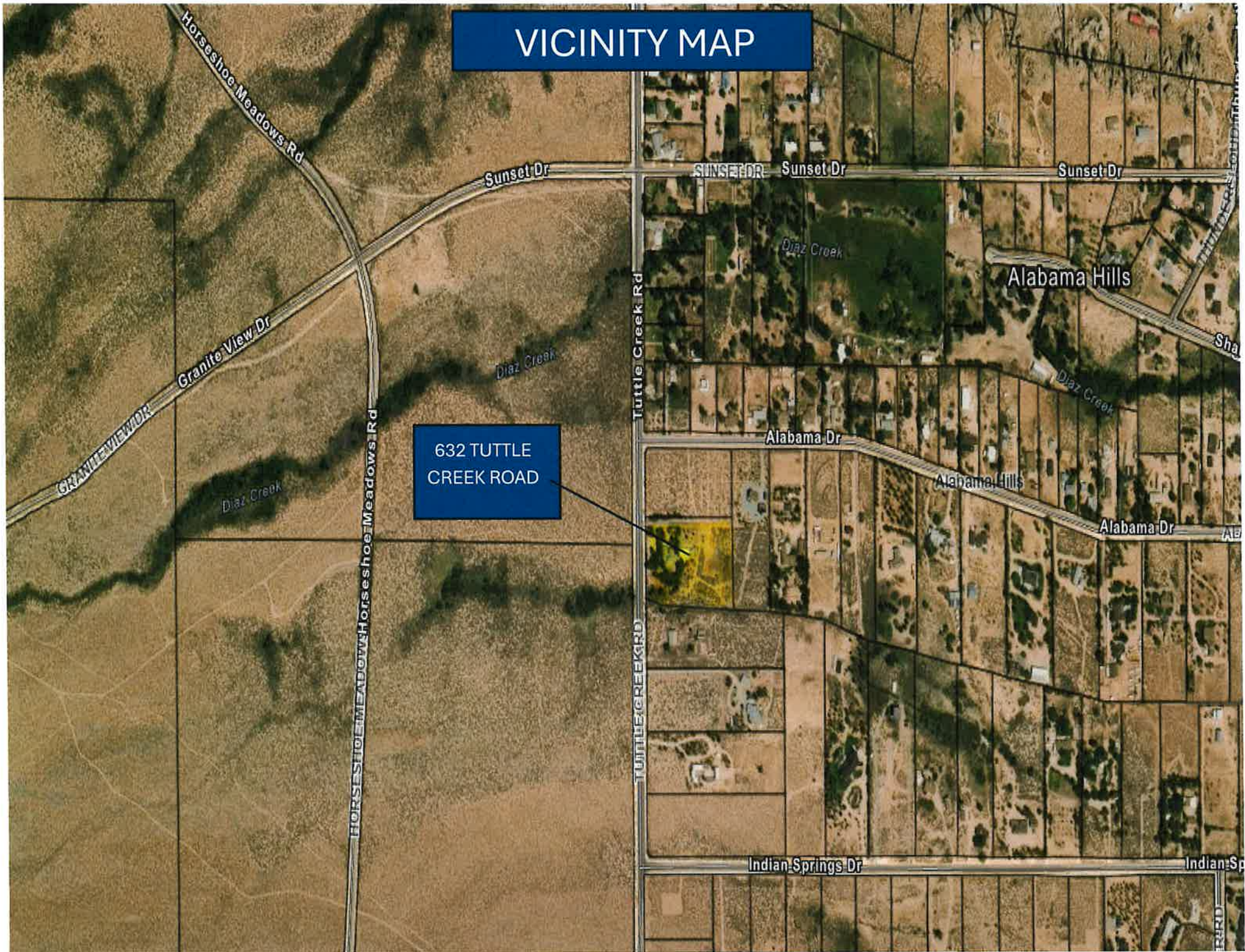
The applicant/developer shall conform to all applicable provisions of Inyo County Code. If the use provided by this conditional use permit is not established within one year of the approval date it will become void. Failure to meet the conditional of approval may result in CUP 2025-02/Starrenburg to be revoked.

Attachments:

Vicinity Map
Project photos
Code violation letter

VICINITY MAP

632 TUTTLE CREEK ROAD



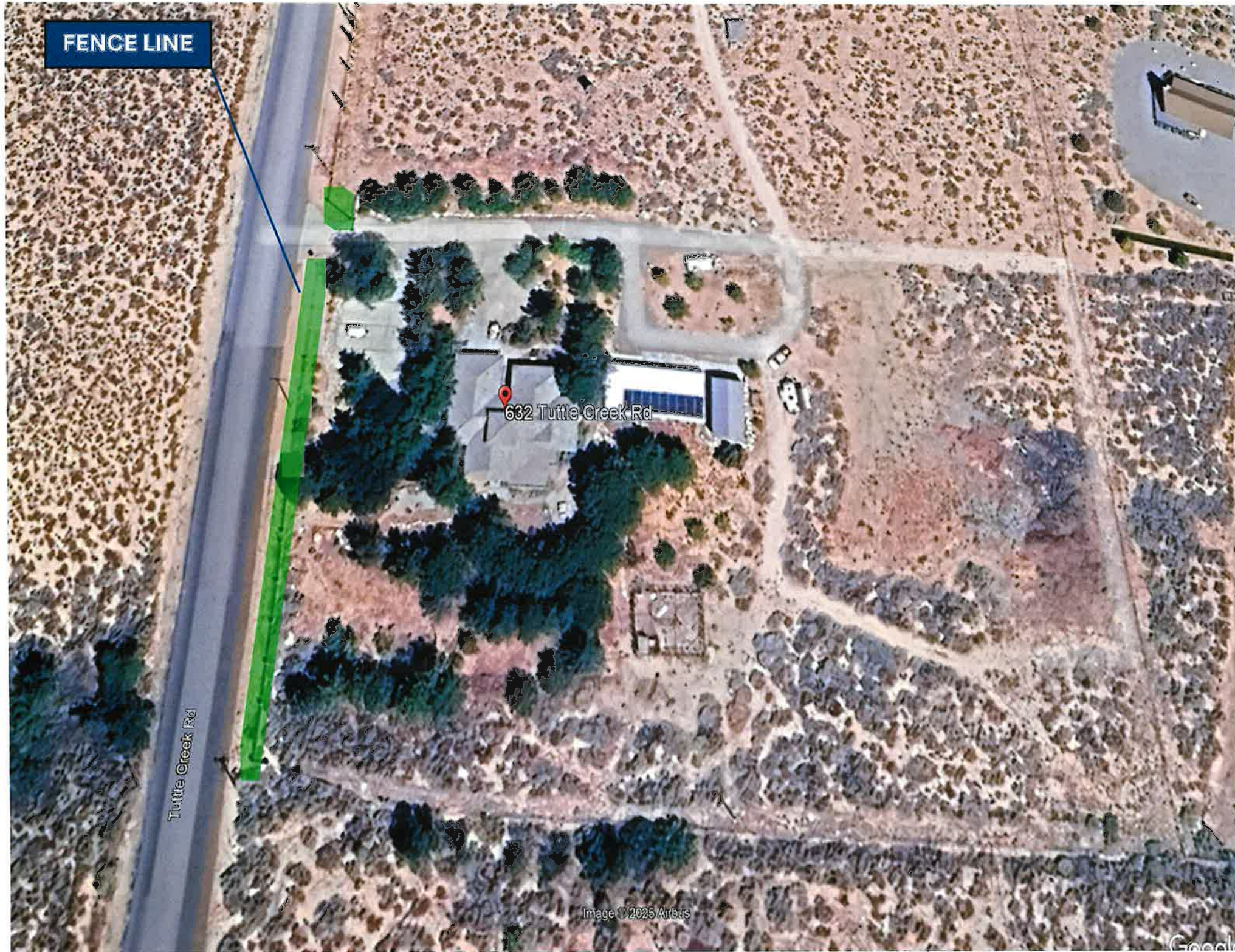
FENCE LINE

632 Tuttle Creek Rd

Tuttle Creek Rd

Image © 2025 Aerialis

Google



FENCE LINE IN
RELATION TO
NEIGHBORS

VACANT PROPERTY

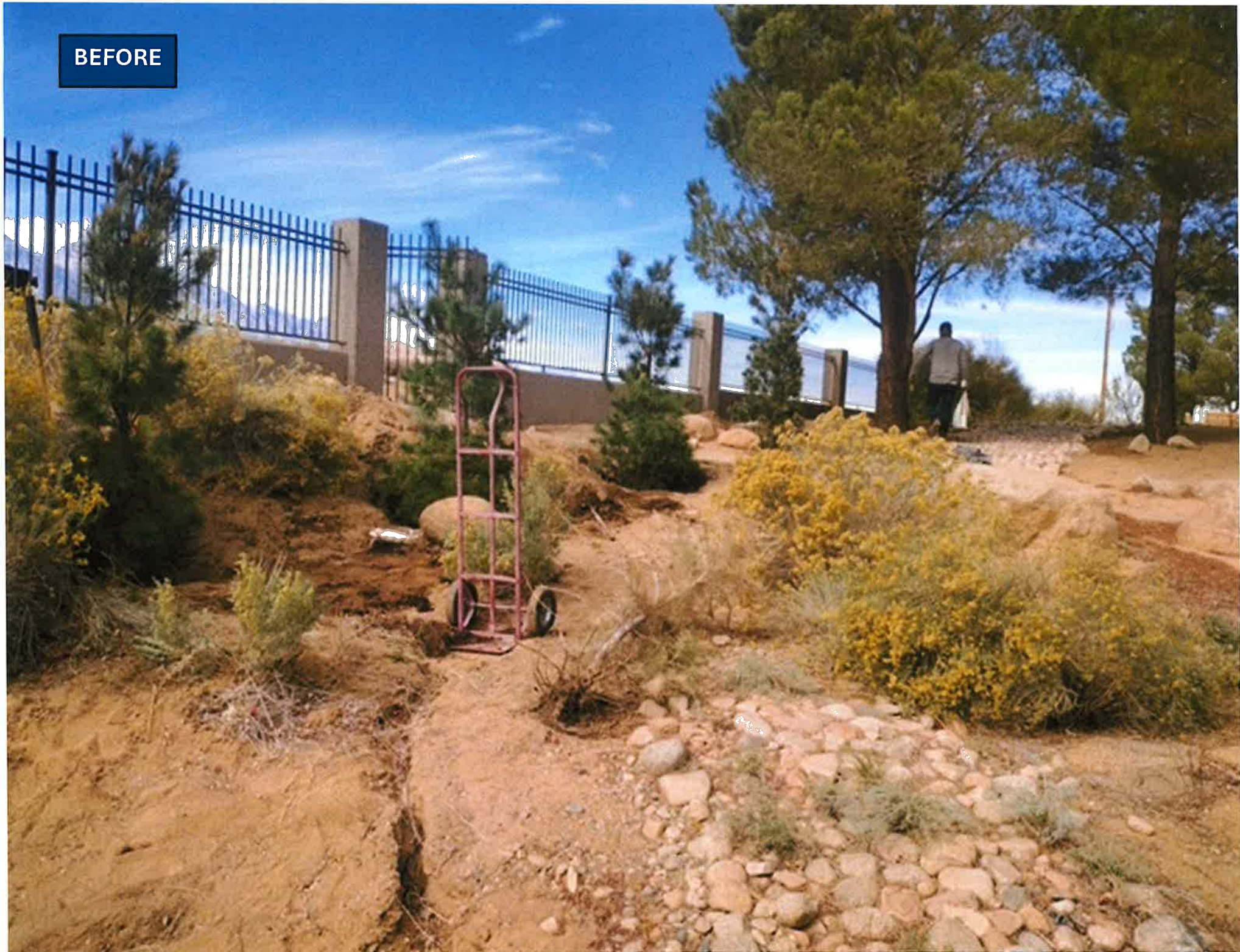
632 Tuttle Creek Rd

NEIGHBOR
DRIVEWAY

BEFORE



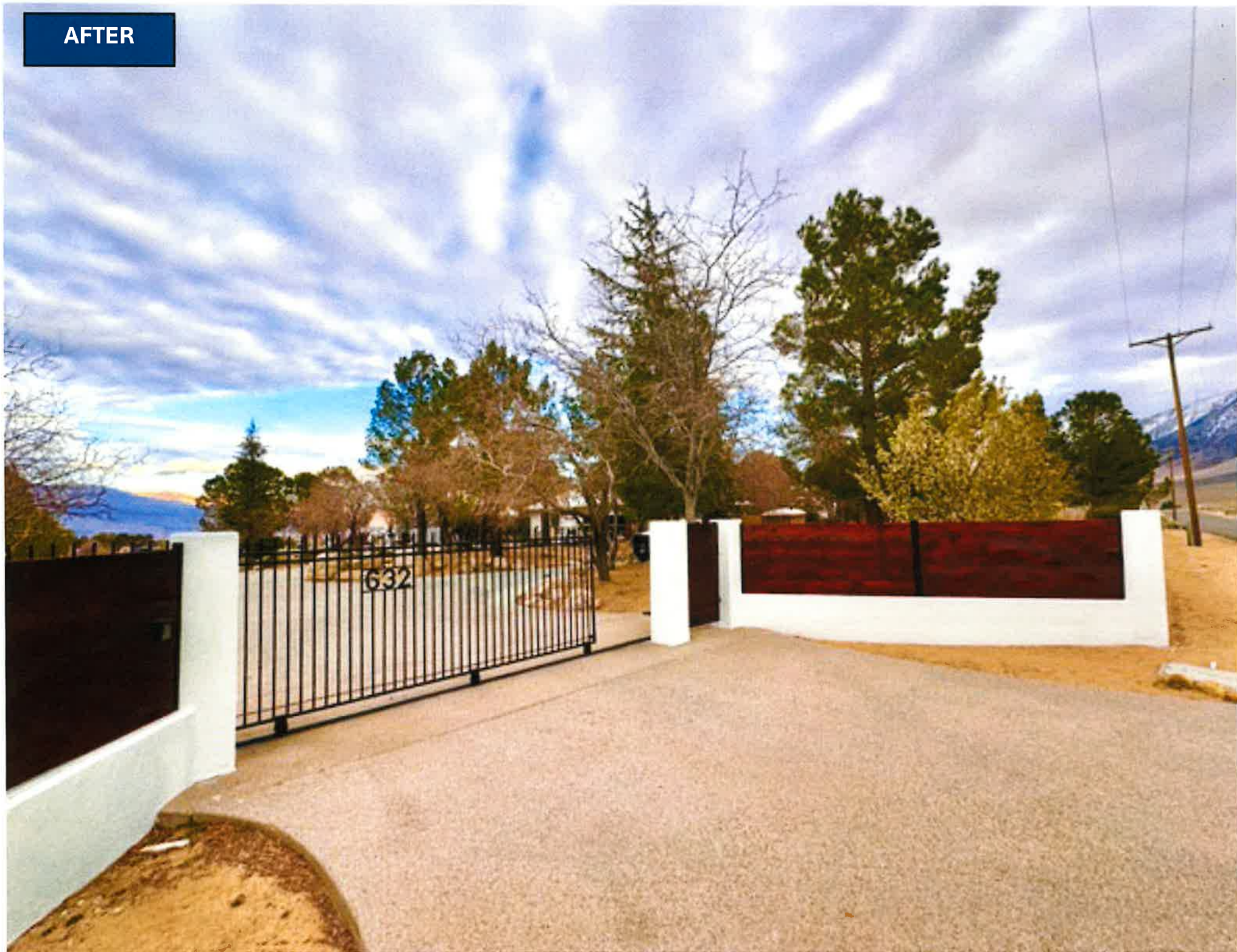
BEFORE



AFTER



AFTER





Planning Department
Code Compliance Division
760.878.0468
PO Drawer L
Independence, California 93526
760.878.0468

Notice of Code Violation
Inyo County Code section 22.12.040

You are receiving this notice because a property that you own or occupy contains code violation(s). A code violation can stem from any problem present on a property that constitutes a violation of the Inyo County Code or state or federal law. Code violations often arise from public nuisances. Per California Civil Code section 3480, a public nuisance is any problem present on your property that negatively impacts surrounding properties or the community as a whole. Common examples of public nuisances include things like building code violations that put your neighbors in danger, properties with excessive trash or debris, or properties that have constant loud noises or bad smells coming from them. **Please consult the second page of this letter for information about the specific code violation on your property.**

In Inyo County, the code enforcement process works as follows:

1. The first notice you receive is an Opportunity to Correct. This is a warning letter, and no action will be taken against you if you correct the problems identified within 14 days.
2. If you do not comply with the Opportunity to Correct in 14 days, you will receive a Notice of Violation. You have 14 days to comply with the Notice of Violation by correcting the problems identified in the letter.
3. If you do not comply with the Notice of Violation, you will receive an Order of Abatement and Imposition of Administrative Penalties. You have 14 days to comply with the Order of Abatement and Imposition of Administrative Penalties by correcting the problems identified in the letter.
4. If you do not comply with or file a timely appeal of the Order of Abatement and Imposition of Administrative Penalties, **you will automatically be assessed financial penalties and Inyo County may go to court to seek permission to enter your property and remedy the problems identified in the letter.** You will be billed for whatever cost the County incurs to remedy the problem. If you do not pay this bill, the costs of abatement may be placed on your property tax bill as a special assessment. Please consult Inyo County Code section 22.12.040 for information on how to appeal and the amount of financial penalties.

Code Violation Information Sheet

Abatement Process Details

Type of Notice	Opportunity to Correct
Date of Mailing	03/06/2025 Emailed
Required Correction Date	03/20/2025
Financial Penalties Accrued	

Property Information

Property Address	632 Tuttle Creek Road Alabama Hills CA 93545
APN	026-360-19
Supervisory District	District 5
Owner's Name	Aeternum Tere LLC 16585 Via Floresta Pacific Palisades, CA 90272
Occupant's Name	Paul Birdwell

Code Violation Summary

Statutory Reference	Summary of Problems Present on Property
Inyo County Code section	On March 5, 2025, Code Compliance Officer Tehauna Tiffany observed a fence exceeding the allowed height of 42 inches for the front yard.
Inyo County Code section 18.78.160	<p>In the front yard, the fence does exceed three feet and one-half feet (42 inches) in height.</p> <p>Fences, walls and hedges—Generally. Fence, walls and hedges as regulated in this chapter may occupy any yard area. Except as otherwise provided, no fence, wall or hedge shall have a height in excess of six feet. No fence, wall or hedge in a required front yard, in the required street side yard of a corner lot, or in that part of the rear yard of a corner lot which abuts the required front yard of a key lot, shall have a height in excess of three and one-half feet. The term "wall" as used in this section shall not be deemed to apply to the wall of a building or to the supporting portion of a retaining wall. Under California's Building Code, you must obtain a permit before building a fence that will be over 6 feet tall unless the top 2 feet of the fence will be barbed wire. For a front yard fence, the maximum height is 42 inches.</p>

The problems listed in the table above are the problems that must be corrected.



**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

AGENDA ITEM NO.:

7 (Action Item and Public Hearing)

PLANNING COMMISSION

MEETING DATE:

May 28, 2025

SUBJECT:

**Tentative Parcel Map 431; Zone Reclassification
2024-03; General Plan Amendment 2024-03; and
Variance 2025-01/Big Pine Petroleum**

EXECUTIVE SUMMARY

The applicant, Mohamad Najm, has submitted an application to subdivide a parcel located at 109 Main Street (Highway 395) in Big Pine. The entire parcel has an area of 84,632 square feet, is currently zoned Central Business (CB), has the General Plan designation of Central Business District (CBD), and Assessor Parcel Number (APN) 004-032-01 (Attachment – Vicinity Map). The proposal seeks to divide the parcel into three separate parcels as follows (Attachments – TPM 431 and TPM 431 with Proposed Parcels):

- **Parcel 1:** An existing residence is located on the northwest corner of the property. Parcel 1 will have an area of 8,957 square feet. Due to the existing residence, it will require a General Plan Amendment (GPA) from CBD to Residential Medium High (RMH) and a Zone Reclassification (ZR) from CB to R-2 Districts – Multiple Residential with a minimum of 6,500 square feet (R2 – 6,500) as requested by the applicant. The GPA to RMH and ZR to R2-6,500 fit the current uses of the parcel and the applicant has indicated that no development is proposed at this time.
- **Parcel 2:** An existing fuel station will remain unchanged on the parcel with no plans for development and will have an area of 42,329 square feet. Parcel 2 will remain as a CBD General Plan designation and CB Zoning Classification.
- **Parcel 3:** The southern portion of the parcel is currently undeveloped and will have an area of 33,346 square feet. Parcel 3 is intended for future commercial development but none is planned at this time. Parcel 3 will remain as a CBD General Plan designation and CB Zoning Classification.

A variance is required due to impacts to setbacks requirements on the proposed Parcel 1 and Parcel 2.

PROJECT INFORMATION

Supervisory District: 4

Applicant: Mohamad Najm

Landowners: Big Pine Petroleum, Inc.

Community: Big Pine, CA

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

Existing General Plan: Central Business District (CBD)

Existing Zoning: Central Business (CB)

Size of Parcel: Approximately 2 acres – 84,632 square feet

Surrounding Land Use:

Location	Use	General Designation	Plan	Zone
Site	Gas Station and food mart with truck scales	Central Business District (CBD)		Central Business (CB)
North	Crocker Avenue	N/A		N/A
East	Highway 395	N/A		N/A
South	Single family residence, commercial business	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)

Recommended Action:

- 1.) Make certain findings with respect to and approve TPM 431/Big Pine Petroleum and certify it is exempt from CEQA.
- 2.) Make certain findings with respect to and recommend the Board of Supervisors approve ZR 2024-03/Big Pine Petroleum, and certify it is exempt from CEQA.

- 3.) Make certain findings with respect to and recommend the Board of Supervisors approve GPA 2024-03/ Big Pine Petroleum, and certify it is exempt from CEQA.
- 4.) Make certain findings with respect to and approve VAR 2025-01/Big Pine Petroleum, and certify it is exempt from CEQA.

Alternatives:

- 1.) Specify modifications to the proposal and/or the Conditions of Approval.
- 2.) Make specific findings and deny the application.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

Project Planner:

Danielle Visuaño

BACKGROUND

The applicant has applied for Tentative Parcel Map (TPM) 431 to isolate the current uses located on a parcel in Big Pine by dividing the current parcel into three parcels. Parcel 1 will remain as existing residence. Parcel 2 will remain as the existing fuel station and is not intended to change. Parcel 3 is intended for future commercial business development, however, no development is proposed with this application.

The parcel proposed for subdivision is zoned CB, however, the proposed Parcel 1 contains an existing residence, which has caused the applicant to request a ZR of the 8,957 square feet area from CB to R2 with a 6,500 square foot minimum and a GPA change from CBD to RMH. Proposed Parcel 2 containing 42,329 square feet, and proposed Parcel 3 containing 33,346 square feet and will continue to be zoned CB and have the General Plan designation of CBD. No new development or changes are planned at this time.

Parcel 1 will require a variance (VAR) as the new rear yard lot line will not allow for the required rear yard setback of 20 feet, and the new side yard lot line on the east side will not allow for the required 5 foot setback as required under the R2 zoning requirements (Attachment – Parcel 1 - Variance).

Further, a VAR will be required for the proposed Parcel 2 which is to remain zoned CB. The need for the VAR arises because the rear lot line of Parcel 2 will abut a residentially zoned parcels, proposed Parcel 1 to be zoned R2, and a parcel to the west zoned R-3 Multiple Residential Zone (R3). The Inyo County Code (ICC) requires the rear yard setback for a CB zoned parcel adjacent to residential zoning match the residential setback. The R2 zone requires a minimum rear yard setback of 20 feet. Currently, the existing service station and diesel fuel pumps on Parcel 2 are located closer than the required 20-foot setback resulting in setback encroachment (Attachment – Parcel 2 Variance map). The R3 zone requires a minimum rear yard setback of 15 feet. Currently the service station on Parcel 2 is located closer than the require 15-foot setback resulting in setback encroachment.

Approval of the VAR would bring the existing structures on Parcel 1 and Parcel 2 into compliance with the ICC setback standards.

STAFF ANALYSIS

Land Use Analysis: The property is surrounded by Crocker Avenue and Highway 395 to the north and east which have residential structures and commercial business establishments across each transportation corridor. To the south of the property are residential and commercial structures and to the west is residential areas and a mini storage facility. The TPM, ZR, GPA and VAR will not alter the existing land use and there are no development proposals at this time. The TPM, ZR, GPA and VAR also aligns with the surrounding land use pattern and will not alter the character of the area. The zoning change for Parcel 1 to R2 has zoning requirements which are slightly less intensive than the CB multiple family housing, and blends in with the other surrounding R2 and R3 parcels.

General Plan: The requested GPA is necessary for Parcel 1 to bring Parcel 1 into General Plan conformance with its existing residential landuse. Currently, the parcel is designated CBD which does not align with its primary function as a residential property without commercial use. The GPA will change the landuse designation of Parcel 1 to RMH, which supports residential densities of 7.6 to 15.0 dwelling units per acre and blends with the surrounding RMH designated parcels. The RMH designation is to be used for single-family and multi-family residential units without the commercial use aspect. There is currently a single-family home on the proposed Parcel 1 and no plans for commercial use.

The General Plan designation and zoning classification will not change for Parcel 2 and 3 and will remain CB and CBD respectively to support continued and future commercial development and operations. The proposed continued commercial operation and development objectives will also align with the County's long-term planning goals of ensuring compatible land uses and promoting orderly development.

Zoning: The requested ZR is necessary to bring Parcel 1 into compliance with existing residential land use. Currently, Parcel 1 is zoned CB (Commercial Business), which is inconsistent with its primary use as a residential property. The proposed ZR will reclassify Parcel 1 to R2-6,500 (Multiple Residential), which supports residential development and is consistent with the surrounding neighborhood's land use pattern. This reclassification recognizes Parcel 1 as a clearly distinct residential use, separate from the commercial uses proposed on Parcels 2 and 3. According to ICC Chapter 18.44 (CB Districts – Central Business), the minimum parcel size for development in the CB zone is 10,000 square feet. The proposed subdivision would result in Parcel 1 being approximately 8,957 square feet, rendering it noncompliant with CB zoning standards. Therefore, the applicant is requesting a reclassification to R2-6,500, which has a minimum lot size requirement of 6,500 square feet and more appropriately aligns with the existing residential use. This reclassification will allow TPM 431 to proceed, as Parcel 1 meets the minimum lot size requirement under the R2-6,500 designation. The proposed reclassification will not increase residential density beyond what is permitted under R2 zoning. Moreover, any future subdivision of Parcel 1 will be prohibited unless the parcel is rezoned again, as it will not meet the size threshold for additional division. It is in the public interest to have zoning designations match the uses on a parcel, and even more

so to have zoning match the applicant's future plans for parcel. The applicant does not have future plans to utilize Parcel 1 for any commercial uses. TPM 431 is conditioned with first attaining the ZR and GPA approvals for Parcel 1.

The General Plan designation and zoning classification will not change for Parcel 2 and 3 and will remain CB and CBD respectively to support continued and future commercial development and operations. The proposed continued commercial operation and development objectives will also align with the County's long-term planning goals of ensuring compatible land uses and promoting orderly development.

Subdivision: ICC Title 16 and the Subdivision Map Act (Government Code Section 66410 et seq.) regulate subdivisions. The proposed lots meet the applicable lot standards and design requirements specified in ICC Chapter 16.16, and the TPM meets the applicable preparation specifications identified in ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act. Due to there being no current plans for development, staff recommends that the street and utility improvements required by ICC Section 16.40.010 be waived, as permitted. A condition of approval is included to require such improvements in the future if they become necessary.

Access: Each of the three proposed parcels will maintain legal access. Parcel 1, the residential lot, will continue using the existing driveway entrance from Crocker Avenue. Parcel 2, the fueling station, has direct access from Highway 395 and Crocker Avenue, ensuring ease of entry and exit for customers. Parcel 3 has access from Highway 395, however, will require an approved access plan before any development occurs. Future development on Parcel 3 must meet traffic safety and ingress/egress requirements per county and state regulations.

Utilities and Public Services: Parcel 1 currently relies on water and sewer connections with the Big Pine Community Service District and has existing utility services. Parcel 2 also has established infrastructure that supports its fuel station operations including appropriate water and sewer with the Big Pine Community Service District and utility services. Parcel 3 will need utility and public services established when development occurs, and any future connections will be subject to compliance with County and State standards and regulations and any other relevant standards and regulations that are applicable as provided in the conditions of approval.

Fire

The project area is within the Big Pine Fire Protection District and no objection was received for TPM 431.

Variance

With regard to Parcel 1, according to ICC 18.33.050 zoning for R2 districts, the rear yard setback is required to be 20 feet and the side yard setback is required to be 5 feet. With the new rear yard lot line and the new east side yard lot line, Parcel 1 will not meet these requirements and thus a variance is required for Parcel 1 to be in compliance with the zoning code (Attachment – Parcel 1- Variance).

With regard to Parcel 2 which will remain zoned CB, according to the ICC 18.44 zoning for CB districts, rear yard setbacks are adjusted when abutting a residential parcel. ICC section 18.44(I) states for CB zoned parcels:

“Residential Adjacency Exceptions. Where a parcel abuts a residentially zoned parcel and no public right-of-way for a street or alleyway lies between the central business and residentially zoned parcels, the following standards apply to the lot line that is common to the central business and residentially zoned parcels:

1. Rear Yard Setback: same as is required for residential parcel, ...”

In this particular subdivision request Parcel 2 contains a diesel pump and an automotive repair shop that are along the rear lot line of Parcel 2 and abut the proposed Parcel 1, zoned R2, and another residential parcel to the west that is zoned R3 (Attachment – Parcel 2 – Variance) The rear yard setbacks for R2 and R3 are as follows:

- R2, ICC 18.33.050(B), states: Depth of a rear yard: twenty feet
- R3, ICC 18.34.050(E), states: Rear yard: fifteen feet

Since the diesel pump and the automotive repair shop are located near the rear lot line and encroach into the setbacks a variance is required to keep this subdivision in compliance with the requisite rear yard setback requirements of 20-feet for R2 and 15-feet for R3.

To establish the required variances for Parcel 1 and Parcel 2 discussed above the information is required

Previous Variance History: No prior variances have been applied for regarding this property.

Provision for Variances: The Inyo County Zoning Ordinance states that any variance to the terms of the Zoning Ordinance may be granted if such a variance would “*not be contrary to its general intent or the public interest, where due to special conditions or exceptional characteristics of the property or its location or surroundings, a literal enforcement would result in practical difficulties or unnecessary hardships*” (Section 18.81.040).

Further, the Zoning Ordinance states that the following three Findings must be affirmed in order for any variance to be granted:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.
2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.
3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not

necessary for the attainment of, the general purposes of this title.

In addition to the above Findings specified in the Inyo County Zoning Ordinance, California State Government Code requires the following Findings for any variance:

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
6. The proposed variance is consistent with the General Plan.
7. The requirements of the California Environmental Quality Act have been met.

Affirmative variance Findings must describe the special circumstances that act to physically differentiate the project site from its neighbors and make it unique, and thus uniquely justified for a variance; alternatively, negative findings must describe how the project's physical characteristics are not unique or exceptional, and therefore do not justify a variance.

ALL seven of the Findings must be affirmed in order for a variance to be approved.

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 7, 2024 to the: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Utu Utu Gwaitu Tribe of the Benton Paiute Reservation, and Wuksachi Indian Tribe/Eshom Valley Band. No requests for consultation were received.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the General Rule 15061(b) (3) 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 TPM, ZR and GPA is for a property that is already developed and includes no additional development proposals; the land use designations that are proposed will result in no change to the impact of uses than are possible with the current and requested changed designations.

NOTICING & REVIEW

Tentative Parcel Map 431; Zone Reclassification 2024-03; General Plan Amendment 2024-03; and Variance 2025-01/Big Pine Petroleum has been reviewed by the appropriate County departments with no comments indicating there are any issues with the request.

The project was noticed on May 3, 2025 in the Inyo Register and mailed to property owners within 300-feet of the project location. No comments have been received by staff to date.

RECOMMENDATIONS

Planning Department staff is recommending:

1. The Planning Commission approve TPM 431 and certify it is Exempt for CEQA.
2. The Planning Commission recommend that the Board of Supervisors approve General Plan Amendment 2024-03/Big Pine Petroleum and Zone Reclassification 2024-03/ Big Pine Petroleum and certify they are Exempt from CEQA.
3. The Planning Commission approve VAR 2025-01/Big Pine Petroleum and certify it is Exempt for CEQA.

Recommended Findings and Conditions

TPM 431 - Findings:

1. Proposed TPM 431/Big Pine Petroleum is Exempt from CEQA by the General Rule 15061(b)(3).

[Evidence: The proposed project is covered by the General Rule 15061(b) (3) 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 TPM is for a property that is already developed and includes no additional development proposals; and the land use designations that are proposed will not result in more impactive uses.]

2. Based on substantial evidence in the record, the Planning Commission finds that TPM 431 is not in conformance with the Central Business Zoning designation currently found on the property and a condition of approval to change the Zoning designation to R-2 with a 6,500 square foot minimum (R2-6,500) will be required for a Final Map.

[Evidence: Inyo County Code (ICC) Chapter 18.44 (CB Districts-Central Business) states the minimum standard parcel size for development is 10,000 square feet. This subdivision will cause the resulting Parcel 1 and current development to be out of compliance with the ICC 18.44 CB designation; therefore, the applicant is requesting a ZR to R-2 Districts-Multiple Residential with a 6,500 square feet minimum (R2-6,500) as this designation best fits the current separate residential uses and will allow TPM 431 to be finalized as the minimum lot size requirement of 6,500 square feet can accommodate the proposed 8,957 square feet subdivision request. Once this condition is met, TPM 431 will be in conformance with the Zoning designation.]

3. Based on substantial evidence in the record, the Planning Commission finds that TPM 431 is not in conformance with the Inyo County General Plan designation of Central Business District (CBD) that is currently found on the property and a condition of approval to change the General Plan designation to Residential Medium High (RMH) will be required for a Final Map.
[Evidence: The CBD designation provides for single-family dwellings with a density of 7.6 to 24 single-family dwelling per acre within a commercial district. This does not correspond with the requested non-commercial R2 zoning for Parcel 1 nor does it comply with the requested 6,500 square feet subdivision request. For consistency and compliance with the General Plan, the applicant is requesting a GPA to change the designation from CBD to RMH for Parcel 1. The residential focused RMH designation is traditionally used in tandem with the R2 zoning designation. Once this condition is met TPM 431 will be in conformance with the RMH General Plan designation.]
4. Based on substantial evidence in the record, the Planning Commission finds that TPM 431 as conditioned is in conformance with the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.
[Evidence: Proposed TPM 431 is consistent with the requested R2 Zoning designation (Parcel 1) and the continued CB designation (Parcel 2 and Parcel 3) as all meet the development standards of minimum parcel size and setback requirements, with requested variance approval, of both respective zoning districts. The proposed lots meet the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.]
5. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.
[Evidence: The project is consistent with the residential and business character of the surrounding area, is already developed and will not increase demands on public services and utilities. There are no plans for development at this time. TPM 431 has been routed to appropriate County departments and no comments were received.]
6. Based on substantial evidence the Planning Commission finds that the provisions of Government code 66474.02 have been met (fire Protection and suppression).
[Evidence: The proposed commercial project is within a local fire district, which effectively exempts TPM 431 from 66474.02. TPM 431 has been routed to the local fire district in Big Pine and no objection has been received.]
7. Based on substantial evidence in the record, the Planning Commission finds that the design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided.
[Evidence: Access to Parcel 1 and Parcel 2, are already established by Crocker Avenue and Highway 395 and additional easements for water and sanitary services are not required as

there are existing facilities that serve the property and no conflicts with existing easements have been identified. Parcel 3 may require an encroachment permit from Caltrans to address any future project works within the State's right of way, and additional easements for water, sewer and utility services may also be required and are made a conditional of approval.]

8. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

[Evidence: As indicated by the Exemption, the project will not result in substantial impacts to the physical environment or human beings, either individually or cumulatively, or directly or indirectly. The subdivision itself will not result in physical modifications, and no changes in the current uses or development are proposed.]

9. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project.

[Evidence: As indicated by the Exemption, the subdivision will not result in any direct impacts. The site is already developed and the subdivision does not have potential indirect impacts to native vegetation and wildlife, and the project's incremental contribution to modifying the physical environment will be insignificant.]

TPM 433/Big Pine Petroleum – Conditions of Approval:

- 1.) A Final Parcel Map in substantial conformance with the approved TPM meeting applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act shall be filed for recordation within two years from the date of approval by the Planning Commission, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.
- 2.) The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 431 or applicant's failure to comply with conditions of approval.
- 3.) The applicant/developer shall conform to all applicable provisions of Inyo County Code including the Building and Safety Code and the Health and Safety Code.
- 4.) The applicant/developer shall conform to the applicable fire safety codes for required firewalls prior to recordation of the Final Parcel Map.
- 5.) Payment of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector prior to recordation of the Final Parcel Map.

- 6.) The applicant shall complete ZR 2024-03/Big Pine Petroleum changing the zoning designation on proposed Parcel 1 from (CB) to (R2-6,500) prior to recordation of the Final Parcel Map.
- 7.) The applicant shall complete a GPA 2024-03/Big Pine Petroleum changing the General Plan Designation on Parcel 1 from (CB) to (RMH) prior to recordation of the Final Parcel Map.
- 8.) The applicant/developer must meet traffic safety and ingress/egress requirements per County and State Regulations when development occurs and with any future construction.
- 9.) The applicant/developer shall provide all necessary utility and public services when any development occurs and must provide any necessary easements for such.
- 10.) The applicant/developer shall remove all storage containers from Parcel 3 prior to recordation of the Final Parcel Map.
- 11.) The applicant/developer shall remove the propane tank tower from Parcel 3 prior to recordation of the Final Parcel Map.
- 12.) The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all streets and utilities within and serving the subdivision per applicable standards, as may be required by the County in the future.

GPA 2024-03/Big Pine Petroleum; ZR 2024-03/ Big Pine Petroleum (Parcel 1) - Findings:

1. Based on the substantial evidence the Planning Commission recommends that the Board of Supervisors certify that General Plan Amendment 2024-03/Big Pine Petroleum and Zone Reclassification 2024-03/ Big Pine Petroleum are Exempt from CEQA.
[Evidence: The proposed project is covered by the General Rule 15061(b) (3) 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 TPM is for a property that is already developed and includes no additional development proposals and the land use designations that are proposed will not result in more impactive uses.]
2. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2024-03/Big Pine Petroleum and Zone Reclassification 2024-03/ Big Pine Petroleum are in conformance with the Goals and Objectives of the Inyo County General Plan.
[Evidence: The proposed designation of RMH provides for medium high density residential (7.6 to 15.0 dwelling unit per acres) with no commercial use which better corresponds to the proposed zoning designation, the current use of the property, and will not result in an overall increase the number of allowed single-family homes that could be built on the parent parcel without these changes.]

3. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2024-03/Big Pine Petroleum and Zone Reclassification 2024-03/ Big Pine Petroleum are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

[Evidence: The proposed designation of R2-6,500 provides for medium density residential use intended to protect established neighborhoods and to provide space suitable in appropriate locations for additional housing developments, which corresponds to the proposed General Plan designation, the current use of the property, and will not result in more potential parcels than could currently be subdivided from the parent parcel without these changes.]

4. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

[Evidence: The project is consistent with the residential character of the surrounding area and this request for a GPA and ZR will not allow for a development type that would change the character of the site or the surrounding area. The GPA and ZR will not increase the potential for increased intensity or density on the site as it changes the parcel to R2-6,5000, which does not allow for more intensity in use as the current CB designation does. The property is on a public water system and sewer systems which are in place on the property. Both are adequate for a single-family home development. Electricity services are also currently provided to the parcel.]

5. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the design or proposed improvements are not likely to cause substantial impacts to public health, safety or welfare.

[Evidence: The proposed GPA and ZR will allow the current uses on the property to be consistent with the County's Zoning Ordinance by changing the zoning to match the current and future planned uses on the parcel and changing the General Plan to properly correspond with the zoning designation. The designation changes will not allow for increased density or intensity of use on the property; and therefore, will not create substantial impacts to the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.]

VAR 2025-01/Big Pine Petroleum (Parcel 1 and Parcel 2)- Findings:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.

(Affirmative–Evidence: Parcel 1 is zoned R-2 (Multiple Residential), which requires a rear yard setback of 20 feet and side yard setbacks of 5 feet. The proposed subdivision will establish new rear and east side lot lines. The existing residence on Parcel 1, as well as the diesel pumps and automotive repair shop on Parcel 2, are long-established structures. To facilitate the subdivision and separation of uses, the new lot lines for Parcel 1 must be placed closer to the existing residence, resulting in the structure encroaching into both the

rear and east side yard setbacks. A variance is therefore required to allow Parcel 1 to conform to zoning requirements in the context of the proposed subdivision.

Parcel 2 is zoned CB (Commercial Business) and is also being subdivided to separate existing uses. As a result of the subdivision, the diesel pumps and automotive repair shop located on Parcel 2 will not comply with rear yard setback requirements. Per ICC 18.44, when a CB-zoned parcel abuts a residentially zoned parcel, the required rear setback must match that of the adjoining residential zoning. Parcel 2 will abut both a R-2 zoned parcel, which requires a 20-foot rear yard setback, and a R-3 zoned parcel, which requires a 15-foot rear setback. The diesel pumps and automotive repair shop will encroach into the 20-foot setback, and the automotive repair shop will encroach into the 15-foot setback. A variance is therefore required to bring Parcel 2 into conformance with applicable zoning regulations.)

2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.

(Affirmative – Evidence: Approving the variance will allow for a single-family dwelling to encroach into a rear yard and side setback for Parcel 1, and for the diesel pumps and automotive repair shop to encroach into the rear setbacks of Parcel 2. The encroachment will not cause a situation that could be considered detrimental to the public welfare as any development subsequent to the variance approval will be required to follow all building and safety, waste disposal and water regulations per the State and County. Without a variance approval there is no option to separate the uses on the original parcel. The variance request to encroach into the setback is also not allowing for activities that are unusual to the surrounding neighborhood since all existing development has been established for decades.)

3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of this title.

(Affirmative – Evidence: The proposed project is to divided the uses on the original parcel. Given the limited distances between the uses on all three parcels, there is little to no room for adjusting the lot lines to prevent setback encroachment. To require demolition or relocation of any the structures that have been established and utilized for decades would not only be difficult but amount to a hardship to meet the requirements of the R2 and CB zones. Granting the variance to allow encroachment into the affected setbacks would allow the general purposes of Title 18.33 and 18.44 of the Zoning Code to be fulfilled, as the encroachments would not change the medium density, multiple residential, and business character or uses of the properties.)

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

(Affirmative – Evidence: With the proposed subdivision to separate land uses, the existing Parcel 1 residential structure encroaches into its required rear and side yard setbacks. Additionally, the diesel pumps and automotive repair shop on proposed Parcel 2 encroach into the rear yard setback which abut Parcel, zoned R2, and another residential parcel to the west zoned R3. Due to the limited space and configuration of existing development, there

is little to no opportunity to adjust lot lines in a manner that would resolve all setback encroachments while maintaining the separation of uses. The project does not propose any new construction that would result in structures being placed within required setbacks. Rather, it proposes a subdivision to separate existing established uses. Without an approved variance, the proposed configuration would not meet zoning requirements. As no new development is proposed, the requested variance should not be viewed as a grant of special privilege, but rather as a necessary step to bring the existing uses into compliance with the zoning code.)

5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
(Affirmative – Evidence: The proposed variance applies to rear and side yard setback requirements for Parcel 1 and Parcel 2. The proposed medium density residential, business uses and single-family dwelling are permitted out right in the R2 and CB Zones.)
6. The proposed variance is consistent with the Inyo County General Plan.
(Affirmative – Evidence: The proposed variance applies to rear and side yard setback requirements for Parcel 1 and Parcel 2. The proposed medium density residential, business uses and single-family dwelling are permitted out right in the R2 and CB Zones.)
7. The requirements of the California Environmental Quality Act have been met with regard to the variance.
(Affirmative – Evidence: The proposed variance applies to rear and side yard setback requirements for Parcel 1 and Parcel 2. The proposed medium density residential, business uses and single-family dwelling are permitted out right in the R2 and CB Zones.)

GPA 2024-03; ZR 2024-03; VAR 2025-01/ Big Pine Petroleum - Conditions of Approval:

1.) Hold Harmless

The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its 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 GPA 2024-03; ZR 2024-03; VAR 2025-01/ Big Pine Petroleum. 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 and Safety Code, the Health and Safety Code and State regulations.

3.) Compliance with Zoning Code

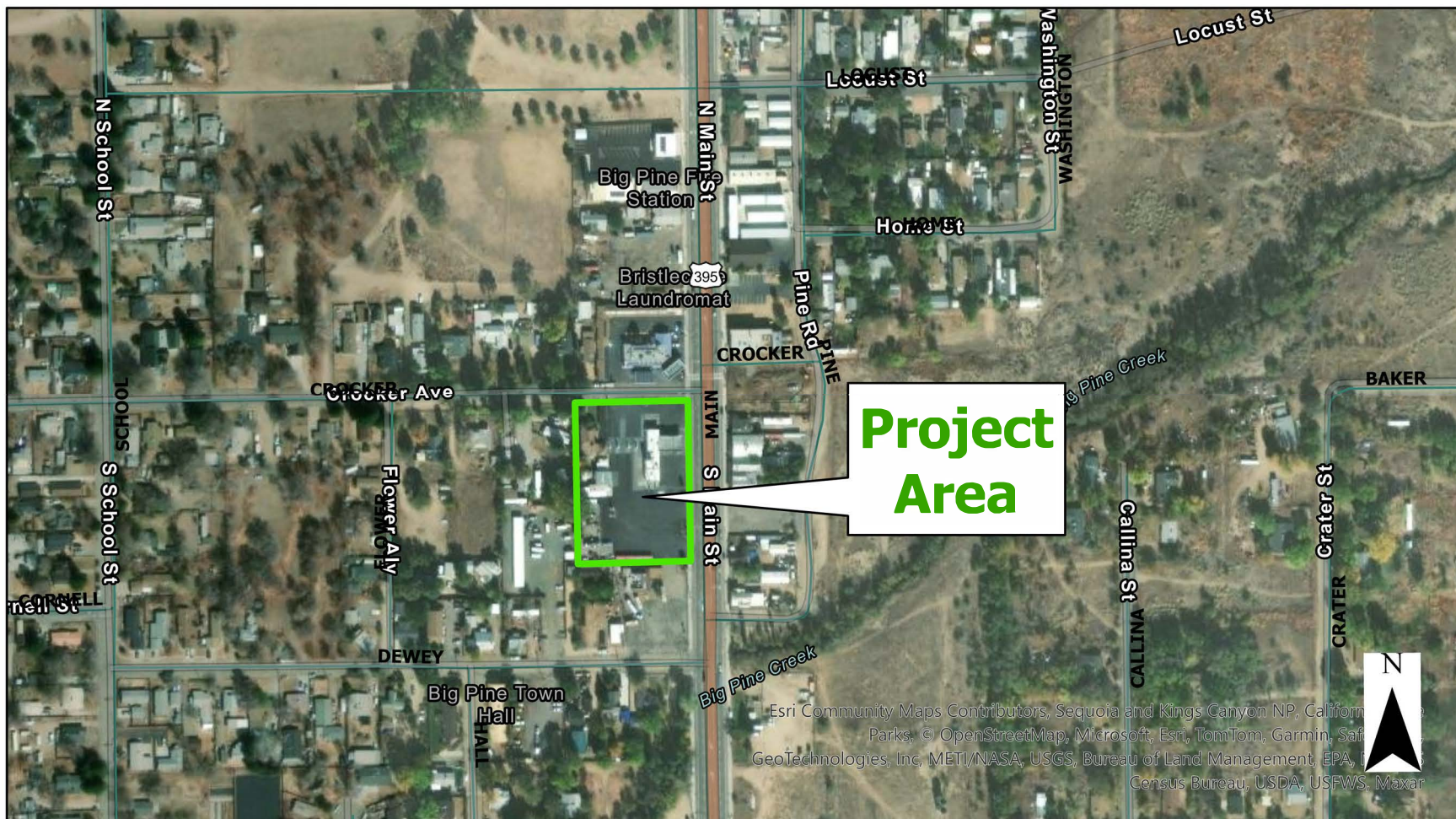
Any changes to size or configuration of the commercial or residential components of this project shall require further review and potentially approval by the Inyo County Planning commission.

Attachments:

- Vicinity Map
- TPM 431
- TPM 431 with Parcel Identification
- Variance map – Parcel 1
- Variance map – Parcel 2
- Proposed Zone Reclassification Ordinance

VICINITY MAP

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



Z:\104 Bishop\14-0807 Shell-76 Station - Hungry Pig\locad\4.0807 TPM No 431 Big Pine.dwg Jan 23,2025 - 11:05am, jpfel

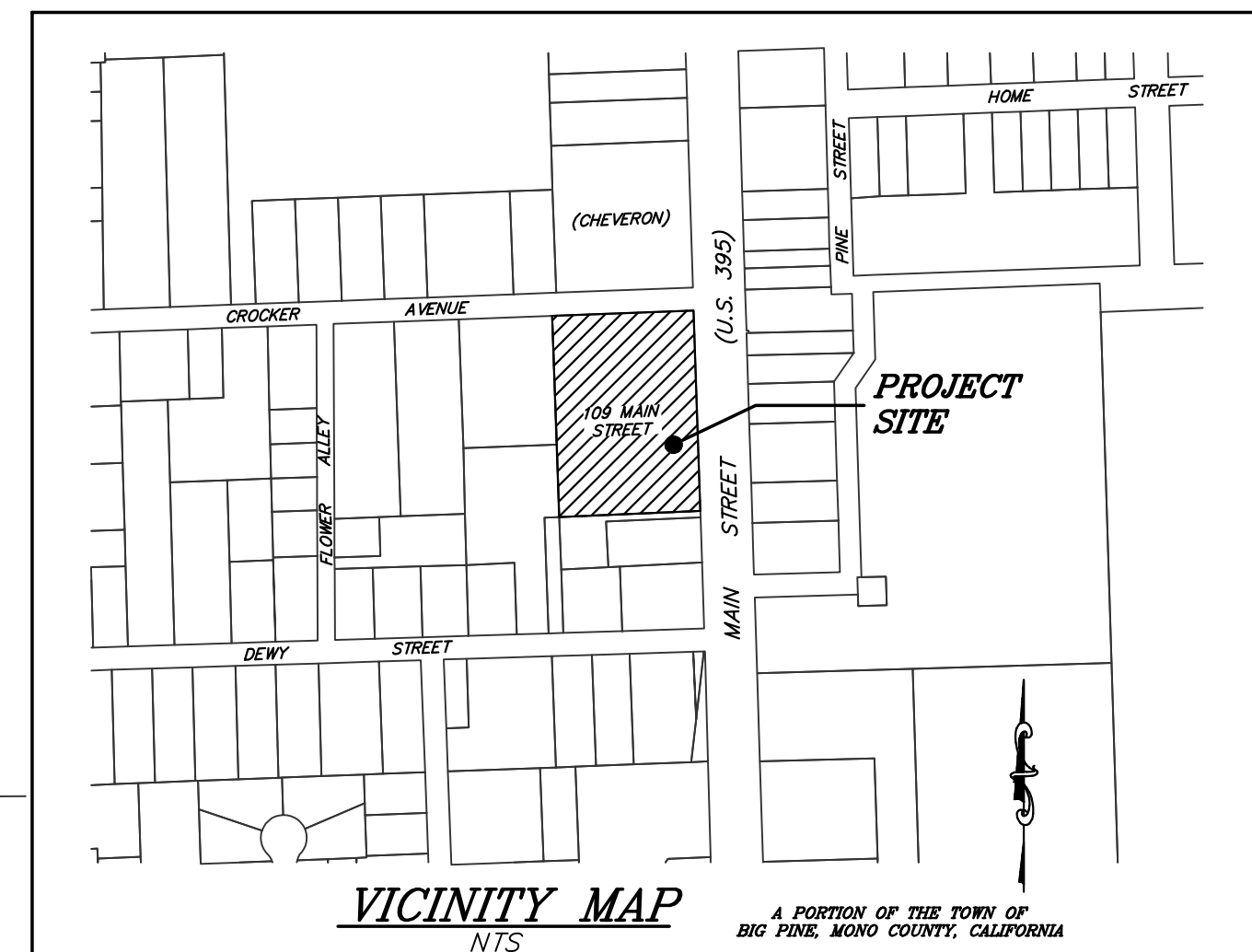
LEGEND

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	CENTERLINE
	FLOWLINE
	EDGE OF PAVEMENT
	WOOD FENCE
	CHAINLINK FENCE
	OVERHEAD UTILITIES
	GAS METER
	SEWER MANHOLE
	GUY ANCHOR
	POWER/UTILITY POLE
	WATER VALVE COVER

TENTATIVE PARCEL MAP NO. 431

IN THE UNINCORPORATED TERRITORY OF INYO COUNTY, CALIFORNIA

BEING A SUBDIVISION OF LOTS 1, 2 AND 3 IN BLOCK 69, IN THE TOWN OF BIG PINE, INYO COUNTY, STATE OF CALIFORNIA, STATE OF CALIFORNIA, PER MAP RECORDED IN BOOK 1, PAGE 48 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPT FOR THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA FOR A HIGHWAY BY DEED RECORDED IN BOOK 130, PAGE 212 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER, IN SAID CONTY AND STATE.



VICINITY MAP
NTS

A PORTION OF THE TOWN OF
BIG PINE, MONO COUNTY, CALIFORNIA

RECORD OWNER & SUBDIVIDER

BIG PINE PETROLEUM INC, A CALIFORNIA
CORPORATION, C/O MOHAMAD NAJM
5976 TANUS CIR.,
ROCKLIN, CA 95677
408 429-5165
moenajm@yahoo.com

ENGINEER/SURVEYOR

TRIAD/HOLMES ASSOCIATES INC.
THOMAS A. PLATZ, PE C41039
P.O. BOX 1570, MAMMOTH LAKES, CA , 93546
(760) 934-7588

LEGAL DESCRIPTION

LOTS 1, 2 AND 3 IN BLOCK 69, IN THE TOWN OF
BIG PINE, INYO COUNTY, STATE OF CALIFORNIA,
STATE OF CALIFORNIA, PER MAP RECORDED IN
BOOK 1, PAGE 48 OF MAPS, IN THE OFFICE OF THE
COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF SAID LAND AS CONVEYED
TO THE STATE OF CALIFORNIA FOR A HIGHWAY BY
DEED RECORDED DECEMBER 16, 1957 IN BOOK 130
PAGE 212 OF OFFICIAL RECORDS.

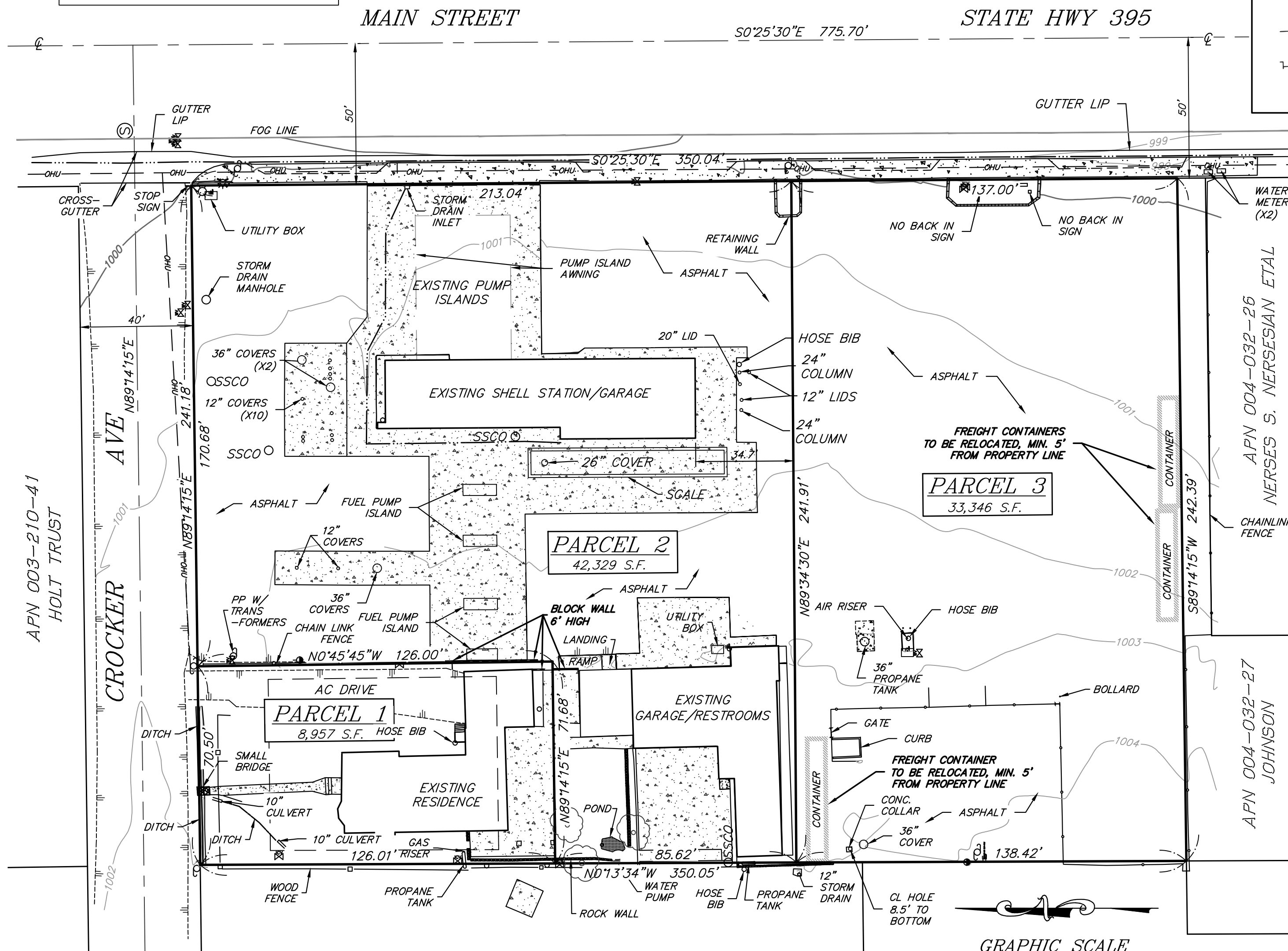
THE BOUNDARY SHOWN ON THIS TENTATIVE PARCEL
MAP REPRESENTS A BOUNDARY SURVEY PERFORMED
IN THE FIELD IN OCTOBER 2024.

DESIGN NOTES:

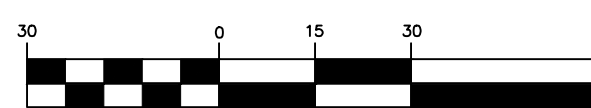
ACCESSOR'S PARCEL NO.: 004-032-01-00
ADDRESS: 109 SOUTH MAIN STREET, BIG PINE,
CALIFORNIA 93513
GROSS SITE AREA: 1.94± ACRES
EXISTING ZONING: CB
EXISTING GENERAL PLAN DESIGNATION: CBD
WATER SUPPLY: BIG PINE COMMUNITY SERVICES DISTRICT
SEWAGE DISPOSAL: BIG PINE COMMUNITY SERVICES DISTRICT
ELECTRICITY: LOS ANGELES DEPT. OF WATER & POWER
TELEPHONE/COMMUNICATIONS: OPTIMUM (SUDDENLINK)
FIRE PROTECTION: BIG PINE VOLUNTEER F.D.
REFUSE: BISHOP WASTE
PROPOSED GENERAL PLAN AMENDMENT: PARCEL 1, R2-6500
PROPOSED ZONE RECLASSIFICATION: PARCEL 1
PROPOSED BUILDING SETBACK VARIANCE: PARCEL 1

EASEMENTS

AN EXISTING EASEMENT IN FAVOR OF THE CITY OF LOS
ANGELES FOR THE RIGHT TO PRUNE AND TRIM TREES
INTERFERRING WITH ELECTRIC, TELEPHONE OR TELEGRAPH
LINES. ALSO TO TAKE AND REGULATE WATER AS RECORDED
IN BOOK 56, PAGE 95 OF OFFICIAL RECORDS. LOCATION OF
THE EASEMENT IS NOT ACCURATELY DISCLOSED.



GRAPHIC SCALE



CONTOUR INTERVAL = 1'

CONTOURS ARE BASED ON AN ASSUMED ELEVATION

(IN FEET)
1 inch = 30 ft.

TENTATIVE PARCEL MAP NO. 431

LOCATED IN THE TOWN OF BIG PINE, IN THE UNINCORPORATED
TERRITORY OF INYO COUNTY, CALIFORNIA,



post office box 1570
MAMMOTH LAKES, ca 93546
phone (760) 934-7588
fax (760) 934-5619
e-mail triad@triadholmes.com

873 NORTH MAIN STREET
BISHOP, ca 93514
phone (760) 873-4273
fax (760) 873-8024
e-mail bishop@triadholmes.com

777 woodside rd, suite a
REDWOOD CITY, ca 94061
phone (650) 368-0216
fax (650) 368-0298
e-mail sf@triadholmes.com

DATE 1-23-2025

SCALE SHOWN

DRAWN JSP

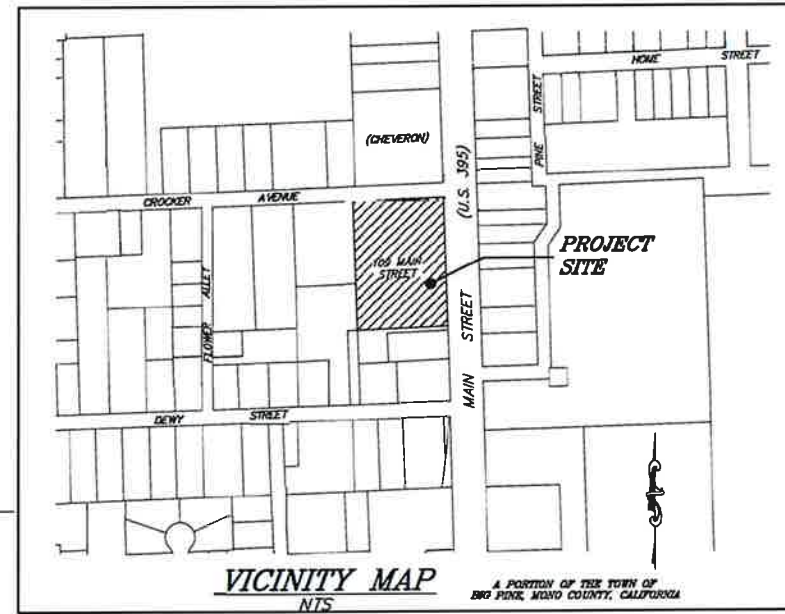
JOB NO. 04.0807

DWG

SHEET

1

OF 1 SHEETS



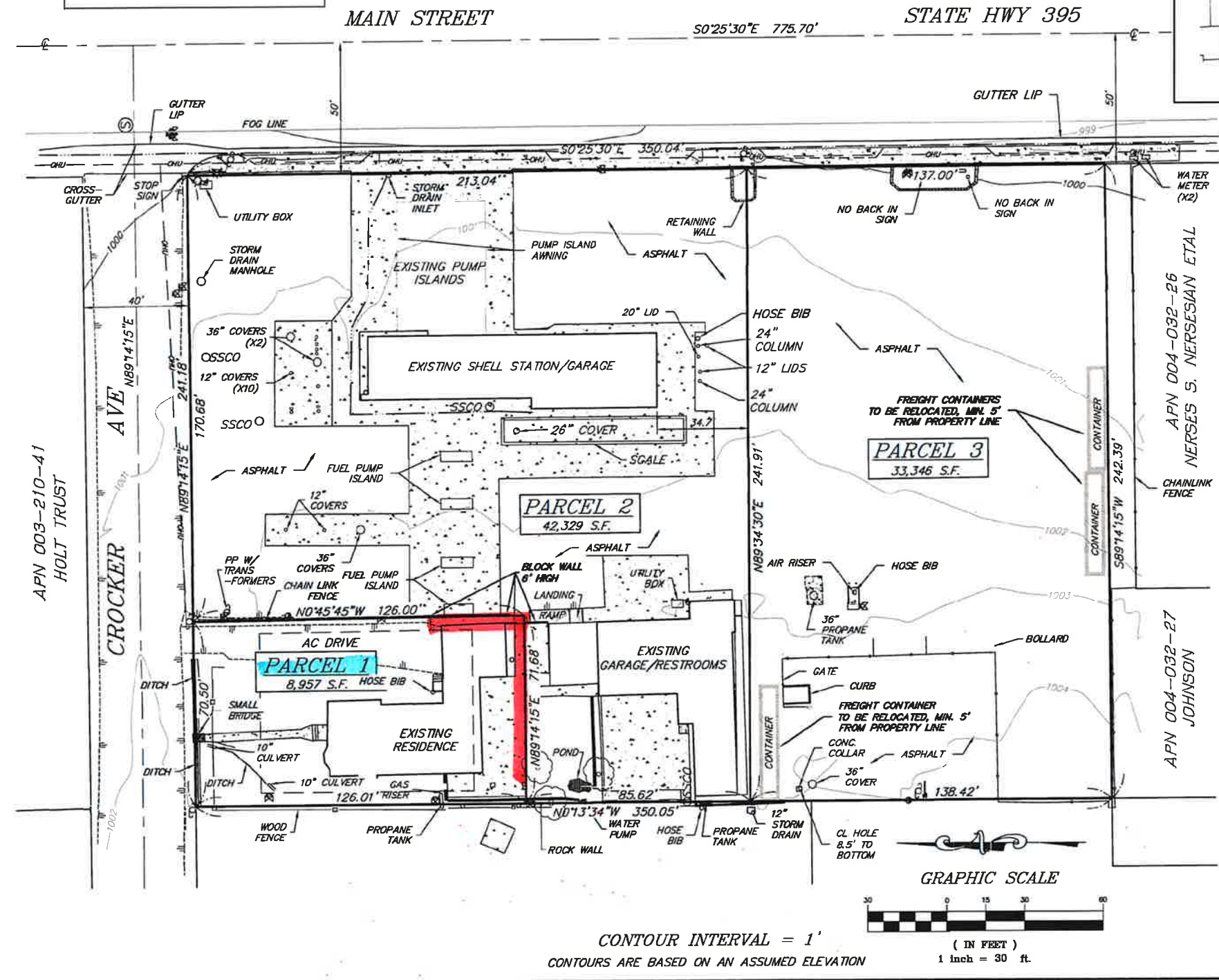
PARCEL 1 - VARIANCE

TENTATIVE PARCEL MAP NO. 431

IN THE UNINCORPORATED TERRITORY OF INYO COUNTY, CALIFORNIA

BEING A SUBDIVISION OF LOTS 1, 2 AND 3 IN BLOCK 69, IN THE TOWN OF BIG PINE, INYO COUNTY, STATE OF CALIFORNIA, STATE OF CALIFORNIA, PER MAP RECORDED IN BOOK 1, PAGE 48 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPT FOR THAT PORTION OF SAID LAND CONVEYED TO THE STATE OF CALIFORNIA FOR A HIGHWAY BY DEED RECORDED IN BOOK 130, PAGE 212 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER, IN SAID COUNTY AND STATE.

- LEGEND**
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - CENTERLINE
 - FLOWLINE
 - EDGE OF PAVEMENT
 - WOOD FENCE
 - CHAINLINK FENCE
 - OVERHEAD UTILITIES
 - GAS METER
 - SEWER MANHOLE
 - GUY ANCHOR
 - POWER/UTILITY POLE
 - WATER VALVE COVER



RECORD OWNER & SUBDIVIDER

BIG PINE PETROLEUM INC, A CALIFORNIA CORPORATION, C/O MOHAMAD NAJM
5976 TANUS CIR.
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ENGINEER/SURVEYOR

TRIAD/HOLMES ASSOCIATES INC.
THOMAS A. PLATZ, PE C41039
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(760) 934-7588

LEGAL DESCRIPTION

LOTS 1, 2 AND 3 IN BLOCK 69, IN THE TOWN OF BIG PINE, INYO COUNTY, STATE OF CALIFORNIA, PER MAP RECORDED IN BOOK 1, PAGE 48 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF SAID LAND AS CONVEYED TO THE STATE OF CALIFORNIA FOR A HIGHWAY BY DEED RECORDED DECEMBER 16, 1957 IN BOOK 130 PAGE 212 OF OFFICIAL RECORDS.

THE BOUNDARY SHOWN ON THIS TENTATIVE PARCEL MAP REPRESENTS A BOUNDARY SURVEY PERFORMED IN THE FIELD IN OCTOBER 2024.

DESIGN NOTES:

ACCESSOR'S PARCEL NO.: 004-032-01-00
ADDRESS: 109 SOUTH MAIN STREET, BIG PINE, CALIFORNIA 93513
GROSS SITE AREA: 1.94± ACRES
EXISTING ZONING: CB
EXISTING GENERAL PLAN DESIGNATION: CBD
WATER SUPPLY: BIG PINE COMMUNITY SERVICES DISTRICT
SEWAGE DISPOSAL: BIG PINE COMMUNITY SERVICES DISTRICT
ELECTRICITY: LOS ANGELES DEPT. OF WATER & POWER
TELEPHONE/COMMUNICATIONS: OPTIMUM (SUDDENLINK)
FIRE PROTECTION: BIG PINE VOLUNTEER F.D.
REFUSE: BISHOP WASTE
PROPOSED GENERAL PLAN AMENDMENT: PARCEL 1, R2-6500
PROPOSED ZONE RECLASSIFICATION: PARCEL 1
PROPOSED BUILDING SETBACK VARIANCE: PARCEL 1

EASEMENTS

AN EXISTING EASEMENT IN FAVOR OF THE CITY OF LOS ANGELES FOR THE RIGHT TO PRUNE AND TRIM TREES INTERFERING WITH ELECTRIC, TELEPHONE OR TELEGRAPH LINES. ALSO TO TAKE AND REGULATE WATER AS RECORDED IN BOOK 56, PAGE 95 OF OFFICIAL RECORDS. LOCATION OF THE EASEMENT IS NOT ACCURATELY DISCLOSED.

TENTATIVE PARCEL MAP NO. 431

LOCATED IN THE TOWN OF BIG PINE, IN THE UNINCORPORATED TERRITORY OF INYO COUNTY, CALIFORNIA,



post office box 1570
MAMMOTH LAKES, CA 93546
phone (760) 934-7588
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BISHOP, CA 93514
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777 woodside rd. suite a
REDWOOD CITY, CA 94061
phone (650) 366-0216
fax (650) 366-0268
e-mail sf@triadholmes.com

DATE	1-23-2025
SCALE	SHOWN
DRAWN	JSP
JOB NO.	04.0807
DWG	
SHEET	1
OF	1 SHEETS

LEGEND

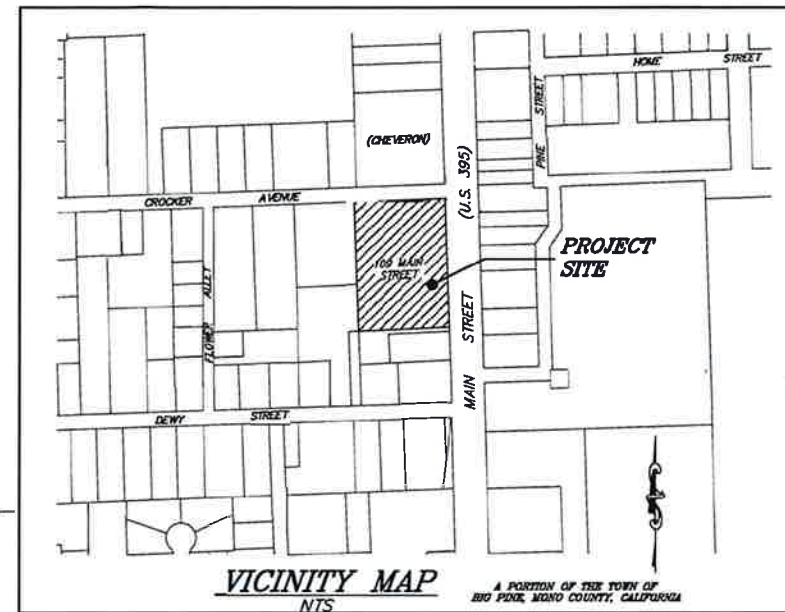
	PROPERTY LINE
	ADJACENT PROPERTY LINE
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	EDGE OF PAVEMENT
	WOOD FENCE
	CHAINLINK FENCE
	OVERHEAD UTILITIES
	GAS METER
	SEWER MANHOLE
	GUY ANCHOR
	POWER/UTILITY POLE
	WATER VALVE COVER

PARCEL 2 - VARIANCE

TENTATIVE PARCEL MAP NO. 431

IN THE UNINCORPORATED TERRITORY OF INYO COUNTY, CALIFORNIA

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VICINITY MAP
NTS

A PORTION OF THE TOWN OF BIG PINE, INYO COUNTY, CALIFORNIA

RECORD OWNER & SUBDIVIDER

BIG PINE PETROLEUM INC, A CALIFORNIA CORPORATION, C/O MOHAMAD NAJM
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LEGAL DESCRIPTION

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THE BOUNDARY SHOWN ON THIS TENTATIVE PARCEL MAP REPRESENTS A BOUNDARY SURVEY PERFORMED IN THE FIELD IN OCTOBER 2024.

DESIGN NOTES:

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ADDRESS: 109 SOUTH MAIN STREET, BIG PINE, CALIFORNIA 93513
GROSS SITE AREA: 1.94± ACRES
EXISTING ZONING: CB
EXISTING GENERAL PLAN DESIGNATION: CBD
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SEWAGE DISPOSAL: BIG PINE COMMUNITY SERVICES DISTRICT
ELECTRICITY: LOS ANGELES DEPT. OF WATER & POWER
TELEPHONE/COMMUNICATIONS: OPTIMUM (SUDDENLINK)
FIRE PROTECTION: BIG PINE VOLUNTEER F.D.
REFUSE: BISHOP WASTE
PROPOSED GENERAL PLAN AMENDMENT: PARCEL 1, R2-6500
PROPOSED ZONE RECLASSIFICATION: PARCEL 1
PROPOSED BUILDING SETBACK VARIANCE: PARCEL 1

EASEMENTS

AN EXISTING EASEMENT IN FAVOR OF THE CITY OF LOS ANGELES FOR THE RIGHT TO PRUNE AND TRIM TREES INTERFERING WITH ELECTRIC, TELEPHONE OR TELEGRAPH LINES. ALSO TO TAKE AND REGULATE WATER AS RECORDED IN BOOK 56, PAGE 95 OF OFFICIAL RECORDS. LOCATION OF THE EASEMENT IS NOT ACCURATELY DISCLOSED.

TENTATIVE PARCEL MAP NO. 431

LOCATED IN THE TOWN OF BIG PINE, IN THE UNINCORPORATED TERRITORY OF INYO COUNTY, CALIFORNIA.

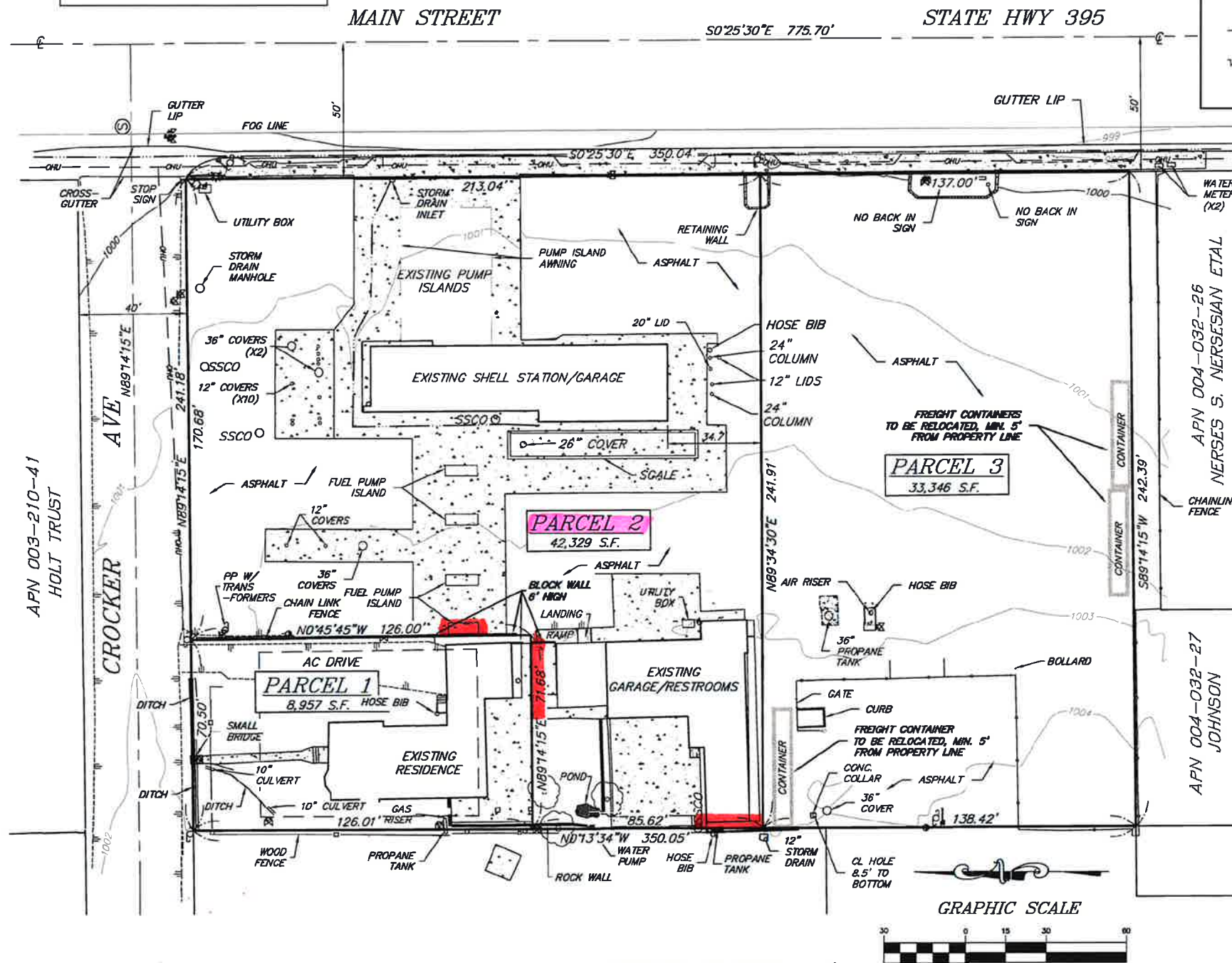


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e-mail at@triadholmes.com

DATE	1-23-2025
SCALE	SHOWN
DRAWN	JSP
JOB NO.	04.0807
DWG	
SHEET	1
OF	1 SHEETS



GRAPHIC SCALE



CONTOUR INTERVAL = 1'

CONTOURS ARE BASED ON AN ASSUMED ELEVATION

(IN FEET)
1 inch = 30 ft.

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2024-03/BIG PINE PETROLEUM AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING A 8,957 SQUARE FOOT PARCEL LOCATED AT 109 MAIN STREET, BIG PINE, (APN: 004-032-01) FROM CENTRAL BUSINESS (CB) TO R-2 DISTRICTS – MULTIPLE RESIDENTIAL WITH A 6,500 SQUARE FOOT MINIMUM (R2-6,500)

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police power of the Board of Supervisors and Sections 18,18.310 and 185.81.350 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

Upon consideration of the material submitted, 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 the Inyo County Code Section 18.81.320, MOHAMAD NAJM applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from Central Business (CB) to R-2 Districts – Multiple Residential with a 6,500 square foot minimum (R2-6,500) as describe in Section III of the Ordinance.
- (2) On May 28, 2025, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification No. 2024-03/Big Pine Petroleum, following which, the Commission made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance to R-2 Districts – Multiple Residential with a 6,500 square foot minimum (R2-6,500).
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Mohamad Najm applied to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended from Central Business District (CBD)

to Residential Medium High (RMH) to best match the requested zoning and the planned residential use of the property.

- (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.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the property to R-2 District – Multiple Residential with a 6,500 square foot minimum (R2-6,500) as it best matches the current and planned futures uses on the property.

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 an 8,957 square foot site as created by TPM 431 located at 109 Main Street, Big Pine, CA (APN: 004-032-01) is changed from Central Business (CB) to R-2 Districts – Multiple Residential with a 6,500 square foot minimum (R2-6,500).

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 member voting for and against same.

PASSED AND ADOPTED THIS XXTH DAY OF JULY, 2025

AYES:

NOES:

ABSTAIN:

ABSENT:

Scott Marcellin, Chairperson
Inyo County Board of Supervisors

ATTEST:
Nate Greenberg
Clerk of the Board

By: _____
Darcy Israel, Assistant



**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**

AGENDA ITEM NO.: 8 (Workshop)
PLANNING COMMISSION MEETING DATE: May 28, 2025
SUBJECT: Staff will conduct a second workshop regarding identifying updates and modifications to the Zoning and General Plan requirements that could help infill housing.

EXECUTIVE SUMMARY

Project Background

The County's 6th Cycle Housing Element Update identified several factors that pose constraints to housing development, including outdated zoning and General Plan requirements. In response, the County sought and was awarded REAP 2.0 grant funding from the California Department of Housing and Community Development ("HCD") to conduct a review of zoning and General Plan requirements, such as design and density requirements, and identify updates and modifications that could help accelerate infill housing, including accessory dwelling units, in the communities of Big Pine, Independence, and Lone Pine.

Project Components

The primary outcome of the project will be to identify updates and modifications to the zoning and General Plan requirements that could help accelerate infill housing in the communities of Big Pine, Independence, and Lone Pine. Project components include:

1. **Development and Design Standards Review:** review existing standards applicable to residential development, Accessory Dwelling Units, and second units.
2. **Vacant and Underutilized Lands Inventory:** establish a database of parcels in Big Pine, Independence, and Lone Pine that are either undeveloped (vacant) or not being used to their full potential (underutilized), which could be developed or redeveloped for residential uses.

3. **Infill Residential Capacity Study:** apply the existing standards to infill parcels and develop recommendations for modifications to the zoning and General Plan requirements that could create more opportunities for infill residential development.

Community Outreach and Engagement

Staff, with the help of Precision Civil Engineering, facilitated the first round of community outreach and engagement for the project in February 2025. Community workshops were held in Big Pine (2/24/25), Independence (2/26/25), and Lone Pine (2/27/25), including a study session with Planning Commission (2/26/25). Approximately 70 residents attended. A community survey was open from February 3, 2025, to March 7, 2025. Twenty-one responses were received. Attached is a brief summary of the responses received and the full analysis of responses can be found at: <https://www.inyocounty.us/sites/default/files/2025-03/Summary%20of%20Community%20Feedback%20Workshop%20%231%20%26%20Survey%20%231.pdf>, which is on the Planning Department website, under the tab “Residential Infill Project – Big Pine, Independence, Lone Pine,” Workshop#1 and Survey Information menu.

Infill Options and Next Steps

Based on community input received so far, and the results of the analysis to date, Staff have identified the following options for further exploration and analysis:

1. **Accessory Dwelling Units:** Within the designated infill areas, consider a Bonus ADU Program to allow more ADUs than currently mandated by State Law.
2. **Modified Development Standards:** Within the designated infill areas, consider reducing the current front yard and rear yard setback for properties in R-1 and R-2 zones to increase the buildable area of these lots.
3. **Low-Density Multi-Unit Housing:** Within the designated infill areas, consider allowing low-density multi-unit housing such as duplexes and triplexes in the R-1 and R-2 zones, with the specific number of units to be guided by the General Plan allowable densities.
4. **Adaptive Reuse of Existing Buildings:** Consider establishing an ordinance that encourages the conversion of underutilized buildings (both vacant residential and non-residential in residentially permitted zones) within the designated infill areas into housing.

A second round of community workshops were held in Big Pine (5/20/25), Independence (5/21/25), and Lone Pine (5/22/25) and a second community survey is open from May 1, 2025, to June 6, 2025. The workshops and survey are focused on community input and feedback on the list of identified options. Study sessions are also being held with the Board of Supervisors (5/27/25) and Planning Commission (5/28/25).

Following the completion of the workshops, survey, and study sessions, Staff will proceed with further exploration, analysis, and refinement of the options and preparation of General Plan and Zoning Ordinance amendments (as required). In addition, environmental analysis in accordance with the California Environmental Quality Act will be conducted.

Project Timeline

The project kicked off in January 2025 with an estimated completion in December 2025.

ATTACHMENTS

Workshops #1 and Survey #1 Brief Summary

**Inyo County
Residential Infill Project
Community Workshop and Survey#1
Feedback Summary**

Introduction

This document summarizes the feedback received from the community workshop #1 and community survey #1. Feedback will be considered and incorporated into the Inyo County Residential Infill Project.

Community Workshop #1

Community Workshop #1 was held in Big Pine (2/24/25), Independence (2/26/25), and Lone Pine (2/27/25). Approximately 70 residents attended. Key themes are summarized below.

1. Housing Needs and Goals:

- There's support for more housing to address current shortages and attract a more diverse population, including families and students.
- There's support for revitalizing main streets and utilizing existing buildings and vacant lots for housing.
- There's support for focusing on all types of housing, not just low-income housing.

2. Infrastructure and Resource Concerns:

- There are concerns exist regarding the impact of increased housing on existing infrastructure, including water, sewer, fire protection, and emergency services.
- The need for a fiscal impact analysis and thorough CEQA review is emphasized.
- Water rights and water availability are of high concern.

3. Development Strategies:

- Ideas include converting existing buildings, developing accessory dwelling units (ADUs), and utilizing vacant land.
- There's discussion about potential zoning changes, reduced setbacks, and the use of manufactured housing.
- Consider plans to encourage accessory dwelling units.

4. Community Concerns and Considerations:

- Residents express concerns about potential negative impacts, such as increased crime and changes to the community's character.

- There's a desire for a "Main Street facelift" and economic development to support the increased population.
- There is a focus on how to sell these ideas to reluctant citizens.
- There is concern about vacant vacation homes.

5. Regulatory and Planning Issues:

- Discussions cover CEQA requirements, building codes, parking regulations, and new housing laws.
- The role of various agencies, including the county, DWP, and tribal entities, is considered.
- The use of grant funding is questioned.

6. Future Steps:

- Further site evaluations and planning are anticipated.
- The community wishes to know what decisions have been made.
- The community wants to know what comes next.

Community Survey #1

Community Survey #1 was open from February 3, 2025, to March 7, 2025. Key themes are summarized below. A summary of responses is attached.

1. Housing Preferences and Concerns:

- **ADUs are generally favored:** Many respondents support ADUs, particularly on residential lots, but some express concern about them becoming short-term rentals (STRs).
- **Single-family homes are preferred:** There's a strong preference for single-family homes to maintain the character of the small towns.
- **Concerns about increased density:** Respondents express concerns about:
 - Parking issues
 - Strain on water and sewer infrastructure
 - Loss of small-town character
 - Increased noise and traffic
 - Potential decrease in property values
 - Impact on emergency services
 - Short term rentals impact on housing availability.
 - Overcrowding.
- **Support for affordable housing:** There's recognition of the need for affordable housing options.

2. Regulatory and Development Issues:

- **Parking is a major concern:** Respondents emphasize the need for off-street parking and worry about reduced parking requirements.
- **Setback regulations:** There's a mixed response to reducing setbacks, with some supporting it on a case-by-case basis and others opposing it to maintain privacy and fire safety.
- **Building heights:** Most respondents prefer to maintain current building heights, with some open to limited increases in designated areas.
- **ADU development:** Respondents suggest streamlining permitting and providing financial incentives to encourage ADU construction.
- **Short-term rentals (STRs):** There are strong concerns about STRs impacting housing availability and neighborhood character.
- **LADWP land:** Many respondents call for the release of LADWP-owned land for development.
- **Enforcement:** There is a desire for stronger enforcement of existing ordinances, particularly regarding parking and nuisances.
- **Vacant/Underutilized buildings:** There is a strong desire to utilize already existing vacant buildings, before increasing density.
- **Community input:** Many people wish for more community input regarding housing decisions.

3. Multi-Unit Housing Preferences:

- ADUs, duplexes, triplexes, and cottage-style housing are considered more appropriate than large apartment complexes.

4. Overall Sentiment:

- While there's a recognition of the need for more housing, respondents are cautious about increasing density and want to preserve the rural character of their communities.
- Many people feel that the current regulations are adequate.
- Many people are unaware of the current regulations.
- There is a strong desire for the county to pressure the LADWP to release land.



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

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 878-0382
E-Mail: inyoplanning@inyocounty.us

AGENDA ITEM NO

9 (Action Item – Public Hearing)

PLANNING COMMISSION

MEETING DATE:

May 28, 2025

SUBJECT:

Zone Text Amendment (ZTA) No. 2024-03/Inyo County-Animal Maintenance

EXECUTIVE SUMMARY

Staff is reintroducing ZTA 2024-03/Inyo County-Animal Maintenance that was originally presented to the Planning Commission on July 24, 2024. It was subsequently put on the agenda for the April 23, 2025 meeting, but had to be pulled due to changes in State noticing requirements. The reintroduced item includes an updated (reduced) 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:

- identify prohibited nuisances;
- add stream buffer language; and,
- include a requirement for kennels in the open space zone to obtain a Conditional Use Permit (CUP).

The project is Exempt from the California Environmental Quality Act by the Common Sense Rule 15061(b)(3). Subsequent CUPs for kennels will require project specific CEQA evaluations.

PROJECT INFORMATION

Supervisory District: County-wide

Applicants: Inyo County

Landowners: Multiple
Address/

Community: County-wide

A.P.N.: County-wide

Existing General Plan:	N/A
Existing Zoning:	N/A
Surrounding Land Use:	N/A
Recommended Action:	<p>Adopt the attached Resolution, recommending that the Board of Supervisors:</p> <ol style="list-style-type: none"> 1.) Find the proposed project exempt from the requirements of the California Environmental Quality Act. 2.) Make certain Findings with respect to, and approve, Zone Text Amendment ZTA-2024-03/ Animal Maintenance.
Alternatives:	<ol style="list-style-type: none"> 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.
Project Planner:	Cathreen Richards

BACKGROUND

Recent code enforcement cases have reflected an increase in the number of complaints pertaining to animals maintained on private property within the unincorporated area of the County. Staff have had a difficult time dealing with these cases due to the lack of specific regulations in the current Animal Maintenance section of Title 18 of the County Code. This is especially prevalent regarding the number of animals allowed on a property and the unspecified nuisances they can cause. The lack of specific regulations has also negatively impacted the animals. Many of the complaints that county staff have received do not rise to the level of criminal animal abuse, which would allow Animal Control to seize the animals, but do contain information suggesting that animals are being kept irresponsibly and in substandard conditions. These nuisances include animal hoarding, unclean and unsanitary conditions, and a proliferation of barking. All of these situations can produce, at the very least, unpleasant conditions for both surrounding neighbors and the animals themselves.

ANALYSIS

In reaction to the uptick in animal keeping complaints, staff from the Sheriff's Office representing Animal Control, County Counsel, Code Enforcement, Building and Safety,

Environmental Health and Planning met on several occasions and discussed the various cases of unsatisfactory animal keeping in the County and came to the conclusion that some updates to the County code addressing potential nuisances created by animals are needed. Planning staff then held meetings with Animal Control staff, the Farm Advisor, County Counsel and Planning Commissioner Peek (representing youth agriculture programs) to work on various ideas to improve animal maintenance in the County while preserving the ability to keep animals for youth agriculture programs, commercial raising for sale, large agriculture operations, and personal enjoyment.

Staff's review of the County's Animal Maintenance Section of the Zoning Code found that it is insufficient regarding possible nuisances produced by incompatible animal/people interface, lacks language that supports safe and healthy conditions for animals and does not provide language prohibiting specific nuisances. Code enforcement and animal control staff are experiencing more complaints with respect to the nuisances caused by poor animal keeping as well as complaints related to animals living in egregious conditions.

Inyo County is rural and has had a resource-based economy throughout its history. With this is a proud tradition of ranching and equestrian activities as well as an openness to allowing people to keep animals on their property with little interference. Staff are not attempting to change this time-honored tradition, however, feels there needs to be a better balance in animal keeping with a more careful stance on animal welfare and the nuisances that can be created due to poor animal maintenance. To achieve this, staff have prepared a draft ordinance, to include:

- Language addressing nuisances that can be created by animals. This includes noise, smell and behavior issues.
- A requirement for all kennels to obtain a conditional use permit. Currently kennels are only allowed in the Rural Residential and Open Space zones. Conditional Use Permits are required in Rural Residential but not Open Space. Staff is proposing they be required in both.
- A requirement that structures and shelters including cages, pens and corrals used for animal keeping must be located no closer than five-feet from a property line, and unless impeding stock water access, within ten-feet of a stream if the area is vegetated and thirty-feet if not vegetated. This is being proposed due to a California Water Resources Board finding regarding the condition of Bishop Creek. The recommended buffers should help keep animal waste from the creek as well as other water ways in the county.
- Language clarifying that small livestock or farm animals are allowed in residential zones if part of a youth agricultural program. This is currently unclear in the code and staff does not want the code to impede these programs.

Enforcing these regulations would be pursuant to Inyo County Code Title 22 and be treated like any other code violation.

FINDINGS & PROCEDURAL COMPLIANCE

General Plan Consistency:

The approval of ZTA 2024-03 is consistent with the Inyo County General Plan as it does not change the allowed numbers or density of allowed animals and will help to keep the level of possible nuisance conflicts between animals and people to a minimum by identifying certain conditions as nuisances.

Zoning Ordinance Consistency:

ZTA 2024-03 is consistent with the Inyo County Zoning code as it does not allow for an expansion of current animal keeping in the County as a use, but instead helps to clarify possible nuisance conflicts between animals and people to a minimum and will add a requirement for a conditional use permit for kennels in the open space zone, which will be consistent with the requirement in the rural residential zone and help enforcement staff address poor animal keeping conditions that are becoming all too common.

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA), the proposed ordinance is covered by the Common Sense Rule 15061(b)(3) 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. Since this is a proposal to update Section 18.78.310 of the Inyo County Code pertaining to the Maintenance of Animals to provide clarity of nuisances potentially created by animals and will require conditional use permits for kennels. This will not cause a significant effect on the environment. Subsequent conditional use permits for kennels will require project specific CEQA review.

NOTICING:

This project was noticed in the Inyo Register on May 3, 2025 meeting the twenty-day requirement. One comment was received for the April 23, 2025 hearing date and is included with this staff report as an attachment.

RECOMMENDATIONS:

Staff recommends the Planning Commission adopt the attached resolution recommending the Board of Supervisors consider ZTA 2024-03, make certain findings, and adopt the proposed ordinance updating Section 18.78.310 – Maintenance of Animals; and Subsections 18.12.20 (D) and 18.12.040 (J) Open Space, of the Inyo County Code.

Recommended Findings: – in making its recommendation today the Planning Commission is asked to make the following, specified findings:

1. The proposed ordinance is covered by the Common Sense Rule 15061(b)(3) [Evidence: *ZTA 2024-03 is consistent with the Inyo County General Plan Since this is a proposal to update Section 18.78.310 of the Inyo County Code pertaining to the Maintenance of Animals to provide clarity of nuisances potentially created by animals and will require conditional use permits for kennels. This will not cause a significant*

effect on the environment. Subsequent conditional use permits for kennels will require project specific CEQA review].

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.

[Evidence: of ZTA 2024-03 is consistent with the Inyo County General Plan as it does not change the allowed numbers or density of allowed animals and will help to keep the level of possible nuisance conflicts between animals and people to a minimum by identifying certain conditions as nuisances].

3. Based on substantial evidence in the record, the proposed Zoning Ordinance to amend 18.78.310 - Animal Maintenance; and Subsections 18.12.020 (D) and 18.12.040 (1) Open Space, of the Inyo County Code is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

[Evidence: ZTA 2024-03 is consistent with the Inyo County Zoning code as it does not allow for an expansion of current animal keeping in the County as a use, but instead helps to clarify possible nuisance conflicts between animals and people to a minimum and will add a requirement for a conditional use permit for kennels in the open space zone, which will be consistent with the requirement in the rural residential zone].

ATTACHMENTS

- Comment Letter (email)
- Resolution
- Draft proposed ordinance
- Strike out and unlined changes to Maintenance of Animals

Attachment
Comment email

From: [Sally Faircloth](#)
To: [Cathreen Richards](#)
Subject: Fw: ZONE TEXT AMENDMENT 2024-03 / MAINTENANCE OF ANIMALS
Date: Wednesday, April 23, 2025 11:06:35 AM

Get [Outlook for iOS](#)

From: Jamie Sexton <jsexton@bishopvet.com>
Sent: Wednesday, April 23, 2025 10:19 AM
To: Sally Faircloth <sfaircloth@inyocounty.us>
Subject: ZONE TEXT AMENDMENT 2024-03 / MAINTENANCE OF ANIMALS

You don't often get email from jsexton@bishopvet.com. [Learn why this is important](#)

Planning Department,

Restricting the number of domestic pets is contrary to the reason we are living here. As long as good husbandry and welfare standards are maintained there should be no limit on the number of domestic pets a residence in Inyo County can have.

Thank you

Taylor Ludwick DVM
Nicole Milici DVM
Jamie Sexton RVT

Bishop Veterinary Hospital
1440 N. Main St.
Bishop Ca, 93514
(760) 873-5801 Ext 105

Attachment
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 PROPOSED PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ZONE TEXT AMENDMENT NO. 2024-03 INYO COUNTY

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, Pursuant to the California Environmental Quality Act (CEQA), the proposed ordinance is covered by the Common Sense Rule 15061(b)(3) 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. Since this is a proposal to update Section 18.78.310 of the Inyo County Code pertaining to Animal Maintenance and subsections 18.12.020(D) and 18.12.040(J) pertaining to permitted and unpermitted uses in the Open Space zoning designation to provide clarity and additional nuisance regulations for an already allowed use, it will not cause a significant effect on the environment; and

WHEREAS, the Inyo County Planning Commission held a duly noticed public hearing on May 28, 2025, to review and consider a request for approval of Zone Text Amendment No. 2024-03, 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 ZTA 2024-03 is consistent with the Inyo County General Plan as Plan as it does not change the allowed numbers or density of allowed animals and will help to keep the level of possible nuisance conflicts between animals and people to a minimum by identifying certain conditions as nuisances; and

WHEREAS, ZTA 2024-03 is consistent with the Inyo County Zoning code as it does not allow for an expansion of current animal keeping in the County as a use, but instead helps to clarify possible nuisance conflicts between animals and people to a minimum and will add a requirement for a conditional use permit for kennels in the open space zone, which will be consistent with the requirement in the rural residential zone.

THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comments and input received at the May 28, 2025, public hearing, including the Planning Department Staff Report, 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. The proposed ordinance is covered by the Common Sense Rule 15061(b)(3) Pursuant to the California Environmental Quality Act (CEQA), 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 is a proposal to update Section 18.78.310 and subsections 18.12.020(D) and 18.12.040(J) of the Inyo County Code pertaining to Animal Maintenance to provide clarity and additional nuisance regulations for an already allowed use, which will not produce significant effects to the environment.
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Inyo County General Plan as it does not change the allowed numbers or density of allowed animals and will help to keep the level of possible nuisance conflicts between animals and people to a minimum by identifying certain conditions as nuisances.
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 as it does not allow for an expansion of current animal keeping in the County as a use, but instead helps to clarify possible nuisance conflicts between animals and people to a minimum and will add a requirement for a conditional use permit for kennels in the open space zone, which will be consistent with the requirement in the rural residential zone and help enforcement staff address poor animal keeping conditions that are becoming all too common.

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

RECOMMENDED ACTIONS

1. Adopted the proposed ordinance amending certain specified sections of Title 18 of the Inyo County Code related to Animal Maintenance based on all the information in the public record and on the recommendation of the Planning Commission.
2. Make all required findings as presented by staff.

PASSED AND ADOPTED this 28th day of May, 2025, by the following vote of the Inyo County Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

Todd Vogel, Chair
Inyo County Planning Commission

ATTEST:

Cathreen Richards, Planning Director

By _____
Sally Faircloth, Secretary of the Commission

Attachment
Draft Proposed Ordinance

Only highlighted sections are proposed changes

**AN ORDINANCE OF THE INYO COUNTY BOARD OF SUPERVISORS AMENDING
SECTION 18.78.310 OF THE INYO COUNTY CODE PERTAINING TO THE
MAINTENANCE OF ANIMALS AND AMENDING SUBSECTIONS
18.12.020 (D) AND 18.12.040 (J) PERTAINING TO ZONING
REQUIREMENTS FOR ANIMAL MAINTENANCE**

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

WHEREAS, section 18.78.310 of the ICC pertains to the maintenance of animals in certain residential zoning designations within the unincorporated area of the County; and

WHEREAS, sections 18.12.020 and 18.12.040 of the ICC pertain to principal permitted uses and conditional uses in the Open Space zoning designation within the unincorporated area of the County; and

WHEREAS, recent Inyo County Code Enforcement cases have shown an increase in nuisances and reports of maltreatment with respect to the keeping of animals on private property throughout the County; and

WHEREAS, county staff have had a difficult time addressing these nuisances due to the lack of specific regulations addressing adverse conditions for animals in the current Animal Maintenance section of the code, the absence of which ultimately negatively impacts animals; and

WHEREAS, many of the complaints that county staff have received do not rise to the level of criminal animal abuse, which would allow Animal Control to seize the animals, but do contain information suggesting that animals are being kept in irresponsible, substandard conditions; and

WHEREAS, these nuisances have manifested due to animal hoarding, unclean and unsanitary conditions, and a proliferation of barking; and produce, at the very least, unpleasant conditions for both surrounding neighbors and the animals themselves; and

WHEREAS, staff from the Sheriff's Office representing Animal Control, County Counsel, Code Enforcement, Building and Safety, Environmental Health and Planning met on several occasions and discussed the various cases of unsatisfactory animal keeping in the county; and

WHEREAS, staff from the Sheriff's Office representing animal control, County Counsel, Planning, the Farm Advisor, and a Planning Commissioner, representing youth agriculture programs, worked on various ideas to update the code to address these issues; and

WHEREAS, to address these ongoing issues, staff now proposes to amend ICC Section 18.78.310 pertaining to Animal Maintenance and ICC subsections 18.12.020 (D) and 18.12.040 (J) pertaining to the Open Space Zone to provide additional regulation regarding the keeping of animals in the county; and

WHEREAS, the Inyo County Planning Commission held a duly noticed public hearing to consider the proposal to update the Animal Maintenance Section and the Open Space District of the County Zoning Code with regard to consistency with the Inyo County Zoning Code, General

Plan, and the California Environmental Quality Act, and concurred with staff recommendations, and approved a resolution recommending approval by the Board of Supervisors; and

WHEREAS, the adoption of this ordinance is Exempt pursuant to CEQA Guidelines 15061(b)(3) the General Rule.

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

SECTION I. All recitals above are incorporated herein as findings.

SECTION II. Section 18.78.310 of the Inyo County Code is amended in its entirety to read as follows:

- A. The maintenance of animals in the one family residential (R-1), two family residential (R-2), and multiple residential (R-3) zones on lots of less than one-half acre are permitted as an accessory use subject to the following conditions:
1. Domestic pets such as dogs and cats are permitted.
 2. No animals of any kind shall be bred, raised, maintained or slaughtered for any commercial purpose.
 3. No large livestock or large farm animals, such as horses, mules, donkeys, cattle, shall be bred, raised, maintained or slaughtered for any purpose.
 4. Small livestock or small farm animals such as pigs, goats, sheep, pigeons, poultry and rabbits may be bred, raised or maintained for domestic, educational purposes, or youth agriculture programs, subject to the following restrictions:
 - a. Pigs, goats, sheep and similar animals shall not exceed two in number;
 - b. Pigeons, poultry, rabbits and similar animals shall not exceed twenty-five in number;
 - c. No structure or shelter for animals shall be located closer than five feet to any property line;
 - d. Maximum height of any structure or shelter for animals shall be fifteen feet.
 5. The breeding, raising, maintenance of animals allowed by subsection A of this section shall comply with all other state and county requirements and ordinances.

- B. The maintenance of animals in the one family residential (R-1), two family residential (R-2), and multiple residential (R-3) zones on lots of one-half acre or more, and in all other zones regardless of lot size, shall be permitted as an accessory use so long as such use complies with all other state and county requirements and ordinances.
- C. No structure or shelter including cages, pens and corrals for animals shall be located closer than five feet to any property line, and unless impeding stock water, access within ten feet of a stream if the area is vegetated, or thirty feet of a stream if it is not vegetated.
- D. No owner of any animal shall do any of the following:
1. Allow an animal to obstruct the reasonable and comfortable use of property in any neighborhood or community by chasing vehicles, molesting passersby, biting, barking, howling or making other noises.
 2. Permit unsanitary conditions to exist on the premises where such animal is kept which would cause odors, attract flies or vermin, or which would be otherwise injurious to the public health, offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property by members of the neighborhood or community or any considerable number of other persons.
 3. Maintain a dangerous animal in a manner that creates a significant threat to the public health, safety and welfare.

SECTION III. Subsection 18.12.020(D) of the Inyo County Code is amended in its entirety to read as follows:

Animal Hospitals except when the property is adjacent to or abuts residential zoned property.

SECTION IV. Subsection 18.12.040(J) is amended in its entirety to read as follows:

All kennels, and animal hospitals (when parcel is adjacent to residential zoned property).

SECTION V. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to

whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

SECTION VI. Effective date.

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption thereof, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of Inyo, State of California in accordance with Government Code Section 25124(b). The Clerk of the Board is hereby instructed and ordered to so publish a summary of this Ordinance together with the names of the Board voting for and against same.

PASSED AND ADOPTED this XXXX by the following vote of the Inyo County Board of Supervisors:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson

ATTEST: Nate Greenberg
 Clerk to the Board

By: _____
 Darcy Ellis, Assistant

Attachment

Strike out and unlined changes to Maintenance of Animals

§ 18.78.310. Maintenance of animals.

- A. The maintenance of animals in the one family residential (R-1), two family residential (R-2), and multiple residential (R-3) zones on lots of less than one-half acre are permitted as an accessory use subject to the following conditions:
1. Domestic pets such as dogs and cats are permitted.
 2. No animals of any kind shall be bred, raised, maintained or slaughtered for any commercial purpose.
 3. No large livestock or large farm animals, such as horses, mules, donkeys, cattle, shall be bred, raised, maintained or slaughtered for any purpose.
 4. Small livestock or small farm animals such as pigs, goats, sheep, pigeons, poultry and rabbits may be bred, raised or maintained for domestic, ~~or~~ educational purposes, or youth agriculture programs, subject to the following restrictions:
 - a. Pigs, goats, sheep and similar animals shall not exceed two in number;
 - b. Pigeons, poultry, rabbits and similar animals shall not exceed twenty-five in number;
 - c. No structure or shelter for animals shall be located closer than five feet to any property line;
 - d. Maximum height of any structure or shelter for animals shall be fifteen feet.
 5. The breeding, raising, maintenance of animals allowed by subsection A of this section shall comply with all other state and county requirements and ordinances.
- B. The maintenance of animals in the one family residential (R-1), two family residential (R-2), and multiple residential (R-3) zones on lots of one-half acre or more, and in all other zones regardless of lot size, shall be permitted as an accessory use so long as such use complies with all other state and county requirements and ordinances.
- C. No structure or shelter including cages, pens and corrals for animals shall be located closer than five feet to any property line, and unless impeding stock water, access within ten feet of a stream if the area is vegetated, or thirty feet of a stream if it is not vegetated.
- D. No owner of any animal shall do any of the following:
1. Allow an animal to obstruct the reasonable and comfortable use of property in any neighborhood or community by chasing vehicles, molesting passersby, biting, barking, howling or making other noises.
 2. Permit unsanitary conditions to exist on the premises where such animal is kept which would cause odors, attract flies or vermin, or which would be otherwise injurious to the public health, offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property by members of the neighborhood or community or any considerable number of other persons.
 3. Maintain a dangerous animal in a manner that creates a significant threat to the public health, safety and welfare.

18.12.020 – Principal Permitted Uses of the OS Zone:

The following are the principal permitted uses of the OS zone:

- A. Single-family dwelling, including the use of a mobile home;
- B. Farms and ranches for orchards, vineyards, field and truck crops, nurseries, greenhouses, vegetables, flower gardening and other enterprises carried on in the general field of agriculture, including agricultural activities directly related to the farm or such as the repair and maintenance of farm and ranch equipment operated on the property; farm and ranch vehicles used on the property; and vehicles used to haul farm and ranch products produced on the property;
- C. Livestock ranches for raising, grazing, breeding, boarding or small animals except as otherwise provided for under Section 18.12.040;
- D. Animal hospitals ~~or kennels~~, except when the property is adjacent or abuts residential zoned property;
- E. Wildlife refuges; hunting and fishing preserves;
- F. Wilderness areas and wilderness uses. (Ord. 943 § 4, 1994)

18.12.040 – Conditional Uses.

The following are the conditional uses of the OS zone

- A. Public stables, roping arenas, riding academies, parks, campgrounds, private recreational clubs, pack stations, lodges, resorts, and other recreational activities involving development or large assemblages of people;
- B. Feed lot, dairies or commercial ranches for the raising of poultry, pigs, goats or rabbits when any of the foregoing are located on property adjacent to residential zoned property;
- C. Public and quasi-public buildings and uses of recreational, religious, cultural or public service nature, excluding exterior storage, repair yards and warehouses;
- D. Golf course;
- E. Farm labor or camp;
- F. Cemeteries, crematories, mausoleums and columbariums;
- G. Airports, landing fields and airstrips;
- H. Public and commercial refuse disposal sites;
- I. Mining and processing of natural resources, including borrow pits, subject to the provisions of the California Surface Mining Act;
- J. All kennels and animal hospitals (when parcel is adjacent to residential zoned property);
- K. Agriculturally oriented services, including those uses of land devoted to the provision of

buying, selling, processing, storing, packaging and otherwise directly serving functions associated with the production of local agricultural products, and including the operation, storage and maintenance of equipment and implements, and motor vehicles and trailers primarily used to transport local agricultural products and livestock. Manufacturing other than the primary cleaning, sorting, packaging or conversion of local agricultural products is prohibited;

- L. Second dwelling units, subject to the requirements and procedures set forth or referred to in Section 18.78.340;
- M. Informational kiosks and off-site directional signs complying with the provisions of Chapter 18.75 and subject to the provisions of Section 18.12.050.
- N. Commercial cannabis cultivation, which shall be three hundred feet from all parcel lot lines, and shall comply with otherwise applicable yard requirements.
- O. Non-volatile cannabis manufacturing pursuant to commercial cannabis license classification 6.
- P. Cannabis microbusinesses pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section.
- Q. Hemp Cultivation. Industrial hemp cultivation shall be subject to odor, noise, pollen escape and visual resource mitigation requirements and shall be three hundred feet from all parcel lot lines.