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**AGENDA ITEM NO**

**6 (Action Item – Public Hearing)**

**PLANNING COMMISSION**

**MEETING DATE:**

**August 27, 2025**

**SUBJECT:**

**Zone Text Amendment (ZTA) No. 2025-02/Commercial Kennels**

**EXECUTIVE SUMMARY**

Staff has drafted a proposed ordinance to update Section 18.06.305 Definitions – Kennel; and Sections 18.12.020, 18.12.040, 18.21.040, 18.22.040, and, Subsections 18.12.040 (J) and 18.49.020(L) of the Inyo County Code (ICC) to:

- Change the Definition of “Kennel” in Title 18 Zoning to more closely match the Definition in Chapter 8.20 - Dogs of the ICC and rename it “Commercial Kennel”
- Add a requirement for conditional use permits for commercial kennels in the Open Space zone
- Clean up and make all references to “kennel” in the zoning code “commercial kennel” where applicable.

Staff has prepared this recommendation as an alternative to the Board’s direction to remove the requirement for conditional use permits for commercial kennels, on June 24, 2025, as staff believe that the understanding of kennel and what the term kennel meant with regard to conditional use permits may not have been described by staff appropriately to the Board thus leading to the direction to remove the requirement. This is directly related to the broad definition of kennels currently found in the county zoning code versus commercial kennels as a place where dogs are boarded or bred and raised for commercial purposes. At the request of the Board, the definition of kennel in the zoning code is being changed as part of this proposal to more closely match the animal code. Staff is also proposing renaming it “commercial kennel” so that the same confusion over what the term kennel means and when a conditional use permit is required does not continue.

The project is Exempt from the California Environmental Quality Act by the Common Sense Exemption 15061(b)(3).

## **PROJECT INFORMATION**

**Supervisory District:** County-wide

**Applicants:** Inyo County

**Landowners:  
Address/** Multiple

**Community:** County-wide

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

**Existing General Plan:** N/A

**Existing Zoning:** N/A

**Surrounding Land Use:** N/A

**Recommended Action:** Adopt the attached Resolution, recommending that the Board of Supervisors:

- 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-2025-02/ Commercial Kennels.

**Alternatives:**

- 1.) Direct staff to prepare changes to the code including a CEQA evaluation, based on the recommendations provided by the Board of Supervisors on June 24, 2025.
- 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 AND ANALYSIS**

Staff recently brought forward a proposal to update the county code regarding the maintenance of animals. This was due to an increase in code enforcement cases that relate to the poor keeping of animals in the County. Staff presented these ideas to the Planning Commission in July of 2024 and again in May of 2025. The Planning Commission approved a resolution at the May 2025 hearing, recommending that the Board adopt the updates to the county code regarding the maintenance of animals that included:

- Clarification of allowance for animals for youth agriculture programs on residential lots one-half-acre or less;
- Setback requirements for structures and shelters for animals and additionally for those near streams;
- The addition of nuisance language; and,
- A requirement for conditional use permits for kennels in the Open Space Zone.

The Board subsequently adopted the ordinance without the proposed requirements for conditional use permits for kennels in the Open Space zone, asked that the requirement also be removed from the Rural Residential and Rural Residential Starlite Estates zones, and asked staff from Animal Control and Planning to work on a change to bring the currently disparate definitions of kennel in the different sections of the County Code closer to one another.

The discussion with the Board left staff with the understanding that the Board felt that conditional use permits were not the correct avenue to review, approve, and establish individualized conditions for kennels and that licenses granted by Animal Control were a better fit. Based on this direction, staff began to remove all of the requirements for conditional use permits in all sections of the zoning code regarding kennels for this proposed update and added language that kennels must have a license issued by animal control.

The Board also asked that animal control and planning staff work on more consistent definitions, since the definition found in the zoning code is very different than the definition found in the Animal Chapter of the County Code.

In retrospect, staff realized there are some fundamental issues with removing the requirement of a conditional use permit for commercial kennels with regard to land use, the intensity of land use and CEQA. Staff also realized that much of the confusion around kennels stems from the various different situations in which the word is used. More specifically, a kennel can be where an animal is kept (e.g. sleeps) or a kennel can be a commercial establishment, for example where dogs are bred and raised for sale. This is unclear in the zoning code; therefore, staff is recommending that the requirement for conditional use permits for commercial kennels be kept in the Rural Residential and Rural Residential Starlite Estates and added to the Open Space zoning district where the kennel is a commercial establishment. It should also be noted that if the Planning Commission and/or Board wishes to have the requirement for conditional use permits

lifted completely for “commercial kennels” further CEQA review will be necessary before commercial kennels can be included as principal permitted uses since they can be considered a use that can cause unintended impacts to the property they are located on, as well as, the surrounding area and must be evaluated under CEQA as such. Presently, kennels are allowed as a principal permitted use in the Heavy Commercial Zone (C4). Staff is not proposing to change this but is proposing to change the term to Commercial Kennel in the C4 zone.

Staff is also recommending that the zoning code more closely match the animal code and state: *"Kennel" means any lot, building, structure, enclosure or premises whereon or wherein five or more dogs five months of age or older are boarded for a fee or kept or maintained for the purpose of breeding and raising dogs for sale, excepting duly licensed veterinary hospitals or pet shops*". Along with this, staff is also recommending that the term “kennel” in the zoning code be changed to “commercial kennel”. This will provide clarity in the code language between the keeping of dogs as pets and the commercial breeding of dogs for sale.

This change will not affect the keeping of dogs as pets. The ICC at 18.78.210 (A)(1), addressing residential lots under one-half-acre, states: *Domestic pets such as dogs and cats are permitted*. And, 18.78.310(B) states that: *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*. These sections of the code clearly show that the keeping of animals that are considered pets, including dogs and cats, will not be subject to the requirement for conditional use permits. Staff apparently failed to make this clear during the Board of Supervisors meeting, which likely caused the request to remove the requirement for conditional use permits.

Currently the definitions are:

Zoning Code:

18.06.305 "Kennel" means any lot or premises on which five or more dogs or cats over four months old are kept.

Animals Code:

8.20.010 - Dogs: "Kennel" means any lot, building, structure, enclosure or premises whereon or wherein five or more dogs five months of age or older are kept or maintained for the purpose of breeding and raising dogs for sale, excepting duly licensed veterinary hospitals or pet shops.

The proposed change to changing the zoning code definition to better match the animal code, will remove cats from the kennel definition as well as fix the disparity between animal code's description: *"five or more dogs five months of age or older"* and the zoning code's *"five or more dogs or cats over four months old"*, as well as make clear that commercial kennels are for commercial boarding or breeding and raising (sales) purposes and do not apply to pets.

Enforcing these regulations would still be pursuant to ICC Title 22 and violations regarding unpermitted commercial kennels would be treated like any other code violation.

## **FINDINGS**

### General Plan Consistency

The approval of ZTA 2025-02 as recommended by staff is consistent with the Inyo County General Plan as Land Use Policy Economic Development (ED) 3, New Retail Establishments states: *Encourage the development of retail establishments that will reduce spending outside the County for retail purchases, services and entertainment.* The kennel businesses that could be affected by this change would be conducted in the Open Space zone, which tends to be located on the fringe of the County's more urbanized areas. Changing the definition of Kennel and extending the requirement for conditional use permits to the Open Space zone will help to promote and regulate a type of retail service in more rural areas which is consistent General Plan ED-3.

### Zoning Ordinance Consistency

The approval of ZTA 2025-02 as recommended by staff is consistent with Title 18 (Zoning Ordinance) of the ICC as it clarifies the definition of kennel as a commercial use for the boarding for a fee, breeding, raising and selling dogs and adds the requirement for conditional use permits to operate kennels in the Open Space zone. This change will provide for consistency with the definition and how it relates to the actual use and how "kennel" has been interpreted and regulated historically – as a commercial use.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the proposed ordinance is covered by the Commonsense Exemption 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 is a proposal to amend ICC Sections 18.06.305, 18.12.020, 18.12.040 and Subsection 18.12.040 (J) of the ICC pertaining to definition of kennel and adding a requirement for a conditional use permit for kennels in the Open Space zone. This action will not result in significant impacts on the environment as it provides for clarity and consistency in the definition of commercial kennel and adds the requirement for conditional use permits in the Open Space zone which will cause subsequent project specific review pursuant to CEQA.

## **NOTICING**

This project was noticed in the Inyo Register on August 2<sup>nd</sup>, 2025 meeting the twenty-day noticing requirement for changes to the zoning code.

## **RECOMMENDATIONS**

Staff recommends the Planning Commission adopt the attached resolution recommending the Board of Supervisors consider staff's recommended ZTA 2024-03, make certain

findings, and adopt the proposed ordinance updating Section 18.06.350 – Kennels; and Sections 18.12.020, 18.12.040, 18.21.040, 18.22.040, and, Subsections 18.12.040 (J) and 18.49.020(L) of the ICC.

### Recommended Findings

1. The proposed ordinance is covered by the Commonsense Exemption 15061(b)(3) *[Evidence: ZTA 2024-03 is covered by the Commonsense Exemption 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 is a proposal to amend ICC Sections 18.06.305, 18.12.020, 18.12.040, 18.21.040, 18.22.040, and, Subsections 18.12.040 (J) and 18.49.020(L) pertaining to definition of and the term commercial kennel and adding a requirement for a conditional use permit for commercial kennels in the Open Space zone. This action will not result in significant impacts on the environment as it provides for clarity and consistency in the definition of commercial kennels and adds the requirement for conditional use permits in the Open Space zone, which will cause subsequent project specific review pursuant to CEQA.]*
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 Land Use Policy Economic Development (ED) 3, New Retail Establishments states: Encourage the development of retail establishments that will reduce spending outside the County for retail purchases, services and entertainment. The kennel businesses that could be affected by this change would be conducted in the Open Space zone, which tends to be located on the fringe of the County's more urbanized areas. Changing the definition of Kennel, renaming it Commercial Kennel and extending the requirement for conditional use permits to the Open Space zone will help to promote and regulate a type of retail service in more rural areas which is consistent General Plan ED-3.]*
3. Based on substantial evidence in the record, the proposed Zoning Ordinance to amend ICC Sections 18.06.305, 18.12.020, 18.12.040, 18.21.040, 18.22.040, and, Subsections 18.12.040 (J) and 18.49.020(L) is consistent with Title 18 (Zoning Ordinance) of the ICC.  
*[Evidence: ZTA 2024-03 is consistent with Title 18 (Zoning Ordinance) of the ICC as it clarifies the definition of kennel as a commercial use for the boarding for fees, breeding, raising and selling dogs and adds the requirement for conditional use permits to operate kennels in the Open Space zone. This change will provide for consistency with the definition and how it relates to the actual use and how "kennel" has been interpreted and regulated historically – as a commercial use.]*

## **ATTACHMENTS**

- A. Resolution – staff proposed
- B. Draft proposed ordinance – staff proposed

## Planning Commission 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. 2025-02 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 Commonsense Exemption 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 is a proposal to amend ICC Sections 18.06.305, 18.12.020, 18.12.040 and Subsections 18.21.040(F), 18.22.040(E) and 18.49.020(L) of the ICC pertaining to definition and title kennel and land use regulations requiring conditional use permits for kennels This will result in the continuation of regulation and oversight of kennels and therefore the use will not cause a significant effect on the environment; and

**WHEREAS**, the Inyo County Planning Commission held a duly noticed public hearing on August 27<sup>th</sup>, 2025, to review and consider a request for approval of Zone Text Amendment No. 2025-02, 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 2025-02 is consistent with the Inyo County General Plan as Land Use Policy - Economic Development (ED) 3, New Retail Establishments states: *Encourage the development of retail establishments that will reduce spending outside the County for retail purchases, services and entertainment.* The kennel businesses that could be affected by this change would be conducted in the Open Space zone, which tends to be located on the fringe of the County's more urbanized areas. Changing the definition of Kennel and extending the requirement for conditional use permits to the Open Space zone will help to promote and regulate a type of retail service in more rural areas which is consistent General Plan ED-3; and

**WHEREAS**, ZTA 2025-02 is consistent with the Inyo County Zoning code as it

clarifies the definition of kennel as a commercial use for the breeding, raising and selling dogs and adds the requirement for conditional use permits to operate kennels in the Open Space zone. This change will provide for consistency with the definition and how it relates to the actual use and how “kennel” has been interpreted and regulated historically – as a commercial use.

**THEREFORE, BE IT HEREBY RESOLVED**, that based on all of the written and oral comments and input received at the August 27<sup>th</sup>, 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 Commonsense Exemption 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 is a proposal to amend ICC Sections 18.06.305, 18.12.020, 18.12.040 and Subsections 18.21.040(F), 18.22.040(E) and 18.49.020(L) of the ICC pertaining to definition and title of kennel and adding a requirement for a conditional use permit for kennels in the Open Space zone. This action will not result in significant impacts on the environment as it provides for clarity and consistency in the definition of commercial kennel and adds the requirement for conditional use permits in the Open Space zone which will cause subsequent project specific review pursuant to CEQA.
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Inyo County General Plan as Land Use Policy Economic Development (ED) 3, New Retail Establishments states: *Encourage the development of retail establishments that will reduce spending outside the County for retail purchases, services and entertainment.* The kennel businesses that could be affected by this change would be conducted in the Open Space zone, which tends to be located on the fringe of the County’s more urbanized areas. Changing the definition of Kennel and extending the requirement for conditional use permits to the Open Space zone will help to promote and regulate a type of retail service in more rural areas which is consistent General Plan ED-3.
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 clarifies the definition of kennel as a commercial use for the boarding for fees or breeding, raising and selling dogs and adds the requirement for conditional use permits to operate kennels in the Open Space zone. This change will provide for consistency with the definition and how it relates to the actual use and how “kennel” has been interpreted and regulated historically – as a commercial use.

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

**RECOMMENDED ACTIONS**

1. Adopt the proposed ordinance amending certain specified sections of Title 18 of the Inyo County Code related to Commercial Kennels 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 27<sup>th</sup> Day of August 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

## Staff Proposed Ordinance

**AN ORDINANCE OF THE INYO COUNTY BOARD OF SUPERVISORS AMENDING SECTION 18.06.305 OF THE INYO COUNTY CODE PERTAINING TO THE DEFINITION AND TITLE KENNEL AND AMENDING SUBSECTIONS 18.21.040(F), 18.22.040(E), AND 18.49.020 (L) OF THE INYO COUNTY CODE PERTAINING TO THE TITLE KENNEL AND AMENDING SECTIONS 18.12.020 AND SUBSECTION 18.12.040, OF THE INYO COUNTY CODE PERTAINING TO ZONING REQUIREMENTS FOR KENNELS**

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

**WHEREAS**, section 18.06.305 of the ICC pertains to the definition and the title of kennel; and

**WHEREAS**, subsections 18.21.040(F), 18.22.040(E), 18.12.040 (J) and 18.49.020(L) of the ICC pertaining to the title Kennel in Rural Residential, Rural Residential Starlite Estates and Heavy Commercial zoning districts within the unincorporated area of the County; and

**WHEREAS**, Sections 18.12.020, 18.12.040, of the ICC pertain to principal permitted and conditional uses in the Open Space zone; and

**WHEREAS**, the meaning of kennel in the context of implementation in the ICC, has been found vague, confusing and inconsistent with the definition of kennel in Chapter 8.20 of the ICC - Dogs; and

**WHEREAS**, on June 24, 2025, the Board of Supervisors gave staff direction to update the definition of Kennel in Title 18 of the ICC – Zoning; and

**WHEREAS**, in order to avoid similar confusion in the future concerning the title Kennel, staff is also proposing to update the title of ICC section 18.06.305, “Kennel” to “Commercial Kennel”; and

**WHEREAS**, on June 24, 2025, the Board of Supervisors also gave staff direction to remove the requirement for conditional use permits for kennels as the Board of Supervisors believed it is more appropriate to require a kennel license granted by Animal Control; and

**WHEREAS**, in retrospect staff found that based on the possible land use intensity of commercial kennels that has not been evaluated pursuant to CEQA, the requirement for conditional use permits should not be removed from the Rural Residential Zones and should be added to the Open Space Zone; and

**WHEREAS**, to address this, staff now proposes to amend ICC Section 18.06.305 pertaining to the definition and title of Kennel and ICC Subsections 18.21.040(F), 18.22.040(E), and, 18.12.040 (J) and 18.49.020(L) of the ICC pertaining to the title Kennel and to amend ICC Subsection 18.12.020, 18.12.040, of the ICC pertaining to principal permitted and conditional uses in the Open Space zone pertaining to commercial kennels; and

**WHEREAS**, the Inyo County Planning Commission held a duly noticed public hearing to consider the proposed updates to the Definition Section and the Open Space, Rural Residential, Rural Residential Starlite Estates and the Heavy Commercial Districts 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 Common Sense Exemption.

**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 18.06.305 “Kennel” of the Inyo County Code is superseded and replaced in its entirety with the following:

“Commercial Kennel” means any lot, building, structure, enclosure or premises whereon or wherein five or more dogs five months of age or older are boarded for a fee or kept or maintained for the purpose of breeding and raising dogs for sale excepting duly licensed veterinary hospitals or pet shops.

**SECTION III.** Subsection 18.21.040(F) of the Inyo County Code is superseded and replaced in its entirety with the following:

18.21.040 (F) Commercial Kennels

**SECTION IV.** Subsection 18.21.040(E) of the Inyo County Code is superseded and replaced in its entirety with the following:

18.21.040 (E) Commercial Kennels

**SECTION V.** Subsection 18.49.020(L) of the Inyo County Code is superseded and replaced in its entirety with the following:

18.49.020 (L) Animal hospitals, commercial kennels and veterinaries

**SECTION VI.** Subsection 18.12.020 of the Inyo County Code “Principal permitted uses” (open space zone) is superseded and replaced in its entirety with the following:

18.12.020 Principal permitted uses.

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

- A. Single-family dwelling, including the use of a mobilehome;
- 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, except when the property is adjacent or abuts residential zoned property;
- E. Wildlife refuges; hunting and fishing preserves;
- F. Wilderness areas and wilderness uses.

**SECTION VII.** Section 18.12.040 of the Inyo County Code is superseded and replaced in its entirety with the following:

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. Animal hospitals (when parcel is adjacent to residential zoned property) and all commercial kennels;

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.

## **SECTION VIII. 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 IX. 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 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