

In the Rooms of the Board of Supervisors

County of Inyo, State of California

I, HEREBY CERTIFY, that at a meeting of the Board of Supervisors of the County of Inyo, State of California, held in their rooms at the County Administrative Center in Independence on the 20th day of December 2022 an order was duly made and entered as follows:

*Planning –
ZTA 2022-02/
Ordinance No. 1290*

Planning Director Cathreen Richards gave a brief summary of the changes required to the zone text in order to meet state compliance for the Housing Element.

Vice Chairperson Roeser opened the public hearing at 10:37 a.m., and with no public comments to be heard, closed the hearing at 10:38 a.m.

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to: A) approve the proposed Ordinance 1290, titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Inyo County Code Sections 18.03.060; 18.06.220; 18.06.225; 18.06.291; 18.06.356; 18.06.456; 18.06.466; 18.06.746; 18.06.776; 18.06.777; 18.73.030; 18.06.495; 18.78.350; 18.21.020; 18.21.040; 18.22.020; 18.22.040; 18.30.030; 18.30.040; 18.33.020; 18.34.020; 18.34.040; 18.44.020; 18.44.030; 18.45.020; 18.48.020; 18.49.020; 18.51.020; 18.54.020; 18.75.090 D; 18.75.110 A; 18.75.060 E; 18.75.100 B; 18.78.310 A; 18.78.310 B; 18.78.150 E; 18.76.060 A; and, Amending Chapters 18.36 and 18.61 of the Inyo County Code;" B) Make the requested findings and certify that the action is exempt from CEQA; and C) Waive further reading and enact said ordinance.

Motion carried 4-0, with Supervisor Totheroh absent.

WITNESS my hand and the seal of said Board this 20th
Day of December, 2022



NATHAN GREENBERG
Clerk of the Board of Supervisors

A handwritten signature in blue ink, appearing to read "Nathan Greenberg", written over a horizontal line.

By: _____

Routing
CC Purchasing Personnel Auditor CAO Other: Planning DATE: December 29, 2022



INYO COUNTY BOARD OF SUPERVISORS

DAN TOTEROH • JEFF GRIFFITHS • RICK PUCCI • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS
ASST. CLERK OF THE BOARD



AGENDA ITEM REQUEST FORM

December 20, 2022

Reference ID:
2022-3268

Zone Text Amendment 2022-02/Inyo County - Housing Element Compliance Planning Department ACTION REQUIRED

ITEM SUBMITTED BY

Cathreen Richards, Planning Director

ITEM PRESENTED BY

Cathreen Richards, Planning Director

RECOMMENDED ACTION:

Request Board:

- A) Conduct a public hearing on proposed Ordinance 1290, titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Inyo County Code Sections 18.03.060; 18.06.220; 18.06.225; 18.06.291; 18.06.356; 18.06.456; 18.06.466; 18.06.746; 18.06.776; 18.06.777; 18.73.030; 18.06.495; 18.78.350; 18.21.020; 18.21.040; 18.22.020; 18.22.040; 18.30.030; 18.30.040; 18.33.020; 18.34.020; 18.34.040; 18.44.020; 18.44.030; 18.45.020; 18.48.020; 18.49.020; 18.51.020; 18.54.020; 18.75.090 D; 18.75.110 A; 18.75.060 E; 18.75.100 B; 18.78.310 A; 18.78.310 B; 18.78.150 E; 18.76.060 A; and, Amending Chapters 18.36 and 18.61 of the Inyo County Code;"
- B) Make the requested findings and certify that the action is exempt from CEQA; and,
- C) Waive further reading and enact said ordinance.

BACKGROUND / SUMMARY / JUSTIFICATION:

All jurisdictions in the state of California are required to have a General Plan. These General Plans must have seven mandatory elements, including a Housing Element pursuant to California Government Code Section 65580 et seq. Housing Element law is the most complicated of the General Plan Elements and Housing Elements must be regularly updated and approved by the State. For Inyo County this is to be done every eight years. The latest update was approved by the state on August 17, 2022.

Staff began the update process in the summer of 2020. The update work consisted of replacing the outdated demographics included in the element; a review of the policies already in place and where the county was with regard to them; identifying sites to meet the Regional Housing Needs Allocation; and, revisions to the current policies and programs based on new state regulations for housing elements and comments received through public, stakeholders and Department of Housing and Community Development (HCD) staff.

It took two years and many iterations of back and forth with drafts to HCD to obtain approval. Since the last Housing Element update in 2014, there has been an abundance of new housing laws adopted by the State. There were quite a lot of changes that had to be made to the Housing Element for it to be compliant with state law. Along with this, the County's zoning code must now be updated to be compliant

with the General Plan, as well as with new state housing law. Staff has prepared a draft ordinance (attached) updating Title 18 of the County Code to reflect: the General Plan update; state housing law where it was non-compliant; and/or where HCD required specific policies in the Housing Element. These changes include:

Removal of the Mobile Home Overlay Zone – the One-family Residential (RMH) zone. This overlay has been out of compliance with state law for several years as local jurisdictions cannot “zone out” mobile homes. Having a mobile home overall essentially zones them out of other residential designations. Staff had not applied the overlay for many years. Removing this overlay will result in properties being zoned one-family residential mobile home combined (RMH) to revert to one-family residential (R1), no overlay.

Removal of the Mobile Home Overlay Zone Design Standards. The state prohibits local jurisdictions from having zoning standards that make it difficult for people to site mobile homes. Recently, the requirement for foundations for mobile homes was removed from the County Building Code. This, along with the fact that building and health and safety codes address mobile home standards including roof pitch and siding, which is what Title 18 requirements address, makes the zoning code standards redundant and there will be no overlay to apply them to.

Adding Definitions:

- Emergency Shelter - means housing with minimal supportive services for homeless people that is limited to occupancy of six months or less by a homeless person.
- Employee housing - means premises used for residential purposes for temporary or seasonal persons employed to perform agricultural or industrial labor. The accommodations consist of any living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations maintained in one or more buildings, or one or more sites, and the premises upon which they are situated, or the area set aside and provided for parking of mobile homes or camping of five or more employees by the employer. Concurrent with the previous definition, employee housing may also involve permanent residency if the housing accommodation is a mobile home, manufactured home, travel trailer or recreational vehicle.
- Junior Accessory Dwelling Unit - means a unit that is no more than 500-square-foot in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.
- Low Barrier Navigation Center - means a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.
- Reasonable Accommodation - means a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.
- Residential Facility - means any family home, group care facility, or similar facility determined by the State Department of Social Services, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.
- Single Room Occupancy - means a residential facility where living accommodations are individual secure rooms, with or without separate kitchen or bathroom facilities for each room, rented to one or two-person households on a weekly or monthly basis.
- Supportive Housing - means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.
- Tiny home - means a dwelling that is 400-sq-foot or less, excluding lofts, and meets the requirements of the California Building Code.

These definitions were added to correspond with required added uses or to update current definitions to match state definitions.

Remove second homes and the requirement for conditional use permits for them. The County has already added code language addressing accessory dwelling units (ADU), which is the current terminology. Local jurisdictions must allow ADUs to be built with ministerial approval, meaning - with a building permit only. The county's requirement for a conditional use permit is not compliant with state law and staff has not applied it for years.

Remove requirement for a conditional use permit for multiple residential projects of 15-units or more in the R3 and CB zones. This requirement in the zoning code is completely non-compliant with the County's General Plan. The allowed density, per the General Plan for the zoning designations that allow for multiple residential is 15.1-24-units per acre. When the General Plan was adopted in 2002 it was evaluated under CEQA for 15.1-24-units per acre. HCD comments included that the County must remove this requirement.

Include multiple-family dwellings as a principal permitted use and take away the requirement for a conditional use permit in the CB zone. Requiring a conditional use permit for multiple family dwellings in commercial areas is in direct conflict with new state law for certain types of residential development and the County identified parcels for its RHNA sites on CB zoned parcels; therefore, multiple-family dwellings should be a principal permitted use.

Adding:

- Single Room Occupancy Units as principal permitted uses to the Heavy Commercial (C4) zone;
- Residential Care Facility, Single Room Occupancy, Transitional Supportive Housing, Group Homes, and Low Barrier Navigation Centers as principal permitted uses and, removing Residential Care Facility from conditional uses in the R3 zone;
- Transitional and Supportive Housing and Group Homes to the Rural Residential (RR), Rural Residential Starlite (RR0.5 Starlite), R1 and Multiple Residential, 2 units (R2) zones.

These uses must be added to the specified zoning districts for the County to be compliant with current state housing law.

FINDINGS

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. These changes affect where in specified residential zoning districts certain uses can occur. These uses are not new, and do not increase already established densities set forth in the County's General Plan. The changes are also required for the County's zoning code to be compliant with the County's General Plan.

GENERAL PLAN CONSISTENCY

These changes are being proposed primarily to cause sections of the County zoning code to be consistent with the County's General Plan as the changes are requirements of the County's 6th Cycle Housing Element Update.

ZONING ORDINANCE CONSISTENCY

None of the proposed changes are in conflict with other sections of the County's zoning code and each was added to bring the code into compliance with current state housing law and the changes required to the County's General Plan per the 6th Cycle Housing Element Update with regard to housing uses and opportunities; and therefore, the amendments will not affect the intent of Title 18 to direct certain types of residential land uses to specific areas within the County.

PLANNING COMMISSION RESOLUTION

The Planning Commission met on December 5, 2022, held a public hearing, and voted unanimously to adopt a resolution (attached) recommending that the Board of Supervisors approve Zone Text Amendment 2022-02. There was no public comment.

FISCAL IMPACT:

Funding Source	Grant Funded State Local Early Action Planning Grant (LEAP)	Budget Unit	23800
Budgeted?	Yes	Object Code	
Recurrence	Ongoing Expenditure		
Current Fiscal Year Impact			
Future Fiscal Year Impacts			
Additional Information			

ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

None.

ATTACHMENTS:

1. Planning Commission Resolution 12.7.2022
2. Proposed Ordinance 1290

APPROVALS:

Cathreen Richards
Darcy Ellis
John Vallejo
Cathreen Richards

Created/Initiated - 12/7/2022
Approved - 12/7/2022
Approved - 12/8/2022
Final Approval - 12/8/2022

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. 2022-02 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 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; and

WHEREAS, the Inyo County Planning Commission held a public hearing on December 7 2022, to review and consider a request for approval of Zone Text Amendment No. 2022-02, 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 2022-02 will result in updates to certain allowed principal permitted uses related to residential use and density, which does not, create higher densities or uses than what is already allowed by corresponding General Plan designations and will cause the zoning code to be compliant with the General Plan with regard to certain residential densities; and

WHEREAS, ZTA 2022-02 is consistent with the Inyo County Zoning code as it will result in updates to certain allowed principal permitted uses related to residential use and density, which does not, create higher densities or uses than what is established in the Inyo County Zoning Code and General Plan.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comment and input received at the December 7, 2022, 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) that states 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 project is a proposal to amend parts of the County Code to comply with current State housing laws and the requirements set forth by the California Department of Housing and Community Development, per the County's 6th cycle Housing Element Update, and does not add residential densities or uses that have not previously been evaluated under CEQA or are currently not allowed by the zoning code.
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.
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.

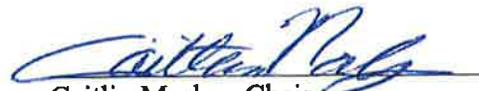
BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors take the following actions:

RECOMMENDED ACTIONS

1. Approve ZTA 2022-02 based on all of the information in the public record and on the recommendation of the Planning Commission.

PASSED AND ADOPTED this 7th day of December 2022, by the following vote of the Inyo County Planning Commission:

AYES: 4
NOES: 0
ABSTAIN: 0
ABSENT: 1


Caitlin Morley, Chair
Inyo County Planning Commission

ATTEST: 
Cathreen Richards, Planning Director

By  _____
Paula Riesen, Secretary of the Commission

ORDINANCE 1290

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING INYO COUNTY CODE SECTIONS 18.03.060; 18.06.220; 18.06.225; 18.06.291; 18.06.356; 18.06.456; 18.06.466; 18.06.746; 18.06.776; 18.06.777; 18.73.030; 18.06.495; 18.78.350; 18.21.020; 18.21.040; 18.22.020; 18.22.040; 18.30.030; 18.30.040; 18.33.020; 18.34.020; 18.34.040; 18.44.020; 18.44.030; 18.45.020; 18.48.020; 18.49.020; 18.51.020; 18.54.020; 18.75.090 D; 18.75.110 A; 18.75.060 E; 18.75.100 B; 18.78.310 A; 18.78.310 B; 18.78.150 E; 18.76.060 A; AND, AMENDING CHAPTERS 18.36 AND 18.61 OF THE INYO COUNTY CODE.

WHEREAS, on August 16, 2022, the Inyo County Board of Supervisors adopted the 6th Cycle Housing Element Update; and

WHEREAS, on August 17, 2022, the California Department of Housing and Community Development (HCD) approved the County's 6th Cycle Housing Element Update and sent a letter of compliance to the County; and

WHEREAS, HCD's approval of the 6th Cycle Housing Element included required changes to the County's Zoning Code to ensure compliance with the requisite changes made to the County's General Plan per the updated Housing Element; and

WHEREAS, staff has reviewed the County's Zoning Code for other inconsistencies with current State Housing Law and found additional places where the Zoning Code requires updating to ensure compliance with State law; and

WHEREAS, these combined changes include: removing the mobile home overlay effectively eliminating the Single Residence and Mobile Home Combined (RMH) zone and reverting all properties with this designation to the One Family Residential (R1) zone and removing all references to (RMH), the Mobile Home Overlay and Mobile Home Design Standards; adding or amending definitions for Emergency Shelter, Employee Housing, Junior Accessory Dwelling Unit, Low Barrier Navigation Center, Reasonable Accommodation, Single Room Occupancy, Supportive Housing, and Tiny Home; removal of 'second homes' and conditional use permit requirements for them; removal of requirement for a conditional use permit for 15-units and above in the Multiple Residential zone 3-units and above (R3) and in the Central Business District (CB); including Mixed Use in the CB zone to require 50% residential use; adding Multiple-Family Dwellings as a principal permitted use in the CB zone and removing the requirement for a conditional use permit; adding Single Room Occupancy, Transitional Supportive housing, Group Homes and Low Barrier Navigation Centers as principal permitted uses in the CB, General Commercial and Retail (C1), and the Administrative and Professional Offices (C3) zones; adding Single Room Occupancy Units as principal permitted uses to the Heavy Commercial (C4) zone; adding Residential Care Facility, Single Room Occupancy, Transitional Supportive Housing, Group Homes, and Low Barrier Navigation Centers as principal permitted uses and, removing Residential Care Facility from conditional uses in the R3 zone; and, adding Transitional and Supportive Housing and Group

Homes to the Rural Residential (RR), Rural Residential Starlite (RR0.5 Starlite), R1 and Multiple Residential, 2 units (R2) zones; and

WHEREAS, on December 7, 2022, the Inyo County Planning Commission approved the proposed amendments to the Inyo County Code and further recommended these changes be made by the Board, ensure consistency with the Inyo County Zoning Code and General Plan and compliance with State law.

NOW, THEREFORE, the Board of Supervisors, County of Inyo, ordains as follows:

SECTION I. Section 18.03.060 of the Inyo County Code is amended in its entirety to read as follows:
“18.03.060 Districts Enumerated

There are the following districts, designated by the symbol shown opposite each in the listing contained in this section:

- OS, open space;
- R1, one family residential;
- R2, multifamily residential;
- R3, multiple residential;
- RR, rural residential;
- RR-0.5 - Starlite zone;
- CB, central business;
- C1, general commercial-retail;
- C2, highway services and tourist commercial;
- C3, administrative—professional offices;
- C4, heavy commercial;
- C5, commercial recreation;
- M1, general industrial and extractive;
- M2, light industrial;
- PP, precise plan;
- PUD, planned unit development;
- D, architectural design review board;
- P, public;
- SAHO, snow avalanche hazard overlay.

SECTION II. Section 18.06.220 of the Inyo County Code is amended in its entirety to read as follows:
“18.06.220 – Emergency Shelter. “Emergency Shelter” means housing with minimal supportive services for homeless people that is limited to occupancy of six months or less by a homeless person.

SECTION III. Section 18.06.225 of the Inyo County Code is amended in its entirety to read as follows:

“18.06.225 – Employee Housing. “Employee housing” means premises used for residential purposes for temporary or seasonal persons employed to perform agricultural or industrial labor. The accommodations consist of any living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations maintained in one or more buildings, or one or more sites, and the premises upon which they are situated, or the area set aside and provided for parking of mobile homes or camping of five or more employees by the employer. Concurrent with the previous definition, employee housing may also involve permanent residency if the housing accommodation is a mobile home, manufactured home, travel trailer or recreational vehicle.

SECTION IV. Section 18.06.291 of the Inyo County Code is amended to add as follows:

“18.06.291 – Junior Accessory Dwelling Unit. “Junior Accessory Dwelling Unit” means a unit that is no more than 500-square-feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

SECTION V. Section 18.06.356 of the Inyo County Code is amended to add as follows:

“18.06.356 – Low Barrier Navigation Center. “Low Barrier Navigation Center” means a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

SECTION VI. Section 18.06.456 of the Inyo County Code is amended to add as follows:

“18.06.456 – Reasonable Accommodation. “Reasonable Accommodation” means a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.

SECTION VII. Section 18.06.466 of the Inyo County Code is amended to add as follows:

“18.06.466 – Residential Facility. “Residential Facility” means any family home, group care facility, or similar facility determined by the State Department of Social Services, for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

SECTION VIII. Section 18.06.746 of the Inyo County Code is amended to add as follows:

“18.06.746 – Single Room Occupancy. “Single Room Occupancy” means a residential facility where living accommodations are individual secure rooms, with or without separate kitchen or

bathroom facilities for each room, rented to one or two-person households on a weekly or monthly basis.

SECTION IX. Section 18.06.776 of the Inyo County Code is amended to add as follows:

“18.06.776 – Supportive Housing. “Supportive Housing” means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

SECTION X. Section 18.06.777 of the Inyo County Code is amended in its entirety to read as follows:

“18.06.777 – Tiny Home. “Tiny home” means a dwelling that is 400-sq-feet or less, excluding lofts, and meets the requirements of the California Building Code.

SECTION XI. Chapter 18.36 of the Inyo County Code is amended in its entirety to read as follows:

“RESERVED.

SECTION XII. Section 18.75.090 D of the Inyo County Code is amended in its entirety to read as follows:

“Only signs displaying a property address may be illuminated in any residential zone district (RR, RR-Starlite, R-1, R-2 and R-3).

SECTION XIII. Section 18.75.110 A of the Inyo County Code is amended in its entirety to read as follows:

“In the RR, RR-Starlite Estates, R-1, R-2 and R-3 zones, no sign shall exceed six feet in height.

SECTION XIV. Section 18.75.060 E of the Inyo County Code is amended in its entirety to read as follows:

“No off-premises sign need be removed or altered to conform to this chapter if said sign was lawfully erected in compliance with state laws and local ordinances and was in existence on January 7, 1999, or was lawfully erected after January 7, 1999, the county requires such removal, in which case the county shall pay just compensation to the owner of the sign and the owner of the parcel upon which the sign is located. However, nonconforming off-premises advertising signs and billboards located within residential zone districts (RR, RR-Starlite, R-1, R-2 and R-3) shall be removed or altered to conform to this chapter within the time period set forth in Sections 5412.1 and 5412.3 of the California Business and Professions Code.

SECTION XV. Section 18.75.100 B of the Inyo County Code is amended in its entirety to read as follows:

“The amount of signage an any residentially zoned lot (RR, RR-Starlite, R-1, R-2 and R-3) is permitted as follows:

1. In any residential zone, no nameplate shall have a sign area in excess of four inches by sixteen inches.

2. No real estate and/or rider sign shall have a sign area in excess of nine square feet. No more than two such signs shall be placed on any lot.

3. In the R-3 zone, no channel letter or internally illuminated wall sign shall have a sign area in excess of twenty-five square feet. No directory sign shall have a sign area in excess of twelve square feet.

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

“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:

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

“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.

SECTION XVIII. Section 18.78.150 E of the Inyo County Code is amended in its entirety to read as follows:

“On a corner lot which is not within a R1 district and abuts a key lot, no accessory building shall be nearer the street than a distance equal to one-half the depth of front yard required on the key lot;

SECTION XIX. Section 18.76.060 A of the Inyo County Code is amended in its entirety to read as follows:

“Located within, or within three hundred feet of, any residential zoning district, i.e., R-1, R-2, R-3, RR or RR-0.5: or.

SECTION XX. Section 18.73.030 of the Inyo County Code is amended in its entirety to read as follows:

“18.73.030 Short-term rentals—General requirements.

Short-term rentals may be permitted on properties zoned open space (OS); rural residential (RR); rural residential Starlite; one-family residential (R1); and, multiple residential two-units (R2) subject to the following requirements and limitations:.

SECTION XXI. Chapter 18.61 of the Inyo County Code is amended in its entirety to read as follows:

“RESERVED.

SECTION XXII. Section 18.06.495 of the Inyo County Code is amended in its entirety to read as follows:

“RESERVED.

SECTION XXIII. Section 18.78.350 of the Inyo County Code is amended in its entirety to read as follows:
“RESERVED.

SECTION XXIV. Section 18.21.020 of the Inyo County Code is amended in its entirety to read as follows:
“The following are the principal permitted uses of the RR (rural residential) zone:

- A. One single-family dwelling on a lot, including single-family mobile homes;
- B. Orchards, vegetable and field crops, nurseries and gardens;
- C. Transitional, Supportive and Group Homes.

SECTION XXV. Section 18.21.040 of the Inyo County Code is amended in its entirety to read as follows:
“The following are the conditional uses of the RR (rural residential) zone:

- A. Social halls, lodges, fraternal organizations and community clubs except those operated for profit;
- B. Private noncommercial recreational facilities including country clubs, swimming pools and golf courses;
- C. Public and quasi-public buildings and uses of recreational, educational, religious, cultural and public service nature, excluding corporation yards, exterior storage, repair yards and warehouses;
- D. Residential care facilities, rest homes and sanitariums;
- E. Nursery schools and day care centers;
- F. Kennels;
- G. Commercial cannabis cultivation on parcels greater than twelve acres; such cultivation shall be at least three hundred feet from all parcel lot lines.
- H. Commercial cannabis cultivation on parcels greater than 2.5 acres shall be allowed only in the areas commonly known as Stewart Valley and Charleston View and subject to any design guidelines and other conditions and regulations, including setbacks that may be promulgated or required by the county.

SECTION XXVI. Section 18.22.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following are the principal permitted uses of the RR (rural residential) 0.5 acre-Starlite Estates zone:

- A. One single-family dwelling on a lot, including single-family mobile homes;
- B. Orchards, vegetable and field crops, nurseries and gardens;
- C. Transitional, Supportive and Group Homes.

SECTION XXVII. Section 18.22.040 of the Inyo County Code is amended in its entirety to read as follows:

“The following are the conditional uses of the RR (rural residential) 0.5 acre-Starlite Estates zone:

- A. Social halls, lodges, fraternal organizations and community clubs except those operated for profit;
- B. Private noncommercial recreational facilities including country clubs, swimming pools and golf courses;
- C. Public and quasi-public buildings and uses of recreational, educational, religious, cultural and public service nature; excluding corporation yards, exterior storage, repair yards and warehouses;
- D. Nursery schools and day care centers;
- E. Kennels.

SECTION XXVIII. Section 18.30.030 of the Inyo County Code is amended in its entirety to read as follows:

“ The following principal uses are permitted in an R-1 district:

- A. One single-family dwelling on a lot, including single-family mobilehomes;
- B. Garden, orchard field crop, where no building is involved;
- C. Transitional, Supportive and Group Homes.

SECTION XXIX. Section 18.30.040 of the Inyo County Code is amended in its entirety to read as follows:

“ The following are conditional uses in an R-1 district, permitted only when authorized by the planning commission:

- A. Church;
- B. School, attendance at which satisfies the requirements of the state;

C. Utility, or public service facility, when operating requirements necessitate its location within the district, but not including a storage garage, machine shop or corporation yard;

D. Recreation facility owned and maintained by an agency of any city, the county, the state or federal agencies;

E. Community clubhouse and recreation area;

F. Parking lot, when established to fulfill the parking space requirements of a use occupying abutting property;

G. Child care facility, in compliance with Section 18.06.223, as determined by the planning commission.

SECTION XXX. Section 18.33.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following principal uses are permitted in an R-2 district:

A. One single-family dwelling on a lot; two separate single-family dwellings, including single-family mobile homes;

B. Duplex, including two-family mobile homes;

C. Garden, orchard, field crop, where no building is involved;

D. Transitional, Supportive and Group Homes.

SECTION XXXI. Section 18.34.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following are the principal permitted uses in the R-3 zone:

A. One single-family dwelling on a lot; two separate single-family dwellings, including single-family mobile homes;

B. Duplexes, including two-family mobile homes;

C. Multiple-family dwelling(s). Number of dwelling units to be determined by the general plan;

D. Garden, orchard, field crop, grazing;

E. Residential Care Facility;

F. Single Room Occupancy Units;

G. Transitional, Supportive and Group Homes;

H. Low Barrier Navigation Centers (in compliance with CA Government Code 65660-65668).

SECTION XXXII. Section 18.34.040 of the Inyo County Code is amended in its entirety to read as follows:

“The following are conditional uses in the R-3 zone:

A. Mobile home parks;

B. Public and quasi-public buildings and uses of a recreational, educational, religious, cultural or public service nature, excluding corporation yards, exterior storage repair yards and warehouses;

C. Churches;

D. Sanitariums;

E. Nursery schools and day care centers;

F. Parking lot;

G. Child care facility, in compliance with Section 18.06.223, as determined by the planning commission;

H. Informational kiosk in compliance with the provisions of Chapter 18.75 and subject to the provisions of Section 18.34.050.

SECTION XXXIII. Section 18.44.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following principle uses are permitted in the CB district, plus such other uses as the planning director may deem to be similar and not detrimental to other uses permitted in this zone, subject to Section 18.81.020:

A. Auto repair business;

B. Church/community assembly;

C. General hospital/medical services;

D. Libraries and museums;

E. Banks and financial services;

F. Business support services;

- G. Indoor entertainment;
- H. Eating/drinking establishments;
- I. Food and beverage sales, including liquor;
- J. Hotels and motels (including bed and breakfasts);
- K. Office—Business, professional, and medical;
- L. Personal services;
- M. Retail sales/rentals;
- N. Specialized education and training;
- O. Bus and transit shelters;
- P. Parking lots/park and ride lots;
- Q. Gas stations;
- R. Public and quasi-public buildings;
- S. Mixed use (requires 50% residential use);
- T. Multiple-family housing;
- U. Single Room Occupancy Units;
- V. Transitional, Supportive and Group Homes;
- W. Low Barrier Navigation Centers (in compliance with CA Government Code 65660-65668).

SECTION XXXIV. Section 18.44.030 of the Inyo County Code is amended in its entirety to read as follows:

“The following are conditional uses in the CB district, and shall be permitted only if approved by the planning commission:

- A. Public utility facility or substation, not including any service yard or repair shop;
- B. Mortuary;

C. Combination signs, electronic signs, informational kiosks and directory boards, off-site directional signs, off-site advertising signs not exceeding fifty square feet in sign area, tall wall signs, and three-dimensional signs in compliance with the provisions of Chapter 18.75 and subject to the requirements of Section 18.44.050;

D. A detached residential dwelling unit, if it is for occupancy by the owner or lessee of the business premises on the same parcel, or by a caretaker or watchman;

E. Child care;

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

G. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

H. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

I. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12 combining only some or all of those uses otherwise permitted by this section;

J. Mini-storage facilities.

SECTION XXXV. Section 18.45.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following principal uses are permitted in the C-1 district, when entirely conducted within an enclosed building:

A. Retail stores, including:

1. Bakery,
2. Book or stationery store,
3. Confectionery store,
4. Drugstore, pharmacy,
5. Dry goods or notions store,
6. Florist or gift shop,
7. Grocery, fruit or vegetable stores,
8. Hardware, plumbing or electrical appliance store,

9. Jewelry store,
 10. Meat market or delicatessen store,
 11. Apparel and department stores,
 12. Amusement enterprises,
 13. Antiques stores,
 14. Automobile and trailer sales, provided that repair work be conducted wholly within a building,
 15. Furniture stores,
 16. Secondhand stores if conducted wholly within completely enclosed building,
 17. Bar, cocktail lounge, and eating and drinking establishments,
 18. Liquor store,
 19. Sporting goods store;
- B. Office or ground space:
1. Automobile parking lot,
 2. Offices, business or professional, including financial and insurance;
- C. Services:
1. Bank,
 2. Barbershop and beauty parlor,
 3. Cafe or restaurant (including dancing or entertainment),
 4. Church,
 5. Clothes cleaning agency and/or pressing establishment,
 6. Club or lodge (nonprofit), fraternal or religious association,
 7. Community center,

8. Dressmaker or millinery shop,
9. Clinic,
10. Laundry agency,
11. Library,
12. Photographer,
13. Post office,
14. Shoe store and repair,
15. Tailor,
16. Motion picture theater,
17. Blueprinting or photostatting,
18. Cleaning and pressing establishment,
19. Carpenter shop, if conducted wholly within a completely enclosed building and no more than five persons are employed on the premises,
20. Conservatory of music,
21. Drive-in business,
22. Fortunetelling, clairvoyance or astrology,
23. Interior decorating store,
24. Locksmith shop,
25. Massage parlor,
26. Medical and dental laboratories,
27. Mortuary,
28. Newspaper plants,
29. Public garage, including automobile repairing, and incidental body work, painting or upholstering, if all operations are conducted wholly within a completely enclosed building; provided, however, that where a public garage is located on a lot which does not abut an alley

and is within sixty-five feet of a lot in any R district, the garage wall which parallels the nearest line of such district shall have no opening other than stationary windows,

30. Public services, including electric distributing substation, fire or police station, telephone exchange, and similar uses,

31. Theater,

32. Wedding chapel,

33. Automobile service station, including facilities for general repair or mechanical washing;

D. Housing:

1. Single Room Occupancy Units,

2. Transitional, Supportive and Group Homes,

3. Low Barrier Navigation Centers (in compliance with CA Government Code 65660-65668);

E. Other uses similar to above if approved by the planning commission.

SECTION XXXVI. Section 18.48.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following principal uses are permitted in a C-2 district, when conducted entirely within a completely enclosed building:

A. Store for the sale at retail of books, confectionery, dairy products, drugs, flowers, food, gifts, stationery, toys or variety household goods, excluding secondhand stores;

B. Barbershop, beauty parlor;

C. Tailor, dressmaking or shoe repair shop;

D. Office, bank, rental agency;

E. Laundry, or dry-cleaning pick-up agency, self-service automatic laundry;

F. Eating establishment, including liquor;

G. Commercial recreation facility;

H. Social, cultural, religious or philanthropic institution;

- I. Liquor stores;
- J. Motel, motor hotel;
- K. Automobile service station, including facilities for general repair or mechanical washing;
- L. Parking lot, as determined by the planning department;
- M. Sale at retail of new or used automotive vehicles, recreational vehicles or boats;
- N. Single Room Occupancy Units;
- O. Transitional, Supportive and Group Homes;
- P. Low Barrier Navigation Centers (in compliance with CA Government Code 65660-65668).

SECTION XXXVII. Section 18.49.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following are the principal permitted uses of the C-4 zone:

- A. Wholesale business, storage buildings, warehouses and vehicle storage areas;
- B. Bakery;
- C. Building material storage yard;
- D. Lumber yard;
- E. Contractor’s storage yard;
- F. Cabinet shop;
- G. Plumbing shop;
- H. Machine shop;
- I. Sheet metal shop;
- J. Welding shop;
- K. Truck repairing or overhauling, excluding a truck terminal;
- L. Animal hospitals, kennels and veterinaries;

- M. Assay business, excluding commercial processing of ores;
- N. Auto body repair and painting;
- O. Public and quasi-public buildings and uses of administrative, recreational, educational, religious, cultural, or public utility or service nature;
- P. Single Room Occupancy Units;
- Q. Any other use or service establishment determined by the planning commission to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties.

SECTION XXXVIII. Section 18.51.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following uses shall be permitted in the C-3 district, plus such other uses as the planning commission may deem to be similar and not detrimental to other uses permitted in this zone subject to Section 18.81.020 of this title:

- A. Office or office building for the conduct of business, professional or administrative services;
- B. Bank or loan agency;
- C. Church;
- D. Medical or dental offices;
- E. Medical, dental and optical clinics or laboratories (not including the manufacture of pharmaceuticals or other products);
- F. Public and quasi-public buildings and uses of an administrative, recreational, educational, religious nature, but not including corporation yards, storage or repair yards, and warehouses;
- G. Photographic studio (excluding retail sales of equipment or supplies);
- N. Single Room Occupancy Units;
- O. Transitional, Supportive and Group Homes;
- P. Low Barrier Navigation Centers (in compliance with CA Government Code 65660-65668).

SECTION XXXIX. Section 18.54.020 of the Inyo County Code is amended in its entirety to read as follows:

“The following are the principal permitted uses of the C-5 zone:

- A. Hotel, lodge or motel;
- B. Dude/fishing ranch;
- C. Spa;
- D. Restaurant and bar;
- E. Riding stable and pack station;
- F. General store;
- G. Service station;
- H. Agriculture and grazing;
- I. Single Room Occupancy Units;

J. Any other use or service establishment determined by the planning commission to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties.

SECTION XL. 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 XLI. The proposed amendments to the Inyo County Code are exempt from the requirements of the California Environmental Quality Act pursuant to General Rule 15061(b)(3), as amending the County Code to meet State regulatory requirements does not carry any potential for causing any effect on the environment.

SECTION XLII. 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 20th day of December, 2022 by the following vote of the Inyo County Board of Supervisors:

AYES: -4- Supervisors Griffiths, Kingsley, Pucci, Roeser

NOES: -0-

ABSTAIN: -0-

ABSENT: -1- Supervisor Totheroh



Vice Chair Jennifer Roeser

ATTEST: Nathan Greenberg
Clerk to the Board

By: 

Darcy Ellis, Assistant

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
COUNTY OF INYO

I am a citizen of the United States
and a resident of the County aforesaid.
I am over the age of eighteen years,
And not a party to or interested in the
above-entitled matter. I am the principal
clerk of the printer of the
The Inyo Register

County of Inyo

The Inyo Register has been adjudged a newspaper of general circulation by the Superior Court of the County of Inyo, State of California, under date of Oct. 5, 1953, Case Number 5414; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following date, to with:

December 10th,
In the year of **2022**

I certify (or declare) under penalty of perjury
that the foregoing is true and correct.

Dated at Bishop, California, on this
12th Day of December, 2022


Signature

This space is for County Clerk's Filing Stamp

RECEIVED

DEC 28 2022

Inyo County Administrator
Clerk of the Board

Proof of Publication of Public Notice

NOTICE OF PUBLIC HEARING AND ORDINANCE ADOPTION

NOTICE IS HEREBY GIVEN the Inyo County Board of Supervisors will hold a public hearing at 10:30 a.m., Tuesday, December 20, 2022 to consider Zone Text Amendment (ZTA) 2022-02/Inyo County - Zoning Code Updates.

The public hearing will be followed by the waiving of the reading and approval of an ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Inyo County Code Sections 18.03.060; 18.06.220; 18.06.225; 18.06.291; 18.06.356; 18.06.456; 18.06.466; 18.06.746; 18.06.776; 18.06.777; 18.73.030; 18.06.495; 18.78.350; 18.21.020; 18.21.040; 18.22.020; 18.22.040; 18.30.030; 18.30.040; 18.33.020; 18.34.020; 18.34.040; 18.44.020; 18.44.030; 18.45.020; 18.48.020; 18.49.020; 18.51.020; 18.54.020; 18.75.090 D; 18.75.110 A; 18.75.060 E; 18.75.100 B; 18.78.310 A; 18.78.310 B; 18.78.150 E; 18.76.060 A; and, Amending Chapters 18.36 and 18.61 of the Inyo County Code."

Summary of ordinance: The proposed ordinance updates Title 18 of the County Code to reflect: the General Plan Housing Element update; new state housing laws; and/or, where the California Department of Housing and Community Development required specific policies in the Housing Element update. This project is exempt from CEQA by the 'Common Sense Rule' found in 14 CCR Section 15061(b)(3).

This meeting will be accessible to the public both in person and via Zoom webinar. Individual Board members may participate remotely in accordance with applicable open meeting law requirements. The Zoom webinar is accessible to the public at <https://zoom.us/j/868254781>. The meeting may also be accessed by telephone at the following numbers: (669) 900-6833; (346) 248-7799; (253) 215-8782; (929) 205-6099; (301) 715-8592; (312) 626-6799. Webinar ID: 868 254 781.

Anyone unable to attend the Board meeting in person who wishes to make either a general public comment or a comment on a specific agenda item prior to the meeting, or as the item is being heard, may do so either in writing or by utilizing the Zoom "hand-raising" feature when appropriate during the meeting (the Chair will call on those who wish to speak). Generally, speakers are limited to three minutes. Written public comment, limited to **250 words or less**, may be emailed to the Assistant Clerk of the Board at boardclerk@inyocounty.us. Your comments may or may not be read aloud, but all comments will be made a part of the record. Please make sure to submit a separate email for each item that you wish to comment upon.

If you challenge any finding, determination, or decision made regarding this project in court, you may be limited to raising only the issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered prior to the hearing.

Project materials are posted on the Planning Department website at: www.inyoplanning.org under "Current Projects." (IR 12.10, 2022 #21335)