

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 (Chair)
Third District
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
David Fraser
Christian Milovich

Planning Director
Senior Planner
Associate Planner
Associate Planner
Project Coordinator
Public Works Director
Interim 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).

July 22, 2026

10:00 A.M.

1. PLEDGE OF ALLEGIANCE.

2. **ROLL CALL** – Roll Call to be taken by staff.
3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the agenda.
4. **APPROVAL OF MINUTES** – Approval of minutes from the January 28, 2026, Planning Commission Meeting.
5. **APPROVAL OF MINUTES** – Approval of minutes from the April 22, 2026, Planning Commission Meeting.

Action Item / Public Hearing 6. **VARIANCE 2025-04/GREENLEAF-** The applicant is requesting approval of a Variance to allow her existing non-conforming front yard fence and front yard hedges, located at 2716 Carol Lane in Bishop, to exceed the maximum permitted height of 3.5 feet (42 inches), pursuant to Inyo County Code Section 18.78.180. Both the fence and hedges, which are currently in place, stand approximately 6 feet tall. The project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Class 1. In addition, denial of the variance is exempt pursuant to CEQA Guidelines Section 15270.

Action Item / Public Hearing 7. **TENTATIVE PARCEL MAP 434 and ZONE RECLASSIFICATION 2025-05/FORTNEY BIGGS** – The applicant is proposing the subdivision of an approximate 3-acre parcel (APN 022-080-03), to 3 1-acre parcels, located at 840 Oak Creek Rd. Independence, about 2/3-miles west of Highway 395. The parcel currently has 3 single family homes built on it. The project will also include a zone reclassification, from Multiple-Residential 3+ units to One-Family Residential R1, 1 unit per acre. This project is exempt from CEQA pursuant to 15061(b)(3) Commonsense Exemption.

Action Item / Public Hearing 8. **ZONE TEXT AMENDMENT 2026-01/INYO COUNTY – RESIDENTIAL INFILL**
Staff has prepared a proposed ordinance amending multiple sections of Title 18 (Zoning) of the Inyo County Code to address housing constraints identified through the County's REAP 2.0-funded infill housing work program and related 6th Cycle Housing Element implementation efforts. The amendments focus on aligning zoning provisions with applicable General Plan density ranges, reducing certain residential setback constraints, clarifying and expanding the treatment of accessory dwelling units (ADUs), revising accessory building standards, and providing limited parking flexibility where site-specific conditions support reduced demand. The project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) Commonsense Exemption.

9. **COMMISSIONERS' REPORTS/COMMENTS**
10. **PLANNING DIRECTOR'S REPORT**
11. **ADJORN**

COUNTY OF INYO PLANNING COMMISSION

MINUTES OF JANUARY 28, 2026 MEETING

COMMISSIONERS:

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

FIRST DISTRICT
SECOND DISTRICT (CHAIR)
THIRD DISTRICT
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
DENELLE CARRINGTON
MIKE ERRANTE

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

The Inyo County Planning Commission met in regular session on Wednesday, January 28, 2026. Commissioner Vogel opened the meeting at 10:04 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 10:04 a.m.

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

Staff present: Cathreen Richards, Planning Director, Ryan Standridge, Associate Planner, and Sally Faircloth, Project Coordinator.
Christian Milovich, Assistant County Counsel present via teleconference.

Staff absent: Denelle Carrington, Acting County Administrator; Michael Errante, Public Works Director.

ITEM 3: **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the agenda.

Chair Vogel opened Public Comment Period at 10:04 a.m.

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

No comments were made.

Chair Vogel closed Public Comment Period at 10:04 a.m.

ITEM 4: NOMINATION & ELECTION OF CHAIRPERSON (Action Item) – The Commission will accept nominations for Chairperson for 2026 and hold an election.

Commissioner Vogel nominated Commissioner Kate Morley.

Commissioner Callie Peek made a second to Commissioner Vogel’s nomination.

All commissioners approved by general consent.

Commissioner Morley accepted the Chair nomination.

ITEM 5: NOMINATION & ELECTION OF VICE CHAIRPERSON (Action Item) – The Commission will accept nominations for Vice-Chairperson for 2026 and hold election.

Chair Kate Morley nominated Commissioner Callie Peek.

Commissioner Vogel made a second to Chair Morley’s nomination.

Commissioner Peek accepted the Vice-Chair nomination

All commissioners approved by general consent.

ITEM 6: APPROVAL OF MINUTES – Approval of minutes from the December 03, 2025, Planning Commission Meeting.

During consideration of the minutes, Commissioner Lehwald noted that the 5th District Commissioner Aaron Cassell was not listed on the agenda.

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

Hearing no objections, the minutes of the December 03, 2025, meeting were approved at 10:08 a.m.

ITEM 7: GENERAL PLAN AMENDMENT NO. 2025-06/ ENVIRONMENTAL JUSTICE ELEMENT – Staff has prepared an Environmental Justice Element for proposed adoption into the county General Plan. Although not mandatory for Inyo County, the State’s Department of Housing and Community Development has required Inyo County to adopt an Environmental Justice Element in order to certify the 6th Cycle Housing Element previously adopted by the Board of Supervisors in 2023. The Environmental Justice Element addresses the eight required topics which are: Air Quality, Food Access, Public Health, Safe & Sanitary Housing, Public Facilities, Recreation, Civic Engagement and Prioritizing Improvements & Programs. For the most part, these topics are independently addressed in the various required General Plan elements but are incorporated by reference in this standalone Environmental Justice Element for better reference. This project is exempt from CEQA under General Rule 15061(b)(3).

At 10:10 a.m., Cathreen Richards, Planning Director, presented the staff report and accompanying slideshow for the project. During the presentation, she provided an overview of the Environmental Justice Element and outlined the structure of the plan.

Upon completion of the presentation, Ms. Richards recommended that the Commission approve the project.

Commissioner Cassell inquired whether the items discussed were already incorporated into the General Plan, to which Ms. Richards confirmed they were.

Commissioner Cassell asked whether most of the items discussed were already included in the General Plan and whether only a few new items, including food-related items, were being added. Ms. Richards confirmed that the majority were existing policies, clarified that the update was not limited to food-related items, noted that approximately nine to ten new goals and policies were introduced, and explained that the update primarily reorganizes existing content into a new element.

Commissioner Cassell expressed satisfaction with Ms. Richards' explanation.

Commissioner Cassell asked whether the update was required by the State.

Ms. Richards confirmed that it was necessary to secure approval of the Housing Element by the Department of Housing and Community Development, noting that the State requires jurisdiction to meet specific checklist requirements.

Commissioner Cassell inquired whether the update would result in new costs or fees for communities, particularly related to building materials and housing requirements.

Ms. Richards responded that it would not, explaining that such requirements are governed by the building code and that the General Plan does not supersede or alter those regulations.

Chair Morley asked whether any components of the element would be particularly challenging to implement or if the County is generally well positioned under its existing framework.

Ms. Richards responded that the element primarily consists of goals, policies, and potential implementation measures, and noted that most of the actions are already being carried out by the County.

Commissioner Cassell asked Ms. Richards to confirm her statement that no disadvantaged communities had been identified in the County and inquired whether that determination included the reservations.

Ms. Richards indicated that she did not believe reservations were included but clarified that she was not certain.

Commissioner Cassell expressed satisfaction with Ms. Richards' response.

Commissioner Lehwald noted that tribal consideration is one of the identified focus areas and referenced the County's ongoing outreach to tribal communities.

Ms. Richards confirmed that staff conducted multiple meetings with the Bishop Paiute Tribe at their request, incorporated their input particularly regarding food resources and considered their comments in the element.

The Commission posed various questions, all of which were answered satisfactorily by Ms. Richards.

Chair Morley asked if there were any additional questions from the Commission and thanked Ms. Richards for the presentation.

Chair Morley opened and closed the Public Comment Period at 10:23 a.m.

No comments were made.

Chair Morley opened discussion with the Commissioners at 10:23 a.m.

Following the closure of public comment, the Commission discussed the item. One Commissioner noted the item appeared redundant; however, the Commission proceeded with discussion prior to taking action.

Commissioner Cassell inquired about the consequences of noncompliance.

Ms. Richards explained that noncompliance with the Housing Element could result in the loss of access to State grant funding, which may have significant impacts on the County.

MOTION: Commissioner Vogel made a motion to adopt Resolution No. 2026-01 recommending the Board of Supervisors certify the Environmental Justice Element is exempt from CEQA and make findings one through four with respect to and approve General Plan Amendment No. 2025-06/Environmental Justice Element.

Commissioner Peek seconded the motion.

Chair Morley asked for a roll call.

Project Coordinator, Sally Faircloth, proceeded with roll call for the vote.

Commissioner Lehwald – No

Chair Morley – Yes

Commissioner Peek – Yes

Commissioner Vogel – Yes

Commissioner Cassell – Yes

The motion passed, 4-1, at 10:27 a.m.

ITEM 8: VARIANCE # 2025-05/BRADFORD - The applicant requests approval of a Variance to allow the construction of a 6-foot-high hog-wire fence within the front yard and street-side yard of a corner lot located at 2581 N. Round Valley Road. The request is intended to address Mule Deer intrusion associated with the property's location adjacent to large open DWP land and seasonal deer migration areas. The project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, Class 3.

Chair Morley introduced Agenda Item No. 8, Variance No. 2025-5/Bradford, noting it as an action item with a public hearing. She outlined the process, indicating the item would begin with a staff report, followed by Commission questions and public comment, noted that she had received one speaker card for public comment, and advised that additional speaker cards were available for those wishing to address the Commission.

Prior Ms. Draper presenting the staff report, County Counsel Christian Milovich requested that Associate Planner Cynthia Draper provide electronic copies of materials not previously received. Ms. Draper confirmed she would email the documents and offered hard copies of public comments and presentation materials to the Commission for ease of reference.

Associate Planner Cynthia Draper advised the Commission that, although the materials were included in their packets, she had additional copies of the public comments and her PowerPoint presentation and could distribute them to the Commission to assist with review.

Chair Morley clarified that two public comments had been received via email and confirmed that the copies being distributed were the same as those previously provided to the Commission.

Cynthia Draper, Associate Planner, presented the staff report accompanied by a slideshow.

Chair Morley asked Ms. Draper to clarify whether a fence post was already present in the referenced photograph.

Ms. Draper clarified that the fence post holes had already been dug and then work was stopped once they realized that the fence could not be built.

Chair Morley was satisfied with the response given by Ms. Draper.

Ms. Draper continued her presentation by showing pictures of the area in question.

While reviewing the slide presentation, Commissioner Vogel asked Ms. Draper whether the fence shown in the background of the photograph had an approved variance.

Ms. Draper responded that the fence does not have a variance.

Commissioner Lehwald requested clarification on the response, asking whether the answer was yes or no.

Ms. Draper clarified that the neighboring fence, which exceeds the allowable height limit, does not have a variance.

County Counsel, Christian Milovich, asked Ms. Draper to identify the mature trees referenced as obstructing the area.

Ms. Draper responded that additional photographs would be presented to further illustrate and address that point.

Commissioner Vogel stated he was unclear on the issue and asked whether the concern was related to the location of the property line.

Ms. Draper explained that, based on information provided by the applicant, the property line extends to the street; however, a public comment disputed that claim. She noted that the exact property line could not be verified but confirmed that the measured distance from the fence line to the edge of the dirt area is 18 feet.

County Counsel, Ms. Milovich, asked whether the setback is measured from the fence line or the property line.

Ms. Draper responded that, for purposes of the variance, she evaluated the setback from the fence line to the edge of the pavement along Valley Road.

Planning Director, Ms. Richards, clarified that setbacks are generally measured from the structure or fence to the property line, depending on what is being evaluated.

County Counsel Christy confirmed that, in this case, the setback is measured from the fence to the property line.

Commissioner Peek asked whether side setbacks are determined by lot size or zoning.

Ms. Draper explained that setbacks are established by zoning requirements, noting that for Rural Residential zoning the standards are 50 feet front, 30 feet rear, and 20 feet side. She added that the applicant is requesting a variance to allow a six-foot fence due to hardship related to existing fruit trees and vegetation.

Commissioner Lehwald asked whether there were any issues with the rear setback.

Ms. Draper explained that a six-foot fence is generally allowed; however, because the property is a corner lot, it is subject to more restrictive standards. She noted that, under code, the allowable height in the front and street-side yard areas is limited to three and a half feet, and the applicant is requesting a variance to allow a six-foot fence along those sides.

Multiple Commissioners asked questions regarding setbacks, property lines, fence heights, and potential neighboring concerns.

All of which were addressed by Ms. Draper during her presentation.

County Counsel, Ms. Milovich, advised that if the Commission is inclined to approve the variance based in part on the see-through nature of the fence, that consideration should be clearly stated in the motion and reflected in the findings. She noted that if the material is not a factor in the decision, it need not be included. She further advised that if the fence material is part of the Commission's reasoning for approving the variance, it should be clearly identified in the findings supporting the decision.

Commissioner Vogel asked how to reconcile the opposing public comment made by Mr. Falzon, which stated that the required findings could not be made, with staff's position that the findings could be supported.

Ms. Draper stated that she disagreed with Mr. Falzon's comment, noting that his characterization that all landscaping is new and was installed prior to seeking the variance does not align with her understanding of the site conditions. She explained that she has personally observed existing mature trees on the property, acknowledged that some new landscaping has been added, and noted that the applicant appeared to be unaware that a variance was required.

Ms. Draper stated that, in her view, Mr. Bradford did not intentionally create the situation to justify a variance, noting that it was not a preplanned effort to install landscaping and then seek protection, but rather a misunderstanding of the requirements.

Chair Morley opened Public Comment Period at 11:09 a.m.

Chair Morley noted that a public comment card had been received prior to the meeting from Mr. Ed Falzon and recognized him to come forward to provide public comment.

Commissioner Vogel inquired as to the correct pronunciation of Mr. Falzon's last name for the record.

Mr. Falzon identified himself as the adjacent property owner to the south and stated that he owns the dirt roadway near the applicant's corner lot. He reported observing fence post holes near the front of the property and contended that the property line is approximately 16 feet from the roadway, not 18 feet as indicated.

Mr. Falzon stated that if the fence is constructed along the property line, the setback would be approximately 16 feet. He expressed concern that the proposed six-foot perimeter fence would be excessive for a corner lot at a high-speed residential intersection and could create safety hazards by obstructing sight visibility. He further noted that six-foot hedges are not restricted under the proposal and could compound visibility concerns within the residential neighborhood.

Mr. Falzon described the area as an active residential neighborhood with pedestrians, cyclists, and other routine activity, noting that the applicant's property is located at a busy intersection with frequent vehicle traffic, some exceeding the posted 40 mph speed limit. He expressed concern that a six-foot fence could create unsafe sight-line conditions and set a precedent for similar requests. Mr. Falzon stated that he did not believe the required findings for the variance could be made and requested that the Commission deny or continue the item to address potential safety concerns.

Mr. Falzon concluded his comments and invited any questions from the Commission.

Commissioner Vogel asked Mr. Falzon to confirm the speed limit approaching 40 acres from the South out North down the road.

Mr. Falzon responded that it is 40 miles per hour.

Commissioner Lehwald asked Mr. Falzon whether he had discussed with the neighboring property owner who also has a six-foot fence on a corner lot the potential visibility concerns associated with that fence.

Mr. Falzon stated that while he is friends with the neighboring property owner, Frank Stewart, his primary concern is sight distance and vehicle stopping distance for traffic traveling southbound. He noted that the existing fence may obstruct visibility for drivers exiting Ocean View but indicated that concern would be for those residents to address. He added that he does not believe six-foot fences in front yard areas are appropriate for the community, particularly on corner lots, except in limited circumstances.

Commissioner Cassell asked Mr. Falzon whether his primary concern was the fence itself or the potential for hedges and shrubbery to grow within the line of sight and further obstruct visibility.

Mr. Falzon responded that his concerns include both the fence and potential vegetation, emphasizing that reduced sight distance for southbound vehicles, particularly those exceeding the speed limit, could create safety risks for family, residents, tenants, wildlife, and others entering Round Valley Road, noting that obstruction within the 50-foot visibility area would eliminate an important margin of safety.

Commissioner Cassell acknowledged Mr. Falzon's concern, noting that if brushes and bushes grew over the allowable height it could impede visibility. However, that particular corner currently appears relatively visible, particularly if a hog wire fence is installed.

Mr. Falzon stated that he also had discussions with David, Mr. Bradford, over several afternoons regarding methods to keep the deer out. He also stated that David mentioned the use of railroad ties for fence posts.

Commissioner Cassell asked Mr. Falzon if there was a stop sign at the intersection.

Mr. Falzon confirmed that there is a stop sign at Ocean View.

Commissioner Peek asked Mr. Falzon to confirm that the photograph presented by staff showed his driveway and a front white fence and inquired whether that fence complies with the three-and-a-half-foot height requirement.

Mr. Falzon responded to Commissioner Peek that his fence height is four feet.

Chair Morley noted that the public hearing remained open and asked if there were any additional speakers. Seeing none, she closed the public comment period and indicated that staff had an additional comment.

At this time, Chair Morley called upon staff, Ms. Draper, to speak. Ms. Draper clarified that, although the use of railroad ties had been discussed previously, she confirmed with both the fence contractor and the applicant, David, that both railroad ties and pressure-treated six-by-six posts are no longer being considered. She further explained that height restrictions under the zoning code apply to both fencing and shrubbery, and that if vegetation were to exceed allowable limits, a variance would be required. Ms. Draper noted that the applicant has been advised of these requirements.

Chair Morley asked for clarification on the location of the stop sign on Ocean View.

Mr. Falzon confirmed that the stop sign is located on Ocean View on the right-hand side.

Chair Morley clarified that the stop sign is on the right-hand side when traveling on Ocean View toward Round Valley Road.

Multiple Commissioners asked questions regarding traffic conditions, including whether a stop sign exists at the intersection of Ocean View and Round Valley Road, and driver behavior in the area.

Ms. Draper clarified that she was not aware of any stop signs at that location and, based on her site review, determined that the proposed fence is set back sufficiently from the intersection such that it would not impact visibility or sight distance.

Chair Morley closed the public hearing and opened discussion with the Commissioners at 11:17 a.m.

Most Commissioners generally expressed support for the project, noting that the proposed fence, particularly with its setback from the roadway, would not create a visibility or safety concern. Some Commissioners indicated that even a solid fence would not significantly impact sight distance, while others emphasized that the applicant appeared to be taking a reasonable and respectful approach with a see-through design.

Commissioner Lehwald stated that the existing County code is sufficient, noting that a graduated fence consistent with current height standards would adequately address both visibility and wildlife concerns. He reiterated that deer movement would not be significantly affected by fence height and expressed concern that approving a taller, partially see-through fence could lead to similar variance requests in the future, emphasizing the need for consistent application of the code.

County Counsel, Christian Milovich, advised that the Commission's responsibility is to evaluate each variance request by applying the required findings to the specific facts of the project. She clarified that each application must be considered on its own merits and, therefore, approval would not establish a precedent.

MOTION: Chair Vogel moved to approve the Variance 2025-05/Bradford with the findings 1 thru 7 and conditions 1 and 2 as provided in the staff report plus a condition that it must be made of materials so as to be see through other than the supporting posts so much of it as depicted in the staff report and certify that it is exempt under California Environmental Quality Act (CEQA).

The motion was seconded by Commissioner Cassell.

Chair Morley asked for a roll call.

Project Coordinator, Sally Faircloth, proceeded with roll call for the vote.

Chair Morley – Yes

Commissioner Peek – Yes

Commissioner Vogel – Yes

Commissioner Cassell – Yes

Commissioner Lehwald – No

The motion passed, 4-1, at 11:24 a.m.

Prior to the presentation of Item 9, Chair Morley called for a brief recess. Immediately before the recess, Commissioner Vogel requested recusal from consideration of the item due to a conflict under the Brown Act.

A brief recess was called at 11:25 a.m.

The meeting was reconvened at 11:42 a.m.

ITEM 9: REVOCATION OF HOSTED SHORT-TERM RENTAL (HSTR) PERMIT 2024-03/FOROUDI - On June 13, 2024, the applicants, David and Pasha Foroudi and Natalie Jauregui, were approved for a HSTR to operate a short-term rental located at 2660 Highland Drive in the community of West Bishop. All HSTR permits are subject to the Short-term Rental General Requirements Section 18.73.030 of the Inyo County Code. David and Pasha Foroudi and Natalie Jauregui have failed to meet these requirements by failing to have a host on site during rentals, advertising as a whole-house rental, and not updating owner or host contact information, and therefore, staff is recommending the revocation of HSTR permit 2024-03/Foroudi. This action is Exempt from the California Environmental Quality Act under 15321- Enforcement Actions by Regulatory Agencies.

At 11:42 a.m., Chair Morley opened the public hearing for revocation of Hosted Short-Term Rental Permit No. 2024-03/Foroudi and outlined the purpose of the hearing, noting it was being conducted pursuant to Inyo County Code.

She stated that, subsequent to the prior hearing, it was determined that Chair Todd Vogel owned property within 500 feet of the subject property and was unaware of the potential conflict at the time. Following this determination, the Commission vacated its findings and orders from the August 27, 2025, hearing, and this matter was scheduled for a new hearing. Chair Vogel has recused himself and was not present in the chambers.

Chair Morley reviewed the hearing procedures, including the order of presentation, the burden of proof resting with the Planning Director, and that the Commission's decision would be based on the evidence presented and applicable law. She noted that formal rules of evidence do not apply, though irrelevant or duplicated evidence may be excluded.

Chair Morley instructed that all written materials be submitted through the Clerk for distribution and inclusion in the record, reiterating that all evidence must be properly submitted for consideration as part of the new hearing proceedings. She further outlined that the Commission would receive evidence and testimony from all parties to ensure each has the opportunity to be heard and present their case. She also noted that all witnesses would be sworn in prior to providing testimony.

A member of the audience asked for clarification as to whether this requirement applies to all exhibits, including hard copies and mailed materials.

Chair Morley confirmed that it does.

County Counsel Stacey Simon clarified that any materials not included in the agenda packet must be provided to the Clerk to ensure proper distribution and also recommended that introductions be conducted.

County Counsel, Stacey Simon, introduced herself as legal counsel to the Commission, explaining that the Commissioners are community members serving in a volunteer capacity.

Introductions continued with Clerk to the Commission Sally Faircloth; Cathreen Richards, Planning Director; Tehauna Forbes, Code Enforcement; and Cynthia Draper, Associate Planner. The applicant and property owner, David Foroudi, introduced himself. His son, Arash Foroudi, then introduced himself, stating that he serves as a technical advisor and provides administrative support for the short-term rental, and may speak on his father's behalf during the hearing due to a recent medical condition.

At 11:51 a.m., Chair Morley and County Counsel Stacey Simon discussed exhibit handling and the need for hard copies and directed the Clerk to make copies for the Commission, requiring her to briefly step out.

At 11:58 a.m., upon the clerk's return, Chair Morley inquired about quorum requirements and potential scheduling conflicts.

County Counsel, Stacey Simon, confirmed that three of the five commissioners constitute a quorum, allowing the Commission to continue conducting business.

Ms. Simon also clarified that the current proceeding is a new hearing and that any materials from the prior hearing must be resubmitted to be considered. She noted that the applicant may request to submit audio from the prior hearing into evidence, subject to relevance.

Mr. David Foroudi requested use of the original audio recording from the prior hearing, citing clarity concerns and potential discrepancies between the audio, written minutes and staff report.

County Counsel Stacey Simon advised that the applicant may summarize the audio for the record and request playback if necessary.

Chair Morley then directed that all parties be sworn in and clarified that the focus of the hearing is to determine whether the short-term rental has been or is being operated in violation of its permit conditions, emphasizing that all testimony and evidence must be relevant to that issue.

Clerk, Sally Faircloth, administered the oath to Cathreen Richards (Planning Director) Tehauna Forbes (Code Enforcement Inspector) David Foroudi (Applicant), and Arash Foroudi (Applicant's Son).

Chair Morley noted that all witnesses had been sworn in and directed the hearing to proceed with the Department's presentation of witnesses and evidence.

Planning Director, Cathreen Richards presented the staff report, including background on the permit approval, applicable code requirements, and alleged violations.

Ms. Richards recommended revocation of the permit based on the identified violations.

Chair Morley asked Ms. Richards if there were any additional witnesses or evidence to be presented at that time.

Ms. Richards stated that she had no additional witnesses or evidence to present.

Chair Morley advised that the permit holder, Mr. David Foroudi, may review the evidence presented and question any witnesses on behalf of the Department, noting that the Planning Director would be available for questioning at that time.

Ms. Stacey Simon clarified that the materials submitted in the agenda packet by Ms. Richards constitute evidence the department is offering for the record. Chair Morley stated that these materials were identified as Exhibits 1 through 5 and confirmed that all parties had received copies.

Mr. David Foroudi questioned statements in the staff report, including issues related to mailing address, change of address and communication with County departments.

Chair Morley interjected to clarify that the applicant may either review the evidence presented by the department or question the current witness.

Mr. David Foroudi proceeded with questioning and again raised the addressing issue, directing attention to an envelope included in the materials as part of his inquiry.

Chair Morley stated that the referenced item was not part of the evidence submitted by the Planning Director and directed the applicant to limit questions to the evidence presented or to questioning the current witness.

Mr. David Foroudi requested that the envelope be reviewed as part of the discussion.

Chair Morley clarified that the envelope was not submitted by staff and was not included in Exhibits 1 through 5.

Upon further discussion, Ms. Simon noted that the applicant appeared to be moving into his own case presentation.

Chair Morley confirmed that the applicant could proceed to the next phase if he chose but clarified that this was his opportunity to question the Planning Director or review the evidence submitted.

Ms. Stacey Simon asked whether the applicant wished to proceed with presenting his case or continue questioning the witness.

At this time, Mr. Arash Foroudi added that the basis of the hearing stemmed from a prior conversation involving the Planning Director and others and inquired when that discussion could be addressed as part of the proceedings.

Chair Morley emphasized adherence to the hearing procedures, stating that the applicant's review should be limited to the evidence submitted by the Planning Director, identified as Exhibits 1 through 5, or to questioning the current witness.

Mr. David Foroudi then referenced statements made by the Planning Director and indicated he wished to ask questions.

Chair Morley directed that any questions of the witness be made at that time, or the Commission would proceed to the next phase of the hearing.

Ms. Stacey Simon indicated that Mr. David Foroudi appeared to be presenting his case at that point.

Mr. David Foroudi stated he wanted to proceed with questioning, disputing statements in the staff report regarding a change of address and asserting that he had not submitted a formal change.

Planning Director, Cathreen Richards, responded that no formal address update had been provided to the Planning Department as required under County Code.

Discussion followed regarding Mr. David Foroudi's understanding that updates made through other County departments would be shared across departments.

Further discussion occurred between Planning Director Cathreen Richards and Mr. David Foroudi regarding the address issue.

Mr. Arash Foroudi, on behalf of Mr. David Foroudi, asked Ms. Richards whether she was aware that the property owners resided in the state of Oregon.

Ms. Richards responded that she was not aware.

Ms. Stacey Simon advised that the Commission's role is to consider the evidence and make a determination based on the facts and law, and that back-and-forth exchanges between parties should be minimized, with questioning focused on the witness.

Ms. Stacey Simon clarified that the question presented was whether Ms. Richards was aware that Mr. Foroudi resided in Oregon, to which Ms. Richards responded that she was not.

Mr. David Foroudi continued questioning, again referencing the address issue.

Chair Morley inquired whether the applicant had additional questions for the Planning Director.

Ms. Simon provided procedural guidance regarding the timing of questions, noting they may be asked during questioning or reserved, but must relate to the evidence submitted by the department.

Mr. Arash Foroudi indicated agreement to proceed with presentation of their case.

Chair Morley transitioned the hearing to the applicant's presentation.

At 12:53 p.m., David Foroudi presented documentation, including correspondence, tax records, and mailed materials, asserting that no formal change of address had occurred, the County had prior knowledge of his mailing address, and any discrepancy related to address records was administrative in nature.

The following exhibits were entered into the record:

- Exhibit A – copy of an addressed envelope to North Bend address
- Exhibit B – email copy noting change of address
- Exhibit C – Short Term 2025 statement
- Exhibit D – Annual County Secure Tax document
- Exhibit E – Hosted Short Term Application Packet

Discussion continued between the applicants, staff, and Commissioners regarding address requirements.

Chair Morley sought clarification on whether the applicant understood that the Assessor's Office and Planning Department are separate County departments.

Mr. Arash Foroudi stated that the application did not provide a clear distinction between property and mailing address, noting that this may create confusion for out-of-town property owners. He asserted that his parents' residence in Oregon was known at the time of application and maintained that the address issue stemmed from this lack of clarity rather than a failure to update information.

Ms. Simon confirmed that the applicant's submission was identified as Exhibit E, the application packet for the Hosted Short-Term Rental permit.

Commissioner Lehwald clarified that a hosted short-term rental requires the host to be physically present during rental activity and emphasized that this requirement is central to permit compliance.

Discussion continued once again between the applicant, staff, and Commissioners regarding address requirements.

Discussion acknowledged that this requirement is distinct from administrative matters such as address records.

Chair Morley intervened to refocus the discussion, stating that the matter before the Commission is the alleged violation of the hosted short-term rental permit. She directed the applicant to address the allegation and present evidence or testimony supporting their position that the permit terms had not been violated.

Mr. David Foroudi stated that he intended to address each alleged violation individually and sought to clarify the address issue, asserting that no change of address had occurred since 2018 and disputing the allegation of failure to notify.

At this time, Mr. David Foroudi addressed Commissioner Cassell as to what documents would be needed to demonstrate that no change of address had occurred since 2018.

Commissioner Cassell responded that the Planning Department relies on the address provided on the original application for official correspondence, noting that the Bishop address was listed rather than the applicant's mailing address. He stated that information outside of the application is secondary, and that any confusion stemmed from how the application was completed.

Arash Foroudi further addressed perceived inconsistencies in application requirements and County communication.

Commissioners asked clarifying questions regarding departmental roles, application details, and compliance expectations.

Commissioner Cassell acknowledged the discussion regarding the address discrepancy and shifted focus to whether the hosted short-term rental was being operated in compliance with permit requirements.

Mr. David Foroudi agreed to move on from the address issue and stated that, during a prior meeting with Ms. Richards in 2024, he indicated a preference for a non-hosted permit, as the property is not his primary residence and is used intermittently for family and vacation purposes.

Mr. David Foroudi stated that the property was purchased as a vacation home and not as an income-producing rental. He described prior discussions with Ms. Richards regarding a moratorium on both hosted and non-hosted short-term rentals, noting he was advised to monitor the County website for updates. He further stated that the moratorium on hosted rentals was lifted prior to submitting his application and referenced a subsequent meeting with County staff regarding the matter.

He further stated that he was advised to monitor the County website for updates regarding the moratorium on short-term rentals and noted that the hosted rental moratorium was lifted prior to submitting his application. He referenced a subsequent meeting with County staff and others regarding the matter. He further stated that he would not be present at the property and that maintaining a full-time host would not be financially feasible.

In addition, he stated that based on prior discussions with the Planning Director, Supervisor Scott Marcellin, and David Stottlemire, he understood that inspections would occur only in response to valid complaints, such as parking or noise issues. He indicated that this understanding was based on prior verbal discussions, which he asserted could be verified by the audio record. He further stated that, based on this understanding, he believed compliance could be maintained through on-site measures, including monitoring parking to ensure guests did not park on the street.

Commissioner Cassell responded to Mr. David Foroudi that the Code requires a hosted short-term rental to have the owner or a designated host present at the property, and sought confirmation that a host must be available if the owner is not present.

Mr. Arash Foroudi stated that the situation represented an impasse, noting that the permit had been granted and that they had operated in good faith based on prior discussions with Ms. Richards.

Mr. Arash Foroudi stated that, from the applicant's perspective, the permit was granted based on prior discussions with Planning staff and that they operated in good faith, accordingly, characterizing the situation as a miscommunication and noting concerns regarding allegations of noncompliance. He further stated that, following communication with Code Enforcement Officer Tehauna Tiffany (Forbes) and clarification of the requirements, short-term rental operations were discontinued in good faith, including cancellation of existing bookings.

Mr. Arash Foroudi asked whether the Commission would consider modifying the permit to allow unhosted or longer-term use, while retaining the ability to operate as a hosted rental if applicable, noting his understanding that rentals exceeding 31 days are permitted without a host.

Chair Morley responded to Mr. Arash Foroudi by stating that renting in excess of 31 days is not considered a short-term rental.

Mr. Arash Foroudi went on to state that rentals exceeding 31 days are permitted without a host and noted that the property had previously been used for longer-term stays. He explained that the hosted permit provided flexibility to accommodate shorter stays and expressed concern that revocation would remove that flexibility, particularly given the applicant's reliance on prior discussions with Planning staff.

Commissioner Cassell asked whether the applicant intended to implement a host as required under the permit.

Mr. David Foroudi stated that they would not provide a host in instances where guests preferred privacy.

Commissioner Cassell acknowledged the applicant's position but stated that the Commission must determine whether the permit terms have been violated and emphasized that compliance with the hosted requirement is necessary to continue operating under the permit.

Mr. David Foroudi stated that operating the rental as a hosted use would not be viable and would likely result in no bookings based on prior experience.

Further discussion took place among the applicants, Planning Director Cathreen Richards, and Commissioner Cassell regarding clarification of the moratorium and provisions related to non-hosted rentals.

Ms. Richards clarified that there is no current moratorium and that non-hosted short-term rentals are no longer permitted, except for previously approved permits that are grandfathered.

Mr. David Foroudi questioned the level of involvement by the Commission and Planning Director in prior discussions related to the short-term rentals.

Commissioner Peek stated that the Board of Supervisors made the policy decisions regarding the permit, which are above the Commission's authority.

As discussion continued, Chair Morley redirected the discussion to the matter at hand.

Chair Morley stated she had a few questions for Mr. David Foroudi and clarified that the Commission's role was to determine whether a violation of the permit had occurred and, if so, whether revocation was warranted. She referenced the Planning Department's report indicating that on June 18, 2025, Code Enforcement staff contacted occupants at the property who stated no host was present.

Mr. David Foroudi confirmed that no host was present at that time.

Chair Morley referenced a follow-up call confirming the rental was not hosted despite permit requirements.

Mr. David Foroudi confirmed and stated this occurred with the Planning Director's knowledge.

Chair Morley referenced a subsequent violation which occurred ten days later, following notice to cease non-compliant activity.

Mr. David Foroudi confirmed and stated that future reservations were canceled in response.

Chair Morley asked whether the applicant(s) read and understood the permit terms at the time of signing.

Mr. David Foroudi stated that he understood the permit terms but did not agree that a violation had occurred.

Mr. Arash Foroudi expressed concern that the applicant's actions were being characterized negatively.

Chair Morley clarified that the Commission's focus was solely on determining whether a violation occurred and whether revocation of the permit was warranted.

Discussion continued between the applicants and Chair Morley.

At this time, County Counsel, Ms. Stacey Simon, interjected to provide legal clarification that, under California law, reliance on staff statements does not override applicable code requirements. She noted that the doctrine of estoppel where a party relies on another's statements to their detriment rarely applies against a government agency and emphasized that individuals remain responsible for complying with applicable laws.

Mr. Arash Foroudi acknowledged the legal clarification and stated that violations occurred due to a miscommunication. He further stated that noncompliant operations were discontinued and expressed the applicant's intent to retain the permit and comply with hosted requirements moving forward.

Further discussions took place among Commissioner Cassell, Planning Director Cathreen Richards, Code Enforcement Inspector Tehauna Forbes, and Mr. David Foroudi, regarding advertisements, cease and desist notices, and how the rental was being advertised.

Ms. Stacey Simon noted that, while the issue was not relevant to the decision, the Planning Director disputed having made the representation attributed to her.

Ms. Richards stated that her comments had been misinterpreted and were not intended to suggest that noncompliant operation was permissible, noting that violations could result in enforcement and that hosted permit requirements apply.

Commissioner Cassell asked Mr. David Foroudi whether the applicant intended to provide a host at the property if the permit was retained.

Mr. David Foroudi responded that he could attempt to provide a host but did not give a definitive commitment. He then stated that he could attempt to provide a host, including advertising the rental as hosted and notifying prospective guests; however, he could not guarantee host availability.

Commissioner Cassell asked Ms. Richards whether a host must reside within the home or could be located elsewhere on the property.

Ms. Richards clarified that the host must be on the property, but not necessarily within the primary residence and that an ADU would be acceptable.

Commissioner Peek asked whether a neighboring property would satisfy the host requirement.

Ms. Richards clarified that the host must be on the subject property and that a neighboring property would not qualify.

Further discussion took place between Mr. David Foroudi and Commissioner Cassell regarding the applicant's property managers, as Mr. Foroudi stated that multiple managers resided adjacent to the property and could make themselves available.

Commissioner Cassell stated that without a definitive commitment to host, there remains a possibility of future noncompliance with the permit.

Mr. Arash Foroudi stated that the situation resulted from miscommunication among the parties and expressed the applicant's intent to retain the permit, comply with applicable regulations moving forward, and remain in good standing with the County.

Commissioner Lehwald questioned the rationale for continuing the case in light of acknowledged violations and potential adverse outcomes, noting Mr. Foroudi would be returning at a later time with potential plans to reside at the property.

Chair Morley directed the discussion back to the alleged violation, stated that the proceeding had moved to the stage where the permit holder may present evidence, witnesses, and questions, and indicated a recess would be taken.

A brief recess was called at 1:34 p.m.

The meeting was reconvened at 1:40 p.m.

Chair Morley reconvened the hearing, noted the time, and stated that the proceeding had resumed at the permit holder's presentation stage, noting that additional evidence remained to be introduced.

Ms. Stacey Simon confirmed with the Chair and parties that additional materials would be reviewed and referenced documents. Additional materials submitted by Mr. David Foroudi were entered into evidence as Exhibits F through K:

- Exhibit F – unsecured tax bill
- Exhibit G – March 26, 2025, phone log with Danielle Visuano (Planning Staff)
- Exhibit H – Letter of written Decision (revoked from 1st hearing)
- Exhibit I - hotel occupant transient tax return documents
- Exhibit J – testimony document regarding Supervisor Scott Marcellin
- Exhibit K – Audio transcription piece from Planning Commission Meeting held on August 27, 2025

Mr. David Foroudi asked a question of Ms. Richards regarding the County's decision making procedure.

Planning Director, Cathreen Richards, explained that the hosted requirement was developed through public workshops and meetings, and that the Board of Supervisors ultimately decided to require a host on-site based on that input. She stated that the requirement is intended to promote responsible behavior, allow for immediate response to issues, and minimize impacts to surrounding neighbors.

Commissioner Peek stated that the guidelines were developed from community workshops and reflect requests made by residents, which were subsequently presented to and adopted by the Board of Supervisors.

Following extended discussion between Mr. David Foroudi and Ms. Richards, Commissioner Peek stated that the Commission is to determine whether a permit violation occurred.

Code Enforcement Inspector, Tehauna Forbes, stood to provide comment and stated that, in her line of work, decisions must be based on the application and written record rather than verbal discussions.

Mr. Arash Foroudi acknowledged understanding the requirements for hosted operation and asked the Commission to consider allowing the applicant to retain the permit with flexibility to operate in compliance moving forward, noting the property serves as a source of income and that corrective actions, including canceling reservations, had been taken.

Mr. David Foroudi directed the Commission to review tax-related exhibits and stated that revenues decreased significantly after short-term rental operations were discontinued, noting minimal to no revenue thereafter. He further stated that the property had previously been used for longer-term rentals prior to obtaining the short-term rental permit.

Commissioner Cassel expressed empathy but emphasized that the Commission must determine compliance with permit requirements.

Mr. David Foroudi concluded his presentation of evidence and testimony. He further stated that commissioners should recuse themselves if they hold personal opinions that may affect their ability to remain impartial.

Ms. Simon noted for the record the applicant's statement alleging bias by the Commission and stated that the objection was noted.

Mr. Arash Foroudi, in his closing statement, stated that the situation resulted from miscommunication, that the applicant operated in good faith, and expressed a desire to retain the permit and comply moving forward, requesting leniency in the Commission's decision.

Mr. David Foroudi requested to add one final comment to his closing argument and asked the Commission to consider the impact of its decision, urging commissioners to take into account the circumstances from his perspective as a property owner.

As the Department's final closing argument, Code Enforcement Inspector Tehauna Forbes stated that the applicant was directed to cease operations in June 2025 and advised of potential penalties; however, rental activity continued into August 2025. She noted that a cease and desist notice was issued on June 23, 2025, and requested that the Commission take action to revoke the permit.

Planning Director Cathreen Richards stated that she stands by the findings and recommendations outlined in the staff report and had no additional comments.

Chair Morley confirmed that the Commission had received all evidence and testimony and prepared to move the hearing forward in accordance with the established procedures.

At 2: 30 p.m., Chair Morley opened and closed the public hearing and opened discussion with the Commissioners.

Commissioner Cassel noted apparent confusion regarding permit requirements and acknowledged concerns about miscommunication; however, he was not persuaded that the applicant would comply with the hosted requirement and concluded that a violation had occurred under the standards set by the Board of Supervisors.

Commissioner Peek acknowledged the potential financial impact on the applicant but emphasized that the Commission must apply the rules established by the community and adopted by the Board of Supervisors, stating she was not convinced the applicant would comply with the hosted rental requirements.

Chair Morley stated that violations had occurred and were ongoing, with insufficient corrective action taken after notification. She emphasized the need for consistent application of rules among all permit holders and, based on the seriousness of the violations and staff recommendation, concluded that revocation was appropriate.

Commissioner Lehwald stated that, although cases are reviewed individually, decisions must be based on the facts and applicable law, not personal views. He emphasized that, absent mitigating factors, the rules established by the Board of Supervisors must be applied and indicated he was prepared to vote.

Chair Morley called for a motion following the conclusion of discussion.

MOTION: Commissioner Peek moved to follow the staff’s recommendation of revoking hosted short-term rental permit, HSTR 2024-03/Foroudi, with the findings that they are provided in the staff report, that are explained very thoroughly what the reasons for revoking the permit, and certify this action is exempt under CEQA.

Before a second to the motion was requested, County Counsel, Stacey Simon, stated for the record that a written order summarizing the Commission’s sentiments would be prepared and distributed within 30 days following the hearing.

The motion was seconded by Chair Morley.

Prior to the roll call vote, Chair Morley clarified that a “yes” vote would support revocation of the permit, while a “no” vote would allow the permit to remain in effect, and then requested a roll call vote.

Project Coordinator, Sally Faircloth, proceeded with roll call for the vote.

Commissioner Lehwald – Yes

Chair Morley – Yes

Commissioner Cassell – Yes

Vice Chair Peek – Yes

The motion passed unanimously, at 2:45 p.m., 4-0, with Commissioner Vogel recused.

Chair Morley announced that, based on the outcome of the vote, Short Term Rental Permit No. 2024-03/Foroudi was revoked.

County Counsel, Stacey Simon, advised that the written decision would be issued within 30 days and would include information regarding the appeal period, which she stated is believed to be 10 days from the date of the written decision to file an appeal with the Board of Supervisors.

Chair Morley announced that Action Item No. 9 concluded the final action item on the agenda and that the meeting would proceed to Commissioner Reports and the Planning Director's Report. She also stated that Commissioner Vogel could return following conclusion of Item No. 9.

COMMISSIONERS' REPORT/COMMENTS

There were no reports or comments.

DIRECTOR'S REPORT

Ms. Richards stated the next meeting will be held on February 25th, 2026.

Ms. Richards informed the Commission that an application had been submitted by Crystal Geyser for a proposed second plant in Olancho. She stated that the environmental review process would soon begin and announced two upcoming scoping meetings scheduled from 6:00 p.m. to 7:30 p.m.: one in Olancho on February 10, 2026, and another in Lone Pine at Statham Hall on February 11, 2026. Ms. Richards noted that additional information could be provided to interested Commissioners.

ADJOURNMENT

Commissioner Peek moved to adjourn the meeting.

Commissioner Cassell seconded the motion.

Chair Morley adjourned the meeting at 2:48 p.m.

Prepared by:
Sally Faircloth
Planning Department

COUNTY OF INYO PLANNING COMMISSION

MINUTES OF APRIL 22, 2026 MEETING

COMMISSIONERS:

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

FIRST DISTRICT
SECOND DISTRICT (CHAIR)
THIRD DISTRICT
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
DAVID FRASER
MIKE ERRANTE

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

The Inyo County Planning Commission met in regular session on Wednesday, April 22, 2026. Commissioner Morley opened the meeting at 10:03 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 10:03 a.m.

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

Staff present: Cathreen Richards, Planning Director, Cynthia Draper, Associate Planner, and Sally Faircloth, Project Coordinator.
Stacey Simon, Assistant County Counsel

Staff absent: David Fraser, Interim County Administrator; Michael Errante, Public Works Director.

ITEM 3: **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the agenda.

Chair Morley opened Public Comment Period at 10:04 a.m.

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

No comments were made.

Chair Morley closed Public Comment Period at 10:04 a.m.

ITEM 4: GENERAL PLAN AMENDMENT (GPA 2025-04/LEATHAM) AND ZONING RECLASSIFICATION (ZR 2025-04) – (Action Item/Public Hearing) Request to change the General Plan designation from Light Industrial (LI) to Retail Commercial (RC) and the zoning from M-2-0.5 (Light Industrial) to C-1-10,000 (General Commercial) to allow reuse of an existing industrial building for multiple commercial tenant spaces. This project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Cynthia Draper, Associate Planner, presented a PowerPoint outlining the details of the project.

Commissioner Lehwald asked whether staff had conducted a walkthrough of the building, and Ms. Draper confirmed that they had. He also inquired whether permits would be required for interior partitioning. Director Richards responded that such work would require permits through Building and Safety.

Chair Morley asked how long the building had been vacant, and Ms. Draper stated it has been vacant for approximately five years.

Commissioner Peak commented that she supported the proposed uses, noting in particular that she liked the idea of fitness-related uses and the inclusion of jujitsu training.

Chair Morley opened Public Comment Period at 10:22 a.m.

No comments were made.

Chair Morley closed Public Comment Period at 10:22 a.m.

MOTION: Commissioner Peek moved to adopt resolution making certain findings and recommending the Board of Supervisors adopt a Resolution approving GPA 2025-04/ Leatham with certain Conditions of Approval and an ordinance approving ZR 2025-03/Leatham with certain conditions of approval certifying that GPA 2025-04/Leatham and ZR 2025-03/Leatham are exempt from CEQA pursuant to Section 15301 (existing facilities) of the CEQA guidelines.

The motion was seconded by Commissioner Lehwald.

The Motion carried 4-0 at 10:25 a.m. with Commissioner Vogel absent.

ITEM 5: 2025 GENERAL PLAN ANNUAL REPORT (Informational) - Staff will give the Planning Commission a presentation on the County's 2025 General Plan Annual Progress Report and Housing Element Implementation Report. This report is required to be presented to local legislative bodies prior to being submitted to the State and is Exempt from CEQA per Guidelines Section 15306 – Information Collection.

Cathreen Richards, Planning Director presented the report on the County's 2025 General Plan.

Commissioner Lehwald asked about the evacuation grant and asked for an explanation. Director Richards gave a detailed explanation.

Chair Morley commented that she was impressed with the housing information presented.

Commissioners Lehwald and Peek asked Ms. Richards housing and remodeling questions.

Ms. Richards provided responses to the Commissioners' satisfaction.

The Commission engaged in brief discussion and shared general comments regarding the report.

ITEM 6: (Informational Item) Written Decision following hearing on revocation/modification of Hosted Short-Term Rental Permit 2024-03/Foroudi. Attached please see the written decision memorializing the Commission's decision to revoke HSTR Permit 2024-03/Foroudi. The decision was signed by the Chair on February 24, 2026, and distributed to the parties on February 25, 2026.

Assistant County Counsel, Stacey Simon, briefly explained the written decision.

The Commission had a brief discussion regarding the decision.

COMMISSIONERS' REPORT/COMMENTS

Commissioner Lehwald asked whether there is a natural gas pipeline in Inyo County.

Staff responded that there is not. He noted his question was related to the high cost of propane in the County.

The Commission engaged in brief discussion with staff regarding this topic.

DIRECTOR'S REPORT

Director Richards reported that staff anticipates bringing the appeals for revocation/modification of Hosted Short-Term Rental Permit 2024-03/Foroudi and Variance 2025-05/Bradford to a special Board of Supervisors meeting in June. She also noted that a Planning Commission meeting is scheduled for May 27, 2026.

Commissioner Cassell asked Ms. Richards whether there had been any follow up regarding a possible meeting with Crystal Geyser discussed at a previous meeting.

Ms. Richards also stated that Crystal Geyser had not provided any information or response regarding another meeting and that she would follow up with them.

ADJOURNMENT

Commissioner Peek moved to adjourn the meeting.

Commissioner Cassell seconded the motion.

Chair Morley adjourned the meeting at 11:06 a.m.

Prepared by:
Cynthia Draper / 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: July 22, 2026

SUBJECT: Variance 2025-04/Greenleaf

EXECUTIVE SUMMARY

The applicant is requesting approval of a Variance to allow her existing non-conforming front yard fence and front yard hedges, located at 2716 Carol Lane in Bishop, to exceed the maximum permitted height of 3.5 feet (42 inches), pursuant to Inyo County Code Section 18.78.180. Both the fence and hedges, which are currently in place, stand approximately 6 feet tall. The project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Class 1. In addition, denial of the variance is exempt pursuant to CEQA Guidelines Section 15270.

PROJECT INFORMATION

Supervisory District: 3

Project Applicant: Susan Greenleaf

Property Owner: Susan Greenleaf

Site Address: 2716 Carol Lane

Community: Bishop, CA

A.P.N.: 011-410-19

General Plan: Residential Low Density (RL)

Zoning: R-1 Districts- One Family Residences

Size of Parcel: Approximately 18,600 Sq Ft.

Surrounding Land Use:

Location:	Use:	Zoning	General Plan Designation
Site	Single-Family Residence	One Family Residential R-1, 10,000	RL- Residential low density
North	Single-Family Residence	One Family Residential R-1, 10,000	RL- Residential low density
East	Single-Family Residence	One Family Residential R-1, 10,000	RL- Residential low density
South	Single-Family Residence	One Family Residential R-1, 10,000	RL- Residential low density
West	Single-Family Residence	One Family Residential R-1, 10,000	RL- Residential low density

Staff Recommended Action:

1.) **Deny Variance 2025-04/Greenleaf and find the project exempt under CEQA.**

Alternatives:

2.) Approve Variance 2025-04/Greenleaf and find the project is exempt under CEQA. This is not recommended as the facts and circumstances surrounding this application do not support the required variance findings.

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

BACKGROUND AND STAFF ANALYSIS

The applicant, Susan Greenleaf, is requesting approval of a Variance to allow the existing front yard fence and hedges to exceed the maximum permitted height of 3.5 feet, or 42 inches, as required by Inyo County zoning regulations. The fence and hedges, located at 2716 Carol Lane in Bishop, are approximately 6 feet in height.

The front yard fencing consists of a structure constructed of natural wood and sticks, with hedges planted along and interwoven with the fence line. Both the fence and the hedges individually exceed the maximum permitted height of 42 inches, with each measuring approximately 6 feet in height. The variance request therefore applies to both the fence and the hedges as separate but related features. Even if the hedges were trimmed to comply with the height requirement, the fence itself would remain noncompliant.

The applicant received a Code Violation Notice (“Notice”) identifying the front yard fence and adjacent hedges as exceeding the maximum permitted height within the required front yard setback. The Notice also referenced the fence’s construction of natural branches and sticks, along with additional conditions on the property, including vegeta-

tion and materials located near the roadway and other potential code compliance issues. This Variance request was submitted following issuance of the Notice and seeks discretionary relief only from the front yard fence and hedge height standards. The additional matters identified in the Notice are not before the Commission as part of this request.

The applicant is requesting to retain the fence and hedges at their current height for privacy purposes. The fence is constructed of natural branches and sticks and is located near the front property line. Staff's preliminary assessment indicates that while the fence and hedge height does not appear to obstruct visibility for vehicles exiting neighboring driveways, it may limit visibility for the property owner when checking for approaching pedestrians or vehicles while exiting her driveway. The applicant could relocate the fence and maintain taller hedges outside of the required 25-foot front yard setback, as permitted by right under the zoning ordinance, but has indicated she does not wish to pursue that option.

Neighborhood Context

Staff reviewed surrounding properties along Carol Lane and Irene Way to document existing neighborhood conditions related to front yard fences and hedges. Staff observed that, for the most part, properties in the surrounding area do not contain front yard fences. Staff also observed that there are some fences and hedges that appear to exceed current height standards. This review is provided solely to describe existing conditions (photos provided).

Applicant's Justification for Variance

The applicant states that the configuration of the street provides adequate visibility, that other properties have similar fences or hedges, that privacy is an important quality of life need, and that lowering the fence would create a hardship and deprive her of reasonable use of the front yard. She also feels that the fence does not create safety hazards.

Previous Variance History

No prior variances have been applied for regarding this property.

Inyo County Fence Height Requirements

Pursuant to Inyo County Code Section 18.78.180, fences, walls, and hedges located within a required front yard setback in residential zones shall not exceed a height of 3.5 feet (42 inches). This standard is intended to preserve visibility, maintain neighborhood character, and promote pedestrian and vehicular safety along public roadways.

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, State law (see, e.g., Government Code section 65906) dictates that variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Further, any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

Finally, a variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

Accordingly, the additional four findings must be made for any variance to be granted:

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.

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

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Class 1, as it involves existing fencing and landscaping improvements associated with an existing residential use, involving negligible or no expansion of existing use. In addition, denial of the variance is exempt pursuant to CEQA Guidelines Section 15270.

NOTICING REQUIREMENTS

Planning staff routed the variance application to Building and Safety and the Road Department for review. Building and Safety expressed concern that the proposed fence height, which exceeds 42 inches, may impact visibility for traffic exiting the property and adjacent properties. The Road Department reviewed the project and indicated that it had no issues or concerns related to the request.

The Planning Commission hearing for the Variance was advertised in the Inyo Register on June 13, 2026, and notices were mailed to properties within 300 feet of the project location. Public comments have been received regarding the project and are included in the staff report packet. Any additional comments received prior to the hearing will be provided to the Planning Commission and made part of the record.

RECOMMENDATIONS

Staff has reviewed the application and determined that not all seven of the required findings can be supported at this time. Because all seven findings must be affirmed in order to approve a variance, staff does not recommend approval of the application.

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.

Not Affirmed.

[Evidence: The subject parcel does not have any unusual or exceptional physical characteristics related to size, shape, topography, access, or street configuration that would necessitate a front yard fence and hedges to exceed the maximum permitted height. The lot is a standard residential parcel in the R-1 zone and functions in the same manner as surrounding properties. The applicant's stated need for additional privacy is a personal preference and is not based on a unique physical condition of the property. As a result, no exceptional circumstances exist that would justify a variance.]

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

Not Affirmed.

[Evidence: While the existing fence and hedges do not appear to obstruct visibility for vehicles exiting nearby driveways, their height and location within the required front yard setback reduce openness and visibility along the street frontage. The front yard

height limitation is intended to preserve sight lines, neighborhood character, and pedestrian and vehicle awareness near the roadway. Allowing a six-foot fence and hedges within the front setback would undermine these purposes and therefore cannot be found to be fully consistent with the protection of public welfare.]

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.

Not Affirmed.

[Evidence: The applicant states that lowering the fence and hedges would result in a loss of privacy. A preference for privacy, however, is not considered a hardship under the zoning ordinance unless it is tied to a unique physical condition of the property, which has not been demonstrated. The applicant also has the option to relocate the fence and hedges outside the required twenty-five-foot front setback, where taller fencing and hedges are allowed by right. Because feasible alternatives exist and no property-specific hardship has been established, strict application of the regulation does not result in an unnecessary or unreasonable hardship.]

4. That 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.

Not Affirmed.

[Evidence: Staff reviewed surrounding properties and observed that, for the most part, front yard fences are not a common feature within the immediate neighborhood. Staff also observed some fences and hedges that appear to exceed current height standards. However, the presence of other fences or hedges does not establish exceptional circumstances applicable to the subject property. Allowing a six-foot fence and hedges within the required front yard setback, in the absence of unique physical circumstances, would grant the applicant a special privilege not generally available to other properties in the same zone.]

5. That 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.

Affirmed.

[Evidence: Residential fences and hedges are a permitted use in the R-1 zone. The variance request relates only to fence and hedge height and location and does not involve a use or activity that is otherwise prohibited by the zoning ordinance.]

6. That the proposed variance is consistent with the General Plan.

Not Affirmed.

[Evidence: The property is designated Rural Low Density (RL) in the General Plan, which supports low-density residential development and emphasizes neighborhood character, safety, and orderly development. The request to retain a six-foot fence and hedges

within the required front yard setback without affirmation of exceptional circumstances is inconsistent with zoning standards that implement these General Plan objectives, including maintaining open visibility and a consistent residential streetscape. Because the request conflicts with the development standards that implement the RL designation, consistency with the General Plan cannot be clearly established.]

7. That the requirements of the California Environmental Quality Act have been met.

Affirmed.

[Evidence: The project involves the continued use of an existing residential fence and hedges and qualifies as existing improvements associated with an existing residential use involving negligible or no expansion of existing use. The project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Class 1. In addition, denial of the variance is exempt pursuant to CEQA Guidelines Section 15270.]

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, its advisory agencies, appeal boards, or its legislative body concerning Variance #2025-04/ Greenleaf or applicant's failure to comply with conditions of approval.

2.) If approved for Variance #2025-04/Greenleaf, 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.

Attachments:

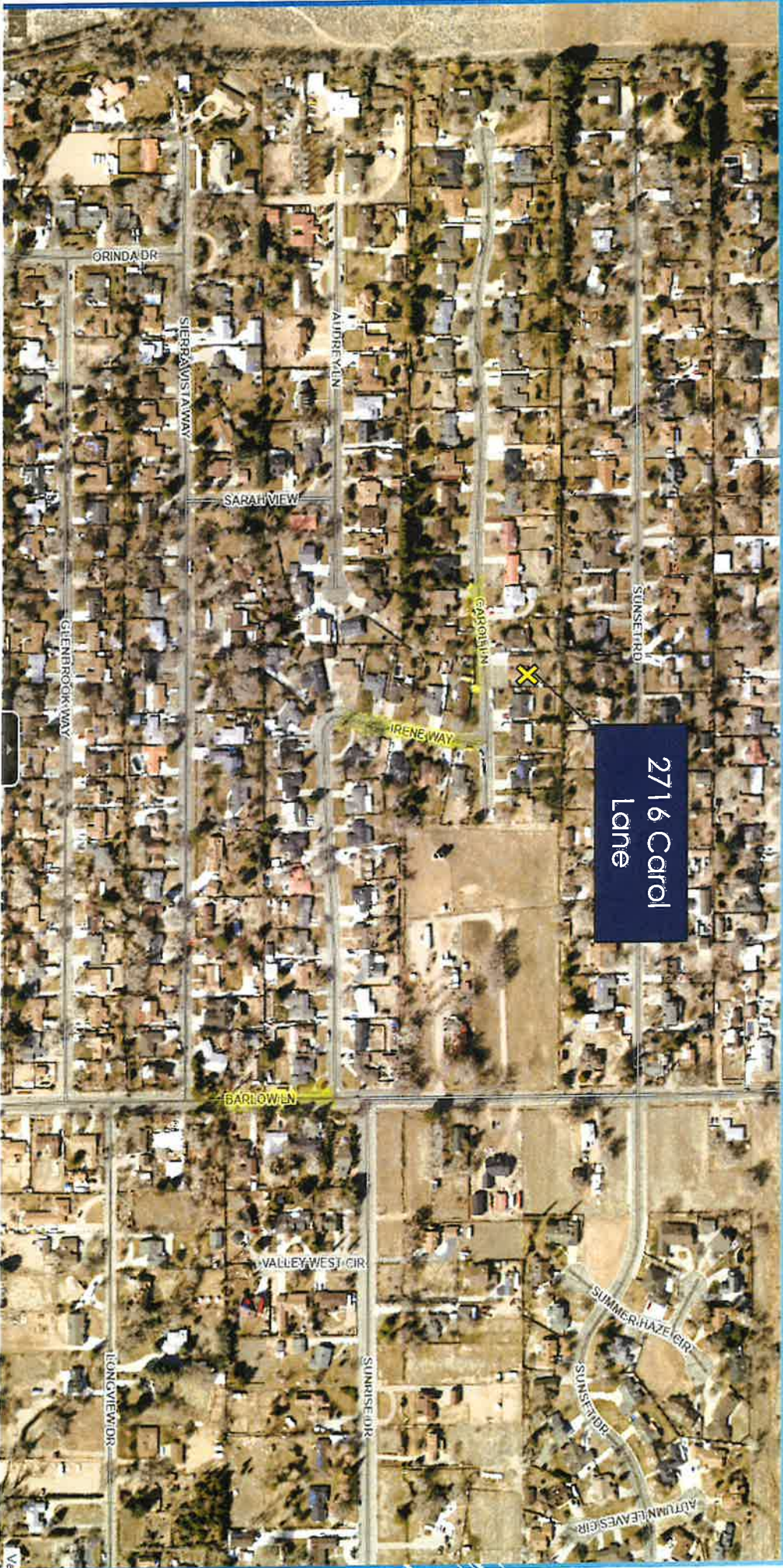
Vicinity Map

Project Photos

Code Violation Letter

Public comments

VICINITY MAP





20m
100m

Map

PROJECT PHOTOS



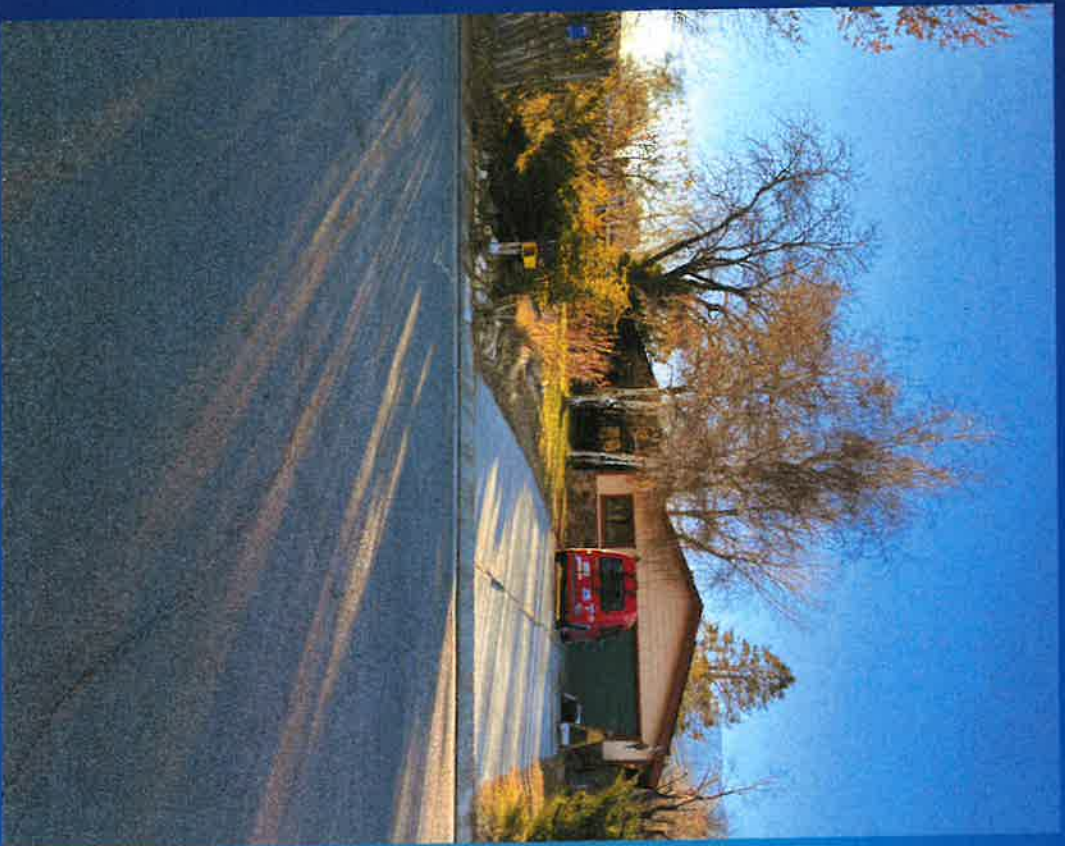








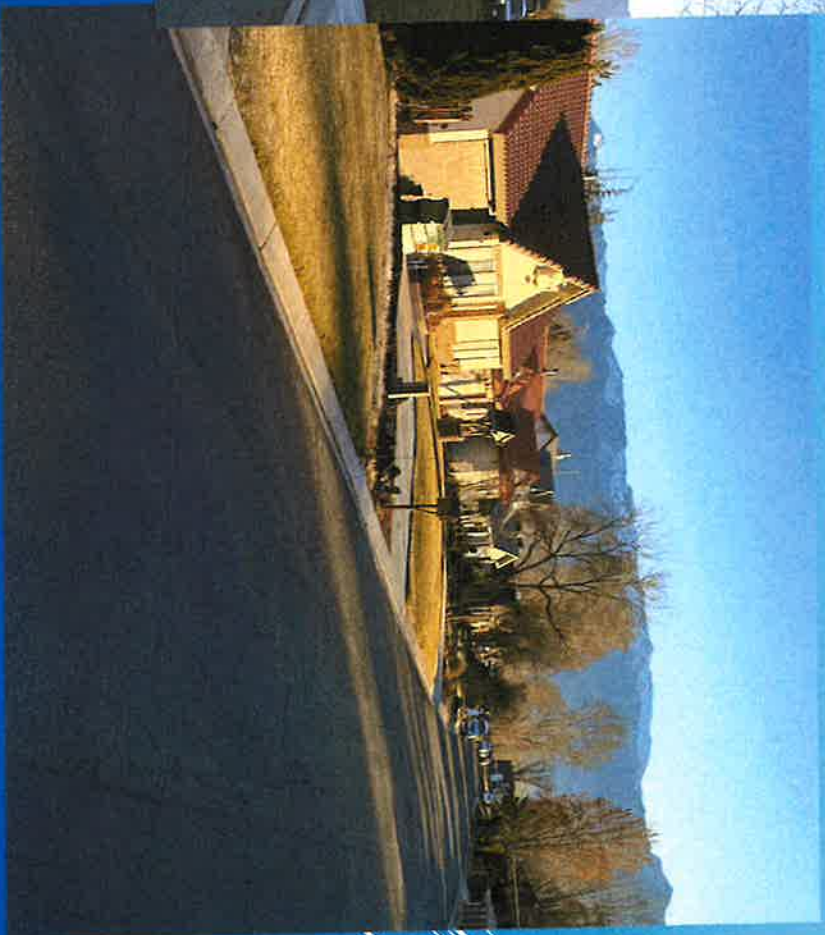
Applicant's hedge
next to driveway



NEIGHBORHOOD CONTEXT











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	10/22/2024 Emailed
Required Correction Date	11/06/2024
Financial Penalties Accrued	

Property Information

Property Address	2716 Carol Lane Bishop CA 93514
APN	011-410-19
Supervisory District	District 3
Owner's Name	Susan Greenleaf
Occupant's Name	Multiple occupants

Code Violation Summary

Statutory Reference	Summary of Problems Present on Property
Inyo County Code section 22.08.020	On October 21, 2024, Code Compliance Officer Tehauna Tiffany had a conversation with Susan about several issues concerning the property. The fence and hedge exceed the allowed height of 42 inches and are encroaching onto the roadway and neighboring properties. There is significant overgrowth of vegetation and piles of debris. Additionally, multiple Caltrans metal road signs along with other items propped up against the dilapidated fence. During our discussion, I also inquired about short-term renting, to which Susan clarified that her housemate is a long-term resident. The current conditions pose a threat to health and safety and are considered a public nuisance, as defined in Inyo County Code Section 22.08.020.
Inyo County Code section 18.78.160	In the front yard, there is a makeshift fence constructed from sticks and wooden branches that exceeds 42 inches in height. Additionally, there are multiple hedges and overgrown vegetation present in the area. 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.
Inyo County Code section 7.36.030 7.36.040 14.08.140 12.20.030	The overgrowth of vegetation and piles of debris, along with encroaching vegetation on neighboring properties, pose a fire hazard. This is a violation of Inyo County Code section 7.36.030, which states that it is your responsibility to keep and maintain your property in a way that it is free of fire hazards. You must remove said fire hazards from your property as soon as possible per Inyo County Code section 7.36.040. 14.08.140 Defensible space and fire hazard reduction. <u>A.</u> All of the unincorporated areas of Inyo County are hereby designated as a Wildland-Urban Interface Fire Area. All construction must comply with all chapters of the most recent version of the California Building Code applicable to Wildland-Urban Interface Fire Areas. Properties shall be maintained in accordance with the defensible space requirements contained in <u>Government Code</u> Section 51182 (unless exempted by Government Code Section 51183 or 51184) and <u>Public Resources Code</u> Section 4291, as applicable. <u>B.</u> The existence or maintenance of any of the following conditions is prohibited: <u>1.</u> Tree branches within ten feet of a chimney outlet or stovepipe outlet; <u>2.</u> Dead or dying tree branches adjacent to or overhanging a building; <u>3.</u> Leaves, needles, or other dead vegetative growth on the roof of any structure; <u>4.</u> Flammable vegetation or other combustible growth within thirty feet of an occupied dwelling or structure which prevents the creation of a firebreak; <u>5.</u> Brush, flammable vegetation, or combustible vegetation located between thirty and one hundred feet of an occupied dwelling or structure which prevents the creation of a reduced fuel zone; or <u>6.</u> Brush or other flammable material within ten feet of a propane tank.

12.20.030 Responsibility of property owner for maintenance of private property.

Property owners shall be solely responsible for the maintenance of any trees or vegetation located on private property. Trees and vegetation located on private property must be maintained in a manner that minimizes, to the greatest extent possible, any hazards or nuisances posed by trees and vegetation.

Maintenance responsibilities for trees and vegetation located on private property include, but are not limited to: A. Maintaining trees in a properly trimmed state so that their branches do not present a hazard or a nuisance to pedestrians, vehicles, or neighboring property. B. Maintaining trees in accordance with the standards set forth by the American National Standards Institute Standard for Tree Pruning (ANSI A300), as it may be amended from time to time. C. Removing or remedying trees that are dead, seriously diseased, badly out of balance, or in the process of falling. D. Trimming vegetation so that it does not impede the access of emergency responders, encroach on neighboring property, or present a fire hazard.

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

Comment Letters

Cynthia Draper

From: Katie Quinlan <kquinlan16@gmail.com>
Sent: Saturday, June 6, 2026 8:18 AM
To: Cynthia Draper
Subject: Susan Greenleaf variance

[You don't often get email from kquinlan16@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms. Draper,

I am writing in regard to Susan Greenleaf's application for a variance on her fence along the front of her property. I have driven in and out of her driveway several times and had no problem with seeing traffic when I pull out into the street. She has a nice front yard; the fence gives her privacy from the street and allows her to utilize the full depth of her lot. I encourage you to grant her a variance to the set back rule.

Thank you,
Katie Quinlan

Cynthia Draper

From: Vikki Glinskii <vikki@glinskii@gmail.com>
Sent: Friday, June 5, 2026 4:30 PM
To: Cynthia Draper
Subject: Susan Greenleaf Variance Application Comment

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

Dear Cynthia,

My name is Vikki Glinskii and I live in the same neighborhood as Susan Greenleaf. I wanted to take the time to write that I strongly support granting the variance Susan is requesting. I walk my dog by her house nearly daily and enjoy the appealing look of the yard. I believe it positively adds to the neighborhood's character, and I really appreciate how the yard looks natural yet remains well-kept.

Please let me know if I can provide any additional information.

All my best,
Vikki Glinskii
805 Valley West Cir
Bishop, CA 93514

Victoria (Vikki) Glinskii, MPH

Cynthia Draper

From: A. Deb <ad@energyonline.com>
Sent: Friday, June 5, 2026 12:40 PM
To: Cynthia Draper
Subject: 2716 Carol Ln and Susan Greenleaf

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

Dear Cynthia Draper and Planning Staff,

I'm writing about a dear friend, Susan Greenleaf, of 2716 Carol Lane, and what's become somewhat of an ordeal for her. She is a wonderful support in my life, and she has been an auntie to our children.

An anonymous person – a neighbor? – has filed a series of complaints against her and her house. All the complaints have been false, some wildly so, except that her hedge might not meet some kind of code. It's stressful for her to fend off these strange complaints, and have law and code enforcement show up at her door.

Please grant Susan a variance, so she can move on with her life. She deserves this community support against a person who, for some reason, doesn't think she belongs or has a right to plant her own garden at her house the way she wants.

That code for hedges is there for a reason. At the same time, there are many taller, bushier hedges on far busier streets in Bishop – particularly on Line Street – that block views. Many people in her neighborhood park large RVs in their driveways or on the street, which seems much more hazardous, if the issue is blocking the view. I have nothing against RVs. But I just feel that Susan is being unfairly punished, and an anonymous bully is being rewarded.

The last time I visited Susan, neighborhood boys were practicing wheelies and taking up the entire street with wide turns, not looking to see me waiting in my car. I didn't mind; I love that we live in a town where kids play outside together, especially a quiet, dead-end street like Susan's, where families should expect their kids to be able to play safely.

It's hard to believe a neighbor would accuse her of dealing drugs or operating an illegal Airbnb. That's the opposite of Susan! She doesn't do drugs, smoke, or anything like that. She eats a salad every day, and she grows that salad in her garden. She paints beautiful and funny watercolors, which can be purchased around town. She raised two wonderful daughters.

She does keep a roommate, and she is doing our whole community a service by housing these professionals. Her past roommates included a teacher, a fireman, and a Caltrans engineer.

Susan has a delightful, beloved garden with native and edible plants. Of course, it isn't a manicured lawn like some in her neighborhood. However, the yard is charming and tidy. It's free of garbage, unsightly rusted cars without wheels, broken gas tanks, dead refrigerators, loose dogs, or other potentially dangerous items you commonly see in Bishop yards.

Please give Susan her variance so she can move on with her life. Thank you

Anjuli Deb

Bishop, CA

John G. Camphouse

2719 Carol Lane
Bishop, CA 93514
May 28, 2026

Cynthia Draper
Inyo County Planning Department

Re: Susan Greenleaf, 2716 Carol Lane, Bishop

Cynthia Draper,

Bill Schuck and I live at 2719 Carol Lane. Our home is directly across the street from Susan Greenleaf's home although our driveways are offset. Ms. Greenleaf has asked for a variance from the County for the coyote fence and hedge. The fence is 6' high and is set back about 15" from the curb and runs parallel to the street. We are writing to offer our support for the variance that Ms. Greenleaf is requesting.

We understand that the County's concern is that the fence impairs visibility of traffic on the street for cars leaving Ms. Greenleaf's driveway as well as for cars traveling on Carol Lane. Our street is wide and very few vehicles park on the street. I have lived at this house since 1979 which covers the entire time that Ms. Greenleaf has lived at 2716. I have not seen any situation where vehicles leaving Ms. Greenleaf's driveway have had any problem with traffic on Carol Lane.

Additionally, Mr. Schuck and I regularly back out of our driveway into the street. Neither of us has had any problem with vehicles leaving Ms. Greenleaf's driveway when we are exiting our driveway.

Thank you for considering these thoughts.

Sincerely,


John Camphouse


Bill Schuck

January 14, 2025

To: Inyo County Planning Commission
c/o Cynthia Draper, cdraper@inyocounty.us

Regarding: Susan Greenleaf
Application for Variance

Commission Members,

Thank you for the opportunity to address this issue and offer my support for Susan Greenleaf's Application for Variance. Susan Greenleaf received Notice of Code Violation referring to the height of her fence and hedge at 2716 Carol Lane, in Bishop.

County officials have suggested that the hedge and fence are a fire hazard and/or are a traffic hazard. I am a friend of Susan Greenleaf, and I'm also retired from 30 years in the Fire Service. I have some experience that may bear on this topic.

First, California presently has no fire safety codes that address fences or hedges that are more than thirty feet from a residence. What codes they do have were established in the 1960s and have rarely been found enforceable.

Second, and most relevant, is that the hedge and fence at 2716 Carol Lane does not present a traffic hazard. Carol Lane is a wide, dead end street with very little traffic. I visit the house weekly, sometimes in the dark, and have never had issues with visibility or safely entering/exiting the driveway. I drove emergency vehicles for decades, and never encountered visibility problems from fences/hedges like those at issue here.

I realize there may be reasons for the County Code to address fences and hedges that are not obvious to someone like me. But traffic or fire hazard, in this case, seem like poor arguments for disturbing a property owner's privacy. Especially given that fences and hedges higher and denser than those at 2716 Carol occur on nearly every street in Inyo County.

I hope you'll grant the Variance. Thank you for reading.

With respect and gratitude for your service,

Margy Marshall
Bishop, CA
760-412-0325

On Mon, May 11, 2026, 8:46 AM Cynthia Draper <cdrapper@inyocounty.us> wrote:

Hi, thank you, but could you state who you are and sign the email. Unless you want to remain anonymous.

Thank you,

Cynthia

From: Jake Ballard <jcoredx11@gmail.com>

Sent: Saturday, May 9, 2026 3:53 PM

To: Cynthia Draper <cdrapper@inyocounty.us>

Subject:

You don't often get email from jcoredx11@gmail.com. [Learn why this is important](#)

Hello i have no had any issues while living at Susan's house with parking or backing out of parking driveway due blockage of sight due to other vehicles.

Thank you

Cynthia Draper

From: Cameron Smith <contactcameronsmith@gmail.com>
Sent: Thursday, May 7, 2026 2:17 PM
To: Cynthia Draper
Subject: Re: 2716 Carol Ln Garden.

[You don't often get email from contactcameronsmith@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi,

I hope this email finds you well.

I'm writing to give support for Susan Greenleaf of 2716 Carol Ln.

I believe the correct course of action is to allow Susan a variance so that her fence/hedges/garden may be left as-is and I will explain why:

Susan's fence/hedges/garden very well tended. Susan is a wonderful person and a thoughtful neighbor.

The real issue at hand here is that a neighbor of Susan's took issue with a couple political signs that Susan put on her property. The signs are no longer there but Susan is still being harassed by this process. It is wrong to exploit and weaponize county processes to make petty attacks on neighbors, but sadly it is not uncommon across our state.

I am an engineer and I'm aware of regulations and design concerns, and there is nothing about Susan's fence/hedges/garden that is substantially problematic from a public safety standpoint.

Susan should be allowed to make reasonable aesthetic choices about her fence/hedges/garden, which in my opinion is well kept and elevates the aesthetics of the community.

I appreciate you for considering this matter.

Cam

> On May 7, 2026, at 12:36, Cynthia Draper <cdraper@inyocounty.us> wrote:
>
> Hi,
>
>

JUN 26 2026

June 22, 2026

RECEIVED

To Whom it May Concern,

We are aware our next door
neighbor, Susan Greenleaf has
a complaint regarding landscaping.
Our yard and driveway are
adjacent to Susan's.

We have never had a problem
entering or exiting our property.

Sincerely,
David & Yplanda
Hinson
2724 Carol Ln

Cynthia Draper

From: Kerri Lanzarotto <kerrimichelle11@gmail.com>
Sent: Saturday, June 27, 2026 12:23 PM
To: Cynthia Draper
Subject: Reference letter: Susan Greenleaf

 You don't often get email from kerrimichelle11@gmail.com. [Learn why this is important](#)

To whom it may concern,

I am writing this email as a personal reference for Susan Greenleaf as a former tenant and friend of hers. In the year I lived with Susan I was very grateful for the affordable and comfortable housing she provided for me. While I lived at her residence at 2716 Carol Lane, I could not help but admire her beautiful landscaping on the property. I remember her yard as being well tended to and kept. She had a beautiful garden with many native plants and vegetables. She puts a great amount of effort and care into her outside and indoor space.

After a recent visit with Susan at her home, eight years since I lived there, the state of the homeland ceased to change. I would not consider Susans property to be cluttered or messy in terms of landscape. I learned her front bush was causing a commotion from a close by neighbor and decided I would like to address this matter from my perspective. To me this is simple. Susan's house is not located on a corner, busy intersection, or stop sign, therefore, I see no threat to a medium sized bush being on the edge of the property. In addition, since it is a friendly and quiet neighborhood that inhabits families and animals, the speed limit I would assume is from 15 to 25 mph. I see no safety concern revolving this bushes size in relation to traffic or jeopardizing safety to civilians on Carol Lane.

All in all, Susan has a beautiful property and is a respectful landlord and tenant on Carol Lane. As a local to Bishop, I truly appreciate her contributions to this community. Thank you for your time and I hope this letter was helpful.

Sincerely,

Kerri Lanzarotto

From: Cynthia Draper <cdraaper@inyocounty.us>
Sent: Monday, April 27, 2026 10:43 AM
To: Adam Marcellin <amarcellin@cityofbishop.ca.gov>
Cc: Tehauna Forbes <tforbes@inyocounty.us>
Subject: RE: [External] 2716 Carol Lane

Hi Adam,

I'd like to get your input on a fence and shrubbery associated with a variance request. Ms. Greenleaf has applied for a variance to exceed the 3.5-foot fence height limit in order to maintain the fence and shrubs at their current height. The property is located at 2716 Carol lane, Bishop.

Please note that per Planning and Building & Safety, we do not regulate fence materials. However, if you have any concerns regarding traffic visibility, safety, or any other issues, I'd appreciate your feedback. I will be adding comments to my staff report for this project.

Thank you,
Cynthia

Perfect. Thank you
Cynthia

From: Adam Marcellin <amarcellin@cityofbishop.ca.gov>
Sent: Wednesday, April 29, 2026 10:08 AM
To: Cynthia Draper <cdraper@inyocounty.us>
Cc: Tehauna Forbes <tforbes@inyocounty.us>
Subject: Re: [External] 2716 Carol Lane

Good morning Cynthia,

My issues don't lie with the fence height or any traffic visibility, but more with the overall vegetation in the front of the property. The code I had reference to Tehauna is what I would like to focus on.

604.1 General.

→

Hazardous vegetation and fuels shall be managed to reduce the severity of potential exterior wildfire exposure to buildings and to reduce the risk of fire spreading to buildings as required by applicable laws and regulations.
Defensible space shall be managed around all buildings and structures in State Responsibility Areas (SRA) as required in Public Resources Code 4291.

604.2

Application.

Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. 1.

All unincorporated lands designated as a State Responsibility Area (SRA).

2. 2.

Land designated as a Very High Fire Hazard Severity Zone by a city or local agency.

3. 3.

Land designated in a city or local agency ordinance as a wildland-urban interface (WUI) area.



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.: 7 (Action Item – Public Hearing)

PLANNING COMMISSION
MEETING DATE:

July 22, 2026

SUBJECT:

TPM 434 Fortney Biggs Subdivision

- Tentative Parcel Map #434
- Zone Reclassification #2025-05

EXECUTIVE SUMMARY

This project is a proposal to subdivide an approximate 3-acre parcel (APN 022-080-03), into 3 1-acre parcels, located at 840 Oak Creek Rd. Independence, about 2/3-miles west of Highway 395. The parcel currently has 3 single family homes built on it. The project will include a zone reclassification, from Multiple-Residential 3+ units to One-Family Residential R1, 1 unit per acre. This project is exempt from CEQA pursuant to 15061(b)(3) Commonsense Exemption.

PROJECT INFORMATION

Supervisory District: Fifth District

Applicants: Diane Fortney, Trustee

Landowners: Judith A Biggs Family Trust

Address/

Community:

A total of approximately 3-acres located at 840 Oak Creek Rd. Independence, about 2/3-miles west of Highway 395

A.P.N.: 022-080-03

General Plan: Residential Rural High Density (1 unit per acre) – no proposed change.

Zoning: Multiple-Residential 3+ units per acre (R-3). Proposed to change to R1.

Size of Parcels:Current
3-acresProposed

3 lots at: 1.07, 1.11 and 1.01 acres

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	3 residential dwellings on a single lot	Residential Rural High Density (RRH)	Multiple-Residential (R3)
North	Open undeveloped (Bureau of Land Management)	State and Federal Land (SFL)	Open Space (OS-40)
East	Open undeveloped (DWP land)	Residential Estate	Rural Residential (RR-5)
South	Highway 395	Residential Estate	Rural Residential (RR-5)
West	Residential	State and Federal Land (SFL)	Open Space (OS-40)

Recommended Action:

1. **Make certain findings as provided for in the staff report and certify the project is Exempt under California Environmental Quality Act (CEQA) pursuant to 15061(b)(3) the Commonsense Exemption and approve:**
 - **Tentative Parcel Map #434/Fortney Biggs subject to the Findings and Conditions of Approval as recommended in the Staff Report; and**
2. **Adopt the attached Resolution, recommending that the Board of Supervisors:**
 - **Certify the project is Exempt from CEQA pursuant to 15061(b)(3) the Commonsense Exemption and that the provisions of the California Environmental Quality Act have been met and Adopt Zone Reclassification #2025-05/Fortney Biggs**

Alternatives:

- 1.) Deny the proposed actions for subdivision, thereby prohibiting the applicant from subdividing.

2.) 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

The applicant is requesting a subdivision of an approximate 3-acre parcel (APN 022-080-03), into 3 1-acre parcels, located at 840 Oak Creek Rd. Independence, about 2/3-miles west of Highway 395 (vicinity map attached). The parcel currently has 3 single family homes built on it and the project includes a zone reclassification, from Multiple-Residential 3+ units to One-Family Residential R1, 1 unit per acre (R1-1). This project is exempt from CEQA pursuant to 15061(b)(3) Commonsense Exemption.

STAFF ANALYSIS

The applicant proposes to subdivide the subject 3.23-acre parcel into three parcels (TPM 434 attached). Parcel 1 is rectangular in shape and will be 1.07 acres. Parcel 1 houses a well, well pressure system and water tank, which will provide water through a community water system to the other two parcels. Parcel 2 is oddly shaped due to the county road that runs through the current single parcel and will be 1.11-acres. Parcel 3 is also oddly shaped, again, by the configuration necessary to fit with the county road. Parcel 3 will be 1.01-acres. The current (not subdivided) parcel has 3 residential dwelling units and each of the new parcels will have one of these units on it. Each parcel will also have an appropriate septic system that is already located on each of the proposed parcels and already serving the existing homes. Parcel 2 will be required to have a road easement on it to provide access from the county road to Parcel 1. Parcel 1 will have a water easement to and across Parcel 2 continuing to boundary line of Parcel 3 for water provision to parcels 2 and 3.

General Plan Consistency

The Current General Plan designation is Residential Rural High Density (RRH). This designation provides for single-family units at a density of 1-unit per acre. The lots resulting from the subdivision will be approximately 1-acre, the smallest being 1.01-acres. This is a density range of 1-unit per acre meeting the current RRH density requirement. The RRH designation provides for large-lot single-family homes in areas with rural residential characteristics. The designation is intended for places on the fringe of more densely developed areas where larger parcel sizes are preferred and those that lack complete sewer and water systems. Individual water wells and septic systems are allowed. Overall, the proposed subdivision is consistent with the current General Plan Designation.

Zoning Ordinance Consistency

The project site is currently zoned Multiple-Residential 3+ units or R3. This is not consistent with the subdivision proposal. This designation was chosen for the parcel because all three of the housing units were built on a single lot. It was rezoned in 1998 from Multiple Residential 2 units (R2) so that a third housing unit could be built on the parcel. For the subdivision to be completed the Zoning designation will have to be changed to One-Family Residences (R1)

with a 1-acre minimum because the 3 housing units are no longer proposed to be on a single lot, but instead on 3 individual lots. This zoning will be consistent with the existing General Plan Land Use Designation of RRH (density at 1-unit per acre) for the 3 lots. This designation also better fits the rural nature of the area and is not out of character for the general surroundings where the project is located.

Subdivision Ordinance Consistency

The project is in compliance with Inyo County Code Title 16 (Subdivision) & California Subdivision Map Act. The proposed Parcel Map will comply with all provisions of the County Subdivision Ordinance as well as provisions of the California Subdivision Map Act once the zone reclassification is completed. These are included as conditions of approval for the Final Map.

Compliance with Development Standards

The R1 zoning district's design standards are as follows:

- Setbacks
 - Front yard – 25-feet
 - Rear yard – 20-feet
 - Side yards – 5-feet
- Required lot width
 - 50-feet
- Required lot size 5,800-sqft minimum.

These design standards will be met by the proposed configuration of the new parcels. Parcel 1, however, has an existing building that houses the well's water pressure system that is located within the required side yard setback. This building was constructed sometime between 1940 and 1950 and is considered legally non-conforming, pursuant to 18.78.230 - Nonconforming Uses and Buildings, since its construction predates the county's current zoning code (around 1960), it will be allowed to continue with conditions of approval restricting any expansion of the building or uses.

COMMENTS

County staff sent letters requesting comments from: the Owens Valley Unified School District, the Independence Rural Fire Protection District, and the county departments of the Treasurer Tax Collector, Environmental Health, Public Works - Road. Staff received no comments on the project.

NOTICING

The project was noticed in the Inyo Register on July 2, 2026, and mailed to property owners within 300-feet, meeting the 20-day noticing requirement for changes to the zoning code.

ENVIRONMENTAL REVIEW

TPM 434 and ZR 2025-05 are Exempt from CEQA pursuant to the Commonsense Exemption 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This project proposes to subdivide a parcel of land into three new separate parcels. Single family homes are already built on the property, and the

subdivision will result in one single family home per new parcel. The area is currently disturbed with residential uses, and no new impacts will be generated from the approval of this project.

TPM 434/Fortney Biggs Findings:

1. Proposed TPM 434/ Fortney Biggs 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 project proposes to subdivide a parcel of land into three new separate parcels. Single family homes are already built on the property, and the subdivision will result in one single family home per new parcel. The area is currently disturbed with residential uses, and no new impacts will be generated from the approval of this project.]

2. TPM 434 Fortney Biggs is in conformance with the County's General Plan designation of RRH currently found on the property.

[Evidence: The RRH designation provides for single-family units at a density of 1-unit per acre. The lots resulting from the subdivision will be approximately 1-acre, the smallest being 1.01-acres. This is a density range 1-unit per acre meeting the current RRH density requirement. The RRH designation provides for large-lot single-family houses in more rural residential areas. The designation is intended for areas on the fringe of more densely developed areas where larger parcels sizes are preferred and those that lack complete sewer and water systems. Individual water wells and septic systems are allowed. Overall, the proposed subdivision is consistent with the current General Plan Designation.]

3. TPM 434/Fortney Biggs is not in conformance with the R3 Districts currently found on the property.

[Evidence: Multiple Family Residences 3+ units with a 1-acre minimum (R3-1) zoning designation currently found on the property does not conform to the proposed 3 individual 1-acre lots. A condition of approval to change the Zoning designation to R1 with a 1-acre minimum (R1-1) will be required for a Final Map to be approved. This zone reclassification will result in TPM 434 being in conformance with county's zoning code and with the General Plan designation of RRH.]

4. TPM 434/Fortney Biggs as conditioned with ZR 2025-05/Fortney Biggs is in conformance with the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.

[Evidence: Proposed TPM 434/Fortney Biggs is consistent with the requested R1-1 Zoning designation for all the proposed Parcels as all meet the development standards of minimum parcel size and setback requirements. 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. The site is physically suited for the proposed type and density of development and finds that the existing and future residential development are adequate to meet the needs of the proposed project.

[Evidence: The Project is consistent with the low-density residential character of the surrounding area and is already developed. Public services and utilities are already serving each single-family dwelling. The shared well will have to be reviewed by the Inyo County Environmental Department to ensure it is appropriately permitted and can continue to adequately serve the three homes. No increased demand for fire protection services is expected, as the property lies within the Independence Rural Fire Protection District and any future changes to the existing buildings will be required to meet the California Building Code, which helps to reduce fire related damage. TPM 434/Fortney Biggs has been reviewed by relevant County departments, with no comments that would necessitate changes or additional conditions.]

6. The provisions of Government code 66474.02 have been met (fire Protection and suppression).

[Evidence: The proposed Project is within a local fire district, which effectively exempts TPM 434/Fortney Biggs from 66474.02. Any future building will be required to follow building code that includes California's defensible space standards and wildland urban interface building standards. TPM 434/Fortney Biggs has been routed to the local fire district in Independence, and no comments have been received.]

7. The design of the subdivision 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 Parcels 2 and 3 are provided by Oak Creek Road, access to Parcel 1 will require an access easement from Parcel 2. The project is conditioned with an access easement creation from Parcel 2 to Parcel 1 prior to the recordation of the Final Map. Water is currently provided and conveyed from proposed Parcel 1. A water easement to and across Parcel 2 continuing to boundary line of Parcel 3 for water provision to parcels 2 and 3 is also a condition of approval and must be completed prior to the recordation of the Final Map. These easement requirements, nor the subdivision design will conflict with any existing easements and completing the required road and water access easements will cause TPM 434/Fortney Biggs to be in compliance with Title 16 of the Inyo County Code and the State Subdivision Map Act.]

8. The design and the 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, TPM 434/Fortney Biggs 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 parcel contains three existing residences and is disturbed by years of residential use.]

ZR 2025-05/Forney Biggs – Findings

1. ZR 2025-02/Fortney Biggs 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 project proposes to subdivide a parcel of land into three new separate parcels. Single family homes are already built on the property, and the subdivision will result in one single family home per new parcel. This requires a rezone from multiple-family residential 3+ units to one-family residential because there will no longer be 3-units on one parcel, but instead 1-unit each on 3 parcels. No other changes are proposed, and the area is currently disturbed by the existing residential uses. No new impacts will be generated from the approval of this project.]
2. ZR 2025-05/Fortney Biggs is in conformance with the County's General Plan designation of RRH currently found on the property.
[Evidence: The RRH designation provides for single-family units at a density of 1-unit per acre. The lots resulting from the subdivision will be approximately 1-acre each, the smallest being 1.01-acres. This is a density range 1-unit per acre meeting the current RRH density requirement. The RRH designation provides for large-lot single-family houses in more rural residential areas. The designation is intended for areas on the fringe of more densely developed areas where larger parcels sizes are preferred and those that lack complete sewer and water systems. Individual water wells and septic systems are allowed. Overall, the proposed subdivision is consistent with the current General Plan Designation.]
3. Based on substantial evidence in the record, the Planning Commission finds that TPM 434/Fortney Biggs is not in conformance with the R3 Multiple Family designation.
[Evidence: This designation was chosen for the parcel because all three of the housing units were built on a single lot. For the subdivision to be completed the Zoning designation will have to be changed to One-Family Residences (R1) with a 1-acre minimum because the 3 housing units are no longer proposed to be on a single lot, but instead on 3 individual 1-acre lots. This zoning would be consistent with the existing General Plan Land Use Designation of RRH. This designation also fits the rural nature

of the area and is not out of character with the general surroundings in which the project is located.

Conditions of Approval

1. Hold Harmless: The applicants, landowners, and/or operators 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 434 and ZR 2025-05.
2. Conformance with Parcel Map: The Final Map shall be in substantial conformance with the approved tentative map and shall be filed within twenty-four months from the date of approval of the tentative map by the Planning Commission, unless a request for an extension is received and approved prior to the expiration date.
3. Easements for road access to Parcel 1 and water access to Parcels 2 and 3 shall be created and recorded with the Inyo County Records Office prior to the recording of the Final Map.
4. Compliance with the California Subdivision Map Act and Inyo County Code: The developer shall comply with all applicable provisions of the California Subdivision Map Act (Government Code 66410 et seq.) and Inyo County Code.
5. Taxes and Assessments: The applicants, landowners, shall pay any delinquent and/or due taxes or special assessments to the satisfaction of the Inyo County Treasurer-Tax Collector prior to the recordation of the Final Map.
6. Completion of ZR 2025-05: The applicants, landowners, and/or operators shall have ZR 2025-05 adopted by the Inyo County Board of Supervisors prior to the recordation of the Final Map.
7. Applicant shall work with the County's Environmental Health Department to ensure the well and community water system are in compliance with all state and local regulations and can continue to provide potable water to all three residential units.
8. Applicant shall conform to all county and state regulations regarding building and health and safety codes.
9. Applicant shall not increase the size, bulk or height of the water pressure system building and shall not change or expand the use at its present location.

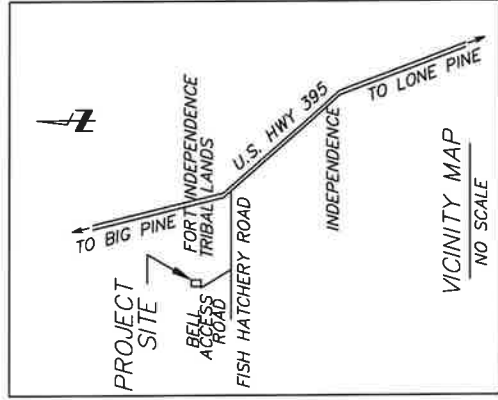
ATTACHMENTS

1. Vicinity Map
2. Tentative Parcel Map
3. Planning Commission Resolution to the Board of Supervisors
4. Draft Ordinance ZR 2025-04



TENTATIVE PARCEL MAP No. 434

A SUBDIVISION OF A PORTION OF THE NW 1/4 OF THE SW 1/4,
SECTION 1 T. 13 S., R. 34 E., M.D.B. & M.



OWNER / SUBDIVIDER

THE JUDITH A.BIGGS FAMILY ESTATE,
DATED MARCH 20, 2007
SUCCESSOR CO-TRUSTEES
JAENNE R. LOGAN & DIANE FORTNEY
3846 S 17725 W
CEDAR CRY, UTAH 84720

SURVEYOR

JEFF THOMPSON
25 QUAIL LANE
BISHOP, CA 93514
760-872-2095

- LEGEND:
- W — EX. WATER PIPE
 - D — EX. DOMESTIC WELL
 - V — EX. WATER VALVE
 - S — EX. SEPTIC
 - C — EX. CREEK
 - OH — EX. OVERHEAD POWER LINE
 - P — EX. POWER POLE
 - T — EX. PROPANE TANK
 - B — EX. BUILDING
 - P — EX. ASPHALT PAVEMENT
 - G — EX. GATE
 - BR — EX. BRIDGE

- 4100 — EX. MAJOR CONTOUR
- — EX. MINOR CONTOUR

PARCEL INFORMATION

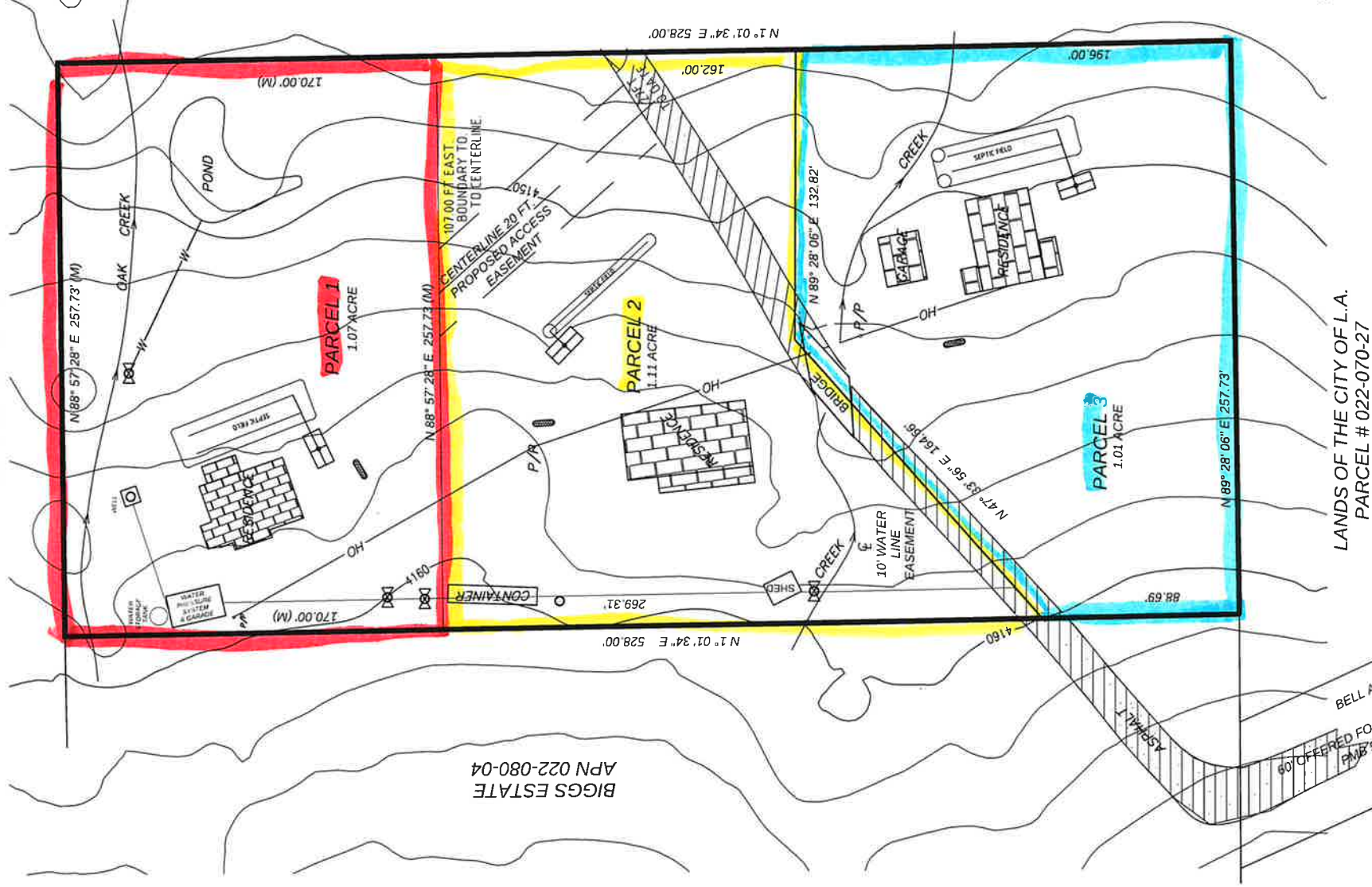
PARCEL # 022-080-03

ELECTRICAL SERVICE: L.A.D.W.P.
TELEPHONE SERVICE: FRONTIER
WATER: SINGLE SHARED WELL
SEWER: INDIVIDUAL SEPTIC
CURRENT ZONING: R3-30
GEN. PLAN DESIG.: RRH
LOCATION OF UNDERGROUND:
IMPROVEMENTS PROVIDED BY
RESIDENTS
MINIMAL FLOOD HAZARD, MAP
PUBLISHED 8-15-11
SMALLEST PARCEL: 1.05 ACRES
PROPOSED USE OF PROPERTY
R1 SINGLE FAMILY RESIDENCES
RECORD DATA USED TO DETERMINE BOUNDARY:
RECORD OF SURVEY BOOK 11, PG 100
RECORD OF SURVEY 08-007 BOOK 17, PG 74DDEDIT
FOUND EVIDENCE OF SURVEYS NOTED ABOVE.

ALQUIST-PRIOLO STUDY AREA:
FUTURE STRUCTURES TO BE
CONSTRUCTED WITHIN THIS AREA
SHALL CONFORM TO THE
REQUIREMENTS OF THE ALQUIST-PRIOLO
EARTHQUAKE FAULT ZONING ACT,
CA RESOURCE CODE SECTIONS
261 - 2630



LANDS OF THE CITY OF L.A.
PARCEL # 022-070-27



LANDS OF THE CITY OF L.A.
PARCEL # 022-070-27

LANDS OF THE CITY OF L.A.
PARCEL # 022-070-27

RESOLUTION NO. 2026-03

**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
RECLASSIFICATION NO. 2025-05 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 reclassify a parcel of land from Multiple Residential (R3-3) to One Family Residential (R1-1) as part of a three-lot subdivision request that will result in one already built home per lot instead of three homes on one lot. The project proposes no other changes and is located on already disturbed and developed land; and

WHEREAS, the Inyo County Planning Commission held a duly noticed public hearing on July 22, 2026, to review and consider a request for approval of Zone Reclassification (ZR) No. 2025-05, 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 ZR 2025-05 is consistent with the Inyo County General Plan designation of Residential Rural High Density (RRH). This designation provides for single-family units at a density of 1-unit per acre. The lots resulting from the subdivision will be approximately 1-acre, the smallest being 1.01-acres. This is a density range of 1-unit per acre meeting the current RRH density requirement. The Residential Rural High designation provides for large-lot single-family houses in more rural residential areas. The designation is intended for areas on the fringe of more densely developed areas where larger parcels sizes are preferred and those that lack complete sewer and water systems. Individual water wells and septic systems are allowed. Overall, the proposed subdivision is consistent with the current General Plan Designation; and

WHEREAS, ZR 2025-05 is consistent with the Inyo County Zoning code as the

project site is currently zoned Multiple-Residential 3+ units or R3. This designation was appropriate as currently there are 3 housing units on a single lot. For the subdivision to be completed the Zoning designation will have to be changed to One-Family Residences (R1) with a 1-acre minimum because the 3 housing units are no longer proposed to be on a single lot, but instead on 3 individual lots. This zoning would be consistent with the existing General Plan Land Use Designation of RRH for the 3 lots. This designation also better fits the rural nature of the area and is not out of character with the general surroundings in which the project is located.

THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comments and input received at the July 22, 2026, 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 reclassify a parcel of land from Multiple Residential (R3-3) to One Family Residential (R1-1). The project proposes no other changes and is located already disturbed and built on land.
2. Based on substantial evidence in the record, the proposed Zone Reclassification is consistent with the Inyo County General Plan designation of Residential Rural High Density (RRH). This designation provides for single-family units at a density of 1-unit per acre. The lots resulting from the subdivision will be approximately 1-acre, the smallest being 1.01-acres. This meets the current RRH density requirement. The Residential Rural High designation also provides for large-lot single-family houses in more rural residential areas. The designation is intended for areas on the fringe of more densely developed areas where larger parcels sizes are preferred and those that lack complete sewer and water systems.
3. Based on substantial evidence in the record, the proposed Zone Reclassification is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code as the project site is currently zoned Multiple-Residential 3+ units or R3. This designation was appropriate as currently there are 3 housing units on a single lot. For the subdivision to be completed the Zoning designation will have to be changed to One-Family Residences (R1) with a 1-acre minimum because the 3 housing units are no longer proposed to be on a single lot, but instead on 3 individual lots. This zoning would be consistent with the existing General Plan Land Use Designation of RRH for the 3 lots. This designation also better fits the rural nature of the area and is not out of character for the general surroundings in which the project is located.

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 18.81 of the Inyo County Code related to the Zoning Map of the County of Inyo 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 22nd Day of July, 2026, by the following vote of the Inyo County Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

Caitlin Morley, Chair
Inyo County Planning Commission

ATTEST:

Cathreen Richards, Planning Director

By _____
Sally Faircloth, Secretary of the Commission

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2025-05/FORTNEY BIGGS AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING A THREE-ACRE PARCEL OF LAND LOCATED IN THE COMMUNITY OF INDEPENDENCE, (APN 022-080-13) FROM MULTIPLE FAMILY RESIDENTIAL THREE UNITS AND ABOVE WITH A THREE ACRE MINIMUM (R3-3) TO ONE FAMILY RESIDENTIAL WITH A ONE-ACRE MINIMUM (R1-1)

The Board of Supervisors of the County of Inyo ("Board") ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the Board's general police power as well as Sections 18.81.310 and 18.81.350 of the Inyo County Code (ICC), which establish the procedure for the Board to enact changes to the County's Zoning Ordinance.

The Board 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) Pursuant to ICC Section 18.81.320, The Judith A Biggs Family Trust ("Applicant") applied to the Inyo County Planning Commission to reclassify the zone designation of a 3-acre parcel located at 840 W. Oak Creek Road, Independence, California, identified as APN: 022-080-03 from Multiple Residential with a three acre minimum (R3-3) to One Family Residences with a one acre minimum (R1-1), and to have the County's Zoning Map amended to reflect this change (Zone Reclassification No. 2025-05 Fortney Biggs).
- (2) On July 22, 2026 the Inyo County Planning Commission conducted a public hearing on Zone Reclassification No. 2025-05 Fortney Biggs, following which, the Commission made various findings and recommended that the Board amend ICC Title 18, to rezone the property described in Section III of this Ordinance to One Family Residences with a one acre minimum (R1-1).
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan including the General Plan designation currently found on the property.
- (5) The proposed actions will act to further the orderly growth and development of the County by rezoning the property to One Family Residences with a one acre minimum (R1-1) 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 three acre parcel as subdivided by Tentative Parcel Map 434 located at 840 W. Oak Creek Road, Independence, California, identified as APN: 022-080-03 is changed from Multiple Residential with a three acre minimum (R3-3) to One Family Residences with a one acre minimum (R1-1).

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 -

AYES:

NOES:

ABSTAIN:

ABSENT:

Trina Orrill, Chairperson
Inyo County Board of Supervisors

ATTEST:

David Fraser
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
(760) 872-2706
FAX: (760) 873-2712
E-Mail: inyoplanning@inyocounty.us

AGENDA ITEM NO.

8 (Action Item and Public Hearing)

PLANNING COMMISSION

MEETING DATE:

July 22, 2026

SUBJECT:

Zone Text Amendment (ZTA) No. 2026-01/Inyo County – Infill Housing / REAP 2.0 Implementation

EXECUTIVE SUMMARY

Staff has prepared a proposed ordinance amending multiple sections of Title 18 (Zoning) of the Inyo County Code to address housing constraints identified through the County's REAP 2.0-funded infill housing work program and related 6th Cycle Housing Element implementation efforts. The amendments focus on aligning zoning provisions with applicable General Plan density ranges, reducing certain residential setback constraints, clarifying and expanding the treatment of accessory dwelling units (ADUs), revising accessory building standards, and providing limited parking flexibility where site-specific conditions support reduced demand.

The ordinance is based on technical analysis conducted by Precision Civil Engineering in 2025–2026, including review of residential design and density standards, evaluation of vacant and underutilized lands, infill capacity analysis, and related study of ADUs, parking, and adaptive reuse opportunities in Big Pine, Independence, and Lone Pine. The project also included six public meetings, two surveys, and follow-up study sessions with the Planning Commission and Board of Supervisors, through which setbacks, density determination, parking flexibility, and ADUs emerged as key opportunity areas for zoning updates.

On February 3, 2026, the Board of Supervisors directed staff to prepare an update to the Inyo County Code addressing alignment of allowed dwelling units with General Plan density, reduced front and rear yard setbacks, clarification of ADU regulations, and relaxation of certain residential parking requirements. Staff now requests that the Planning Commission conduct a public hearing, consider the recommended findings, and forward a recommendation to the Board of Supervisors to approve Zone Text Amendment No. 2026-01 and adopt the accompanying ordinance amending Title 18.

PROJECT INFORMATION

Supervisory District: County-wide

Applicants: Inyo County

**Landowners:
Address/** Multiple

Community: County-wide

A.P.N.: County-wide

Surrounding Land Use: Various

Recommended Action: **Recommend that the Board of Supervisors:**

1.) Find the proposed project exempt from the requirements of the California Environmental Quality (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

2.) Make certain Findings with respect to, and approve, Zone Text Amendment ZTA No. 2026-01.

Alternatives:

- 1.) Recommend modifications to the proposal.
- 2.) Recommend denial. This is not recommended, as the ordinance is a key implementation step for the County's REAP 2.0-funded infill housing work program and is intended to help address constraints identified in the 6th Cycle Housing Element. Denial could undermine the effectiveness of the grant-funded work and delay progress toward infill housing and Housing Element implementation.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

BACKGROUND

The County's 6th Cycle Housing Element identified governmental constraints to housing development, including outdated zoning and General Plan requirements that may limit infill housing opportunities. On May 15, 2024, the County was awarded a Regional Early Action Planning (REAP) 2.0 grant to review and remove such constraints in order to accelerate infill housing.

On December 31, 2025, the County entered into a contract with Precision Civil Engineering to evaluate residential design standards and their relationship to current code requirements and to identify zoning and General Plan standards that could be inhibiting infill development, including second units and accessory dwelling units, using Big Pine, Independence, and Lone Pine as the primary evaluation areas. The technical work included a Development and Design Standards Review, a Vacant and Underutilized Lands Inventory, an Infill Residential Capacity Study, and related memoranda concerning ADUs, parking, adaptive reuse, and possible zoning text amendments.

Planning staff and Precision Civil Engineering conducted six public meetings and two surveys to gather community input on preferred housing types and opportunities for additional infill housing. Based on that outreach and technical analysis, the key topics refined for further ordinance development were setbacks, how housing density is determined, parking flexibility, accessory dwelling units, and adaptive reuse.

Several iterations of setback, parking, and density examples were then presented and discussed with the Planning Commission and Board of Supervisors. On February 3, 2026, the Board directed staff to prepare code amendments addressing alignment of zoning-permitted units with General Plan density requirements, reduced front and rear yard setbacks, clarification of where ADUs are allowed and how they are defined, and reduced parking requirements in appropriate circumstances.

A subsequent Countywide Evaluation of Proposed Text Amendments Memorandum evaluated whether key residential changes, particularly the R-1/R-2 setback and unit-determination revisions, would be appropriate for broader application across the unincorporated County. That memorandum concluded that the amendments could remain within applicable General Plan density ranges, increase buildable area and residential opportunity, and be implemented without changing maximum density allowances, provided parcels satisfy applicable development constraints such as wastewater, access, fire protection, and related site standards.

Summary of Proposed Amendments

The proposed ordinance amends multiple sections of Title 18 to implement the residential infill concepts evaluated through the REAP 2.0 work program and refined through public outreach and Board direction. In summary, the ordinance would make the following changes:

- **R-1 and R-2 permitted uses and unit determination.** Amend the R-1 and R-2 districts to expressly allow ADUs and to provide that, notwithstanding the default use language, the number of dwelling units permitted on a parcel may be determined by the applicable General Plan land use designation, provided the parcel is physically and legally capable of accommodating the proposed development and can meet onsite wastewater, access, fire protection, building separation, and related development standards. Parcels that cannot demonstrate such compliance are not eligible for this allowance.

- **R-1 and R-2 setback revisions.** Reduce minimum front yard setbacks from 25 feet to 15 feet and rear yard setbacks from 20 feet to 5 feet, with a zero-foot rear setback option for lots with alley access where the alley is sufficiently improved and approved for emergency access.
- **Parking flexibility.** Retain baseline parking requirements in the R-1, R-2, and R-3 districts and in specified commercial and mixed-use districts, but authorize the Planning Director to approve reductions where required by State law or where project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other site-specific factors demonstrate lower parking demand.
- **ADU clarification and code consistency.** Amend Chapter 18.06 to add or revise the ADU definition; amend Section 18.78.340 to state that ADUs are permitted in all residential and mixed-use zones on the same parcel as an existing or proposed single-family or multi-family dwelling, in accordance with State ADU law; and add ADUs as permitted uses in affected residential and commercial/mixed-use zones, specifying that ADUs do not count toward the number of dwelling units permitted under the primary use provisions.
- **Accessory building standards.** Amend Section 18.78.150 to clarify default setbacks, height limits, alley-access provisions, and other development standards for detached accessory buildings, while preserving more specific standards where otherwise provided in the regulations of the applicable zoning district.

ENVIRONMENTAL REVIEW

The proposed zoning text amendments are exempt from the California Environmental Quality Act (CEQA) under the “common sense” exemption in State CEQA Guidelines Section 15061(b)(3). This exemption applies where it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

The amendments do not change General Plan land use designations or adopted General Plan density ranges. The changes clarify how existing General Plan densities may be realized on individual parcels (for example, by allowing multiple dwelling units in R-1 and R-2 where the General Plan already supports more than one unit per lot), introduce limited flexibility in applying parking and yard standards, and confirm that ADUs are allowed consistent with State law. The amendments do not authorize development beyond the intensity already contemplated by the General Plan and do not expand the geographic extent of urban development.

Because the project maintains existing General Plan density limits and growth patterns and primarily reorganizes and modernizes existing regulations to remove internal inconsistencies and better align with State housing law, there is no substantial evidence that the amendments would result in new or more severe environmental impacts compared to existing conditions and entitlements. The zoning text amendments therefore have no possibility of causing a significant effect on the environment and are exempt from CEQA pursuant to Guidelines Section 15061(b)(3).

RECOMMENDATIONS

Staff recommends that the Planning Commission adopt the recommended findings and forward a recommendation to the Board of Supervisors to consider the proposed Zone Text Amendment and adopt the proposed ordinance amending Title 18 (Zoning) of the Inyo County Code.

Recommended Findings

1. This proposed ordinance is covered by the General Rule 15061(b)(3) *[Evidence: The proposed zoning text amendments do not change General Plan land use designations or adopted General Plan density ranges. The amendments clarify how existing General Plan densities may be realized on individual parcels, provide limited flexibility in applying development standards, and align portions of the County's zoning code with current State law. Because the amendments do not authorize development beyond the intensity already contemplated by the General Plan and do not expand the geographic extent of development, it can be seen with certainty that there is no possibility the project may have a significant effect on the environment.]*
2. Based on substantial evidence in the record, the proposed Zoning text Amendment is consistent with the Goals and Policies of the Inyo County General Plan. *[Evidence: The amendments are informed by constraints identified through the County's 6th Cycle Housing Element and subsequent REAP 2.0-funded technical analysis. The amendments are intended to reduce regulatory barriers, improve consistency between the zoning code and the General Plan, and allow housing opportunities to occur within the land use designations and density ranges already established by the General Plan. The amendments do not alter the General Plan land use map or increase adopted density ranges.]*
3. Based on substantial evidence in the record, the proposed Zoning text Amendment is consistent with Title 18 (Zoning Ordinance of Inyo County Code). *[Evidence: The amendments update and clarify existing provisions of Title 18 relating to residential uses, setbacks, accessory buildings, parking, ADUs, and related definitions. The amendments do not conflict with other sections of the County's zoning code, but instead improve internal consistency, remove outdated or restrictive provisions, and better align Title 18 with current State housing law, the County's General Plan, and recent County planning analysis. The amendments therefore remain consistent with the purpose and intent of Title 18 to regulate land uses and development standards in an orderly manner throughout the County.]*

ATTACHMENTS

- Draft Resolution
- Draft Ordinance
- Proposed Zone Text Amendment in strike out and underline

Proposed Planning Commission Resolution

RESOLUTION NO. 2026-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING TITLE 18 (ZONING) OF THE INYO COUNTY CODE RELATING TO RESIDENTIAL INFILL DEVELOPMENT, ACCESSORY DWELLING UNITS, ACCESSORY BUILDINGS, AND PARKING, AND APPROVING ZONE TEXT AMENDMENT NO. 2026-01.

WHEREAS, the County's 6th Cycle Housing Element identified governmental constraints to housing development, including outdated zoning and General Plan requirements that may limit infill housing opportunities in the unincorporated County; and

WHEREAS, on May 15, 2024, the County of Inyo was awarded a Regional Early Action Planning (REAP) 2.0 grant to review and remove governmental constraints to housing development as identified in the 6th Cycle Housing Element and to accelerate infill housing; and

WHEREAS, on December 31, 2025, the County entered into a contract with Precision Civil Engineering, Inc. (PCE) to provide planning services to evaluate residential design standards and their relationship to current code requirements, and to identify zoning and General Plan design and density standards that could be inhibiting infill development, including second units and accessory dwelling units (ADUs), using the communities of Big Pine, Independence, and Lone Pine as primary evaluation areas; and

WHEREAS, as part of this REAP 2.0-funded work program, PCE prepared a Development and Design Standards Review, a Vacant and Underutilized Lands Inventory, an Infill Residential Capacity Study, an ADU review, a Parking Regulations Memorandum, an Adaptive Reuse Memorandum, and a Countywide Evaluation of Proposed R-1/R-2 Text Amendments Memorandum, all of which identify regulatory constraints and opportunities related to setbacks, density determination, parking, ADUs, and adaptive reuse; and

WHEREAS, Inyo County Planning staff and PCE conducted six public meetings and two mailed/online surveys to collect community input regarding preferred housing types and infill housing opportunities in Big Pine, Independence, and Lone Pine, and through this outreach, second units and ADUs were identified as highly preferred infill housing options; and

WHEREAS, based on the technical analysis and public input, staff and PCE refined key infill development issues and opportunities, including setbacks, how housing density is determined, flexibility in parking requirements, ADUs, and adaptive reuse; and

WHEREAS, several iterations of setback, parking, and density examples were presented and discussed at workshops with the Planning Commission and the Board of Supervisors; and

WHEREAS, on February 3, 2026, the Board of Supervisors provided direction to staff to prepare amendments to the Inyo County Code addressing: (1) alignment of zoning-permitted

dwelling units with General Plan density requirements; (2) reduced front and rear yard setbacks; (3) clarification and encouragement of ADU development by updating the code to clarify where ADUs are allowed and how they are defined; and (4) relaxation of certain residential parking requirements where appropriate; and

WHEREAS, the Countywide Evaluation of Proposed R-1/R-2 Text Amendments Memorandum concluded that proposed R-1 and R-2 text amendments, specifically, alignment of permitted unit types with General Plan residential density and reductions in front and rear yard setbacks, are appropriate for application countywide, can remain within applicable General Plan density ranges, and can increase buildable area and residential opportunities without changing maximum density allowances, provided that parcels meet applicable physical and legal constraints including wastewater, access, fire protection, and related development standards; and

WHEREAS, staff has prepared a proposed ordinance (Zone Text Amendment No. 2026-01) attached hereto as Exhibit A, amending multiple sections of Title 18 (Zoning) of the Inyo County Code, including but not limited to Chapters 18.06, 18.30, 18.33, 18.34, 18.44, 18.45, 18.48, 18.49, 18.51, 18.54, and Section 18.78.150 and 18.78.340, to: (1) align the number of dwelling units permitted on R-1 and R-2 parcels with applicable General Plan density ranges; (2) reduce front and rear yard setbacks in the R-1 and R-2 districts; (3) codify limited parking flexibility based on site-specific conditions; (4) clarify and expand ADU provisions and permitted use listings; and (5) update accessory building standards; and

WHEREAS, the proposed zoning text amendments do not change General Plan land use designations or adopted General Plan density ranges but instead clarify how existing General Plan densities may be realized on individual parcels, provide limited flexibility in applying development standards, and better align zoning regulations with State housing law and the County's housing goals; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on July 22, 2026, at which time all interested persons were given the opportunity to be heard and the Commission considered the staff report, draft ordinance, technical memoranda, and all oral and written testimony submitted regarding the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Inyo hereby finds and determines as follows:

1. The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the proposed zoning text amendment may have a significant effect on the environment. The proposed amendments do not change General Plan land use designations or adopted General Plan density ranges, do not authorize development beyond the intensity already contemplated by the General Plan, and do not expand the geographic extent of urban development.
2. Based on substantial evidence in the record, the proposed Zone Text Amendment No. 2026-01 is consistent with the goals and policies of the Inyo County General Plan. The

amendments are intended to reduce regulatory barriers, improve consistency between the zoning code and the General Plan, and allow housing opportunities to occur within the land use designations and density ranges already established by the General Plan.

3. Based on substantial evidence in the record, the proposed Zone Text Amendment No. 2026-01 is consistent with Title 18 (Zoning Ordinance of Inyo County Code). The amendments update and clarify existing provisions relating to residential uses, setbacks, accessory buildings, parking, ADUs, and related definitions, and do not conflict with other sections of the County's zoning code.

BE IT FURTHER RESOLVED that the Planning Commission of the County of Inyo hereby recommends that the Board of Supervisors of the County of Inyo:

1. Find that Zone Text Amendment No. 2026-01 is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3); and
2. Adopt the ordinance attached hereto as Exhibit A, entitled an ordinance amending Title 18 (Zoning) of the Inyo County Code relating to residential infill development, accessory dwelling units, accessory buildings, and parking, thereby approving Zone Text Amendment No. 2026-01.

PASSED AND ADOPTED this 22nd day of July, 2026 by the following vote of the Inyo County Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

Caitlan Morley, Chairperson

ATTEST: Cathreen Richards

By:

Sally Faircloth, Planning Commission Clerk

Exhibit A
Proposed Board of Supervisors Resolution

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING INYO COUNTY CODE SECTIONS 18.30.030 D; 18.30.030 E; 18.30.070 A; 18.30.070 B; 18.30.110; 18.33.020 E; 18.33.020 F; 18.33.050 A; 18.33.050 B; 18.33.080; 18.34.020 I; 18.34.050 H; 18.44.020 Y; 18.45.020 D 4; 18.48.020 R; 18.49.020 Q; 18.51.020 K; 18.54.020 L; 18.78.150 B; 18.78.150 F; 18.78.150 E; 18.78.340; AND, AMENDING CHAPTERS 18.06 OF THE INYO COUNTY CODE.

WHEREAS, on May 15, 2024, Inyo County was awarded a Regional Early Action Planning (REAP 2) Grant to conduct a review and removal of governmental constraints to housing development as identified in its 6th Cycle Housing Element, to accelerate infill housing; and

WHEREAS, on December 31, 2025, Inyo County entered into a contract with Precision Civil Engineering (PCE) for planning services to conduct a review of residential design standards and their relationships to the Current California Building Code, to be used to identify zoning and General Plan design and density requirements that could be inhibiting more infill development, such as second units and Accessory Dwelling Units (ADU). The communities of Big Pine, Independence and Lone Pine were used for evaluations; and

WHEREAS, Inyo County planning and PCE staff conducted six public meetings and two mailed/online surveys to collect the community's opinions generally, and on what types of infill or additional housing types they preferred for their communities. This resulted in second units, accessory dwelling units being the most preferred; and

WHEREAS, PCE staff refined the comments and suggestions into infill development issues and opportunities including: setbacks, how housing density is determined, flexibility of parking requirements, accessory dwelling units, and adaptive reuse; and

WHEREAS, several iterations of setbacks, parking, and density examples were shared and discussed at workshops with the Planning Commission and Board of Supervisors; and

WHEREAS, on February 3, 2026, the Board provided direction to staff to prepare an update to the Inyo County Code addressing: the alignment of the zoning code's allowed units with general plan density requirements, reducing front and rear yard setbacks, encouraging accessory dwelling unit development by updating the code to clarify where it is allowed and how it is defined, and relaxing some residential parking requirements, and

WHEREAS, the Inyo County Planning Commission met to discuss the proposed changes to the zoning ordinance with regard to consistency with state law, the General Plan and the California Environmental Quality Act and concurred with staff recommendations.

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

SECTION I. Chapter 18.06 of the Inyo County Code is amended to add as follows:

“18.06.023. Accessory dwelling units

“Accessory dwelling unit” means an attached or a detached residential dwelling unit that provides complete, independent living facilities for one or more persons, and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is, or will be, situated. An ADU also includes the following: a) an efficiency unit; b) a manufactured home, as defined in Section 18007 of the Health and Safety Code. Source: Government Code section 66313, subdivision (a). A tiny home on permanent foundation that meets applicable State Law may qualify as an ADU.”

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

“18.30.030 – Permitted Uses.

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

- A. One single-family dwelling on a lot, including single-family mobile homes;
- B. Garden, orchard field crop, where no building is involved;
- C. Transitional, supportive and group homes;
- D. Accessory dwelling unit(s), in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;
- E. Notwithstanding subsection A, the number of dwelling units permitted on a lot may be determined by the applicable general plan land use designation, provided the parcel is physically and legally capable of accommodating the proposed development and can satisfy applicable onsite wastewater requirements, access, fire protection, minimum building separation, and other site development standards necessary to support the proposed number of dwelling units. Parcels that cannot demonstrate such compliance shall not be eligible for this allowance.”

SECTION III. Section “18.30.070 of the Inyo County Code is amended in its entirety to read as follows:

“18.30.070 – Yards. The minimum requirements for yards in R-1 districts shall be as follows:

- A. Depth of front yard, subject to the exceptions set forth by the general regulations, fifteen feet;
- B. Depth of rear yard, five feet, or zero feet for lots with alley access, provided that the alley is improved to a width of at least twenty feet and is approved for emergency access by the applicable emergency access provider;

- C. Width of side yard along the street lot line of a corner lot, five feet;
- D. Width of side yard along interior side lot line, five feet.”

SECTION IV. Section 18.30.110 of the Inyo County Code is amended to add as follows:

“18.30.110 – Parking requirement. Two spaces are required for each dwelling unit, except as otherwise provided by State Law or approved by the planning director. The planning director may approve a reduction in the required number of spaces upon a finding that the proposed development demonstrates lower parking demand based on project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other relevant site-specific conditions.”

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

“18.33.020 – Permitted uses. 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;
- E. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;
- F. Notwithstanding subsections A and B, the number of dwelling units permitted on a lot may be determined by the applicable general plan land use designation, provided the parcel is physically and legally capable of accommodating the proposed development and can satisfy applicable onsite wastewater requirements, access, fire protection, minimum building separation, and other site development standards necessary to support the proposed number of dwelling units. Parcels that cannot demonstrate such compliance shall not be eligible for this allowance.”

SECTION VI. Section 18.33.050 of the Inyo County Code is amended to read as follows:

“18.33.050 – Yards. The minimum requirements for yards in the R-2 district shall be as follows:

- A. Depth of front yard: fifteen feet;

- B. Depth of rear yard: five feet, or zero feet for lots with alley access, provided that the alley is improved to a width of at least twenty feet and is approved for emergency access by the applicable emergency access provider;
- C. Width of side yards: five feet.”

SECTION VII. Section 18.33.080 of the Inyo County Code is amended to read as follows:

“18.33.080 – Parking. Off-street parking spaces shall be provided on a parking lot, or within a garage or carport at the ratio of two spaces per dwelling unit, except as otherwise provided by State Law or approved by the planning director. The planning director may approve a reduction in the required number of spaces upon a finding that the proposed development demonstrates lower parking demand based on project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other relevant site-specific conditions.”

SECTION VIII. Section 18.34.020 of the Inyo County Code is amended to add as follows:

“18.34.020 I – Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.”

SECTION IX. Section 18.34.050 of the Inyo County Code is amended to add as follows:

“18.34.050 H – Off-street parking spaces per dwelling unit: two designated spaces plus one guest parking space for each four dwelling units, except as otherwise provided by State Law or approved by the planning director. The planning director may approve a reduction in the required number of spaces upon a finding that the proposed development demonstrates lower parking demand based on project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other relevant site-specific conditions.”

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

“18.44.020 Y – Off-street parking spaces per dwelling unit: two designated spaces plus one guest parking space for each four dwelling units, except as otherwise provided by State Law or approved by the planning director. The planning director may approve a reduction in the required number of spaces upon a finding that the proposed development demonstrates lower parking demand based on project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other relevant site-specific conditions.”

SECTION XI. Section 18.45.020 of the Inyo County Code amended to add as follows:

“18.45.020 D 4 – Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.”

SECTION XII. Section 18.48.020 of the Inyo County Code is amended to add as follows:

“18.48.020 R – Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.”

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

“18.49.020 – Principal permitted uses.

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

- Q. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;

SECTION XIV. Section 18.51.020 of the Inyo County Code is amended to add as follows:

“18.51.020 K – Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.”

SECTION XV. Section 18.54.020 of the Inyo County Code is amended to add as follows:

“18.54.020 L – Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.”

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

“18.78.150 – Accessory buildings. Accessory buildings, including, but not limited to, sheds, barns, detached garages, shipping containers, metal freight boxes, and greenhouses shall comply with the requirements set forth below:

- A. No detached accessory building shall be located within ten feet of any building;
- B. No detached accessory building shall be located within five feet of the rear or side lot line except as otherwise specifically provided in the regulations of the specific zoning district;
- C. No detached accessory building shall have a height in excess of twenty feet except as otherwise specifically provided in the regulations of the specific zoning district;

- D. No accessory building shall occupy any part of a required front yard; and no accessory building shall be placed in front of the primary structure when located within R1 and RMH districts;
- E. On a corner lot which is not within a R-1 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;
- F. Where an accessory garage is accessible to vehicles from an alley, it shall be located not less than thirty feet from the opposite side of the alley and in no case closer than five feet to the rear lot line except as otherwise specifically provided in the regulations of the specific zoning district;
- G. Signs, including advertising, shall not be permitted on or attached to accessory buildings except those required by law that contain public safety information;
- H. Accessory buildings shall not be stacked;
- I. Accessory buildings shall be painted to similarly match the primary structure or the surrounding landscape;
- J. Accessory buildings whole or in part that are proposed as primarily structures and/ or part of a primary structure shall be constructed with material that meets all building and safety requirements and their use is subject to the approval of the building official and of subsections G, H, and I of this section.”

SECTION XVII. Section 18.78.340 of the Inyo County Code is amended in its entirety to read as follows:

“18.78.340 – Accessory dwelling units. Accessory dwelling units ("ADUs") are permitted in all residential and mixed-use zones, on the same parcel as an existing or proposed single-family or multi-family dwelling, in accordance with State ADU Law. Regulations found in this title regarding principally permitted dwelling units in the residential and mixed-use zones apply to ADUs; provided, however, that if such regulations conflict with state law regarding ADUs, state law shall prevail.”

SECTION XVIII. 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 XIX. 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 25th day of August by the following vote of the Inyo County Board of Supervisors:

AYES:

NOES:

ABSTAIN:

ABSENT:

Trina Orrill, Chairperson

ATTEST: David Fraser
 Clerk to the Board

By: _____
 Darcy Ellis, Assistant

Proposed Ordinance in Strike Out and Underline

TITLE 18 (ZONING) OF THE INYO COUNTY CODE
PROPOSED ZONE TEXT AMENDMENT IN LEGISLATIVE FORMAT
~~STRIKTHROUGH~~ AND UNDERLINE
ZTA NO. 2026-01

CHAPTER 18.06
DEFINITIONS

18.06.023. Accessory dwelling unit.

“Accessory dwelling unit” means an attached or a detached residential dwelling unit that provides complete, independent living facilities for one or more persons, and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is, or will be, situated. An ADU also includes the following: a) an efficiency unit; b) a manufactured home, as defined in Section 18007 of the Health and Safety Code. Source: Government Code section 66313, subdivision (a). A tiny home on permanent foundation that meets applicable State Law may qualify as an ADU.

CHAPTER 18.30

R-1 DISTRICTS—ONE FAMILY RESIDENCES

18.30.030. Permitted uses.

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;
- D. Accessory dwelling unit(s), in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;
- E. Notwithstanding subsection A, the number of dwelling units permitted on a lot may be determined by the applicable general plan land use designation, provided the parcel is physically and legally capable of accommodating the proposed development and can satisfy applicable onsite wastewater requirements, access, fire protection, minimum building separation, and other site development standards necessary to support the proposed number of dwelling units. Parcels that cannot demonstrate such compliance shall not be eligible for this allowance.

18.30.070. Yards.

The minimum requirements for yards in R-1 districts shall be as follows:

- A. Depth of front yard, subject to the exceptions set forth by the general regulations, ~~twenty-five~~ fifteen feet;
- B. Depth of rear yard, ~~twenty feet five feet, or zero feet for lots with alley access, provided that the alley is improved to a width of at least twenty feet and is approved for emergency access by the applicable emergency access provider;~~
- C. Width of side yard along the street lot line of a corner lot, five feet;
- D. Width of side yard along interior side lot line, five feet.

18.30.110. Parking requirement.

Two spaces are required for each dwelling unit, except as otherwise provided by State Law or approved by the planning director. The planning director may approve a reduction in the required number of spaces upon a finding that the proposed development demonstrates lower parking demand based on project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other relevant site-specific conditions.

CHAPTER 18.33

R-2 DISTRICTS—MULTIPLE RESIDENTIAL

18.33.020. Permitted uses.

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;
- E. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;
- F. Notwithstanding subsections A and B, the number of dwelling units permitted on a lot may be determined by the applicable general plan land use designation, provided the parcel is physically and legally capable of accommodating the proposed development and can satisfy applicable onsite wastewater requirements, access, fire protection, minimum building separation, and other site development standards necessary to support the proposed number of dwelling units. Parcels that cannot demonstrate such compliance shall not be eligible for this allowance.

18.33.050. Yards.

The minimum requirements for yards in the R-2 district shall be as follows:

- A. Depth of front yard: ~~twenty-five~~ fifteen feet;
- B. Depth of rear yard: ~~twenty feet~~ five feet, or zero feet for lots with alley access, provided that the alley is improved to a width of at least twenty feet and is approved for emergency access by the applicable emergency access provider;
- C. Width of side yards: five feet.

18.33.080. Parking.

Off-street parking spaces shall be provided on a parking lot, or within a garage or carport at the ratio of two spaces per dwelling unit, except as otherwise provided by State Law or approved by the planning director. The planning director may approve a reduction in the required number of spaces upon a finding that the proposed development demonstrates lower parking demand based on project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other relevant site-specific conditions.

CHAPTER 18.34

R-3 MULTIPLE RESIDENTIAL ZONE

18.34.020. Principal permitted uses.

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

- I. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;

18.34.050. Development standards.

The following are minimum standards established for development in the R-3 zone except as otherwise provided in this title or as modified for conditional uses:

- H. Off-street parking spaces per dwelling unit: two designated spaces plus one guest parking space for each four dwelling units, except as otherwise provided by State Law or approved by the planning director. The planning director may approve a reduction in the required number of spaces upon a finding that the proposed development demonstrates lower parking demand based on project type, unit type, occupancy, proximity to transit or services, shared parking opportunities, or other relevant site-specific conditions.

CHAPTER 18.44

CB DISTRICT—CENTRAL BUSINESS

18.44.020. Principal permitted uses.

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:

- Y. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.

CHAPTER 18.45

C-1 DISTRICTS GENERAL COMMERCIAL AND RETAIL

18.45.020. Permitted uses.

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

D. Housing:

4. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;

CHAPTER 18.48

C-2 DISTRICTS—HIGHWAY SERVICES AND TOURIST COMMERCIAL

18.48.020. Principal permitted uses.

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

- R. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.

CHAPTER 18.49

C-4 ZONE—HEAVY COMMERCIAL

18.49.020. Principal permitted uses.

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, commercial 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.~~

Q. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection;

R. 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.

CHAPTER 18.51

C-3 ADMINISTRATIVE AND PROFESSIONAL OFFICES ZONE

18.51.020. Permitted uses.

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:

- K. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.

CHAPTER 18.54

C-5 ZONE—COMMERCIAL RECREATION

18.54.020. Principal permitted uses.

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

- L. Accessory dwelling unit(s) in compliance with section 18.78.340 Accessory dwelling units and shall not count toward the number of dwelling units permitted under this subsection.

Chapter 18.78

GENERAL REGULATIONS

18.78.150. Accessory buildings.

Accessory buildings, including, but not limited to, sheds, barns, detached garages, shipping containers, metal freight boxes, and greenhouses shall comply with the requirements set forth below.

- A. No detached accessory building shall be located within ten feet of any building;
- B. No detached accessory building shall be located within five feet of the rear or side lot line except as otherwise specifically provided in the regulations of the specific zoning district;
- C. No detached accessory building shall have a height in excess of twenty feet except as otherwise specifically provided in the regulations of the specific zoning district;
- D. No accessory building shall occupy any part of a required front yard; and no accessory building shall be placed in front of the primary structure when located within R1 and RMH districts;
- E. On a corner lot which is not within a R-1 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;
- F. Where an accessory garage is accessible to vehicles from an alley, it shall be located not less than thirty feet from the opposite side of the alley and in no case closer than five feet to the rear lot line except as otherwise specifically provided in the regulations of the specific zoning district;
- G. Signs, including advertising, shall not be permitted on or attached to accessory buildings except those required by law that contain public safety information;
- H. Accessory buildings shall not be stacked;
- I. Accessory buildings shall be painted to similarly match the primary structure or the surrounding landscape;
- J. Accessory buildings whole or in part that are proposed as primarily structures and/ or part of a primary structure shall be constructed with material that meets all building and safety requirements and their use is subject to the approval of the building official and of subsections G, H, and I of this section.

18.78.340. Accessory dwelling units.

Accessory dwelling units ("ADUs") are permitted in all residential and mixed use zones, on the same parcel as an existing or proposed single-family or multi-family dwelling, in accordance with State ADU Law. Regulations found in this title regarding principally permitted dwelling units in the residential and mixed use zones apply to ADUs; provided, however, that if such regulations conflict with state law regarding ADUs, state law shall prevail.