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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-acres

Proposed
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 Recorders 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

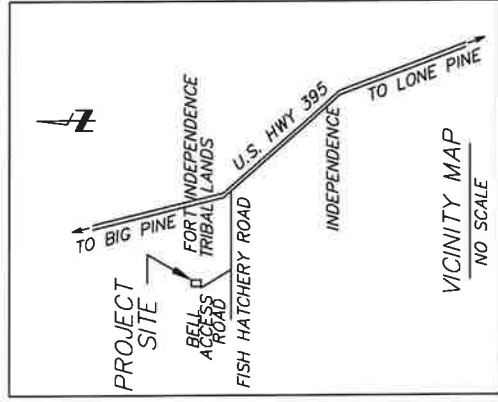


Project location

Independence

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
 - EX. DOMESTIC WELL
 - EX. WATER VALVE
 - EX. SEPTIC
 - EX. CREEK
 - EX. OVERHEAD POWER LINE
 - EX. POWER POLE
 - EX. PROPANE TANK
 - EX. BUILDING
 - EX. ASPHALT PAVEMENT
 - EX. GATE
 - EX. BRIDGE

- 41.00 - EX. MAJOR CONTOUR
- - - EX. MINOR CONTOUR

PARCEL INFORMATION

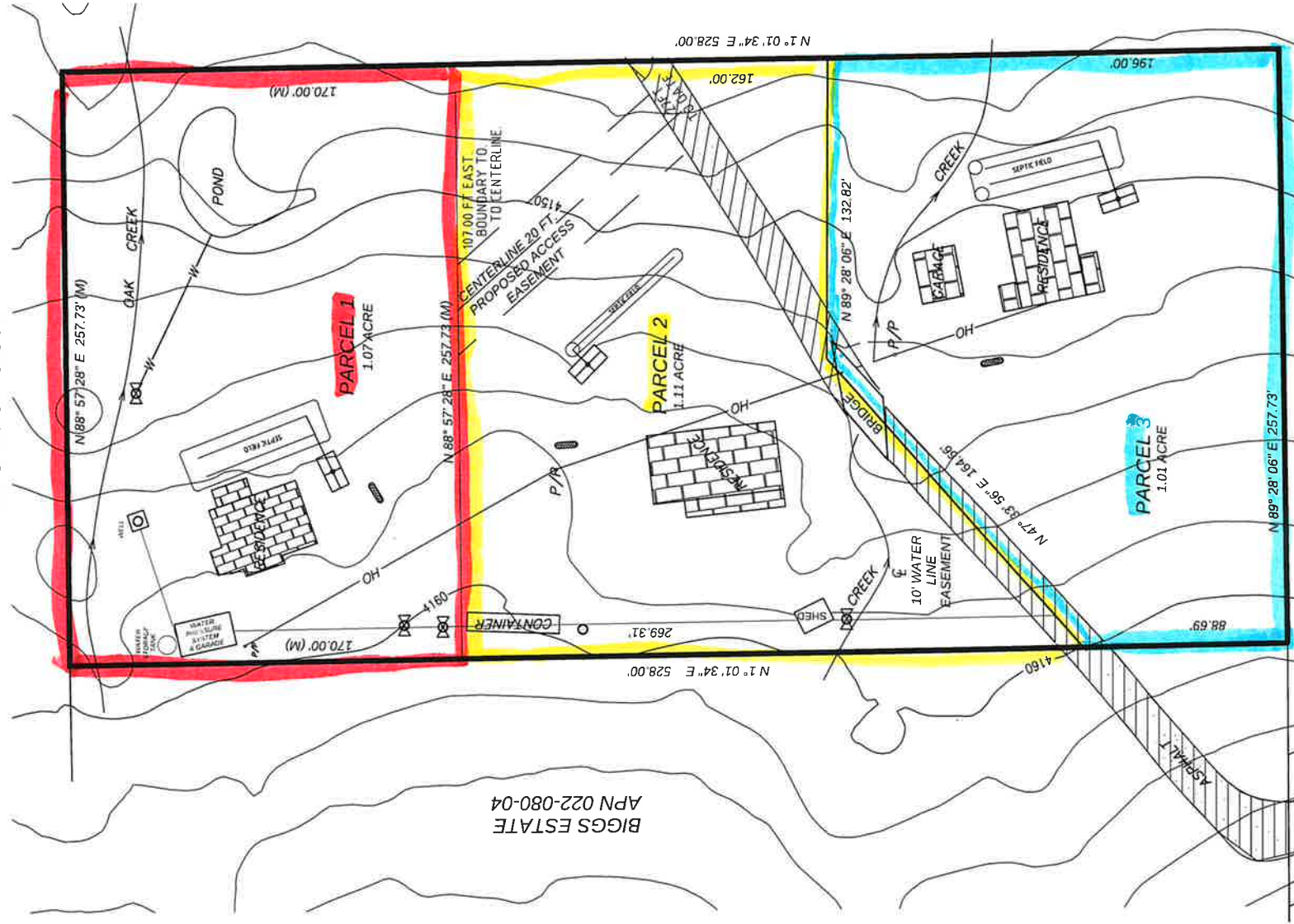
PARCEL # 022-080-03

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 74 DDEDIT
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

BIGGS ESTATE
APN 022-080-04

BELL ACCESS ROAD
60' OFFERED FOR DEDICATION ON
PAR 5, PP 35 - 36

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING
THAT THE BOARD OF SUPERVISORS FIND THE PROPOSED
PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN
FINDINGS WITH RESPECT TO AND APPROVE ZONE
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