

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THE PROPOSED PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ZONE TEXT AMENDMENT NO. 2026-01 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 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 is a proposal to update section 21.20.020: “Minimum Requirements for Renewable Energy Impact Determinations and Renewable Energy Permits – Design Standards” of the Inyo County Code pertaining to development standards and procedures for renewable energy projects. That section currently provides that the Board or Planning Commission may apply different development standards or procedures from those set forth in Title 18 of the County Code, as appropriate, to renewable energy projects and includes a list of the standards or procedures within Title 18 subject to modification. This amendment would remove that specific list of standards or procedures, with the result of clarifying that the Planning Commission or the Board of Supervisors could apply development standards or procedures to a renewable energy project that differ from any standard or procedure set forth in Title 18, where determined to be appropriate. This amendment will not cause a significant effect on the environment because it is a change to language which enables a future/independent action which may or may not impact the environment, but the language change itself does not result in any physical change to the environment. The impacts (if any) of the application of development standards or procedures that differ from those set forth in Title 18 with respect to any specific renewable energy project would occur when and if that project is approved, and would be analyzed through that approval process; and

WHEREAS, the Inyo County Planning Commission held a duly noticed public hearing on September 23, 2026, to review and consider a request for approval of Zone Text Amendment No. 2026-01, and considered the staff report for the project and all oral and written comments regarding the proposal; and

WHEREAS, the approval of ZTA 2026-01 is consistent with the Inyo County General Plan as it does not conflict with the policies found in the Renewable Energy General Plan Amendment or other elements found within the General Plan; and

WHEREAS, ZTA 2026-01 is consistent with the Inyo County Zoning code as it does not allow for an expansion of renewable energy projects than are currently allowed for in Title 18 or the County General Plan and Title 18 remains the default for zoning specific standards if none are put in place in lieu of based on section 21.20.020.

THEREFORE, BE IT HEREBY RESOLVED, that based on the above recitals, which are incorporated by this reference, all of the written and oral comments and input received at the September 23, 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 findings for the proposed amendment to section 12.20.020 of the Inyo County Code:

RECOMMENDED FINDINGS

1. The proposed ordinance is covered by the Commonsense Rule 15061(b)(3) Pursuant to the California Environmental Quality Act (CEQA), which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This is a proposal to update Section 21.20.020: “Minimum Requirements for Renewable Energy Impact Determinations and Renewable Energy Permits – Design Standards” of the Inyo County Code pertaining to development standards and procedures for renewable energy projects. For the reasons stated in the above recitals, the amendment will not cause a significant effect on the environment.
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Inyo County General Plan as it does not conflict with the policies found in the Renewable Energy General Plan Amendment or other elements found within the General Plan.
3. Based on substantial evidence in the record, the proposed Zoning Ordinance is consistent with Title 18 (Zoning) of the Inyo County Code. Title 18 remains the default for zoning specific standards and procedures applicable to renewable energy projects unless cause exists with respect to an individual renewable energy project to impose different standards or procedures under Section 21.20.020.

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 Section 21.20.020 the Inyo County Code related to Minimum Requirements for Renewable Energy Impact Determinations and Renewable Energy Permits – Design Standards 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 September 23, 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