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AGENDA ITEM NO. 10 (Action Item – Public Hearing)

**PLANNING COMMISSION
MEETING DATE: October 27, 2021**

**SUBJECT: Zone Text Amendment 2021-01/Inyo County
Outdoor Lighting**

EXECUTIVE SUMMARY

Staff has intermittently been working on Dark Skies issues and an outdoor lighting ordinance for the County for several years. This work has been interrupted several times by staff reductions and Covid. Currently, a draft outdoor lighting ordinance has been prepared for the Planning Commission's consideration of a recommendation to the Board of Supervisors for adoption.

PROJECT INFORMATION

Supervisory District: County-wide

Applicants: Inyo County

**Landowners:
Address/** Multiple

Community: County-wide

A.P.N.: County-wide

Existing General Plan: N/A

Existing Zoning: N/A

Surrounding Land Use: N/A

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

- 1.) Find the proposed project exempt from the requirements of the California Environmental Quality Act.
- 2.) Make certain Findings with respect to, and approve, Zone Text Amendment ZTA/2021-01/Inyo County Outdoor Lighting

Alternatives:

- 1.) Recommend modifications to the proposal.
- 2.) Recommend denial.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

Project Planner:

Cathreen Richards

BACKGROUND

The Inyo County General Plan Chapter 8.8 - Visual Resources, Policy 1.6 Light and Glare, has addressed outdoor lighting, since 2002, which reads:

Control of Light and Glare

The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays and billboards use low-energy, shielded light fixtures which direct light downward (i.e. lighting shall not emit higher than a horizontal level) and which are fully shielded. Where public safety would not be compromised, the County shall encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

This has never been implemented by the Code as regulations regarding outdoor lighting have never been added to it to do so.

In June of 2018, after presentations to the Board of Supervisors from the Inyo County Dark Sky Group (ICDSG) and planning department staff, the Board directed staff to continue researching outdoor lighting issues and conduct community workshops to get local input on the level of interest in dark skies and outdoor lighting regulations. In October of 2018, staff conducted three public workshops. Then, in February of 2019, staff conducted a workshop with the Planning Commission, where staff presented the public input received, as well as gave the Commission and the attending public an overview of the issues and opportunities relating to outdoor lighting. Finally, in November 2019, staff compiled the key points that the public expressed interest in and shared it with the Board of Supervisors. The Board directed staff to continue to work on an outdoor lighting ordinance that focused on reducing light trespass and pollution where State regulations might fall short, but are not too prescriptive in the methods to achieve this goal. This is essentially where the process stopped.

Based on the community workshops in Bishop, Lone Pine and Independence, the public is very interested in preserving the resource of Inyo County's dark skies, both for the enjoyment of residents and as a potential tourist attraction. Issues of glare, light trespass and the intensity of LED lighting at the bluer end of the spectrum were some of the primary concerns raised at the public meetings and echoed at the Planning Commission and Board workshops. It became evident at these meetings, and based on further research, that staff needed to get a more complete understanding of what was already covered by California Building Standards, and then make proposals that related to the issues that were unregulated by State law. Staff completed the research on how State law already regulates outdoor lighting and found the regulations are currently very comprehensive. This information has resulted in staff preparing an outdoor lighting ordinance that focuses on the elimination of light nuisances, pollution and the preservation of the night sky that can be enforced by the County.

ANALYSIS

Planning, Building and Safety and County Counsel staff reviewed the present status of lighting regulations, as well as, reviewed the outdoor lighting standards of other jurisdictions and the comments received by the public. With this information, a draft ordinance has been prepared for the Planning Commission's review and possible recommendation to the Board of Supervisors for approval. As directed by the Board, this ordinance focuses on results more than methods and it directly implements General Plan Policy Visual Resources 1.6 Control of Light and Glare. The proposed ordinance (Attached) includes sections for:

- Purpose and application
- Definitions
- Applicability
- Exemptions
- General Requirements
- Outdoor Lighting Plans
- Prohibitions
- Signs
- Outdoor Performance, Sport and Recreation Facilities
- Energy Conservation
- Violations and Penalties

These elements can be found in the attached Draft ordinance. Highlights of the ordinance include:

- The purpose statement:
 1. *Promote a safe and pleasant nighttime environment for residents and visitors;*
 2. *Eliminate nuisances caused by unnecessary light intensity, direct glare, and light trespass;*
 3. *Protect the ability to view the night sky by restricting unnecessary upward projection of light;*
 4. *Remove existing nonconforming outdoor lighting that violates this chapter;*
 5. *Promote lighting practices and systems that conserve energy.*

- The applicability of the ordinance, which addresses both new and existing outdoor lighting.
- Definitions, this is an important element of the draft ordinance as the regulations are based on the elimination of light trespass and pollution. These definitions include:
 - *“Light Trespass” means artificial light or illuminance that falls beyond the property it is located on, generally light from one property that shines onto another property or the public right of way. The amount of trespass shall be expressed in foot-candles (fc) as measured with a light meter and shall be limited to no more than 0.5 fc at the property line on which the light is located. Field measurements to determine light trespass compliance shall not include the effect of light produced by street lights.*
 - *“Light Pollution” means any adverse effect of artificial light sources including, but not limited to, discomfort to the eye or diminished vision due to glare, light trespass, uncontrolled up-lighting, or any artificial light that diminishes the ability to view the night sky.*
- Exemptions from the County’s ordinance (these are based on state regulations) with the addition of language related to night time flag illumination. This was included as the Flag of the United States must either be taken down at night or be illuminated. Local jurisdictions can regulate this. The draft code includes: *Night time illumination of the United States and State of California flags shall be limited to lighting the area of the flag without trespass and any up-lighting shall be at a temperature of no more than 3,000-kelvins.*
- The actual requirements with regard to:
 - Nuisance prevention
 - Maintenance
 - Lighting levels
 - Fixture types
 - Accent lighting.
 are also included.
- Outdoor lighting plans are required. Including this will result in lighting plans being required for new development and/or redevelopment, as well as for discretionary land use entitlements. As appropriate, applicants for new or substantial remodeling of residential buildings, subdivisions, conditional use permits, Lone Pine Design Review, General Plan and/or zone reclassifications will be required to submit the manufacturer specification sheets for the planned lighting and an illustration of the location, height and aiming point of all proposed outdoor lighting.
- With regard to existing lighting, the proposed ordinance includes: *Existing nonconforming outdoor lighting fixtures that were not regulated by previous development codes shall be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life, aside from regular maintenance. If the Planning or Public Works Director determines that a*

nonconforming lighting fixture results in light pollution or light trespass, the Director may require the light to either be shielded, filtered, redirected, replaced with a less intense light source or otherwise modified (including removal if necessary) to eliminate the light pollution or light trespass.

In addition to the proposed outdoor lighting ordinance, staff is also suggesting that the County further evaluate changing the lighting zone established by the State for energy standards, found around the City of Bishop to a lower lighting category (map attached). Lighting areas are established by the California Energy Commission for all areas in the State. They are defined by Census Bureau urban and rural definitions. This is mostly driven by established Census geography and the number of people residing within it and not the actual characteristics of the area. The Zones are:

- Lighting Zone 1: areas that are developed portions of government designated parks, recreation areas and wildlife preserves;
- Lighting Zone 2: Rural areas
- Lighting Zone 3: Urban areas
- Lighting Zone 4 is a special use district that may be created by a local government through application to the Energy Commission.

The area defined as urban includes most of the City of Bishop, the Bishop Paiute Tribal land and the unincorporated County in west Bishop and the Meadow Creek area. A process set forth by the Energy Commission is required to change the lighting zone. This process is much easier for a down zone than an up zone. Staff is proposing to work with the City of Bishop and the Bishop Paiute Tribe as their interest allows. The County, however, can only request the change for the area under its jurisdiction.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the Common Sense Rule 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This project is a proposal to add regulations regarding outdoor lighting, light trespass and pollution. It includes no development proposals or any increases in allowed uses or densities and will result in less impacts to people and wildlife as night time lighting will be reduced.

RECOMMENDATIONS

Staff recommends adoption of the attached Resolution recommending the Board of Supervisors consider the ZTA 2021-01, make certain findings, and adopt the proposed ordinance adding Chapter 18.74 to the Inyo County Code.

Recommended Findings

1. The proposed ordinance is covered by the Common Sense Rule 15061(b)(3)
[Evidence: the proposed ordinance is covered by the Common Sense Rule 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a

significant effect on the environment, the activity is not subject to CEQA. This project is a proposal to add regulations regarding outdoor lighting, light trespass and pollution. It includes no development proposals or any increases in allowed uses or densities and will result in less impacts to people and wildlife as night time lighting will be reduced.]

2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan.

[Evidence: Adding Chapter 18.74 – Outdoor Lighting, to the Inyo County Code is consistent with the Goals and Policies of the General Plan as it implements General Plan Policy 1.6 Light and Glare and does not conflict with other General Plan policies. It will also further existing General Plan policies related to visual resources, wildlife protection and increasing recreation opportunities.]

3. Based on substantial evidence in the record, the proposed Zoning Ordinance to add Chapter 18.74 to the Inyo County Code is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

[Evidence: Zone Text Amendment 2021-01 is consistent with the Inyo County Zoning code as adding Chapter 18.74 does not discontinue or expand an allowed use, nor does it conflict with other regulations related to lighting, in any of the County's Zoning Districts. It does, instead, implement a General Plan policy and allow the County to reduce light trespass and pollution.]

ATTACHMENTS

- Draft proposed ordinance
- Resolution
- Map

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, ADDING CHAPTER 18.74 OUTDOOR LIGHTING TO THE INYO COUNTY CODE.

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION ONE: Chapter 18.74 shall be added to the Inyo County Code to read as follows:

Chapter 18.74 Outdoor Lighting

- 18.74.010. Purpose and Application.**
- 18.74.020. Definitions.**
- 18.74.030. Applicability.**
- 18.74.040. Exemptions.**
- 18.74.050. General Requirements.**
- 18.74.060. Outdoor Lighting Plans.**
- 18.74.070. Prohibitions.**
- 18.74.080. Signs.**
- 18.74.090. Outdoor Performance, Sport and Recreation Facilities.**
- 18.74.100. Energy Conservation.**
- 18.74.110. Violations and Penalties.**

18.74.010 Purpose and application.

The purpose of this chapter is to provide regulations for outdoor lighting within Inyo County in order to:

1. Provide a safe and pleasant nighttime environment for residents and visitors;
2. Eliminate nuisances caused by unnecessary light intensity, direct glare, and light trespass;
3. Protect the ability to view the night sky by restricting unnecessary upward projection of light;
4. Remove existing nonconforming outdoor lighting that violates this chapter;
5. Promote lighting practices and systems that conserve energy.

These general provisions serve as specific development standards to be applied in addition to the basic provisions within each zoning district in the County and the California Uniform Building Code.

18.74.020 Definitions. The following terms have the following meanings in this chapter:

1. "Fixture" means a complete lighting unit including the lamp and parts designed to distribute the light, position and protect the lamp, and connect the lamp to a power source - also referred to as a "luminaire."
2. "Foot-candle (fc)" means a unit of measurement for the total amount of light cast on a surface (illuminance). One foot-candle is equivalent to the illuminance produced by a source of one candle at a distance of one foot.
3. "Full Cutoff Fixture" means a lighting fixture designed such that no light, either directly from the bulb or indirectly from the fixture, is emitted at or above a horizontal plane running through the lowest point on the fixture.
4. "Glare" means strong and dazzling light and/or direct and unshielded light striking the eye to result in visual discomfort and reduced visual performance.
5. "Lamp" means an artificial light source installed in the socket portion of the fixture, to be distinguished from the whole assembly - commonly referred to as a "bulb."
6. "Light Pollution" means any adverse effect of artificial light sources including, but not limited to, discomfort to the eye or diminished vision due to glare, light trespass, uncontrolled up-lighting, or any artificial light that diminishes the ability to view the night sky.
7. "Light Trespass" means artificial light or illuminance that falls beyond the property it is located on, generally light from one property that shines onto another property or the public right of way. The amount of trespass shall be expressed in foot-candles (fc) as measured with a light meter and shall be limited to no more than 0.5 fc at the property line on which the light is located. Field measurements to determine light trespass compliance shall not include the effect of light produced by street lights.
8. "Lumen" means the unit used to quantify the amount of light energy produced by a lamp. For example, a 40-watt incandescent lamp produces approximately 400 lumens, while a 35-watt high-pressure sodium lamp produces about 2,300 lumens.
9. "Outdoor Lighting Fixture" means any temporary or permanent lighting fixture that is installed, located, or used in such a manner to provide illumination of objects or activities outside. Outdoor lighting fixtures include all fixtures mounted to the exterior of a structure, poles, bollards, or other freestanding structures, or placed so as to provide direct illumination on any exterior area or activity.
10. "Shielding" means a barrier around or within a fixture that helps conceal the lamp and control light distribution. A fixture that is "fully shielded" incorporates a solid barrier, emits no light rays above the horizontal plane and effectively obscures visibility of the lamp. A fixture that is "partially shielded" may allow some light to pass through a semi-translucent barrier, and/or may allow visibility of the lamp from certain perspectives.
11. "Temporary Lighting" means lighting that is intended to be used for a special event for up to ten days.

18.74.030 Applicability.

1. New Outdoor Lighting. All outdoor lighting fixtures installed after the effective date of this chapter shall conform to the requirements established by this chapter.
2. Existing Outdoor Lighting. All existing outdoor lighting fixtures installed prior to the effective date of this chapter shall be addressed as follows:
 - a) All existing outdoor lighting fixtures located on a property that is part of an application for a Conditional Use Permit; Subdivision approval; Lone Pine Design Review; or, a building permit for any new structure, or new or modified exterior light fixtures, or any addition(s) of gross floor area, seating capacity, or parking spaces (either with a single addition or cumulative additions), shall meet the requirements of this chapter for the entire property. Such applications are required to include an outdoor lighting plan pursuant to section 18.74.060. Conformity shall occur prior to final inspection, or final map recordation when applicable.
 - b) Existing nonconforming outdoor lighting fixtures that were not regulated by previous development codes shall be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life, aside from regular maintenance. If the Planning or Public Works Director determines that a nonconforming lighting fixture results in light pollution or light trespass, the Director may require the light to either be shielded, filtered, redirected, replaced with a less intense light source or otherwise modified (including removal if necessary) to eliminate the light pollution or light trespass.

18.74.040 Exemptions.

The following are exempt from the provisions of this chapter:

1. Seasonal displays using multiple low-wattage bulbs (approximately 15 lumens or less), provided that they do not constitute a fire hazard, create a nuisance, and are maintained in a safe condition.
2. Vehicular lights and all temporary emergency lighting needed by law enforcement, Fire Protection Districts, or other emergency services.
3. All temporary lighting used for the construction or repair of roadways, utilities, and other public infrastructure.
4. All lighting required by state or federal regulatory agencies.
5. Illuminated address signs at no more than 15 lumens.
6. Night time illumination of United States and State of California flags shall be limited to lighting the area of the flag without trespass and any up-lighting shall be at a temperature of no more than 3,000-kelvins.

The Planning or Public Works Director may authorize minor deviations when proposed outdoor lighting does not conflict with the purposes of this chapter. An application for such a deviation must be made in writing and include an outdoor lighting plan pursuant to sections 18.74.050 and 18.74.060. Temporary lighting for special events shall also be reviewed in this manner.

18.050 General Requirements.

The following general standards apply to all non-exempt outdoor lighting fixtures:

1. Nuisance prevention. All outdoor lighting fixtures shall be designed, located, installed, aimed downward or toward structures, retrofitted if necessary, and maintained in order to prevent glare, light trespass, and light pollution.
2. Maintenance. Fixtures and lighting systems shall be in good working order and maintained in a manner that serves the original design intent of the system.
3. Fixture Types. All new outdoor lighting shall use full cutoff luminaires with the light source downcast and fully shielded with no light emitted above the horizontal plane, with the following exceptions:
 - a) Fixtures that have a maximum output of 100 lumens (equivalent to one 10-watt incandescent bulb) or less, regardless of the number of bulbs, may be left unshielded provided the bulb surfaces are obscured from off-site visibility with a semi-translucent or frosted glass that has an opaque top to prevent the light from shining directly up. However, partial or full shielding is preferred to control light output in all situations.
 - b) Fixtures that have a maximum output of 600 lumens (equivalent to one 40-watt incandescent bulb) or less shall be partially or totally shielded using a solid or semi-translucent barrier, provided that the lamp is not visible from off site, no direct glare is produced, and the fixture has an opaque top to keep light from shining directly up; e.g., a low output-style wall pack.
 - c) Floodlights that do not meet the definition of “full cutoff” may be used if permanently directed downward, if no light is projected above the horizontal plane, and if and fitted with external shielding to prevent glare and off-site light trespass. Unshielded floodlights are prohibited.
4. Accent Lighting. Residential accent lighting shall be limited to street address illumination. LED-type accent lighting is preferred. Commercial accent lighting may be permitted in conjunction with a sign permit. Limited architectural features may be illuminated by up-lighting, provided that the light is effectively contained by the structure, the lamps are low intensity to produce a subtle lighting effect, and no glare or light trespass is produced. For statues, public art, or other objects of interest that cannot be illuminated with down-lighting, upward lighting may be used only in the form of one narrow-cone spotlight that confines the illumination to the object of interest.

The provisions of this chapter are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed herein, provided that the Planning or Public Works Director has approved any such alternative. An alternative proposal may be approved if it provides at least approximate equivalence to the applicable specific requirements of this chapter or if it is otherwise satisfactory and complies with the intent of this chapter.

Inyo County reserves the right to further restrict outdoor lighting including, but not limited to, pole height and level of illumination, when it is deemed in the public interest consistent with the purpose of this chapter.

18.74.060 Outdoor Lighting Plans.

An outdoor lighting plan shall be submitted, as appropriate, in conjunction with an application for: a Conditional Use Permit; Subdivision approval; Lone Pine Design Review; Zoning or General Plan designation amendments; or, a Building Permit for any new structure, or new or modified exterior light fixtures, or any addition(s) of gross floor area, seating capacity, or parking spaces (either with a single addition or cumulative additions). An outdoor lighting plan is required for all new outdoor lighting installations on residential, commercial, industrial, public and institutional properties. The Planning or Public Works Director may request outdoor lighting plans from applicants for other types of projects due to project location, size, or proposed use, as necessary. An outdoor lighting plan shall include at least the following:

- a) Manufacturer specification sheets, cut-sheets, or other manufacturer-provided information for all proposed outdoor lighting fixtures to show fixture diagrams and light output levels;
- b) The proposed location, mounting height, and aiming point of all outdoor lighting fixtures (a site plan is preferred); and
- c) If building elevations are proposed for illumination, drawings for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illuminance level of the elevations, and the aiming point for any remote light fixture.

If needed to review the proposed outdoor lighting fixture installation, the Planning or Public Works Director may require additional information following the initial outdoor lighting plan submittal, including but not limited to a written narrative to demonstrate the objectives of the lighting, Photometric data, Color Rendering Index (CRI) of all lamps and other descriptive information on the fixtures, computer-generated photometric grid showing foot-candle readings every 10 feet within the property or site and 10 feet beyond the property lines (an iso-foot-candle contour line-style plan may be acceptable), and/or landscaping information to describe potential screening.

The Planning or Public Works Director may approve, deny, or require modifications to any outdoor lighting plan in order to meet the purpose of this chapter.

18.74.070 Prohibitions.

1. The installation of any new fixture not in conformance to this chapter is prohibited.
2. No outdoor lighting fixtures shall be installed, aimed, or directed to produce light that constitutes light pollution or trespass into neighboring properties or the public right of way.

3. No outdoor lighting fixture may be installed or maintained in such a manner to cause glare visible from off the property.
4. No outdoor lighting fixture may be operated in such a manner as to constitute a hazard or danger to persons, or to safe vehicular travel.
5. Blinking, flashing, moving, revolving, flickering, changing-intensity, and changing-color lights and internally illuminated signs are prohibited unless permitted pursuant to Inyo County Code Chapter 18.75.
6. The installation of new mercury vapor and/or low-pressure sodium lamps is prohibited.
7. Search lights, laser source lights, or any similar high-intensity light is prohibited except in emergencies by police and fire personnel or at their direction, or for approved temporary lighting.
8. Streetlights shall be down directed with complete horizontal shielding of the reflective surface and no higher than 17 feet from the bottom of the shielded fixture surface with a maximum 150-watt lamp. Greater height may be granted by the County Public Works Director for safety or adopted minimum highway standards.

18.74.080 Signs.

All outdoor lighting for commercial signs installed and maintained pursuant to Chapter 18.75 shall conform to the provisions of this chapter.

18.74.090 Outdoor Performance, Sport and Recreation Facilities.

Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed, and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that no light trespass is produced.

The main lighting shall be turned off as soon as possible following the end of an event. Where feasible, a low-level lighting system shall be used to facilitate patrons leaving the facility, cleanup, nighttime maintenance, and other closing activities.

18.74.100 Energy Conservation.

All outdoor lighting fixtures shall conform to the requirements of Title 24 the California Energy Code.

18.74.110 Violations and Penalties.

It shall be unlawful to install or operate any outdoor lighting fixture in violation of this chapter. Any person violating any provisions of this chapter may be subject to the provisions of the Inyo County Code Title 22. In addition, any outdoor lighting fixture erected or maintained contrary to the provisions of this chapter may be declared to be a public nuisance subject to the procedures set forth Title 22. Such remedies are in addition to and may be sought or imposed concurrently with any other remedy provided by law, regulation or ordinance.

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS CERTIFY THAT ZONE TEXT AMENDMENT 2021-01/INYO COUNTY- OUTDOOR LIGHTING IS EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND MAKING CERTAIN FINDINGS WITH RESPECT TO AND APPROVING ZONE TEXT AMENDMENT NO. 2021-01/INYO COUNTY- OUTDOOR LIGHTING

WHEREAS, the County of Inyo (“County”) desires to add a chapter to the Inyo County Code Title 18 (Zoning) relating to outdoor lighting;

WHEREAS, the County intends to regulate outdoor lighting in all zoning districts;

WHEREAS, the purpose of this ordinance is to provide the requirements and standards for outdoor lighting within the unincorporated areas of Inyo County to help to ensure that outdoor lighting is not a nuisance due to unnecessary light intensity, direct glare, and light trespass;

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;

WHEREAS, Pursuant to the CEQA, the proposed ordinance is covered by the Common Sense Rule 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA;

WHEREAS, on October 27, 2021, following a noticed public hearing the Inyo County Planning Commission recommended that this Board of Supervisors:

1. Certify that the proposed project is exempt from the requirements of CEQA.
2. Make certain findings with respect to and approve Zone Text Amendment 2021-01/Inyo County – Outdoor Lighting, based on all of the information in the public record and on the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on all of the written and oral comment and input received at the October 27, 2021 hearing, including the Planning Department Staff Report, this Planning Commission makes the following findings:

RECOMMENDED FINDINGS

1. The proposed ordinance is covered by the General Rule 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan.
3. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

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

1. Certify ZTA No. 2021-01/Inyo County – Outdoor Lighting is exempt from CEQA, per the Common Sense Rule.
2. Make certain findings with respect to, and approve ZTA No. 2021-01/Inyo County – Outdoor Lighting, based on all of the information in the public record and on recommendation of the Planning Commission.

PASSED AND ADOPTED THIS OCTOBER 27, 2021 by the following vote of the Inyo County Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

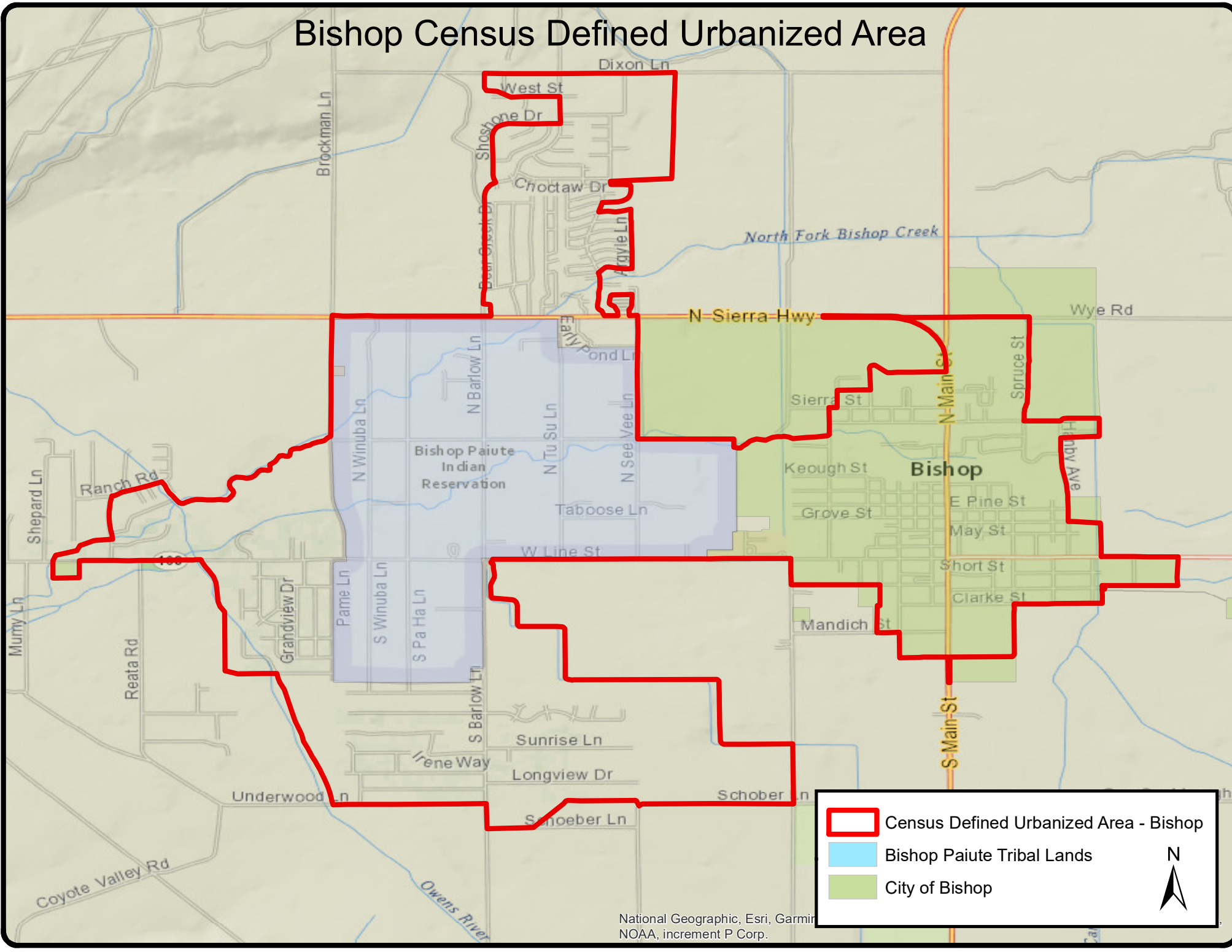
Caitlin Morley, Chairperson
Inyo County Board of Supervisors




ATTEST:

Cathreen Richards
Planning Director

By _____
Paula Riesen, Secretary of the Commission

Bishop Census Defined Urbanized Area



-  Census Defined Urbanized Area - Bishop
-  Bishop Paiute Tribal Lands
-  City of Bishop

N