

Agenda

County of Inyo Planning Commission

Board of Supervisors Room
Inyo County Administrative Center
Independence, California

VACANT

CAITLIN (KATE) J. MORLEY
TODD VOGEL
CALLIE PEEK
SCOTT KEMP

CATHREEN RICHARDS
PAULA RIESEN
MICHAEL ERRANTE
NATE GREENBERG
CHRISTIAN MILOVICH

FIRST DISTRICT
SECOND DISTRICT
THIRD DISTRICT (CHAIR)
FOURTH DISTRICT (VICE CHAIR)
FIFTH DISTRICT

PLANNING DIRECTOR
PROJECT COORDINATOR
PUBLIC WORKS DIRECTOR
COUNTY ADMINISTRATOR
COUNTY COUNSEL

Inyo County Planning Commission
Post Office Drawer L
Independence, CA 93526
(760) 878-0263
(760) 872-2712 FAX
inyoplanning@inyocounty.us

This meeting will be held in the Board of Supervisors Room in Independence California. In addition, pursuant to Government Code § 54953(b) the following teleconference locations are available to the public:

Hotel: Kimpton Sawyer Hotel - Lobby, 500 J Street, Sacramento, CA, 95814
Zoom Link:

The Audio only conference will be accessible to the public by computer, tablet or smartphone at:

<https://us02web.zoom.us/j/84727667656?pwd=L2FETWYiYUdscUd6OHVMUT09>

You can also dial in by phone at 1-669-900-6833 Meeting Id: 847 2766 7656 and then enter Passcode: 786596. Public Comment may be provided by emailing the comments prior to the meeting. All emailed comments will be read into the record, and the Planning Commission will take that feedback into consideration as it deliberates. Please send comments to: inyoplanning@inyocounty.us

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).

March 22, 2023

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.

- Action Item** 4. **APPROVAL OF MINUTES** – Approval of minutes from the February 22, 2023 Planning Commission Meeting.
- Action Item** 5. **RENEWABLE ENERGY PERMIT-2022-01/BARKER** – The applicant, Robbie Barker, has applied for a Renewable Energy Permit located on one private parcel (APN: 038-330-46, in Trona, California). This permit would allow the applicant to construct a proposed 1.2 milliwatt (mW) photovoltaic solar facility that uses approximately 2,300 single axis tracker solar panels. The project encompasses 5-acres of pre-disturbed land.
- Action Item Public Hearing** 6. **RENEWABLE ENERGY PERMIT 2022-02/BARKER**– The applicant, Robbie Barker, has applied for a Renewable Energy Permit located on the three private parcels (038-330-32, 33, 34), in Trona California. This permit would allow the applicant to construct a proposed 3 milliwatt (mW) photovoltaic solar facility that uses approximately 6,000 single axis tracker solar panels. The project encompasses 15-acres of pre-disturbed land.
- Action Item Public Hearing** 7. **GENERAL PLAN AMENDMENT (GPA) -2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY AND ZONE RECLASSIFICATION (ZR)- 2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY** – With the help of HELIX Environmental Planning Inc., a vacant lands inventory and a zoning and General Plan review of properties located in the County was conducted. This information was used to identify parcels land that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density. Eight total parcels were selected: three in the Bishop area, one in Independence and four in Lone Pine. They were then evaluated under the California Environmental Quality Act (CEQA) and are now being recommended for General Plan and zoning designation changes.
- Action Item Public Hearing** 8. **2022 ANNUAL GENERAL PLAN PROGRESS REPORT** - Staff will give a presentation to the Planning Commission summarizing the Inyo County 2022 Annual General Plan Progress Report.

COMMISSIONERS' REPORT/COMMENTS

Commissioners to give their report/comments to staff.

PLANNING DIRECTOR'S REPORT

Planning Director, Cathreen Richards, will update the Commission on various topics.

COUNTY OF INYO

PLANNING COMMISSION

MINUTES OF FEBRUARY 22, 2023 MEETING

COMMISSIONERS:

VACANT
CAITLIN (KATE) J. MORLEY
TODD VOGEL
CALLIE PEEK
SCOTT KEMP

FIRST DISTRICT
SECOND DISTRICT (CHAIR)
THIRD DISTRICT (VICE)
FOURTH DISTRICT
FIFTH DISTRICT

Inyo County Planning Commission
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STAFF:

CATHREEN RICHARDS
CHRISTIAN MILOVICH
PAULA RIESEN
NATE GREENBERG
MIKE ERRANTE

PLANNING DIRECTOR
ASSISTANT COUNTY COUNSEL
PROJECT COORDINATOR
COUNTY ADMINISTRATOR
PUBLIC WORKS DIRECTOR

The Inyo County Planning Commission met in regular session on Wednesday, February 22, 2023. Commissioner Morley opened the meeting at 10:01 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 10:01 a.m.

ITEM 2: **ROLL CALL** - Commissioners: Caitlin Morley, Todd Vogel, Scott Kemp and Callie Peek were present.

Staff present: Cathreen Richards, Planning Director; Paula Riesen, Project Coordinator, and Christian Milovich, Assistant County Counsel.

Staff absent: Nate Greenberg, 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 the Public Comment Period at 10:03 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:03 a.m.

ITEM 4: **APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the December 7, 2022 meeting of the Planning Commission.

MOTION: Commissioner Todd Vogel made the motion to approve the minutes. The motion was seconded by Commissioner Scott Kemp.

The Motion passed 4-0 at 10:04 a.m.

ITEM 5: NOMINATION & ELECTION OF CHAIR PERSON – The Commission will accept nominations for Chairperson for 2023 and hold election.

Commissioner Scott Kemp nominated Kate Morley.

Commissioner Kate Morley nominated Todd Vogel.

Commissioner Scott Kemp made a second to Commissioners Vogel’s nomination.

Commissioner Todd Vogel accepted the chair nomination and began to run the meeting.

ITEM 6: NOMINATION & ELECTION OF VICE CHAIR PERSON – The Commission will accept nominations for Vice-Chairperson for 2023 and hold election.

Commissioner Scott Kemp nominated Callie Peek for Vice-Chairperson.

Commissioner Kate Morley seconded the nomination.

Commissioner Callie Peek accepted the vice-chair nomination.

ITEM 7: GENERAL PLAN AMENDMENT (GPA) -2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY AND ZONE RECLASSIFICATION (ZR)- 2023-01/INYO COUNTY – VACANT LANDS AND HOUSING OPPORTUNITY – With the help of HELIX Environmental Planning Inc., a vacant lands inventory and a zoning and General Plan review of properties located in the County was conducted. This information was used to identify parcels land that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density. Eight total parcels were selected: three in the Bishop area, one in Independence and four in Lone Pine. They were then evaluated under the California Environmental Quality Act (CEQA) and are now being recommended for General Plan and zoning designation changes.

Cathreen Richards, Planning Director, presented the staff report. She introduced the two consultants who worked on the project, Robert Edgerton, Principal Planner from Helix Environmental Planning and Tom Kear from Transportation Planning & Management.

Robert Edgerton presented the CEQA document for the Vacant Lands Environmental Impact Report with a power point presentation.

Tom Kear gave a presentation for the Vehicle & Miles Traveled Study.

Cathreen Richards, Planning Director then continued her staff report.

Commissioner Kemp and Peek had zoning questions.

Chair Vogel opened the Public Comment Period at 10:57 a.m.

Richard White introduced himself and explained he was a retired Inyo County Assessor and a former Planning Commissioner. He explained that there are one acre parcels in Independence on Mazourka Canyon Road that people are interested in buying. Those parcels were zoned so that people could buy land big enough to have a horse or have a big garden or whatever. He is against rezoning these parcels to Multi-Family Residential.

Howard Lewald was the next person to speak and he is from district one in Bishop, and interested in having more dwellings without affecting the rural area. He asked if Rich White could answer a question about rezoning the property will it change the tax assessment on the property.

Chair Vogel allowed Mr. White to answer Mr. Lewalds question.

Richard White came to the podium and answered that the property would not be reassessed if it was rezoned.

Bruce Pischel was the next to speak, stating that he lives right next to the existing Road Yard in Lone Pine and has serious concerns to having a high density zoning right next to his private residential property.

With no one else wishing to comment Chair Todd Vogel closed the public comment period at 11:16 a.m.

Commissioner Kemp asked a couple clarifying questions then stated he would not want a high density project next to him.

MOTION: Commissioner Todd Vogel made a motion to approve ZR-2023-01/INYO COUNTY/ Vacant lands and Housing Opportunity. Commissioner Morley made the second.

The did not pass

2 - Yes- (Todd Vogel & Kate Morley)

1- Opposed (Callie Peek)

1- Abstain (Scott Kemp) at 11:38 a.m.

COMMISSIONERS' REPORT/COMMENTS –

Commissioner Morley wanted to share that she will be out of town for the next Planning Commission meeting on March 22, 2023.

DIRECTOR'S REPORT –

Planning Director, Cathreen Richards, said there will need to be a Planning Commission meeting March 22, 2023, as there will be a full agenda of items that will need to be brought to the commission.

ADJOURNMENT –

The next meeting will be March 22, 2023, at 10:00 a.m.

Chair Todd Vogel requested a motion to adjourn the meeting at 11:42 a.m.

The motion was made by Commissioner Callie Peek.
Seconded by Commissioner Scott Kemp.

Motion passed 4-0.

Prepared by:
Paula Riesen
Inyo County Planning Department



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AGENDA ITEM NO.: Action Item No. 5

PLANNING COMMISSION
MEETING DATE:

March 22, 2023

SUBJECT: Renewable Energy Permit No. 2022-01/Barker

EXECUTIVE SUMMARY

The applicant, Robbie Barker, has applied for a Renewable Energy Permit located on one private parcel (APN:038-330-46), in Trona California. This permit would allow the applicant to construct a proposed 1.2 milliwatt (mW) photovoltaic solar facility that uses approximately 2,300 single axis tracker solar panels. The project encompasses 5-acres of pre-disturbed land.

PROJECT INFORMATION

Supervisory District: 5

Project Applicant: Robbie Barker

Site Address: Trona, CA 93592

Community: Trona, CA

A.P.N.: 038-330-46

General Plan: Residential Estate (RE); SEDA Overlay

Zoning: Rural Residential-5.0-acre minimum (RR-5.0-MH)

Size of Parcel: 5 acres.

SURROUNDING LAND USE:

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	Residential Estate (RE)	Rural Residential-5.0-acre min (RR-5.0-MH)
South	Vacant	Residential Estate (RE)	Rural Residential-5.0-acre min (RR-5.0-MH)
East	Vacant	Residential Estate (RE)	Rural Residential-5.0-acre min (RR-5.0-MH)
West	Single Family Res	Residential Estate (RE)	Rural Residential-5.0-acre min (RR-5.0-MH)

Staff Recommended Action: Approve the Renewable Energy Permit 2022-01/Barker

- Alternatives:**
- 1.) Deny the Renewable Energy Permit
 - 2.) Approve the Renewable Energy Permit with current additional conditions of approval or approve with additional conditions of approval.
 - 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

STAFF ANALYSIS

Background and Overview

The applicant has applied for a Renewable Energy Permit from the Inyo County Planning Department to construct a 1.2 milliwatt (mW) photovoltaic solar energy facility on one 5-acre parcel (APN:038-330-46), privately owned by Robbie Barker. The project would construct roughly of 2,300 single-axis tracker solar panels that will connect to Southern California Edison's transmission and distribution infrastructure, helping the State meet its greenhouse gas emission reduction targets by producing carbon neutral electricity.

The project site is located on land that is highly disturbed with no natural vegetation or structures on the site. The project is devoid of natural habitat and has been previously graded. The project area is surrounded by vacant land to the north, south and east. The land to the west, consists of a single-family residence.

The proposed application for a Renewable Energy Permit aligns with Inyo County Code Section 21.16-*General Provisions for Renewable Energy Development*, which aims to "support and encourage the responsible development of its solar and wind resources to generate and transmit clean, renewable electric energy while protecting the health, safety and welfare of its citizens and its environment, including its public trust resources" (21.04.030). The application for this permit has met the requirements of the Inyo County Planning Department and, per County Code Section 21.16.060, now requires that the Inyo County Planning Commission give final approval in order to issue the Renewable Energy Permit.

General Plan Consistency

The goal of this review is to allow the applicant to develop a renewable solar project in compliance with the County's Renewable Energy General Plan Amendment (REGPA), as well as Title 21 of the Inyo County Code (ICC). The proposed project is consistent with the goals and policies of the Inyo County REGPA, as adopted by the Inyo County Board of Supervisors in 2015. The finalized Program Environmental Impact Report (EIR) of the 2015 REGPA defines commercial scale renewable energy facilities as having a 20 megawatts (MG) capacity or less. The current project has a rated capacity of 1.2 milliwatts (mW)

(1 MG=1000,000,000 mW). Since the developer is planning a small-scale project, they have applied for a renewable energy permit, per the requirements of Title 21 of the Inyo County Code. Furthermore, County land use policy requires that commercial scale renewable energy projects be considered within Solar Energy Development Areas (SEDA) overlays. This project is within the County's Southern Solar Energy Group, in Trona, California (REGPA 2015, figure ES-1). The project aligns with the County's goals and objectives to utilize photovoltaic panels, the only type of solar technology currently supported by the REGPA, for renewable energy development projects. Finally, recent land use implementation measures explicitly state that small scale, community scale, and commercial scale renewable projects will be encouraged and prioritized over larger, utility scale projects (REGPA, final Errata to final EIR, pg. 3).

Zoning Ordinance Consistency

The applicant's parcel is zoned Rural Residential-5.0-acre min (RR-5.0-MH). The *Final Errata to the Final Program Environmental Report* for the *Inyo County Renewable Energy General Plan Amendment* (REGPA), adopted in March 2015 by the Inyo Board of Supervisors, states: "...the County may consider utility scale and commercial scale renewable energy solar facilities within any zoning district under Title 18 of the Inyo County Code and pursuant to Inyo County Code Title 21" (REGPA, Errata, pg. 2). The REGPA created new land use policy that allowed applicants to apply for commercial scale renewable energy permits, regardless of zoning designation; however, approval of these projects is still reserved for the Planning Commission.

ENVIRONMENTAL REVIEW

An Initial Study with a Mitigated Negative Declaration (ISMND) was performed and considered for possible significant impacts to environmental resources for Renewable Energy Permit 2022-01/Barker. The County of Inyo produced a program level EIR (2015 REGPA), pursuant to Section 15168 of CEQA Guidelines, to address environmental impacts from the planned solar development areas. This document distinguishes all SEDAs that are the most environmentally suitable for solar projects, with the least amount of individual and cumulative impacts to land and resources (2015 REGPA, 3-4). A copy of the ISMND can be found at <https://www.inyocounty.us/services/planning-department/current-projects>.

The State review period for the Initial Study with a Mitigated Negative Declaration ended on December 27, 2022 and no comments were received.

NOTICING & REVIEW

The application for Renewable energy permit 2022-01/Barker has been reviewed by the following County Departments: Environmental Health, Public Works, Road Dept., and Building & Safety. Information regarding the project was also sent to the San Bernardino Fire Department and China Lake Naval Air Weapons Station. No comments have been received to date.

Residents within 300 feet of the proposed rental were notified that an application for a Renewable Energy Permit was being submitted, and staff noticed these residents regarding the public hearing date. Notice of Availability of the Initial Study was published in the *Inyo Register* on November 17, 2022. Notification of the public hearing date for this permit was published in the *Inyo Register* on March 9, 2023. No comments have been received to date.

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter about the project and the opportunity for consultation on this project. The tribes notified were as follows: the Cabazon Band of Mission Indians, the Torres Martinez Desert Cahuilla Indians, the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Bishop Paiute Tribe, the Fort Independence Paiute Tribe, the Lone Pine Paiute Tribe, and the Timbisha Shoshone Tribe. No comments have been received to date.

RECOMMENDATION

Planning Department staff recommends the approval of Renewable Energy Permit 2022-01/Barker, with the following Findings and Conditions of Approval:

FINDINGS

1. The proposed Renewable Energy Permit has met the provisions of necessary review, pursuant to the California Environmental Quality Act.
[Evidence: The Inyo County 2015 REGPA, the Initial Study for this project (December 2022), and the addition to the Conditions of Approval recommended for this permit, have eliminated the potential for adverse environmental impacts that will exceed thresholds of significance, either individually or cumulatively.]
2. The proposed Renewable Energy Permit is consistent with the Inyo County General Plan Land Use Designation of Residential Estate (RE)/ SEDA, as adopted by Inyo County.
[Evidence: In 2015, Inyo County updated its General Plan to include policies for solar energy development within the County. New goals, policies, implementation measures, and actual sites, were identified in locations referred to in the REGPA as SEDAs. The current project falls within Inyo County's southern SEDA and therefore has consistency with the General Plan.]
3. The proposed Renewable Energy Permit is consistent with the Inyo County Zoning Ordinance.
[Evidence: Utility scale and commercial scale renewable energy solar facilities are allowed within any zoning district, under Title 18 of the Inyo County Code, and pursuant to Inyo County Code Title 21 if the facilities are proposed within a SEDA. The new land use policy created by the REGPA means that applications will be considered regardless of zoning designation, with approval of the permit decided by the Planning Commission, as long as they are located in a SEDA.]

4. The proposed Renewable Energy Permit is necessary or desirable.

[Evidence: In 2015, the Inyo County Board of Supervisors decided it was necessary to adopt new land use policies that were consistent with and met the broader goals and visions for the County as expressed in the General Plan. These amended land use polices regulate and direct the type, siting, and size of potential future renewable energy development within the County. Given that the proposed project is within the southern SEDA, their application is consistent with what the County has deemed necessary and desirable (REGPA, ES-2, 2015).]

5. The proposed Renewable Energy Permit is properly related to other uses and transportation and service facilities in the vicinity.

[Evidence: The proposed Renewable Energy Permit is properly related to transportation and service facilities and will not adversely affect these facilities. The project is located in an area where it can interconnect to Southern California Edison's electrical transmission lines. This project is secluded enough to avoid burdens to Inyo County maintained roads, in this case Trona Wildrose Road. Additionally, it is over a mile away from the Trona airport.]

6. The proposed Renewable Energy Permit would not under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.

[Evidence: The proposed Renewable Energy Permit does not adversely affect public health or safety of persons living in the vicinity. The Inyo County Environmental Health Department evaluated the application for sewer, septic, and water issues and found no problems with the application.]

7. Operating requirements necessitate the proposed Renewable Energy Permit for the site.

[Evidence: Use of the applicant's property for a photovoltaic power plant or solar energy system requires a Renewable Energy Permit, as per Chapter 21.08 of the Inyo County Code.]

CONDITIONS OF APPROVAL

1. Hold Harmless

The owner/developer shall defend, indemnify, and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Renewable Energy Permit No. 2022-01/ Barker. The County reserves the right to prepare its own defense.

2. Compliance with County Code

The owner/developer shall conform to all applicable provisions of Inyo County General Plan, Zoning Code and State regulations, including the California Building Code. Failure to comply may result in the revocation of REP 2022-01/Barker. If the use provided by this REP is not established within one year of approval date it will become void.

3. Decommissioning Plan and Financial Assurance

The applicant shall submit an approved decommissioning plan prior to the issuance of grading or building permits.

As per section 21.20.040 of ICC, the applicant shall have secured financial assurance/surety bond prior to the issuance of grading or building permits.

The owner/developer shall also submit an updated reclamation plan and updated financial assurance/surety bond to the Inyo County Planning Department every 5 years.

4. Air Quality

The owner/developer shall be required to follow best management practices to control for dust. The owner or their agent shall consult with the Great Basin Air Pollution Control District to ensure potential dust does not impact surrounding properties.

5. Notification of local American Tribes

A representative from local native American tribes will be notified in the event native artifacts or human remains are uncovered.

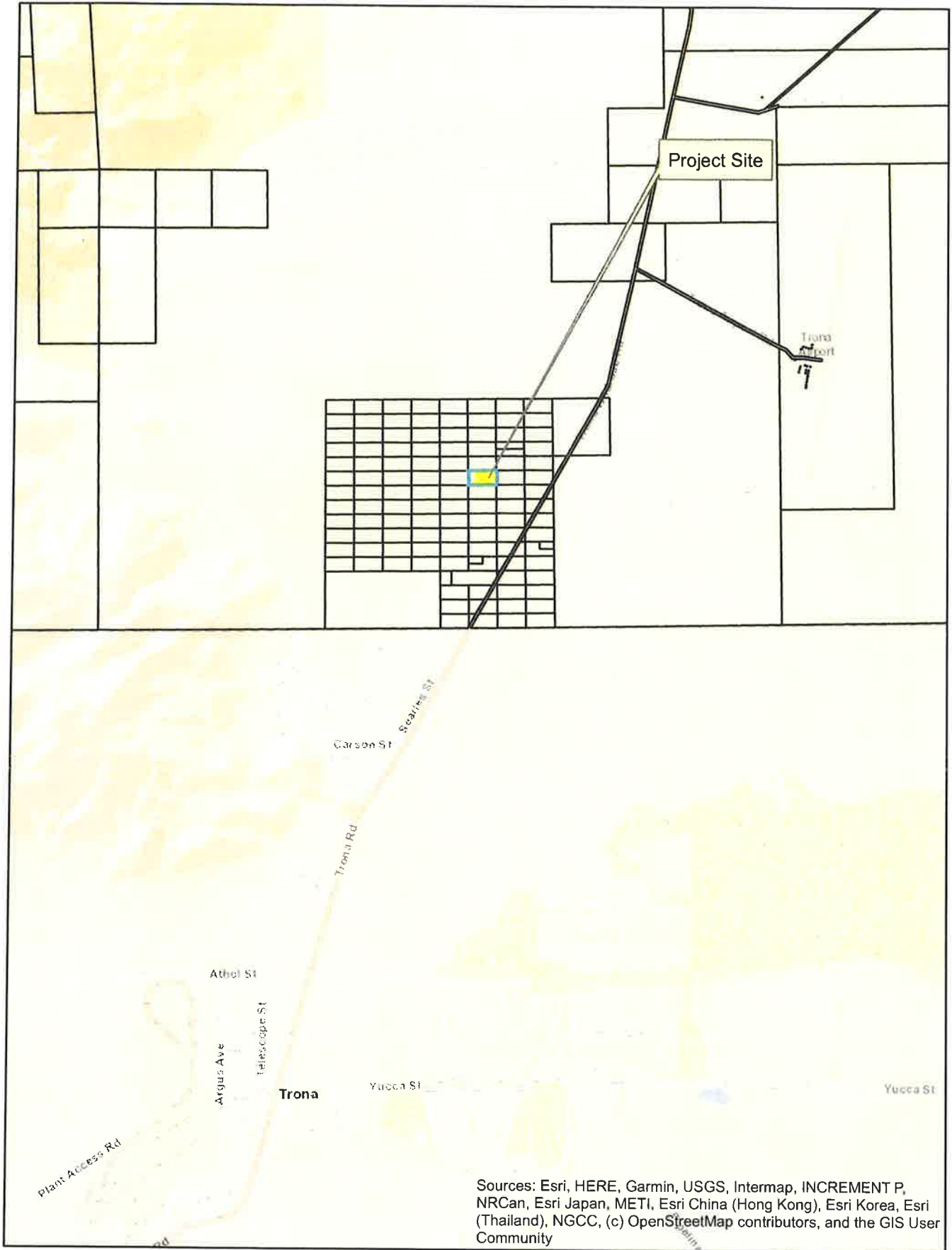
ATTACHMENTS:

Vicinity Map (2)

Site Plan

Diagram 32- Solar energy development area

VACINITY MAP



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

0 0.35 0.7 1.4 Miles

VICINITY MAP

REP 2022-01/ BARKER

APN 038-330-46

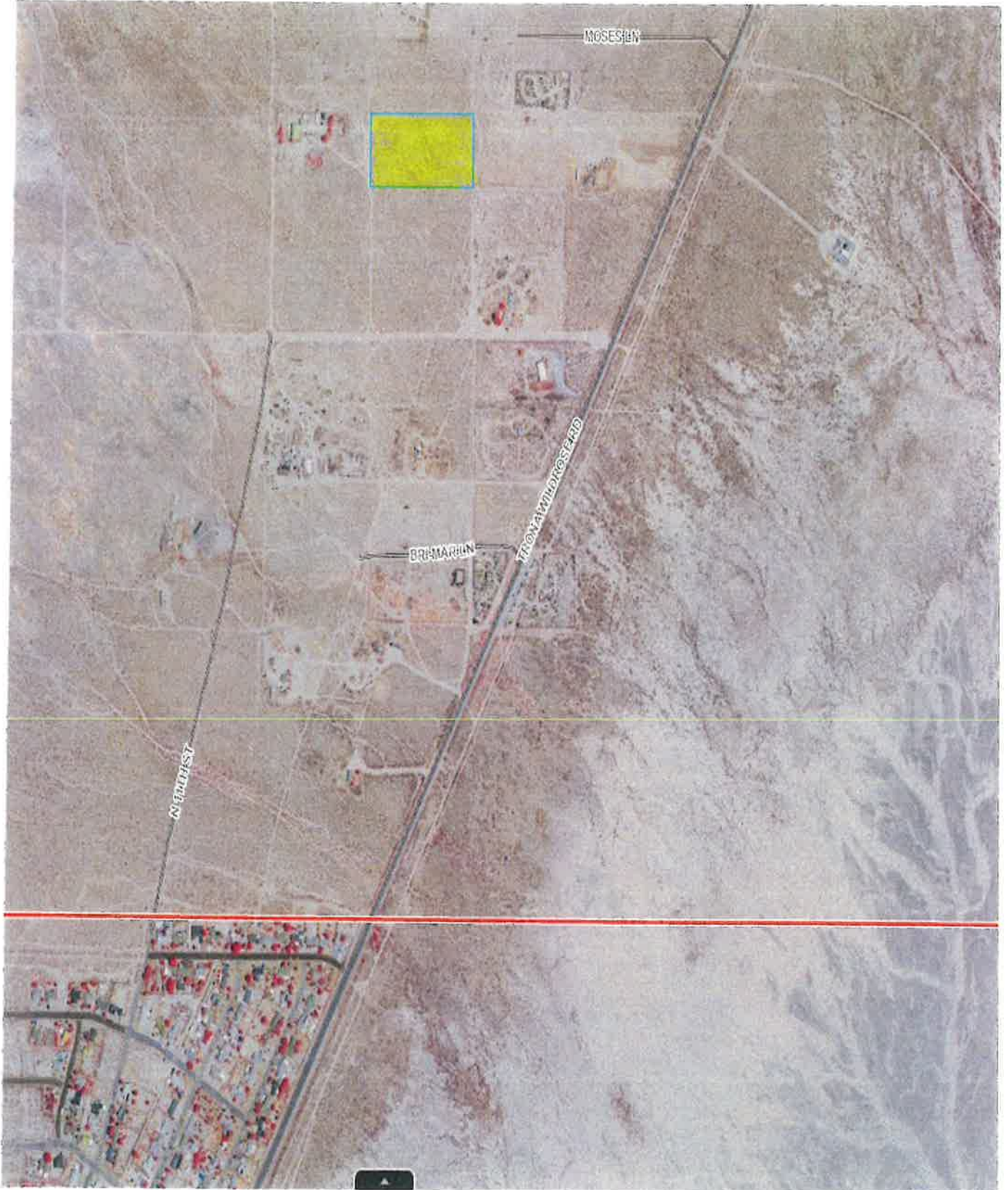
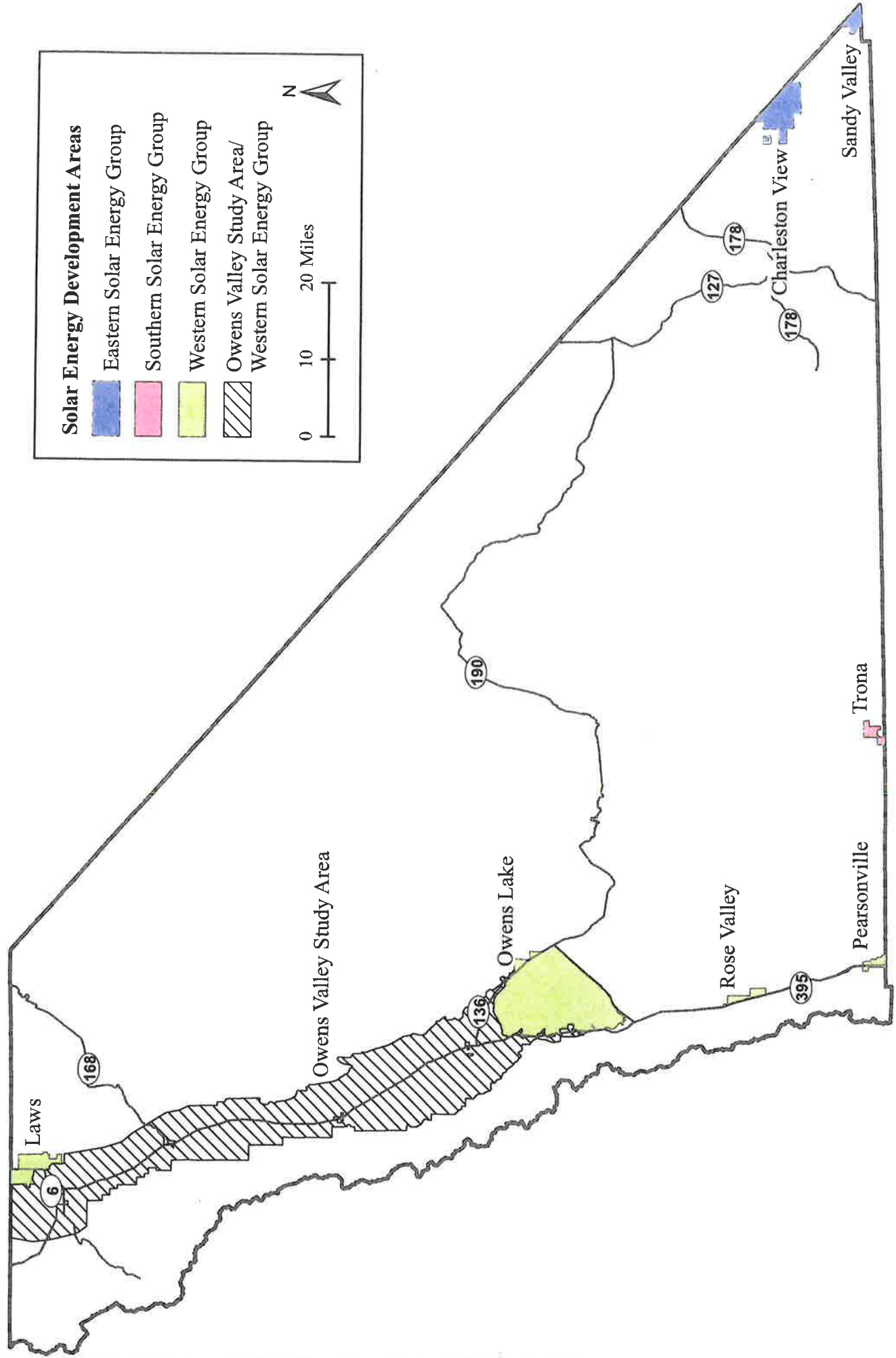


Diagram 32: Solar Energy Development Areas and Owens Valley Study Area





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AGENDA ITEM NO.: Action Item No. 6
PLANNING COMMISSION MEETING DATE: March 22, 2023
SUBJECT: Renewable Energy Permit No. 2022-02/Barker

EXECUTIVE SUMMARY

The applicant, Robbie Barker, has applied for a Renewable Energy Permit located on three private parcels, (recently merged), APN's 038-330-32;33;34, in Trona California. This permit would allow the applicant to construct a proposed 3 milliwatt (mW) photovoltaic solar facility that uses approximately 6,000 single axis tracker solar panels. The project encompasses 15-acres of pre-disturbed land.

PROJECT INFORMATION

Supervisory District: 5

Project Applicant: Robbie Barker

Site Address: Trona, CA 93592

Community: Trona, CA

A.P.N.: 038-330-32;33;34

General Plan: Residential Estate (RE); SEDA Overlay

Zoning: Rural Residential-5.0-acre minimum (RR-5.0-MH)

Size of Parcel: 15 acres.

SURROUNDING LAND USE

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	Residential Estate (RE)	Rural Residential-5.0-acre min (RR-5.0-MH)
South	Vacant	Residential Estate (RE)	Rural Residential-5.0-acre min (RR-5.0-MH)
East	Vacant/BLM	State and Federal Lands (SFL)	Open Space-40-acre min (OS-40)
West	Vacant	Residential Estate (RE)	Rural Residential-5.0-acre min (RR-5.0-MH)

Staff Recommended Action: Approve the Renewable Energy Permit 2022-02/Barker.

Alternatives:

1.) Deny the Renewable Energy Permit

2.) Approve the Renewable Energy Permit with current additional conditions of approval or approve with additional conditions of approval.

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

STAFF ANALYSIS

Background and Overview

The applicant has applied for a Renewable Energy Permit from the Inyo County Planning Department to construct a 3 milliwatt (mW) photovoltaic solar energy facility on three 5-acre parcels (APN's 038-330-32;33;34), privately owned by Robbie Barker. The project would construct roughly of 6,000 single-axis tracker solar panels that will connect to Southern California Edison's transmission and distribution infrastructure, helping the State meet its greenhouse gas emission reduction targets by producing carbon neutral electricity.

The project site is located on land that is highly disturbed with no natural vegetation or structures on the site. The project is devoid of natural habitat and has been previously graded. The project area is surrounded by vacant land to the north, south and west. The land to the east, consists of vacant BLM land.

The proposed application for a Renewable Energy Permit aligns with Inyo County Code Section 21.16-*General Provisions for Renewable Energy Development*, which aims to "support and encourage the responsible development of its solar and wind resources to generate and transmit clean, renewable electric energy while protecting the health, safety and welfare of its citizens and its environment, including its public trust resources" (21.04.030). The application for this permit has met the requirements of the Inyo County Planning Department and, per County Code Section 21.16.060, now requires that the Inyo County Planning Commission give final approval in order to issue the Renewable Energy Permit.

General Plan Consistency

The goal of this review is to allow the applicant to develop a renewable solar project in compliance with the County's Renewable Energy General Plan Amendment (REGPA), as well as Title 21 of the Inyo County Code (ICC). The proposed project is consistent with the goals and policies of the Inyo County REGPA, as adopted by the Inyo County Board of Supervisors in 2015. The finalized Program Environmental Impact Report (EIR) of the 2015 REGPA defines commercial scale renewable energy facilities as having a 20-megawatt (MW) capacity or less. The current project has a rated capacity of 1.2 milliwatts (mW).

(1 MW=1,000,000,000 mW). Since the developer is planning a small-scale project, they have applied for a renewable energy permit, per the requirements of Title 21 of the Inyo County Code. Furthermore, County land use policy requires that commercial scale renewable energy projects be considered within Solar Energy Development Areas (SEDA) overlays. This project is within the County's Southern Solar Energy Group, in Trona, California (REGPA 2015, figure ES-1). The project aligns with the County's goals and objectives to utilize photovoltaic panels, the only type of solar technology currently supported by the REGPA, for renewable energy development projects. Finally, recent land use implementation measures explicitly state that small scale, community scale, and commercial scale renewable projects will be encouraged and prioritized over larger, utility scale projects (REGPA, final Errata to final EIR, pg. 3).

Zoning Ordinance Consistency

The applicant's parcel is zoned Rural Residential-5.0-acre min (RR-5.0-MH). The *Final Errata to the Final Program Environmental Report* for the *Inyo County Renewable Energy General Plan Amendment* (REGPA), adopted in March 2015 by the Inyo Board of Supervisors, states: "...the County may consider utility scale and commercial scale renewable energy solar facilities within any zoning district under Title 18 of the Inyo County Code and pursuant to Inyo County Code Title 21" (REGPA, Errata, pg. 2). The REGPA created new land use policy that allowed applicants to apply for commercial scale renewable energy permits, regardless of zoning designation; however, approval of these projects is still reserved for the Planning Commission.

ENVIRONMENTAL REVIEW

An Initial Study with a Mitigated Negative Declaration (ISMND) was performed and considered for possible significant impacts to environmental resources for Renewable Energy Permit 2022-02/Barker. The County of Inyo produced a program level EIR (2015 REGPA), pursuant to Section 15168 of CEQA Guidelines, to address environmental impacts from the planned solar development areas. This document distinguishes all SEDAs that are the most environmentally suitable for solar projects, with the least amount of individual and cumulative impacts to land and resources (2015 REGPA, 3-4). A copy of the ISNMD can be found at <https://www.inyocounty.us/services/planning-department/current-projects>.

The State review period for the Initial Study with a Mitigated Negative Declaration ended on December 17, 2022 and no comments were received.

NOTICING & REVIEW

The application for Renewable energy permit 2022-02/Barker has been reviewed by the following County Departments: Environmental Health, Public Works, Road Dept., and Building & Safety. Information regarding the project was also sent to the San Bernardino Fire Department and China Lake Naval Air Weapons Station. No comments have been received to date.

Residents within 300 feet of the proposed rental were notified that an application for a Renewable Energy Permit was being submitted, and staff noticed these residents regarding the public hearing date. Notice of Availability of the Initial Study was published in the *Inyo Register* on November 17, 2022. Notification of the public hearing date for this permit was published in the *Inyo Register* on March 9, 2023. No comments have been received to date.

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter about the project and the opportunity for consultation on this project. The tribes notified were as follows: the Cabazon Band of Mission Indians, the Torres Martinez Desert Cahuilla Indians, the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Bishop Paiute Tribe, the Fort Independence Paiute Tribe, the Lone Pine Paiute Tribe, and the Timbisha Shoshone Tribe. No comments have been received to date.

RECOMMENDATION

Planning Department staff recommends the approval of Renewable Energy Permit 2022-02/Barker, with the following Findings and Conditions of Approval:

FINDINGS

1. The proposed Renewable Energy Permit has met the provisions of necessary review, pursuant to the California Environmental Quality Act.
[Evidence: The Inyo County 2015 REGPA, the Initial Study for this project (December 2022), and the addition to the Conditions of Approval recommended for this permit, have eliminated the potential for adverse environmental impacts that will exceed thresholds of significance, either individually or cumulatively.]
2. The proposed Renewable Energy Permit is consistent with the Inyo County General Plan Land Use Designation of Residential Estate (RE)/ SEDA, as adopted by Inyo County.
[Evidence: In 2015, Inyo County updated its General Plan to include policies for solar energy development within the County. New goals, policies, implementation measures, and actual sites, were identified in locations referred to in the REGPA as SEDAs. The current project falls within Inyo County's southern SEDA and therefore has consistency with the General Plan.]
3. The proposed Renewable Energy Permit is consistent with the Inyo County Zoning Ordinance.
[Evidence: Utility scale and commercial scale renewable energy solar facilities are allowed within any zoning district, under Title 18 of the Inyo County Code, and pursuant to Inyo County Code Title 21 if the facilities are proposed within a SEDA. The new land use policy created by the REGPA means that applications will be considered regardless of zoning designation, with approval of the permit decided by the Planning Commission, as long as they are located in a SEDA.]

4. The proposed Renewable Energy Permit is necessary or desirable.

[Evidence: In 2015, the Inyo County Board of Supervisors decided it was necessary to adopt new land use policies that were consistent with and met the broader goals and visions for the County as expressed in the General Plan. These amended land use policies regulate and direct the type, siting, and size of potential future renewable energy development within the County. Given that the proposed project is within the southern SEDA, their application is consistent with what the County has deemed necessary and desirable (REGPA, ES-2, 2015).]

5. The proposed Renewable Energy Permit is properly related to other uses and transportation and service facilities in the vicinity.

[Evidence: The proposed Renewable Energy Permit is properly related to transportation and service facilities and will not adversely affect these facilities. The project is located in an area where it can interconnect to Southern California Edison's electrical transmission lines. This project is secluded enough to avoid burdens to Inyo County maintained roads, in this case Trona Wildrose Road. Additionally, it is over a mile away from the Trona airport.]

6. The proposed Renewable Energy Permit would not under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.

[Evidence: The proposed Renewable Energy Permit does not adversely affect public health or safety of persons living in the vicinity. The Inyo County Environmental Health Department evaluated the application for sewer, septic, and water issues and found no problems with the application.]

7. Operating requirements necessitate the proposed Renewable Energy Permit for the site.

[Evidence: Use of the applicant's property for a photovoltaic power plant or solar energy system requires a Renewable Energy Permit, as per Chapter 21.08 of the Inyo County Code.]

CONDITIONS OF APPROVAL

1. Hold Harmless

The owner/developer shall defend, indemnify, and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Renewable Energy Permit No. 2022-02/ Barker. The County reserves the right to prepare its own defense.

2. Compliance with County Code

The owner/developer shall conform to all applicable provisions of Inyo County General Plan, Zoning Code and State regulations, including the California Building Code. Failure to comply may result in the revocation of REP 2022-02/Barker. If the use provided by this REP is not established within one year of approval date it will become void.

3. Decommissioning Plan and Financial Assurance

The applicant shall submit an approved decommissioning plan prior to the issuance of grading or building permits.

As per section 21.20.040 of ICC, the applicant shall have secured financial assurance/surety bond prior to the issuance of grading or building permits.

The owner/developer shall also submit an updated reclamation plan and updated financial assurance/surety bond to the Inyo County Planning Department every 5 years.

4. Air Quality

The owner/developer shall be required to follow best management practices to control for dust. The owner or their agent shall consult with the Great Basin Air Pollution Control District to ensure potential dust does not impact surrounding properties.

5. Notification of local American Tribes

A representative from local native American tribes will be notified in the event native artifacts or human remains are uncovered.

ATTACHMENTS:

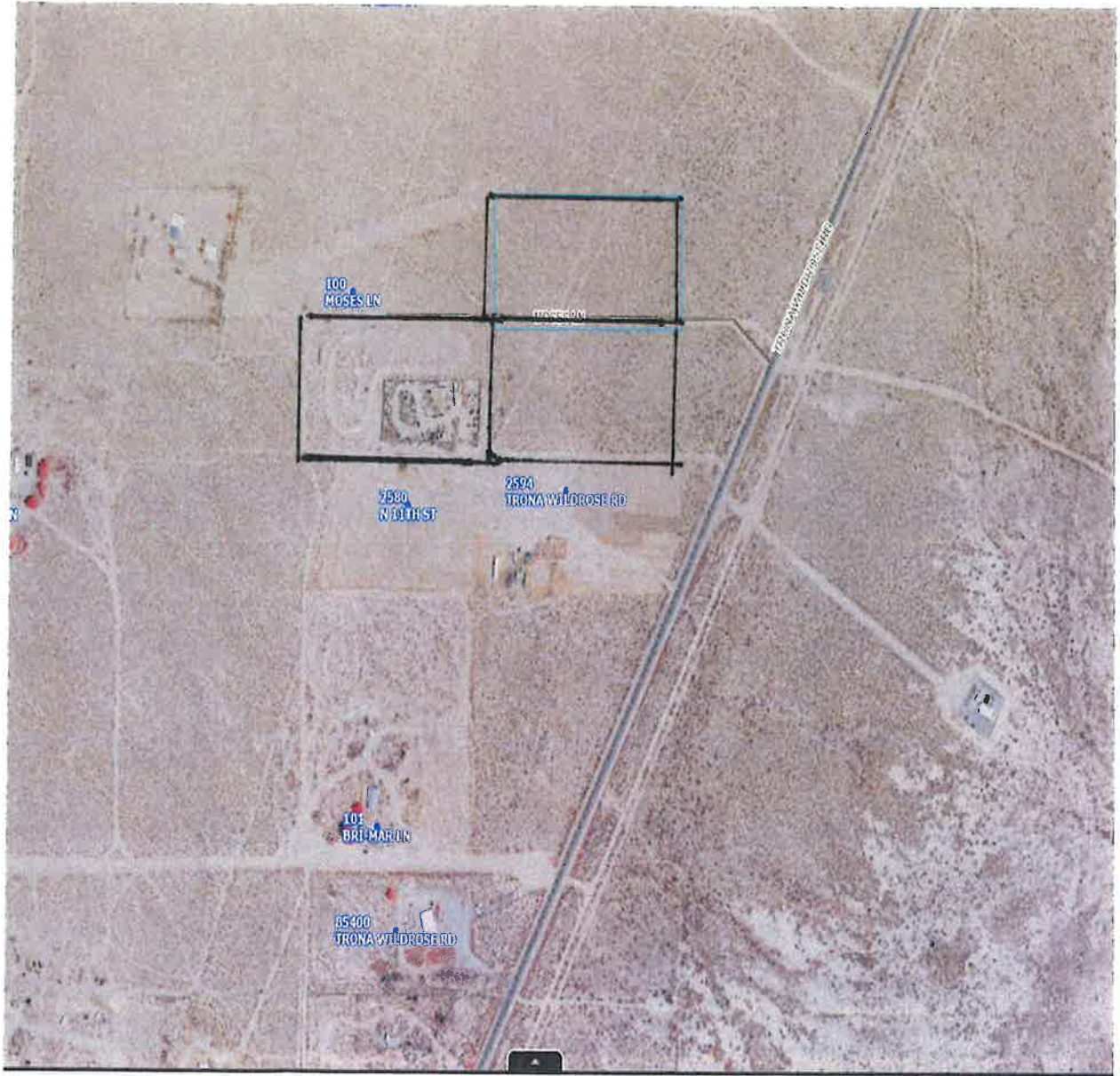
Vicinity Map (2)

Site Plan

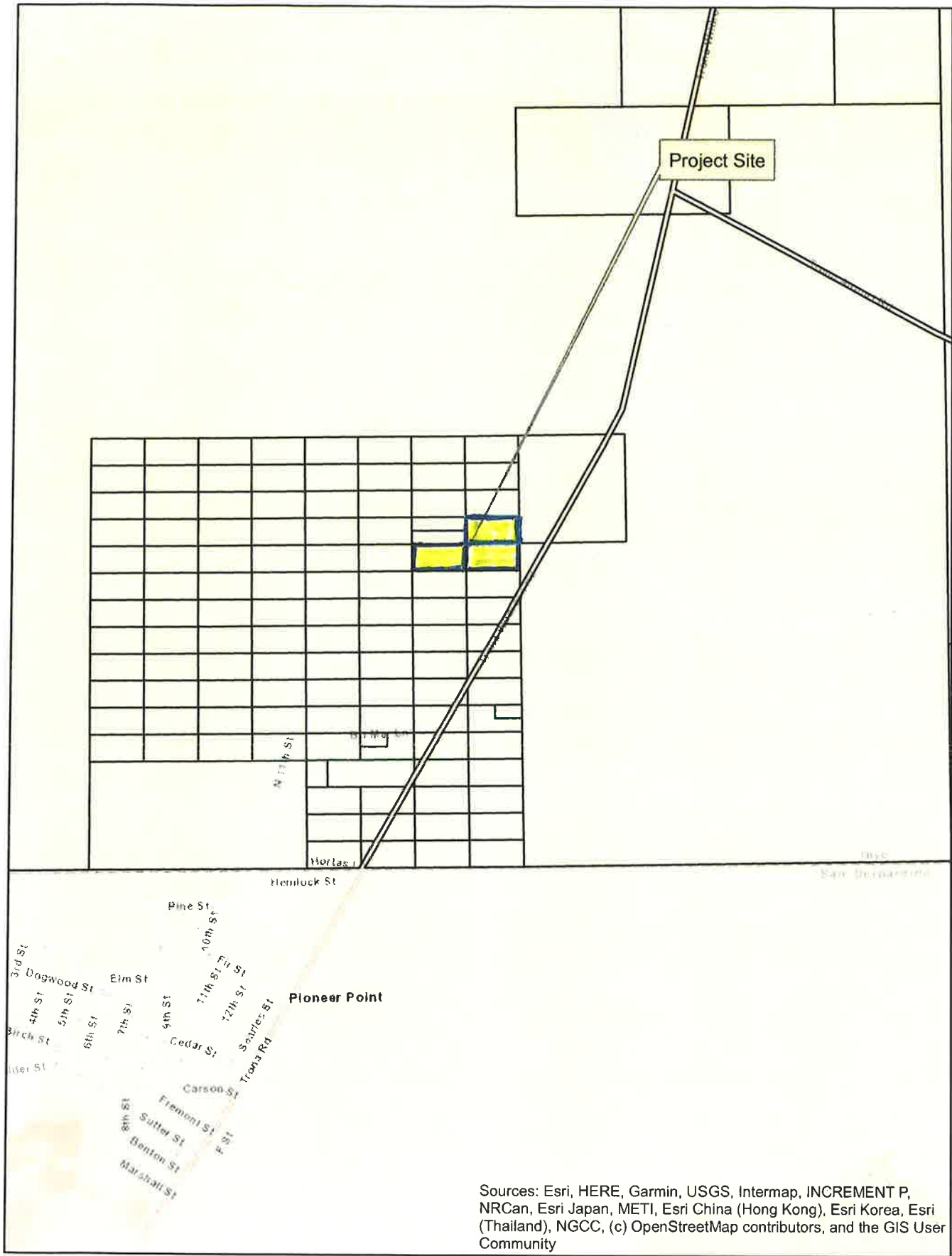
Diagram 32- Solar energy development area

Vicinity Map

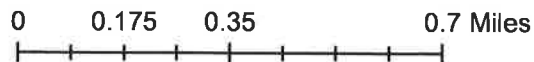
REP 2022-02/Barker



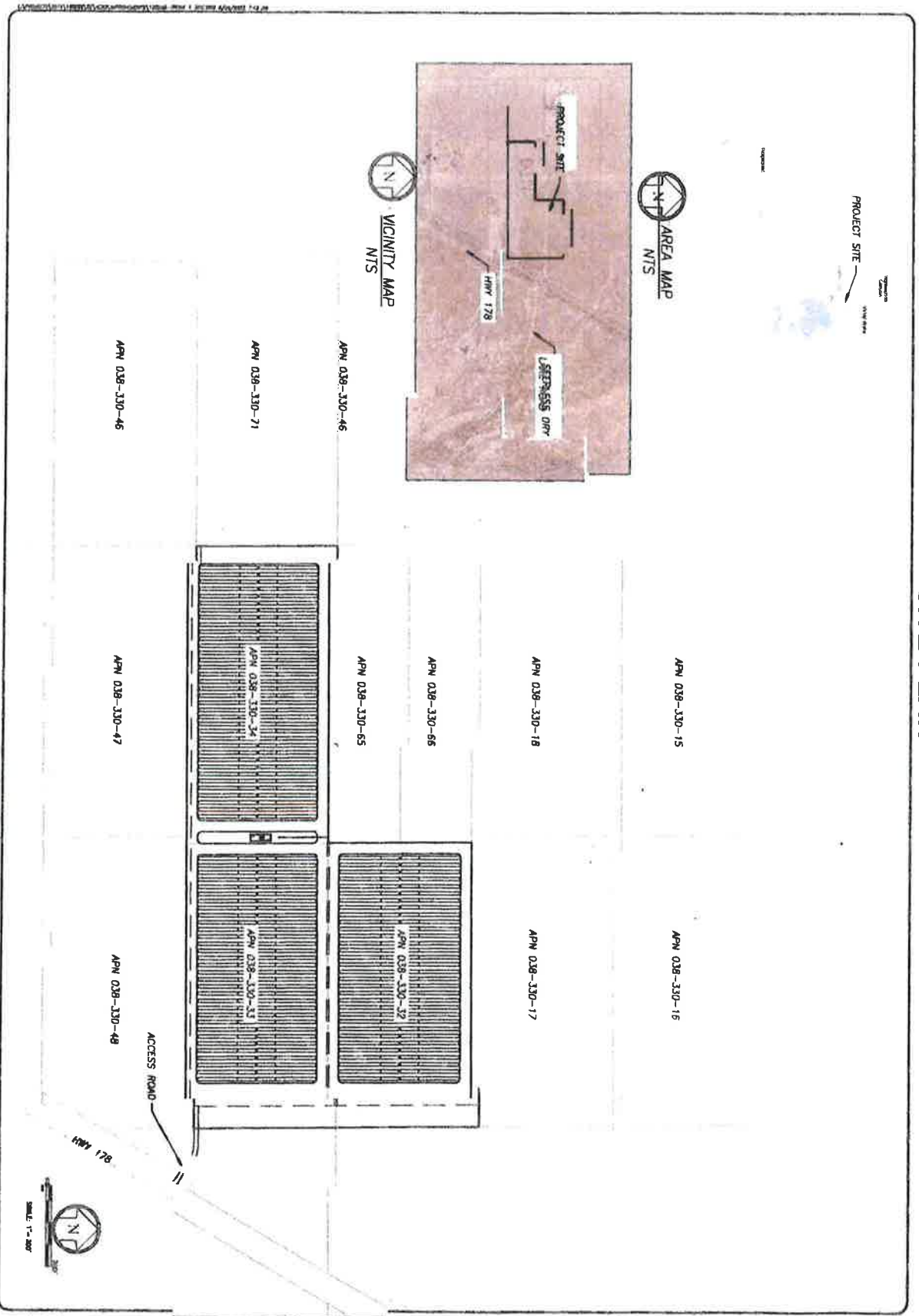
VACINITY MAP



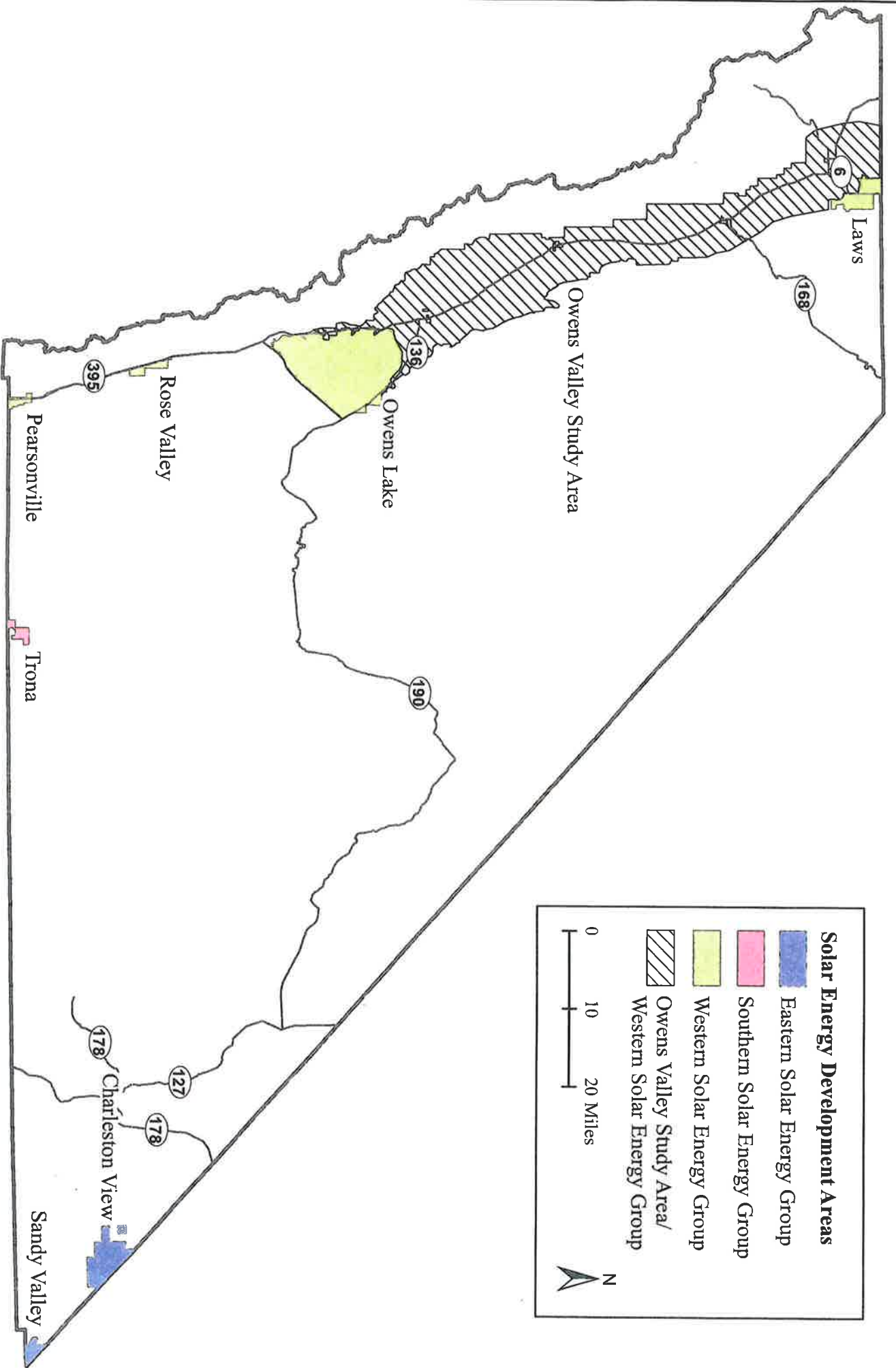
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



REP 2022-02/BARKER SITE PLAN



<p>VALLEY WIDE CONSTRUCTION SERVICES</p> <p>10000 Valley View Blvd Suite 100 Van Nuys, CA 91411 Tel: 818-708-1111</p>	<p>TRONA 4 SOLAR PROJECT OVERVIEW</p>	 <p>QK</p>	<p>DATE: 10/10/2022</p> <p>TIME: 10:00 AM</p> <p>BY: [Signature]</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE												
NO.	DESCRIPTION	DATE																	





Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 872-2712
E-Mail: inyoplanning@inyocounty.us

AGENDA ITEM NO.: 7 (Action Item – Public Hearing)
PLANNING COMMISSION
MEETING DATE: March 22, 2023

SUBJECT: Zone Reclassification (ZR) 2023-01/Inyo
County - Vacant lands and Housing
Opportunity; General Plan Amendment
(GPA) 2023-01/Inyo County -Vacant lands
and Housing Opportunity

EXECUTIVE SUMMARY

Staff presented this item to the Planning Commission on February 22, 2023. Due to noticing errors, it is being brought back to the Planning Commission for a new hearing.

Staff applied for and received a Senate Bill (SB) 2 grant that is directed at planning assistance to help local jurisdictions achieve affordable housing. With the help of HELIX Environmental Planning Inc., a vacant lands inventory and a zoning and General Plan review of properties located in the County was conducted. This information was used to identify parcels land that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density. These parcels were then evaluated under the California Environmental Quality Act (CEQA) and are now being recommended for General Plan and zoning designation changes.

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:

Approve a Resolution Recommending that the Board of Supervisors:

1.) Make certain findings with respect to, and approve, Zone Text Amendment ZTA/2023-01/Inyo County - Vacant lands and Housing Opportunity, changing parcels:

- **Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business;**
- **Bishop (APN 008-240-02) from Public to Central Business;**
- **Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above;**
- **Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above;**
- **Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,**
- **Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.**

2.) Make certain findings with respect to, and approve a resolution adopting, General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity changing parcels:

- **Bishop (APN 008-240-01) from Public Facilities to Central Business District;**
- **Bishop (008-240-02) from Agriculture to Central Business District;**
- **Bishop (APN 008-190-01) from Retail Commercial to Residential High Density;**
- **Independence (APN 002-160-08) from Residential Ranch to Residential Medium Density;**
- **Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and,**

- **Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density.**

3. Certify the Environmental Impact Report was prepared in compliance with the California Environmental Quality.

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.

BACKGROUND

Staff applied for the SB 2 grant funding to address current shortage of family-wage and other affordable housing opportunities in the County. There are many factors that contribute to this including:

- A lack of available private property for development;
- Difficulties in the provision of infrastructure and services;
- Little interest from builders to provide “family-wage” and/or “affordable” housing choices;
- State subdivision regulations that prohibit subdivision of areas outside Community Service District Boundaries (Fire); and,
- Outdated zoning and General Plan designations and regulations.

Staff approached the project with current county residents’ needs in mind by considering what is affordable to people living in the county, how to provide starter type housing so that local youth has an opportunity for housing ownership as well as senior housing so county residents can age in place. This was also evaluated through the lens of not inadvertently creating more opportunity for second/vacation homes.

Project strategy

The project’s intended strategy was to:

- Conduct a vacant lands inventory and General Plan/zoning designations review of private properties located throughout the County (GIS exercise with set criteria).
- The information was also to be used to help identify parcels of land for the Regional Housing Needs Allocation (RHNA) for the Housing Element update.
- Identify land that may be appropriate for designation changes to promote housing opportunities, primarily by increasing allowable residential density.
- Include evaluating an increase the amount of multi-family zoning available in the County and/or additional zoning areas with principal permitting for mobile home parks.

- Review of the County's current zoning with a focus on commercial zones for opportunities for infill (residential) development as well as Accessory Dwelling Units (ADU).
- Give preference to areas near public transportation and other services.

Environmental Impact Report

Scoping

On November 5, 2020, after the initial review, a CEQA Notice of Preparation was submitted to the State Clearinghouse. This was followed by a scoping meeting held on November 18, 2020. The scoping meeting was held to:

- Provide information on the Environmental Impact Report (EIR) process.
- Identify the environmental issues the EIR would address.
- Solicit community input on the environmental issues that may be involved with the proposed project.
- Collect comments on the environmental analysis of the proposed project, especially for:
 - The range of alternatives to be considered to avoid or reduce impacts;
 - Potential environmental impacts of greatest concern to public agencies, organizations and individuals; and,
 - Avoidance, minimization and mitigation measures.

The scoping meeting resulted in staff getting very good comments, these included:

- There is an environmental constraints document that was produced by the City of Bishop around 2012 that might have relevant information to this proposed project.
- Better define which Los Angeles Department of Water and Power (DWP) parcels to include, perhaps defining a sphere of influence for each neighborhood or town within which to include parcels.
- Support for mixed use commercial and residential zoning.
- Include DWP lands, particularly lots on Main Street in Lone Pine, even if they are not on divestment lists because it may be possible to request divestment.
- Consider bringing in a large septic tank to support additional housing in areas such as Charleston View or Cartago even if these areas would otherwise fall outside the boundaries of the parcels under review because they do not fall within a sewer or water district.
- Include vacant or lightly developed County-owned lands for consideration.
- Several suggestions for increasing residential density, including easing restrictions for renting rooms in existing housing and changing existing zoning to allow for duplexes and additional accessory dwelling units (ADU) in certain zones.

Draft Environmental Impact Report

County and consultant staff used the ideas collected at the scoping meeting to complete the vacant lands analysis and zone/General Plan designations review. This information was used to generate a project description and baseline for the Environmental Impact Report (EIR) and a final draft parcel list for proposed designation changes. The Geographic Information Systems (GIS) analysis was conducted with a set of parameters

to find the best parcel candidates for designation changes that met the project's objectives and could be inclusive of the scoping comments. The GIS process employed county assessor parcel data with overlays to determine the best fit for county purposes, starting with the countywide parcel dataset, the following parameters were used to identify parcels:

1. Classified as vacant according to county assessor data coding.
2. Located within a local fire protection district.
3. Located within or adjacent to a water and sewer/sanitary service district.
4. Located in an area without high environmental concerns including: Alquist-Priolo identified earthquake fault zones; flood prone areas per the Federal Emergency Management Agency (FEMA) flood maps; and, High and Very High fire hazard zone classifications, per Cal Fire.
5. County and DWP ownership. These were added after the scoping meeting based on public comment.
6. Identified parcels with residential zoning designations that were greater than 0.5 (this was based on requirements in the housing element for the RHNA), and parcels in the Central Business District (CBD) designation.
7. Compiled a list of parcels that met the initial criteria and added parcels identified as priorities in the 2014 Housing Element update.
8. For each parcel included in the recommendation, evaluations of the current minimum and maximum housing density and minimum and maximum number of dwelling units supported by the target parcels was generated.

The preliminary results found 48-parcels that matched the criteria, 27 of these are located in the CBD designation and 14 are in other zoning designations. The parcel list was then further refined by information found in the City of Bishop Constraints report. Eight parcels totaling 32-acres were then evaluated by the Draft Environmental Impact Report.

These parcels are (maps attached):

Bishop

Three undeveloped parcels in the Bishop area, two of the Bishop area parcels (APNs 008-240-01 and 02) are proposed for a General Plan designation change to Central Business District from Public Service Facilities and Agriculture designations; and zoning designation changes to Central Business from Public and Light Industrial - Precise Plan. The third Bishop parcel (APN 008-190-01) is proposed for a General Plan land use designation change from Retail Commercial to Residential High Density and includes a zone change from Single-Family Residential to Multiple Family Residential. Combined, the three Bishop parcels would allow for a maximum of 344 dwelling units. The two parcels along Highway 395 were identified for their potential for mixed use commercial residential development or multi-family housing as they are located in an area with good access to services. The parcel along South Street could provide a mix of housing types from apartments/duplexes to zero lot line townhomes/condos.

Independence

An undeveloped parcel in Independence is 16.9 acres and located along Mazourka Canyon Road, east of Edwards Street. The project parcel is identified as APN 002-160-08. It is owned by DWP and is included on the DWP property divestment list. It was evaluated for a proposed zone change from Rural Residential, 1-acre minimum to Multiple Family Residential and a General Plan change from Residential Ranch to Residential Medium Density for a maximum of 128 dwelling units. Staff's evaluation determined that more units on this parcel would create better affordability for people who currently live and work in the county than a 1-acre ranch/horse property as it is currently zoned for. This type of development, however nice, is not generally affordable to people making an average wage in the county. Discussions about this parcel also included the potential for senior housing, a tiny home village and zero lot line townhomes/condos.

Lone Pine

Four Lone Pine parcels APNs 005-072-06; 005-072-07; 005-072-24; and 005-072-30 are proposed for a General Plan designation change from Public Facilities and Residential Medium-High Density to Residential High Density and a rezone from Public and Multiple Family 2-units to Multiple Family Residential 3-units and above. Combined, the four Lone Pine Parcels would allow for a maximum of approximately 20 dwelling units. These parcels are currently being used as a county road yard that is located inside a residential neighborhood. Considerations for this parcel's potential, included cottage apartments, town homes or duplexes. Two of these parcels are already zoned for duplexes and all current zoning allows for two-story buildings.

The project objectives drafted per Section 15124 of the CEQA Guidelines are:

- Provide for increased housing opportunities in Inyo County primarily through increasing allowable residential density within existing and established communities, especially within the Central Business District land use designation.
- Allow for increased housing opportunities (primarily multi-family) in certain commercial zones ministerially (no additional discretionary action needed).
- Focus future housing opportunities to vacant land located adjacent to existing public transit stops and public utilities/services.
- Minimize direct and indirect impact from increased housing opportunities on the physical, biological, cultural, political, and socioeconomic environments.
- Identify zone changes to be consistent with General Plan land use designations to maximize density.

Project alternatives for the EIR were drafted per Section 15126.6 of the CEQA Guidelines, and include:

1. Proposed Project: Increased housing opportunities resulting in a net increase of approximately 219-492 Dwelling Units
2. No Project Alternative: No change to General Plan land use designations or zoning ordinance.
3. Reduced Housing Opportunity Alternative – This alternative would eliminate the Independence parcel and evaluate up to 364 additional dwelling units.

For this EIR staff also applied for an additional state grant (Regional Early Action Planning Grant) or REAP. This grant was used to provide a Vehicle Miles Traveled (VMT) study and recommendations report to enhance the EIR.

The Draft EIR¹ was prepared and posted on the State CEQA Clearinghouse and recorded with the County Clerk for advertising on November 30, 2022 for a 45-day review period ending on January 16, 2023. The County received one comment on January 17, 2023 from DWP (comment attached).

FINDINGS

General Plan: The proposed General Plan land use designation changes are being conducted to increase the allowed density on the parcels chosen for the project as part of a State program to promote housing opportunities through an SB2 grant. Changing the General Plan designations to:

Bishop parcels – Residential High Density (RH) and Central Business District (CBD) designations will result in 7.6 to 24 dwelling units per acre (du/acre) that correspond with the proposed Multiple Family Residential (R-3) and Central Business (CB) zones.

Independence parcel – Residential Medium Density (RM) designation will result in a 4.6 to 7.5 du/acre that corresponds with the proposed R-3 zoning designation.

Lone Pine Parcels – RH designation will result in a 15.1 to 24 du/acre that corresponds with the proposed R-3 zoning designation.

The RH designation is to be used in areas where single-family and multiple family residential units are appropriate and access to adequate water and sewer connections are available. All three areas can accommodate the increase in housing density as evaluated by the EIR and will increase the potential for increased housing opportunity as provided by the State grant program. The CBD designation allows for main street type commercial uses as well as multiple-family dwellings and mixed use projects. The parcels identified for the CBD designation have access to adequate water and sewer services and are appropriate for higher density housing development with mitigations per the EIR analysis. It too will increase the potential for increased housing density. The RM designation is to be used in areas where single-family residential units are appropriate and access to adequate water and sewer connections are available.

Zoning: The proposed zoning designation changes are being conducted to be consistent with the allowed density on the parcels, per the proposed General Plan changes and consist of:

Bishop parcels – Central Business (CB) allows for multiple-family dwellings 3-units and above and mixed-use commercial/residential projects, and Multiple Family Residential (R-3) that allows for residential development at 3-units and above.

¹ <https://www.inyocounty.us/sites/default/files/2022-12/Vacant%20Lands%20DEIR%2011.30.2022.pdf>

Independence parcel – R-3 designation allows for residential development at 3-units and above.

Lone Pine Parcels – R-3 designation allows for residential development at 3-units and above.

Tribal Consultation

General Plan updates require that jurisdictions offer consultation opportunities to local Tribes. Pursuant to Government Code Section 65352.3, Tribes have 90-days, after receiving invitations to consult on GPAs to request consultation opportunities. Staff mailed consultation invitations on November 5th, 2020 to the: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Kern Valley Indian Council, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Walker River Reservation, pursuant to the list provided by the Native American Heritage Commission. The Big Pine Paiute Tribe of the Owens Valley requested consultation, but did not engage in scheduling one. No other Tribes requested consultation and the 90-day window for a consultation request has passed.

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter on November 4, 2020 about the project and the opportunity for consultation. The tribes notified were as follows: the Twenty-Nine Palms Band of Mission Indians, Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Cabazon Band of the Mission Indians, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the Tribes requested consultation.

Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County – Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County- Vacant Lands and Housing Opportunity. The Draft EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. The issues that are analyzed in detail in the Draft EIR include: aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology and soils; greenhouse gas (GHG) emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation; tribal cultural resources; utilities and service systems; and, wildfire.

The analysis contained in the Draft EIR identified potentially significant impacts for biological resources, with the proposed project having the potential to affect sensitive or special-status species, a sensitive natural community, or State or federally protected wetlands. With the implementation of mitigation measures that include rare plant

surveys, surveys for Owens Valley vole, avoidance measures for special-status fish, Swainson's hawk and nesting bird surveys, and the completion of a jurisdictional delineation, all potentially significant impacts would be mitigated to a less than significant level. Potentially significant impacts were also identified for cultural resources, but mitigation measures including inadvertent discovery of cultural resources procedures, cultural resource investigations, and procedures for the inadvertent discovery of human remains would reduce potentially significant impacts to a less than significant level. Site-specific geotechnical investigations and avoidance and minimization measures for paleontological resources would be implemented to reduce geology and soils impacts to a less than significant level. The proposed project would also implement stormwater quality protection measures to reduce hydrology and water quality impacts to a less than significant level. Construction noise reduction measures and construction vibration limits would be implemented to reduce noise impacts to a less than significant level. The County would require developers to demonstrate the proposed development would have a residential density equal to or greater than 4.5 dwelling units per acre prior to issuance of a grading permit to reduce transportation impacts to a less than significant level. A minimum density greater than 4.5 dwelling units per acre would meet the criteria for reducing vehicles miles traveled (VMT) at least 15 percent below the County average. Potentially significant impacts were also identified for tribal cultural resources, but mitigation measures including inadvertent discovery of tribal cultural resources procedures would reduce potentially significant impacts to a less than significant level. The proposed project would demonstrate adequate water supply prior to issuance of a grading permit in order to reduce potentially significant impacts to a less than significant level. Table ES-1 (located at the end of the Executive Summary) summarizes the project's potentially significant environmental impacts and proposed mitigation measures by issue, as discussed in Section 4.1-4.20 of the Draft EIR.

Noticing

The project was noticed on March 11, 2023 in the Inyo Register and mailed to residents within 300-feet of the parcels subject to the changes. One comment letter was received at the original hearing, it is attached.

RECOMMENDATIONS

Planning Department staff is recommending:

The Planning Commission adopt a resolution (attached) recommending the Board of Supervisors:

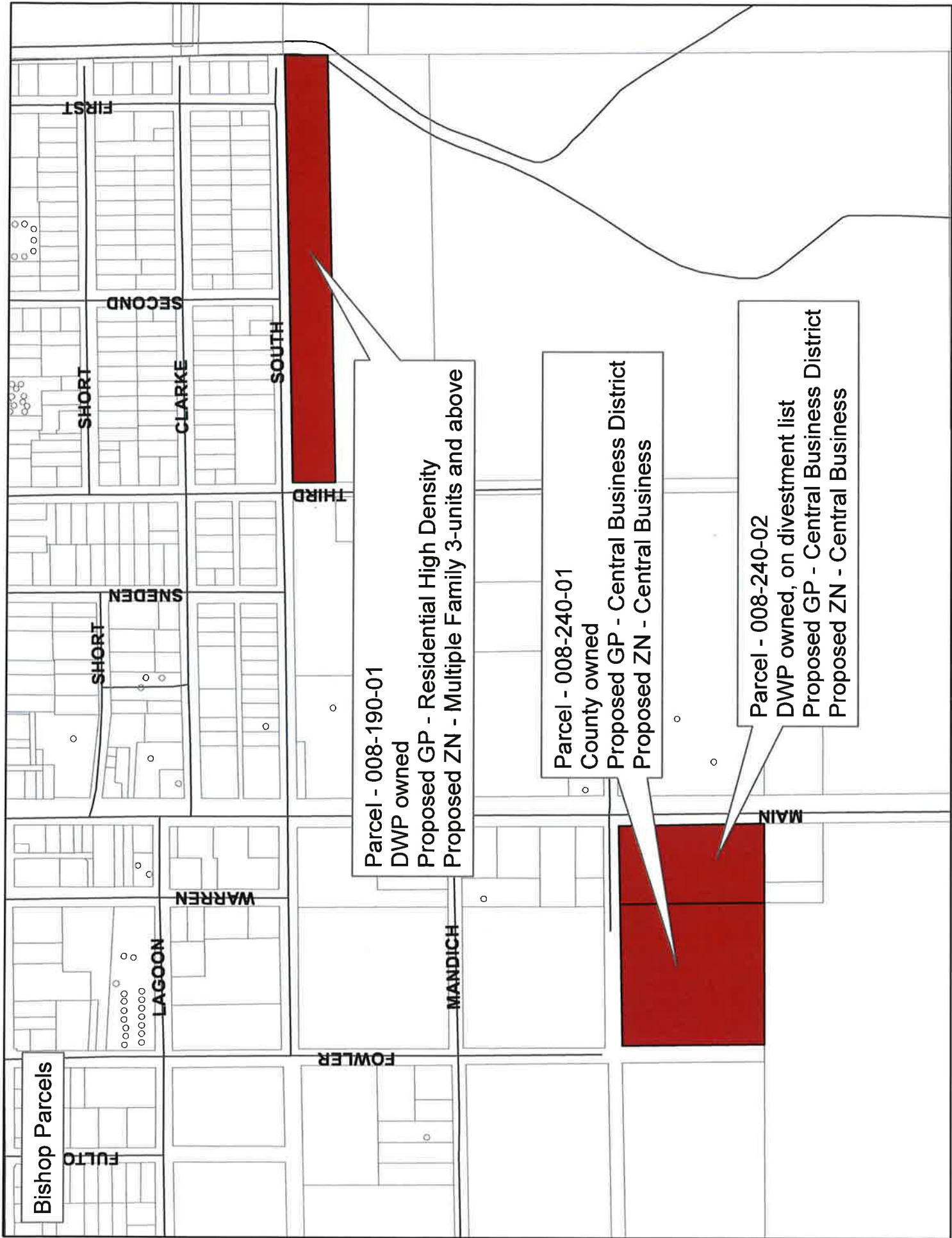
1. Adopt a Resolution Approving General Plan Amendment 2023-01/Inyo County - Vacant lands and Housing Opportunity
2. Adopt an Ordinance Approving Zone Reclassification 2023-01/Inyo County - Vacant lands and Housing Opportunity; and,
3. Approve and certify the EIR was prepared in compliance with CEQA.

ATTACHMENTS

- Maps of parcels proposed for General Plan and zone reclassifications
- Comment letter
- Response to comments

- Draft Planning Commission Resolution
- Draft Board Ordinance
- Draft Board Resolution
- Comment letter received February 22, 2023

Attachment - Maps



Bishop Parcels

FULTO

LAGOON

WARREN

MANDICH

FOWLER

SHORT

SHORT

SNEDEN

CLARKE

SOUTH

SECOND

FIRST

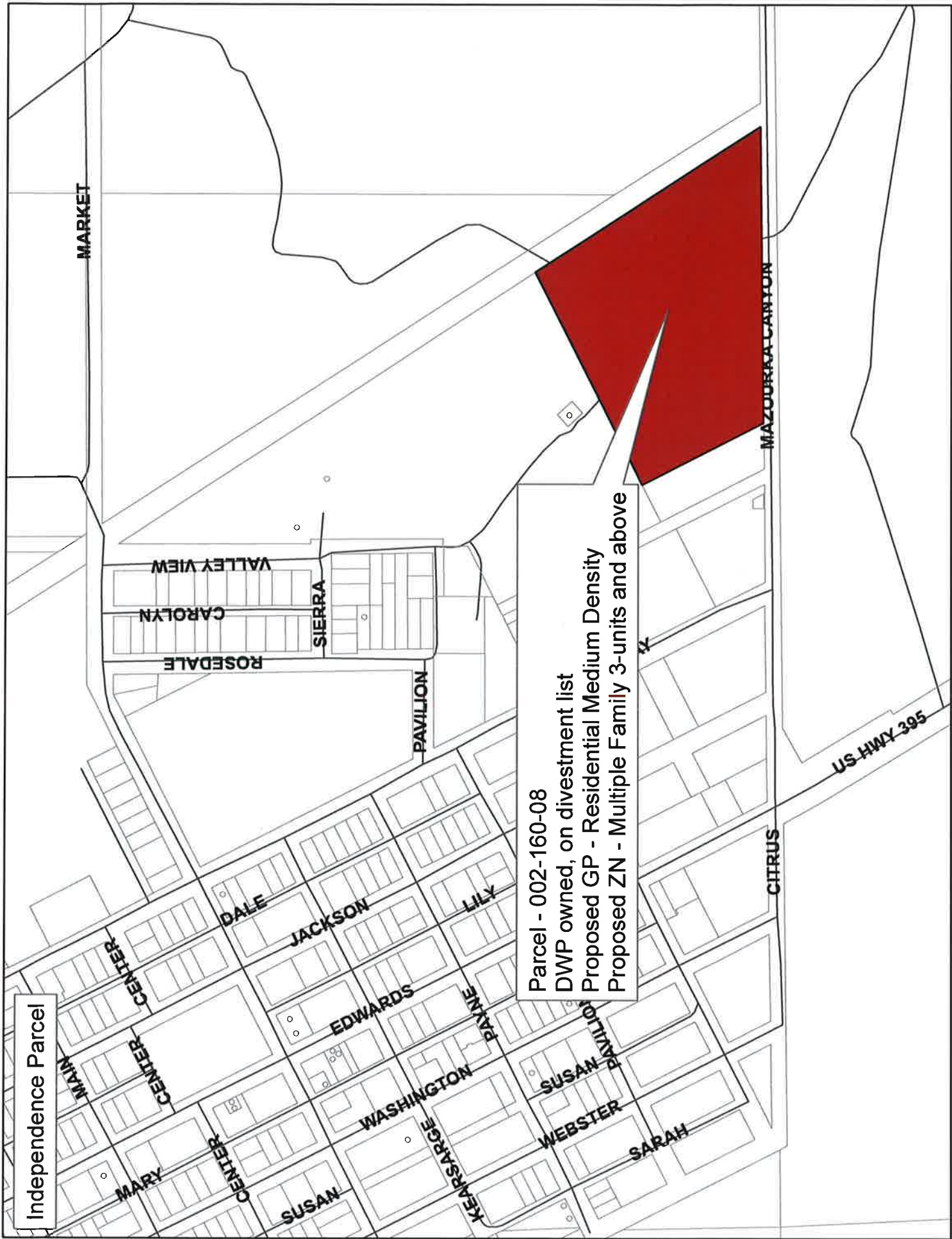
THIRD

MAIN

Parcel - 008-190-01
DWP owned
Proposed GP - Residential High Density
Proposed ZN - Multiple Family 3-units and above

Parcel - 008-240-01
County owned
Proposed GP - Central Business District
Proposed ZN - Central Business

Parcel - 008-240-02
DWP owned, on divestment list
Proposed GP - Central Business District
Proposed ZN - Central Business



Independence Parcel

Parcel - 002-160-08
DWP owned, on divestment list
Proposed GP - Residential Medium Density
Proposed ZN - Multiple Family 3-units and above

Lone Pine Parcels

WILLOW

Parcel - 005-072-30

Parcel - 005-072-07

DWP owned

Proposed GP - Residential High Density

Proposed ZN - Multiple Family 3-units and above

MCELROY

BUSH

Parcel - 005-072-07

Parcel - 005-072-24

County owned

Proposed GP - Residential High Density

Proposed ZN - Multiple Family 3-units and above

HAY

MOUNTAIN VIEW

Attachment EIR Comments



BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners
Cynthia McClain-Hill, President
Cynthia M. Ruiz, Vice President
Mia Lehrer
Nicole Neeman Brady
Nurit Katz
Chante L. Mitchell, Secretary

Martin L. Adams, General Manager and Chief Engineer

January 17, 2023

Ms. Cathreen Richards, Planning Director
Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526
crichards@inyocounty.us

Dear Ms. Richards:

Subject: Public Comments on Draft Environmental Impact Report (DEIR)
(SCH No. 2020110088)

The Los Angeles Department of Water and Power (LADWP) is providing comments on the Notice of Availability filed on November 30, 2022, regarding Inyo County's (County) Vacant Lands Inventory and Zoning Evaluation for Possible Housing Opportunities. The proposed project is to change the General Plan and Zoning designations on eight vacant parcels, most owned by the City of Los Angeles, to promote increased housing opportunities. The County finds that the project would have no significant and unavoidable environmental effects, and the potential effects would be less than significant with mitigation incorporated. LADWP does not concur with some of the findings and offers the following comments for consideration:

Bishop Area

Assessor Parcel No. 008-190-01

- This area is leased for livestock grazing and classified as Type-C vegetation under the Inyo-Los Angeles Long-Term Water Agreement (Water Agreement). China Slough, a water conveyance ditch, traverses the parcel's southern boundary. Relocation of ditch or reduction of parcel will be required. Relocation of the ditch, loss of riparian areas, and the effect on the Water Agreement have not been analyzed.
- Reduction of the parcel size to exclude the China Slough ditch from the parcel, requires a 50-foot offset on each side of the ditch for operation and maintenance purposes and possibly a lot line adjustment, which was not addressed.

Attachment – Response to EIR comments

Memorandum

HELIX Environmental Planning, Inc.
1180 Iron Point Road, Suite 130
Folsom, CA 95630
916.435.1205 tel
www.helixepi.com



Date: 07 February 2023

To: Cathreen Richards, Inyo County Planning Director

cc:

From: Robert Edgerton, Principal Planner

Subject: Inyo County Vacant Lands EIR – Response to LADWP Comment Letter

A single comment letter was received by the Inyo County Planning Department (County) regarding the public review draft Environmental Impact Report (EIR) for the proposed Vacant Lands Inventory and Zoning Evaluation for Possible Housing Opportunities project. Although the comment letter from the Los Angeles Department of Water and Power (LADWP) was written and received after the close of the public comment period, the County has prepared written responses to the comments.

Communication between Inyo County Planning Department and LADWP in regards to the Vacant Lands EIR began February 2021, as LADWP requested to participate in the planning process for the Vacant Lands EIR. During and subsequent to the Notice of Preparation phase for the EIR, the County provided LADWP with an overview of the project and requested that LADWP provide comment on LADWP-owned parcels during the EIR process. No further communication was provided by LADWP until the County received the late comment letter on January 17, 2023.

LADWP comments are provided in bold text below, followed by County responses to comments.

BISHOP AREA

Assessor Parcel No. 008-190-01

This area is leased for livestock grazing and classified as Type-C vegetation under the Inyo-Los Angeles Long-Term Water Agreement (Water Agreement). China Slough, a water conveyance ditch, traverses the parcel's southern boundary. Relocation of the ditch or reduction of parcels will be required. Relocation of the ditch, loss of riparian areas, and the effect on the Water Agreement have not been analyzed.

As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not currently propose development on any parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for future residential lots. In the future, if a developer seeks to build residential dwelling units on one of the subject parcels, they are required to submit an entitlement application and prepare subsequent analysis for any proposed development. As no development is currently proposed, the China Slough ditch is not proposed for relocation.

Reduction of the parcel size to exclude the China Slough ditch from the parcel, requires a 50-foot offset on each side of the ditch for operation and maintenance purposes and possibly a lot line adjustment, which was not addressed.

As stated on Page 3-4 of the draft EIR, the proposed project would include rezoning one Bishop parcel (APN 008-190-01) to R-3. The R-3 zoning district allows for multiple-family dwelling units as a principal permitted use. The parcel size would not be reduced to exclude the China Slough ditch, it will only be rezoned to allow for future residential lots. Future development proposals seeking residential entitlement of this parcel would be required to comply with setback requirements from the slough for LADWP maintenance purposes.

This parcel is outside the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-service agreement with the City of Bishop and/or Eastern Sierra Community Service District should be in place before granting high-density land entitlements that require access to a sewer treatment plant.

As stated on Page 4.19-12 of the draft EIR, although water availability in the City of Bishop is currently unknown, all eight of the proposed project parcels are located within the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet, which is 84 percent of the basin's groundwater supply. The Sustainable Groundwater Management Act (SGMA) 2019 Basin Prioritization report estimated an 8 percent population growth in the Owens Valley Groundwater Basin from 2010 to 2030. As discussed in Section 4.14 of the draft EIR, Population and Housing, the population growth rate between 2010 (18,546 people) and 2020 (18,584 people) is less than 0.01 percent. Therefore, the portion of the proposed project located in the City of Bishop is anticipated to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and/or multiple dry years.

Additionally, as mentioned on Page 4.19-12 of the draft EIR, wastewater treatment for the Bishop parcels would be provided by the City of Bishop. Connections to the wastewater treatment system are available in the adjacent utility easements along the roads bordering the Bishop parcels. According to Deston Dishion, Public Works Director for the City of Bishop, the City has adequate capacity to provide wastewater services to the maximum number of proposed units in Bishop (D. Dishion, personal communication, August 3, 2021). In the future, if a developer proposes to build residential dwelling units on a Bishop parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

Hydrology analysis on Page 4.10-15, HYD-3, does not analyze relocation of the China Slough Ditch or putting it in an underground conduit. LADWP is unable to divest in land needed for operational purposes.

As stated on Page 3 2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not propose any development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the

HELIX

future, if a developer proposes to build residential dwelling units on the referenced parcel, they are required to submit applications and prepare subsequent analysis, including environmental analysis, as necessary, for any proposed development. As no development is currently proposed, the China Slough ditch would not need to be relocated.

Assessor Parcel No. 008-240-02

This area is leased for livestock grazing and classified as Type-E vegetation under the Water Agreement. Water conveyance ditches traverse the southern and eastern parcel boundaries. The same comments for APN 008-190-01 pertain to this parcel. Impacts on LADWP operations have not been considered.

Parcel 008-240-02 is listed in the Long Term Water Agreement as a divestment parcel. As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not currently propose development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the future, if a developer proposes to build residential dwelling units on the referenced parcel, they are required to submit applications and prepare subsequent analysis, including further environmental analysis, as necessary, for any proposed development. As no development is currently proposed, the water conveyance ditches would not need to be relocated and impacts to DWP's operations and any changes required to be made to the Long Term Water Agreement would have to be considered at the time of divestment.

This parcel is outside the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-service agreement with the City of Bishop should be in place before granting high-density development land entitlements. LADWP is required to reserve all water and water rights. Development can only occur should the City of Bishop service the property with water.

As stated on Page 4.19-12 of the draft EIR, although water availability in the City of Bishop is currently unknown, all eight of the proposed project parcels are located within the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet, which is 84 percent of the basin's groundwater supply. The Sustainable Groundwater Management Act (SGMA) 2019 Basin Prioritization report estimated an 8 percent population growth in the Owens Valley Groundwater Basin from 2010 to 2030. As discussed in Section 4.14 of the draft EIR, Population and Housing, the population growth rate between 2010 (18,546 people) and 2020 (18,584 people) is less than 0.01 percent. Therefore, the portion of the proposed project located in the City of Bishop is anticipated to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and/or multiple dry years.

Additionally, as mentioned on Page 4.19-12 of the draft EIR, wastewater treatment for the Bishop parcels would be provided by the City of Bishop. Connections to the wastewater treatment system are available in the adjacent utility easements along the roads bordering the Bishop parcels. According to Deston Dishion, Public Works Director for the City of Bishop, the City has adequate capacity to provide wastewater services to the maximum number of proposed units in Bishop (D. Dishion, personal communication, August 3, 2021). In the future, if a developer proposes to build residential dwelling units

on a Bishop parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

The parcel is subject to the objectives of the 1997 Memorandum of Understanding (MOU) between Lessor and the County of Inyo, the California Department of Fish and Game (Department of Fish and Wildlife as of 2012), the California State Lands Commission, the Sierra Club, the Owens Valley Committee, the Carla Scheidlinger ("1997 MOU"). The development of grazing management plans (collectively, the "Grazing Management Plan") to meet the 1997 MOU objectives include measures to accomplish the goal of sustainable agriculture. It is not clear how the proposed change affects the MOU.

Parcel 008-240-02 is listed as a divestment parcel in the Long Term Water Agreement. Any changes to the MOU and managements plans as currently set forth would be reviewed and amended if necessary at the time of divestment and again if a development proposal is submitted. As stated on Page 4.2-5 of the draft EIR, one parcel in Bishop, APN 008-240-02, currently has an agricultural land use designation under the General Plan. However, the parcel is zoned as light industrial (M2-PP) and is currently vacant. Page 4.2-6 of the draft EIR states that the proposed project is not located on land zoned for or involved in the production of agriculture or timber, and therefore the proposed project would have no impact and would not contribute to a potential cumulative impact to these resources. As the parcel is zoned light industrial and is currently vacant, it is not currently used or zoned for agricultural use.

Page 4.2-5 discusses Impact Analysis. It concludes under AG-1 through AG-4 there are no impacts to agricultural property. AG-2 acknowledges this parcel has a general plan agricultural land use designation with a light industrial zoning use designation. AG-4 states the parcel is not currently used or zoned for agricultural use. Therefore, the proposed project would not convert agricultural land to non-agricultural use and concluded there will be no impact. This is not accurate. The land is currently under ranch lease, irrigated, and used for livestock grazing purposes.

As stated on Page 4.2-5 of the draft EIR, one parcel in Bishop, APN 008-240-02, currently has an agricultural land use designation under the General Plan. However, the parcel is zoned as light industrial (M2-PP) and is currently vacant. Page 4.2-6 of the draft EIR states that the proposed project is not located on land zoned for or involved in the production of agriculture or timber, and therefore the proposed project to rezone would have no impact and would not contribute to a potential cumulative impact to these resources. As the parcel is zoned light industrial and is currently vacant, it is not currently used or zoned for agricultural use.

Hydrology analysis on page 4.10-15, HYD-3, does not analyze the relocation of the irrigation ditches or putting them in an underground conduit. LADWP is unable to divest in land needed for operation purposes.

As stated on Page 3-2 of the draft EIR, the goal of the proposed project is to streamline the housing approval process in the County through the identification of key parcels that may provide increased residential dwelling capacity, accelerate housing production, and reduce population emigration by processing General Plan land use designation and zoning changes for the proposed project parcels. The project does not propose any development on the referenced parcel as the purpose of the project is to rezone and change land use designations of vacant parcels for possible, future residential lots. In the future, if a developer proposes to build residential dwelling units on the referenced parcel, they are

required to submit applications and prepare subsequent analysis, including further environmental review, as necessary, for any proposed development.

INDEPENDENCE

Assessor Parcel No. 002-160-08

The County should consider purchasing the Independence wastewater treatment system for future development purposes.

As stated on Page 4.19-13 of the draft EIR, per a personal communication with the LADWP Independence Chief Plant Operator, the wastewater system in Independence was designed to serve a population roughly three times the size of Independence's existing population and therefore has capacity to serve the maximum number of additional units proposed by this project. In the future, if a developer proposes to build residential dwelling units on the parcel, they are required to submit all applicable permits and applications as well as prepare subsequent analysis, as necessary, for any proposed development.

Ms. Cathreen Richards
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- This parcel is outside of the City of Bishop with no legal access to municipal water or sewer. An annexation or an out-of-serve agreement with the City of Bishop and/or Eastern Sierra Community Service District should be in place before granting high-density land entitlements that require access to a sewer treatment plant.
- Hydrology analysis on page 4.10-15, HYD-3, does not analyze relocation of the China Slough Ditch or putting it in an underground conduit. LADWP is unable to divest in land needed for operational purposes.

Assessor Parcel No. 008-240-02

- This area is leased for livestock grazing and classified as Type-E vegetation under the Water Agreement. Water conveyance ditches traverse the southern and eastern parcel boundaries. The same comments for APN 008-190-01 pertain to this parcel. Impacts on LADWP operations have not been considered.
- This parcel is outside of the City of Bishop with no legal access to municipal water. An annexation or an out-of-serve agreement with the City of Bishop should be in place before granting high-density development land entitlements. LADWP is required to reserve all water and water rights. Development can only occur should the City of Bishop service the property with water.
- This parcel is subject to the objectives of the 1997 Memorandum of Understanding (MOU) between Lessor and the County of Inyo, the California Department of Fish and Game (Department of Fish and Wildlife as of 2012), the California State Lands Commission, the Sierra Club, the Owens Valley Committee, and Carla Scheidlinger ("1997 MOU"). The development of grazing management plans (collectively, the "Grazing Management Plan") to meet the 1997 MOU objectives include measures to accomplish the goal of sustainable agriculture. It is not clear how the proposed change affects the MOU.
- Page 4.2-5 discusses *Impact Analysis*. It concludes under AG-1 through AG-4 there are no impacts to agricultural property. AG-2 acknowledges this parcel has a general plan agricultural land use designation with a light industrial zoning use designation. AG-4 states the parcel is not currently used or zoned for agricultural use. Therefore, the proposed project would not convert agricultural land to non-agricultural use and concludes there will be no impact. This is not accurate. The land is currently under ranch lease, irrigated, and used for livestock grazing purposes.

Ms. Cathreen Richards

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- Hydrology analysis on page 4.10-15, HYD-3, does not analyze the relocation of the irrigation ditches or putting them in an underground conduit. LADWP is unable to divest in land needed for operational purposes.


Independence

Assessor Parcel No. 002-160-08

- The County should consider purchasing the Independence wastewater treatment system for future development purposes.

If you have any questions regarding these comments, please write to LADWP at 300 Mandich Street, Bishop, CA 93514.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Adam', with a long horizontal line extending to the right.

Adam Perez
Manager of Aqueduct

SRC:fm

c: Mrs. Sue Chudy

Attachment - Draft Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF INYO, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PROJECT WAS PREPARED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, MAKE CERTAIN FINDINGS WITH RESPECT TO AND APPROVE ZONE RECLASSIFICATION (ZR) 2023-01/INYO COUNTY - VACANT LANDS AND HOUSING OPPORTUNITY AND GENERAL PLAN AMENDMENT (GPA) 2023-01/INYO COUNTY -VACANT LANDS AND HOUSING OPPORTUNITY

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, the Environmental Impact Report (EIR) for the proposed project was prepared in compliance with CEQA; and

WHEREAS, mitigation and avoidance measures were prepared to reduce potentially significant impacts to a less than significant level; and

WHEREAS, the Inyo County Planning Commission held a duly noticed public hearing on February 22, 2023 to review and consider ZR 2023-01/Inyo County Vacant lands and Housing Opportunity and GPA 2023-01/Inyo County-Vacant lands and Housing Opportunity 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 2023-01 will result in the reclassification of the zoning of eight parcels in the county to allow for more dwelling units and these changes are concurrent with corresponding General Plan designations that increase the allowed density of dwelling units on the same parcels causing the zoning code to be compliant with the General Plan with regard to certain residential densities; and

WHEREAS, the approval of GPA 2023-01 will result in the reclassification of General Plan designations on eight parcels in the county and these changes are consistent with the changes to the Inyo County Zoning code as it causes higher densities matching the increase of dwelling units concurrent with the zoning code.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that based on all written and oral comments and input received during the February 22, 2023, hearing, including but

not limited to the Planning Department Staff Report and all associated attachments, 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. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level.
2. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with the Goals and Policies of the Inyo County General Plan.
3. Based on substantial evidence in the record, the proposed Zoning Ordinance Amendment is consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

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

RECOMMENDED ACTIONS:

1. Make certain findings with respect to, and approve, Zone Text Amendment ZTA/2023-01/Inyo County - Vacant lands and Housing Opportunity, changing parcels: Bishop (APN 008-240-01) from Light Industrial Precise Plan to Central Business; Bishop (APN 008-240-02) from Public to Central Business; Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above; Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and, Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.
2. Make certain findings with respect to, and approve, General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity changing parcels: Bishop (APN 008-240-01; 008-240-02) from Public Facilities to Central Business District; Bishop (008-240-02) from Agriculture to Central Business District; Bishop (APN 008-190-01) from Retail Commercial to Residential High Density; Independence (APN 002-160-08) from Residential Ranch to Residential Medium

Density; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and, Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density.

3. Certify the Environmental Impact Report was prepared in compliance with the California Environmental Quality Act.

PASSED AND ADOPTED this 22nd day of February, 2023, by the following vote of the Inyo County Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson
Inyo County Planning Commission

ATTEST:

Cathreen Richards, Planning Director

By _____
Paula Riesen, Secretary of the Commission

Attachment - Draft Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2023-01/INYO COUNTY-VACANT LANDS AND HOUSING OPPORTUNITY AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING EIGHT PARCELS OF LAND INCLUDING, IN THE BISHOP AREA: (APN 008-240-01) FROM LIGHT INDUSTRIAL PRECISE PLAN TO CENTRAL BUSINESS; (APN 008-240-02) FROM PUBLIC TO CENTRAL BUSINESS; (APN 008-190-01) FROM ONE FAMILY RESIDENTIAL TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; IN INDEPENDENCE: (APN 002-160-08) FROM RURAL RESIDENTIAL TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; AND IN LONE PINE: (APN 005-072-07; 005-072-24; 005-072-30) FROM PUBLIC TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE; AND, (APN 005-072-06) MULTIPLE FAMILY RESIDENTIAL 2-UNITS TO MULTIPLE FAMILY RESIDENTIAL 3-UNITS AND ABOVE

WHEREAS, county staff applied for and was awarded a Senate Bill (SB) 2 grant to conduct a vacant lands inventory and a zoning and General Plan review of properties located in the County; and

WHEREAS, this information was used to identify parcels that are appropriate for zone and General Plan designation changes to promote affordable housing opportunities primarily by increasing allowable residential density; and

WHEREAS, eight separate parcels of land located in the Bishop area, Independence and Lone Pine were identified for General Plan and zoning designation changes to increase the allowable housing densities and dwelling units; and

WHEREAS, an Environmental Impact Report (EIR) was prepared in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, as required by law, the EIR was posted to the State CEQA Clearinghouse on November 5, 2022; filed with the County Clerk; and advertised in the Inyo Register; for a forty-five day review and comment period, ending on January 16, 2023; and

WHEREAS, one comment was submitted on January 17, 2023 from the Los Angeles Department of Water and Power; and

WHEREAS, on February 22, 2023 the Inyo County Planning Commission received a presentation from staff regarding the proposed reclassification of zoning designations on eight separate parcels of land and the associated EIR including avoidance, mitigation measures and comments; held a public hearing and received public comment; made all necessary findings and adopted a resolution recommending the Board of Supervisors adopt the resolution amending the General Plan, adopt the ordinance approving Zone Reclassification No. 2023-01 and certify the EIR was prepared in compliance with CEQA; and

WHEREAS, on March 28, 2023, the Board held a duly noticed public hearing.

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

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police powers of the Board of Supervisors and Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establishes the procedure for the Board of Supervisors to enact changes to the Zoning Ordinance of the County as set forth in Title 18 of said code. The Board of Supervisors is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

SECTION II: FINDINGS

The recitals above are incorporated herein as Findings.

After considering all testimony, information and evidence, submitted, including 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) In accordance with Inyo County Code Section 18.81.320, the Inyo County Planning Commission considered amendments to the zoning map of the County of Inyo to change the designations on eight separate parcels to increase housing opportunity as described in Section III of this Ordinance.
- (2) On February 22, 2023 the Inyo County Planning Commission conducted a duly noticed public hearing on Zone Reclassification (ZR) 2023-01/Inyo County - Vacant lands and Housing Opportunity, following which, the Commission made various findings and recommended that this Board amend Title 18, to rezone the parcels as described in Section III of this Ordinance.
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Staff presented eight parcels of land to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended to best match the proposed zoning and in support of higher density housing.
- (5) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment changing designations on eight separate parcels.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the parcels to allow for more housing opportunity within already developed and disturbed areas, which have adequate services and available infrastructure, as this best matches the current policies of the State and County and helps to limit development pressure on currently undeveloped areas of the County.

(7) Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level.

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 eight separate parcels is changed, as follows:

- Bishop (APN 008-240-01) from Light Industrial, Precise Plan to Central Business;
- Bishop (APN 008-240-02) from Public to Central Business;
- Bishop (APN 008-190-01) from One Family Residential to Multiple Family Residential 3-units and above;
- Independence (APN 002-160-08) from Rural Residential to Multiple Family Residential 3-units and above;
- Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public to Multiple Family Residential 3-units and above; and,
- Lone Pine (APN 005-072-06) Multiple Family Residential 2-units to Multiple Family Residential 3-units and above.

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 members voting for and against same.

PASSED AND ADOPTED THIS 28TH DAY OF MARCH, 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

Jennifer Roeser Chairperson

ATTEST: Nathan Greenberg
Clerk to the Board

By: _____
Darcy Ellis, Assistant

Attachment – Draft Board Resolution

RESOLUTION NO.

**A RESOLUTION OF INYO COUNTY BOARD OF SUPERVISORS ADOPTING
GENERAL PLAN AMENDMENT (GPA) 2023-01/INYO COUNTY-VACANT
LANDS AND HOUSING OPPORTUNITY**

WHEREAS, on March 28, 2023, the Inyo County Board of Supervisors held a duly noticed public hearing to review and consider ZR 2023-01/Inyo County Vacant lands and Housing Opportunity and GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity 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 2023-01 will result in the reclassification of the zoning of eight parcels in the county to allow for more dwelling units and these changes are concurrent with corresponding General Plan designations that increase the allowed density of dwelling units on the same parcels causing the zoning code to be compliant with the General Plan with regard to certain residential densities; and

WHEREAS, on February 22, 2023, the Inyo County Planning Commission held a duly noticed public hearing, following which it approved a resolution recommending the Board of Supervisors adopt GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity and certify the EIR was prepared in compliance with CEQA; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines, Appendix G, an EIR was prepared for GPA 2023-01/Inyo County - Vacant lands and Housing Opportunity and ZR 2023-01/Inyo County - Vacant Lands and Housing Opportunity. The EIR contains an environmental analysis of the potential impacts associated with implementing the project in accordance with CEQA. Avoidance and mitigation measures were developed and added as conditions to reduce potentially significant impacts to a less than significant level; and

WHEREAS, having reviewed and considered all the information and evidence presented to it, including public testimony, written comments, staff reports and presentations, and the recommendation of the Planning Commission, the Board of Supervisors now makes the required findings and adopts GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

NOW, THEREFORE, BE IT RESOLVED that the Inyo County Board of Supervisors hereby finds and resolves as follows:

SECTION ONE: The recitals above are incorporated herein as Findings.

SECTION TWO: The Board of Supervisors certifies the EIR for GPA 2023-01/Inyo County-Vacant Lands and Housing Opportunity.

SECTION THREE: The Board of Supervisors finds that the General Plan Amendment 2023-01 Inyo County - Vacant lands and Housing Opportunity which changes parcels: Bishop (APN 008-240-01; 008-240-02) from Public Facilities to Central Business District; Bishop (008-240-02) from Agriculture to Central Business District; Bishop (APN 008-190-01) from Retail Commercial to Residential High Density; Independence (APN 002-160-08) from Residential Ranch to Residential Medium Density; Lone Pine (APN 005-072-07; 005-072-24; 005-072-30) from Public Facilities to Residential High Density; and, Lone Pine (APN 005-072-06) Residential Medium High Density to Residential High Density is consistent with the goals and policies of the same and any applicable area plans, is reasonable and beneficial at this time, and will not have a substantial adverse effect on surrounding properties.

PASSED AND ADOPTED this 28th day of March, 2023, by the following vote of the Inyo County Board of Supervisor:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jennifer Roeser, Chair

ATTEST: Nathan Greenberg
Clerk of the Board

By _____
Darcy Ellis, Assistant

Attachment – Public Comments

February 17, 2023

Planning Commission
Drawer L
Independence, CA 93526

Subject: Vacant Lands and Housing Opportunity

I live at 146 N Lone Pine Ave next to The County Road Yard. The Road Yard is proposed to become High Density Housing. I am strongly Opposed to:

Affordable Housing

Hi Density Housing

Government Funded Housing

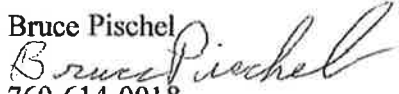
Adjacent to our Home. If you must move the Road Yard It should be replaced with four private lots to be sold on the private market. These lots should be zoned the same as their neighbors which could create housing for up to eight residents. Anything more would change the neighborhood with potential to disrupt and devalue the adjacent property.

In 1986 all lots surrounding The Road Yard were rezoned to R-2-6,500 MH. A packet with a letter and map was sent to me and I assume other property owners surrounding the Road Yard, to let us know of their intentions and of a public meeting. This did not happen for these proposed changes. Tribes were notified via certified letter November 4, 2020. I find this rather alarming. I first became aware of these proposed changes February 4, 2023 in an article in our local paper, "Supervisors to receive county housing update". Then another Public Notice in the local paper I believe February 10, 2023 of the Planning Commission Meeting February 22, 2023. I was told by some one, the problem is, no one wants High Density Housing next to there home. Maybe there is good reason for this. Would you?

High Density Property should have its own area like Mt Whitney Apartments and the property next to Mc Donald's. not adjacent to private homes. No one wants people looking down into their homes or yards. This is our community lets do it right.

I believe there is a lot of pressure from Sacramento along with Tax Payers dollars i.e. Grant Money to create housing. If you must use our tax dollars to create High Density Housing maybe a land trade north of the Mt Whitney Apartments or somewhere similar would work. The cost to put in infrastrucure would be much less costly than a low density neighborhood.

Bruce Pischel


760-614-0018



**Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526**

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E-Mail: inyoplanning@inyocounty.us**

AGENDA ITEM NO.: 8 (Informational)

**PLANNING COMMISSION
MEETING DATE:** March 22, 2023

SUBJECT: Inyo County 2022 General Plan Annual
Progress Report

EXECUTIVE SUMMARY

Staff has prepared the County's 2022 General Plan Annual Progress Report. This report is required to be presented to local legislative bodies prior to being submitted to the State.

PROJECT INFORMATION

Supervisory District: County-wide

Recommended Action: **Receive a presentation from staff regarding the Inyo County 2022 Annual Progress Report**

Alternatives: 1.) Do not receive a presentation from staff regarding the Inyo County 2022 Annual Progress Report

Project Planner: Cathreen Richards, Planning director

BACKGROUND

Government Code Section 65400 requires that local agencies prepare a General Plan Annual Progress Report (APR). The purpose of the document is to report on the County's progress in implementing its General Plan. The document is being provided to the Planning Commission and Board of Supervisors for their review. Subsequently, it will be submitted to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

STAFF ANALYSIS

In summary, the General Plan is the County's constitution and guiding vision, and upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process.

The County provided leadership and participated in many planning activities in 2022, as identified in the attached report. It continued its building permit and project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures. The County also completed 6th and Cycle Housing Element Update in August 2022.

ENVIRONMENTAL REVIEW

The APR is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

RECOMMENDATIONS

Provide comments on the draft APR.

ATTACHMENTS

Draft Inyo County 2022 Draft General Plan Annual Progress Report

General Plan Annual Progress Report 2022

County of Inyo



Prepared by the Inyo County Planning Department

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Appendix A	Government Code Section 65400
Appendix B	Housing and Community Development Department Annual Element Progress Report Forms

I. Introduction

This report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for preparation of the report is provided by the Governor's Office of Planning and Research (OPR)¹.

The purpose of the document is to report on Inyo County's progress in implementing its General Plan. The document will be provided to the Planning Commission and Board of Supervisors for their review and submitted to the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

Background

The County adopted a comprehensive update to the General Plan on December 11, 2001, and has amended the Plan on several occasions since. The planning process for the update took over four years, many public hearings and meetings, and substantial effort on the part of staff, the Board of Supervisors, the Planning Commission, local organizations and interest groups, and the general public.

The Plan replaced, reformatted, and/or updated a number of older General Plan Elements and other planning documents that had been adopted over the years. In addition to the many working documents, staff reports, and outreach materials, the Plan resulted in the following major documents that are utilized on a day-to-basis in the County's planning processes:

- General Plan Summary
- Background Report
- Goals and Policies Report
- Land Use and Circulation Diagrams
- Environmental Impact Report (EIR)

The Inyo County General Plan received awards of excellence from local chapters of the American Planning Association in 2001. The policy document and diagrams are available on the Planning Department's website at the following link:

<https://www.inyocounty.us/sites/default/files/2020-02/GP%20Goals%20and%20Policy%20Report%2012.2001.pdf>

Informational Document

This document is a reporting document, and does not create or alter policy. The content is provided for informational purposes only, and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

¹ General Plan Annual Progress Report Guidance. State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit. Revised July 11, 2007. Refer to https://www.opr.ca.gov/s_planningassistance.php

Organization

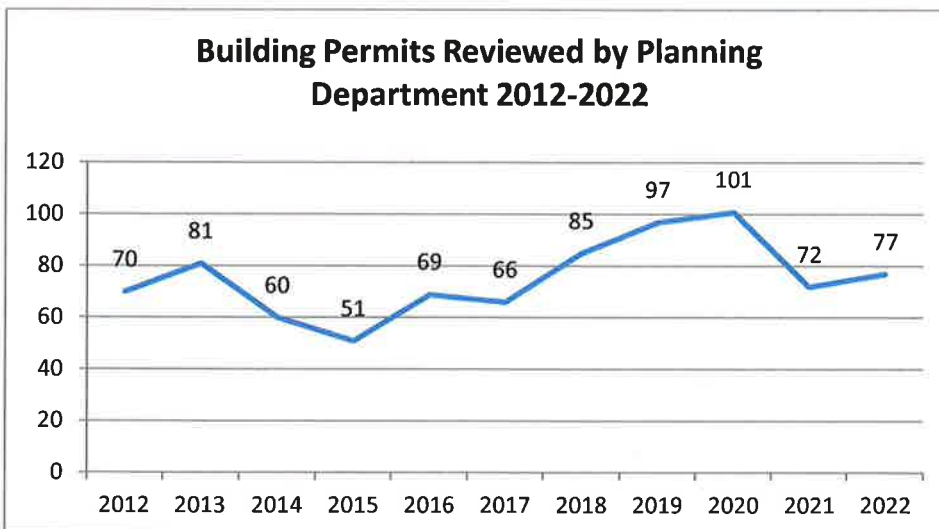
After this introduction, a summary of projects and issues addressed over the last year is provided, and then each General Plan element is addressed. Following these topics, the County's planned General Plan and Zoning Ordinance update are addressed. Appendix A includes Government Code Section 65400. Appendix B includes the HCD reporting forms.

II. Plans, Projects, and Accomplishments

During 2022 the County processed numerous projects and participated in a variety of planning programs. The following summaries provide a brief overview of these projects and programs and are not intended to be exhaustive.

Building Permits

The total number of building permits received by the County in 2022 is unknown; however, seventy-seven building permits were reviewed by the Planning Department for zoning consistency issues in 2022. This is five more than were reviewed in 2021. Sixteen of these permits were for new housing units, 3 more than in 2021. Building permits were applied for 4 new single-family homes (2 less than in 2021), and 3 new manufactured homes (1 more than 2021) and 9 accessory dwelling units (ADU) (4 more than 2021). Six of the ADU applications were for conversions of garages and storage units to ADUs. Three Certificates of Occupancy (completed projects) were reported to have been granted by the Building and Safety Department in 2022 for residential projects. Two were for single family homes and 1 was for a shop conversion to an apartment (ADU).



Planning Permits

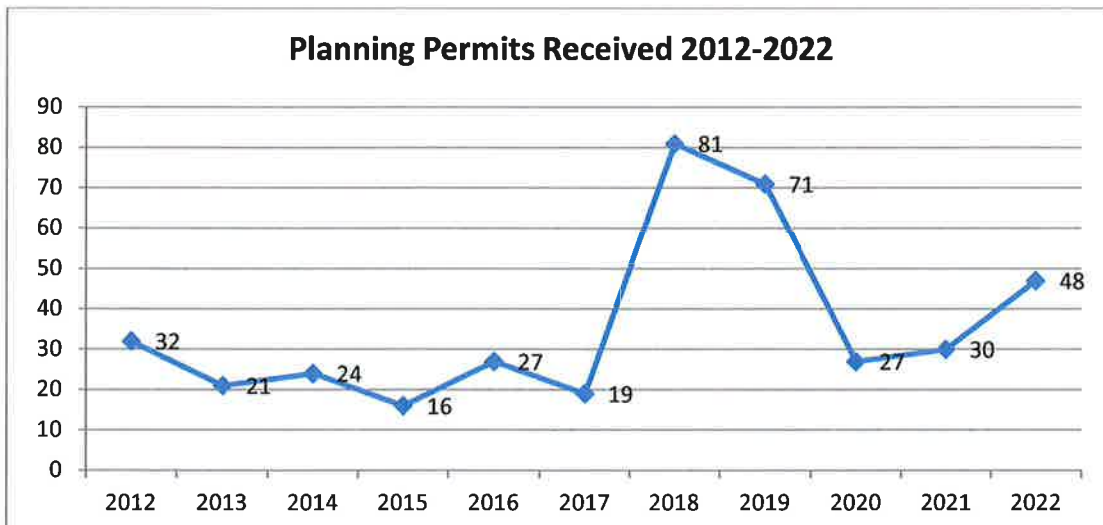
The Planning Department also processed a variety of landuse permits during 2022, including conditional use permits (CUP), variances, subdivisions, and associated environmental reviews. The breakdown in applications received is as follows:

- 3 Conditional Use Permits

- 1 General Plan Amendment
- 1 Zoning Reclassifications
- 4 Variances
- 22 Hosted Short Term Rental Permits (11 approved)
- 4 Zone Text Amendments
- 2 Renewable Energy Permits (solar)
- 1 Vested Mining Rights
- 1 Idle Mining Plan
- 5 Parcel Mergers
- 3 Lot Line Adjustments

During the past year, the Planning Commission agendas included the following application types:

- 4 Condition Use Permits – 1 Amendment
- 3 Zone Text Amendments
- 6 Variances
- 1 Mining Reclamation Plan
- 1 Mitigated Negative Declaration/Initial Study (MND/IS) (Laws Railroad Museum)
- 1 CUP Amendment
- 1 Tentative Parcel Map



Of the projects reviewed by the Planning Commission, 3 projects were also presented to the Board of Supervisors. Thirteen less applications were reviewed by the Planning Commission in 2022 than were in 2021 (17 in 2022 and 30 in 2021). Most of the decline is due to a slowdown in cannabis CUP requests. None were submitted in 2022.

Projects Reviewed by the Planning Commission During 2022

In addition to the Ordinances reviewed by the Planning Commission, the following applications were reviewed by the Planning Commission and/or Board of Supervisors during the past year:

Conditional Use Permit-2021-09/Coso Store - The applicant applied for a CUP to continue to operate a non-conforming truck stop at the property located at 20 Gills Station Road, at Coso Junction. The truck stop has been operating at the site for many years. The applicant has demolished the gas station and store to rebuild a larger facility with a store and food outlets. The truck parking area is also being expanded on the site and will allow for overnight parking. This project was exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission approved the project.

Variance-2021-05/Nano Farms Cannabis - The applicant applied for a fence height variance for up to 10-feet on a property zoned Open Space (OS) that is located at 377 Rosemary Lane, in the community of Sandy Valley. The applicant is requesting the fence height variance to provide extra security for a cannabis cultivation business located on the property. This project was exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission approved the project.

Variance 2022-01/Cassell - The applicant Aaron Cassell applied for a variance to remodel an existing garage into a single family residence for a property zoned Rural Residential (RR) that is located at 1520 Indian Springs Drive in the community of Lone Pine. The side setback requirement is 20-feet and the applicant is asking for a 5'2" encroachment. This project was Exempt under CEQA. The Planning Commission approved the project.

Amendment to Conditional Use Permit 1985-07/ Brown's Supply - The applicant applied for an amendment to their original CUP to expand the area of their salvage yard located on land leased by LADWP. The applicant has an existing 4.87-acre decomposed granite pit that the salvage yard has encroached upon. This amendment would bring the existing nonconforming salvage yard into compliance, allowing the entire 18.37-acre property to be used as a salvage yard, and change the end use for the 4.87-acre DG pit to be part of the salvage yard. The project was Exempt from CEQA. The Planning Commission approved the project.

Conditional Use Permit-2021-03/Glacier Fed Farms - Variance-2021-03/Glacier Fed Farms - Variance-2021-08/Glacier Fed Farms - The applicant requested a CUP for the cultivation of 5,000-square-foot or less of cannabis. The project included growing and drying cannabis on a 12-acre parcel located at 3080 Glacier Lodge Road near the community of Big Pine. The applicant concurrently applied for 2 variances, one for a side yard setback encroachment of 200-feet on the west side of the property and the other for a fence height variance for up to 8-feet for security. This project was a Mitigated Negative Declaration of Environmental Impact under CEQA. The

Planning Commission approved the project.

Variance 2022-02/Valero - The applicant requested a sign variance to exceed the 50-square-foot maximum sign size for an existing Port of Subs sign to 80-square-feet. The property is zoned Central Business (CB) and is located at 130 S. Edwards Street in the community of Independence. This project was Categorically Exempt under CEQA. The Planning Commission approved the project.

Conditional Use Permit-2022-01/Valero - The applicant is requesting a CUP to remove and replace an existing gas station sign that will include an electronic price reader. The project is proposed on a property located at 130 S. Edwards Street, in the community of Independence. A gas station, mini-mart and a Port of Subs restaurant are currently operating at the site. The applicant has applied for the CUP to change the current Chevron sign into a Valero sign and to include the electronic component to display gas prices. All other proposed signage changes on the site are compliant with the Central Business zone, in which the gas station is located. This project was Categorically Exempt under CEQA. The Planning Commission approved the project.

Conditional Use Permit-2022-02/Coso Signs - The applicant requested a CUP for two gas station signs to include electronic price readers. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction. A gas station and mini mart have been operating on the site for many years prior to current new development. The applicant has applied for the CUP to change an existing Chevron sign to include the electronic component to display gas prices; and to update a high rise pole sign to include an electronic component to display gas prices. This project was Categorically Exempt under CEQA. The Planning Commission approved the project.

Variance 2022-03/Coso Signs - The applicant is requesting a sign height and size variance to exceed the 50-square-foot maximum size for an electronic price reader sign to 84-square-feet; and to exceed the 25-foot sign height maximum to 50-feet. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction. This project was Categorically Exempt under CEQA. The Planning Commission approved the project.

Zone Text Amendment-2022-05/ Outdoor Seating - Staff drafted a proposed ordinance to amend the Inyo County Zoning Code Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 - General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory use. This project was Categorically Exempt under CEQA. The Planning Commission approved a resolution recommending the Board of Supervisors approve the project, which they did.

Variance 2022-04/ Scott - The applicant, Randy Scott, applied for a variance for a non-conforming accessory building consisting of a garage, to encroach 2-feet into the required 5-foot side yard setback as the result of a pending Lot Line Adjustment. The property is zoned One-Family Residence (R1), located at 2812 Sierra Vista Way in the community of Bishop. The project was Exempt under the California Environmental Quality Act. The Planning Commission approved the project.

Laws Railroad Track Expansion Project Mitigated Negative Declaration - As the Environmental Review Board for the County, the Inyo County Planning Commission was asked to consider and certify the Laws Railroad Expansion Project Mitigated Negative Declaration (MND) of Environmental Impact, pursuant to the California Environmental Quality Act (CEQA). The project proposes to expand the visitor use railcar rides by 0.7-miles. The Planning Commission approved and certified the MND.

Reclamation Plan 2020-01/Makayla II – Southwest Pumice LLC - Southwest Global Pumice was awarded a pumice materials sales contract from the Bureau of Land Management and applied for a reclamation plan as required by the Surface Mining and Reclamation Act. The proposal consists of a previously approved 12.23 exploratory drilling project that transitions into an active open-pit pumice mine. The applicant was also proposing to expand an additional 11.98 acres for a total disturbance of 25 acres. Approximately 700,000 cubic yards of material will be extracted from the site over seven years. A Mitigated Negative Declaration of Environmental Impact was been prepared and publicly noticed pursuant to the California Environmental Quality Act. The Planning Commission approved the project.

Tentative Parcel Map 422 - The applicant re-applied for a previously approved Tentative Parcel Map (TPM) 422/Olancha Lake to combine seven separate parcels into one. The request is part of a greater business plan for a commercial RV and camping business. The Planning Commission approved the project.

Zone Text Amendment-2022-02/Inyo County-Zoning Code Updates - Staff has prepared a draft ordinance updating Title 18 of the County Code to reflect: the General Plan Housing Element update; new state housing laws; and/or where the California Department of Housing and Community Development required specific policies in the Housing Element. The Planning Commission considered providing a recommendation to the Board of Supervisors to adopt these proposed changes. This project was exempt from CEQA by the ‘Common Sense Rule’ found in 14 CCR Section 15061(b)(3). The Planning Commission approved a resolution recommending the Board of Supervisors approve the project, which they did.

Zone Text Amendment-2022-03/Inyo County-Reasonable Accommodation – Staff prepared a draft Reasonable Accommodation Ordinance to remove land use, zoning and building constraints to the development of housing for individuals with disabilities to ensure equal access to housing. The Planning Commission considered providing a recommendation to the Board of Supervisors to adopt these proposed changes. This project was exempt from CEQA by the ‘Common Sense Rule’ found in 14 CCR Section 15061(b)(3). The Planning Commission approved a resolution recommending the Board of Supervisors approve the project, which they did.

Other Plans and Projects

The following discussion summarizes other projects which the County expended substantial efforts in 2021.

2021 Housing Element Update

The County's General Plan Housing Element was due for an update in 2021. The County began preliminary work on the update during the fall of 2020. This included securing a Local Early Action Planning (LEAP) grant from the State. The County expended a tremendous amount of time and effort in updating its Housing Element to meet all of the new requirements. With virtually no help, or guidance from HCD (besides references to statutes), the County addressed the new legislation and struggled through the required new Affirmatively Furthering Fair Housing (AFFH) section. Once substantive comments and edits were received from HCD the Update was completed and approved in August 2022.

Zoning Code/General Plan Update Housing Element

Once the Housing Element Update was completed, updates to County's Zoning Code were made to begin implementing the changes set forth in the Update. This included adding multi-family housing as a by right use in the County's Central Business Zone and eliminating the requirement for a Conditional Use Permit for multi-family housing with over 15-units.

Senate Bill 2 (SB-2) Planning Grant for Affordable Housing - SB2

SB2 was adopted by the State Legislature in 2017 to provide a permanent source of funding to help local jurisdictions provide affordable housing. In 2019, funding was directed at planning assistance that helps to achieve affordable housing goals. The grant funding was allocated by an "over the counter" non-competitive means to all eligible jurisdictions in the State. The county submitted an application for this funding. Since Inyo County is considered a 'small county' with regard to the SB2 funding allocations, the award was \$160,000. The County secured the SB2 grant and a contractor and began working on the project in fall 2020. The contractor and County identified parcels in the County that may be appropriate for re-designating for higher density residential use and the Draft Ad Min EIR was prepared and went through a 45-day review and comment period. This project is scheduled for a Planning Commission hearing in March 2023 and a Board of Supervisor's hearing at the end of April 2023.

Cannabis

In 2016, the California voters enacted Proposition 64, which permits and regulates recreational use of marijuana in California. Several statutes to regulate medical marijuana were passed in the 2015 legislative session – Assembly Bill (AB) 266 (Bonta, 2015), AB 243 (Wood, 2015), and Senate Bill (SB) 643 (McGuire, 2015) – becoming effective January 1, 2016. The County also included Advisory Ballot Measures G, H, and I in the 2016 election: Measure G inquired whether the voters support medical commercial cannabis businesses, H inquired whether the voters support recreational cannabis businesses, and I was for a tax on cannabis businesses. All three measures were decided in favor cannabis businesses and taxation. The County continues to monitor implementation of the legislation. The County worked throughout 2017 on cannabis regulations and adopted them in January 2018. In December 2018 the first Cannabis Business Licenses were awarded in Inyo County and subsequent CUPs began being processed in 2019 and continued into 2022.

Short-term Rentals

In 2006 the County determined that short-term vacation rentals are not permitted within the Residential Zoning Districts. The County began to investigate if this decision should be revisited,

and if so, how it might proceed. During 2016, the Board conducted several workshops, and directed staff to begin public outreach. Public workshops were conducted in 2017 and Draft regulations were prepared. In February 2018 an ordinance was approved by the Board of Supervisors allowing for the short term rental of residential properties with proper permitting. The County began approving permits for short term rentals in April 2018. During 2019 staff reviewed the successes and issues related to short-term rental permitting. The results of this review were presented to the Board of Supervisors, along with suggestions to update the short-term rental ordinance at 3 workshops. Based on public input and recommendations from the Board, updates to the short-term rental ordinance were prepared by staff and subsequently adopted by the Board. These changes included removing the availability of non-hosted short term rental permits. Currently the short-term rental ordinance is being reviewed again for possible changes.

Dark Skies – Lighting

In the 2002 update of the County's General Plan a policy relating to lighting was include, under the Conservation and Open Space Element - Visual Resources 1.6 Control of Light and Glare. It states: *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 policy was never implemented through the zoning code as language was never included in the County's zoning code for it. Due to interest from the community and members of the Board of Supervisors, County staff began a process to evaluate a possible lighting ordinance for the County. Three public outreach meetings and two Board workshops were held on the subject in 2018. The project continued into 2020, but with minimal attention due to Covid and lack of staff. This project was picked back up in 2021 and a Draft Ordinance has been completed. A recommendation from the Planning Commission was obtained and the Board approved it in April 2022.

Community Plans for Charleston View/Tecopa

Based on interest from local residents, the County embarked on preparation of Community Plans for Tecopa and Charleston View in Southeast Inyo County in 2015. Public meetings were conducted in both Charleston View and Tecopa in 2016 to kick-off the project and vision the Plan. In addition, background reports were developed for each planning area. Work continued on the plans in 2017 with visioning work. In December 2018 Draft Community Plans were presented to the communities of Charleston View and Tecopa. The Plans were well received with a few suggestions for minor changes. The County continued to try to identify and pursue grants for environmental analysis and implementation of the Plans during 2022.

Olancha Cartago Corridor Study – The County was awarded a Caltrans Sustainable Communities Grant to study a section of U.S. 395 that is currently planned to be bypassed as part of the Caltrans US 395 Olancha-Cartago four lane project. The Olancha Bypass Corridor Study (OBCS) will include both 1) a portion of US 395 from the current intersection of SR 190 northward to just past Cartago that is proposed to be relinquished to the County and 2) the portion of US 395 from the current intersection with SR 190 south to the southern end of the

bypass that will become part of SR 190. Work began on the study in 2018 that included the first public outreach meeting. This project continued through and was completed in 2019. The county has continued to research grants and various programs to implement the opportunities identified in the Study.

West-wide Energy Corridors

This project, approved in 2009, involves numerous federal agencies led by the BLM. Pursuant to a settlement agreement, the federal agencies are conducting reviews of the approved corridors. In 2016, a Corridor Study and regional reviews were released. The County provided input regarding the Region 1 Review and continues to monitor the program. In 2019, the Region 5 Review took place. The county provided numerous comments on Region 5 as it spans the length of Inyo County along the I-395 corridor. The Region 5 review continued into 2020 and the County participated in stakeholder meetings and providing comments. At the end of 2020 the Draft Report was released. The County has prepared draft comments and sent them to the Agencies in early 2021. The County will continue to monitor and comment on the Regional Reports as they go through the process to adoption.

Haiwee Geothermal Leasing Area (HGLA)

A DEIS for the HGLA was submitted by the BLM for comments beginning in 2009 (Notice of Intent) through 2012 (DEIS). It evaluated five alternatives to address the potential environmental impacts of opening approximately 22,805-acres of BLM managed federal mineral estate for geothermal energy exploration and development and leasing and for three individual leasing proposals covering approximately 4,460-acres of federal mineral estate for geothermal energy testing and development. A supplement to the DEIS and proposed amendment to the CDCA Plan, was released in 2019. It was been prepared primarily to update both documents to be consistent with changes to landuse designations and resource management strategies based on the Desert Renewable Energy Conservation Plan (DRECP). The total area under review (22,805-acres) and proposed leases (4,460-acres) are exactly the same as what was previously evaluated. The County reviewed the supplemental document with regard to comments it sent in 2009 and 2012 and sent additional comments in 2019. The County continued to monitor possible implementation of the DEIS in 2022.

Owens Valley and Haiwee Pump-back Storage Projects

During 2019, Premium Energy Holding LLC applied to the Federal Energy Regulatory Commission (FERC) for preliminary permits to study hydro-electric pump back storage projects for the North Owens Valley, and Haiwee dam areas. A preliminary permit is issued for up to four years. It does not authorize construction, but it maintains priority of an application for license while the applicant studies the site and prepares to apply for a license. The applicant is required to submit periodic reports on the status of its studies. The preliminary permit it is not necessary to apply for or receive a license. Many comments have been submitted regarding these applications. The Owens Valley proposal does not appear to be moving forward and Haiwee is. The County continued to monitor this proposal in 2020, 2021, 2022 and will continue to do so in 2023 as well as and provide comments at each opportunity.

Mining

Pursuant to the Surface Mining and Land Reclamation Act (SMARA), the County continued its oversight activities to encourage production and conservation of mineral resources while

minimizing associated environmental impacts. Staff has continued to amend County policy as the impacts of changes to SMARA that were approved by the California Legislature and Governor in 2016 are continuing to be implemented. Staff is responsible for the inspection and administration of reclamation policy for approximately 79 SMARA mines. Staff has noted a continuation from last year of a general increase in activity at many of the County's local surface mines during 2019. The increase in mining activities in 2019 and 2020 continued into 2021 and 2022. Also during 2022, many of the mines that were behind in fee payments were brought into compliance.

Brownfields Grant

In 2011 Inyo County entered into a Memorandum of Understanding (MOU) with Nye, Esmeralda, Lincoln, and White Pine counties of Nevada for the Environmental Protection Agency Brownfields Coalition Assessment Grant to conduct environmental site assessments and area-wide planning in support of renewable energy, transmission, and economic development in the vicinity of identified Brownfields sites. A subsequent grant was obtained, and the Coalition was expanded to include Esmeralda County. In 2018 the Duckwater Shoshone Tribe joined the Coalition. The County continued to participate in the Coalition during 2018. A site that was reviewed under a Brownfield grant funded Phase I environmental assessment in 2016 and a Phase II environmental assessment in 2017 was able to be successfully developed into a Grocery Outlet store with plans for the remainder of the property to be developed into the Inyo County consolidated office building. Also in 2018, a revolving loan and fund grant, applied for in 2017, was awarded to the coalition. The coalition completed updates to its website and to the Area Wide Plan. The county continued to participate in the Brownfields program during 2022.

Yucca Mountain Repository Assessment Office

Funding for development of the Yucca Mountain Repository was terminated by the Obama Administration, consequently eliminating the funding to all Affected Units of Local Government. Staff continues to monitor litigation and other activities. In 2016, the County reviewed and provided input regarding the Final Supplemental EIS for groundwater, which largely responded to the County's previous input. The County has continued through 2021 to support groundwater monitoring in its southeast area to provide data for the project and monitor the Yucca Mountain program.

Desert Renewable Energy Conservation Plan (DRECP)

The DRECP covers the Mojave and Colorado deserts to provide binding, long-term endangered species permit assurances and facilitate renewable energy project review and approvals. The DRECP planning area includes portions of Inyo County: roughly in the Owens Valley to just north of Independence, the Panamint Valley, Death Valley, and other southeast portions of the County. The County has been participating in the project since the late 2000s, which was to have been a General Conservation Plan/Natural Communities Conservation Plan. In 2014, a phased approach was taken to the DRECP whereby the Bureau of Land Management's (BLM) Proposed Land Use Plan Amendment was separated out from the NCCP component. The Final EIS and Proposed Decision were released in late 2015, which the County protested. The County approved a Programmatic Agreement regarding cultural resources related to the Plan in early 2016, and reviewed BLM's recirculation of the Areas of Environmental Concern from the draft DRECP. The Record of Decision was issued later in 2016, which dismissed the County's protest and

implemented the BLM's DRECP components. In early 2017 the BLM published a Segregation Notice for mineral entry on California Desert National Conservation Land. The County provided comments on this action and continues to monitor DRECP activities. In February 2018 a Presidential Executive Order was noticed in the Federal Register instructing the BLM to begin a scoping process for possible amendments to the DRECP. The notice specifically requested comments on how land designations identified in the DRECP might affect the ability to develop solar, wind or other renewable energy resources. The County evaluated and provided comments to the BLM regarding this request. The county continued to monitor DRECP activities through 2022 and the BLM is now looking at updating its renewable energy plans possibly including the DRECP.

Tribal Consultation Policy

In response to input from the Big Pine Tribe, the County developed a draft Tribal Consultation Policy to guide its consultation efforts under Senate Bill 18 (Burton, 2004) and Assembly Bill 52 (Gatto, 2014). The County shared the draft Policy with local Tribes and conducted multiple workshops in 2015 and 2016. The County approved the Policy in late 2016, and invited the Tribes to consult regarding development of Tribe-specific agreements. The County continues to work with the Tribes on establishing good communications and possible Tribal-specific agreements.

Coso Hay Ranch Water Export Project

The County approved a project in 2009 that pumps water from the Hay Ranch in the Rose Valley to the Coso Geothermal plants at China Lake Air Weapons Naval Station. The County continued to monitor pumping activities in 2022.

Crystal Geysers Roxane Cabin Bar Ranch Water Bottling Plant Project

The CGR Cabin Bar Ranch Water Bottling Plant project proposes the construction and operation of a spring water bottling facility on a 34-acre site on the northeastern portion of the 420-acre Cabin Bar Ranch property, adjacent to the southern boundary of the community of Cartago and on the east side of US Highway 395. Approved in 2013, the project will pump 360 acre feet of groundwater per year. Project facilities include a 198,000-square foot water bottling plant containing four bottling lines and an associated 40,000-square foot warehouse facility. The County will continue to monitor implementation in 2022.

Crystal Geysers Olancho Bottling Plant Water Quality Investigation

The Lahontan Regional Water Quality Control Board is investigating unpermitted arsenic discharges from CGR's water bottling plant in Cartago. The County coordinated with the Water Board to conduct two public meetings regarding the investigation in 2016, as well as responding to the Grand Jury's findings regarding the issue. The County continues to monitor this situation.

North Sierra Highway Corridor/Specific Plan

In 2015, Caltrans selected the County and the City of Bishop for a grant to prepare a Corridor Plan for North Sierra Highway (generally between the Tri-County Fairgrounds and the Bishop Paiute Palace on the north side of Bishop) in 2015. The County, City of Bishop, and the Bishop Paiute Tribe worked with other interested parties in the Corridor to expand the scope of work to a Specific Plan, and the Eastern Sierra Transit Authority pledged to provide financial support to

assist doing so. In 2016, the County and its partners selected a consultant to assist in the planning process and convened an Advisory Committee to assist with coordination between the many participating agencies. Preliminary outreach commenced, existing conditions were assessed, and a visioning was initiated. A Charrette was conducted to brainstorm ideas for the Plan, and a draft Plan is anticipated in 2017. The Corridor Plan was completed in 2017. The specific plan has not been completed and staff will continue to look for grants to fund its completion. During 2022 the plan was consulted with to help Cal Trans with the Meadow Farms ADA project as the project area is within the North Sierra Highway Plan area.

Sol Smart

Through the Department of Energy's Sun Shot – Roadmap, Inyo County deployed a program to encourage small solar energy systems and energy efficiency for local residents and businesses. The County developed an expedited permitting process for small-scale solar energy systems and institutes a small-scale solar-friendly zoning ordinance. In cooperation with Southern California Edison (SCE), the County updated its General Plan to incorporate energy efficiency goals, policies, and implementation measures. Also in cooperation with SCE, the County has prepared an Energy Efficiency Revolving Loan Fund program, and is seeking seed funds to implement. Through these programs, Sol Smart, a program funded by the U.S. Department of Energy Sun Shot Initiative, has recognized Inyo County as second in the nation for taking important first steps to encourage solar energy for homes and businesses. The County is still participating in the Sol Smart program.

DWP Solar Ranch

The County is monitoring DWP's Solar Ranch proposal in the Southern Owens Valley, which intends to develop approximately 200 megawatts of photovoltaic. DWP issued a Notice of Preparation for the project in 2010, and the two locations and in 2013, DWP decided to develop a third site, located south of Independence. The County provided input regarding the Draft EIR for the project in 2013, and continues to monitor for any progress.

Zoning Code/General Plan Update

The County adopted a comprehensive General Plan update in 2001. One of the follow-up actions directed in the 2001 General Plan was to update the Zoning Code, which is a component of the Inyo County Code. Staff worked with Wildan in 2011 to prepare updated Zoning Code sections and incorporated the Planning Commission's and Board of Supervisors' input into a comprehensive Zoning Code update and prepared a related General Plan update. Staff received direction from the Board regarding several issues related to the update in 2014, including code enforcement, Digital 395, and special event permits. Environmental review is still waiting for a funding source.

Endangered Species Coordination

The County has been monitoring the US Fish and Wildlife Service's and the California Fish and Wildlife's endangered species listing work program. Most recently this included proposals for listing of various species of Joshua Trees.

Eastern Sierra Small Business Resource Center (SBRC)

In 2022 the Eastern Sierra Small Business Resource Center began buildout of a new facility on

Main Street in Bishop, and held four events to support and encourage local small business growth and entrepreneurialism. In addition, the County signed an MOU with Sierra Business Council, a 501(c)3 that runs small business development centers in small towns throughout the Sierra, to place a staff person at the new facility in Bishop. The buildout is expected to be completed by Q2 2023 and we look forward to having a full-time facility available for local small business owners to receive training, technical assistance, mentorship, access to capital resources, and other critical supports and services.

Inyo County Visitor Website

In 2022, Inyo County launched a new tourism-aimed website at www.inyocountyvisitor.com. This website provides information for visitors on the many quaint small towns throughout the County, provides information on filming and film locations, and outlines the County's many superlatives including the contiguous United States' highest peak at Mt. Whitney; lowest point at Badwater Basin in Death Valley National Park; the oldest living thing in the Ancient Bristlecone Pine Forest; and celebrating the designation of the Alabama Hills as a National Scenic Area.

New Film Commissioner

In 2022 Inyo County executed a contract for new Film Commissioner. The new Film Commissioner will be responsible for growing Inyo County Film opportunities and streamlining the filming permit process; growing social and traditional media footprint; and marketing Inyo County as a filming destination throughout the Country.

Lone Pine Housing Efforts

The County of Inyo is in the process of purchasing .5 acres of land in Lone Pine, California, for the purpose of incentivizing the development of housing. Up to 8 units may be possible on the parcel. The County continues to seek opportunities to leverage private land for the creation of new housing, while working with LADWP to identify opportunities for future land divestment.

Permanent Local Housing Allocation (PLHA)

Inyo County applied for 2019, 2020, and 2021 (PLHA) funds equaling \$490,685. Inyo County will use the funds for the predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including ADUs that meets the needs of a growing workforce earning up to 120-percent of AMI. PLHA funds will be utilized for two programs:

A) Beginning in year 1 and continuing through year 5, Inyo County will use PLHA funds to provide a low-interest loan program for low-to-moderate income homeowners in need of repairs on their single family homes, or mobile homes set on a permanent foundation, and owners of multi-family rental properties where at least half of tenants are low income households under 60% AMI; and,

B) loans to low-to-moderate income homeowners for the development of ADUs and JADUs for long-term rental, with up to 20% of the loan forgivable if the homeowner can show that the ADU has been rented for at least 5 years to a tenant with income under 60% AMI and 30% of the loan forgivable if the ADU was rented for at least 5 years to a tenant with income under 30% AMI.

Accessory Dwelling Unit (ADU) Prototypes Program

Inyo County will shortly issue an RFP for an architectural firm to build a suite of pre-approved

ADU and single family home prototype plans, which will reduce the cost of housing and ADU development and streamline the permitting process. Prototypes will be available in a variety of configurations and sizes, and will be pre-designed to meet the requirements of Inyo County's rugged climate and extreme weather.

Silver Peaks

In Partnership with Visionary Home Builders and Mammoth Lakes Housing, Inyo County helped to develop and submit an application for HCD's MHP Super NOFA for approximately \$19 million to build a 72 unit affordable housing apartment complex in Bishop.

Comprehensive Economic Development Strategy CEDS

In partnership with Mono County, Alpine County, and the Golden State Finance Authority, Inyo County issued a successful RFP and has executed a contract with a consultant to create a (CEDS). The CEDS should be complete by June 2023, and will allow the 3-county area to create an Economic Development District and become eligible for federal funds through the U.S. Economic Development Administration (EDA).

Inyo County Consolidated Office Building

The County continued, in 2019, to work towards developing a consolidated office building to house multiple departments currently located in various facilities throughout Bishop. The proposed consolidated office building will house County Counsel, the District Attorney office, the Public Guardian, Health and Human Services, Waste Management, Motor Pool, Building and Safety, Parks and Recreation, Personnel, Information Systems, Sheriff, and Probation, and possibly an Adult Education Center. The County has been considering a consolidated office building for about 20 years. In 2018, the Chair of the Board signed an agreement with a developer who will design and build the consolidated office building. A lease agreement was entered into and ground breaking for the project was spring 2020 with completion expected in 2021. On July 1, 2021 the Consolidated Office Building was issued a Certificate of Occupancy and the various County offices were moved in over a period of three weeks through the month of July 2021. The building was in full use through 2022 and many county departments are now housed there.

2022 Regional Transportation Improvement Program (RTIP)

This project involves the development and selection of transportation projects that are then programmed in specific amounts and program years for the next five-year funding cycle. The development of this program requires local and regional coordination. The program was approved by the Inyo County Local Transportation Commission (ICLTC) in November 2021 and was submitted for inclusion in the Statewide Transportation Improvement Program (STIP). The STIP has been implemented on an ongoing basis by Caltrans, County, and City of Bishop. The construction phase of the 395 Olancho Cartago 4 Lane Project has begun and therefore the project has been removed from the RTIP. Within the funding limitations of the 2022 STIP, the ICLTC has only been able to prioritize local projects but has continued to advocate moving forward the Tri-County (Kern, Mono, Inyo) MOU projects with the next in line being the SR 14 Freeman Gulch Segment 2 Project and the Mono County Conway Summit Passing Lanes. There was insufficient funding to move any of these regional projects forward. The 2022 RTIP advanced the P,S&E phase of the Lone Pine Town Rehab Project and the East Line St. Bridge

Project. The Inyo County 2022 RTIP has been supplemented with \$1.757 million of Federal COVID relief funds. The 2024 RTIP is under development and due to Caltrans in December of 2023. The construction phase of Lone Pine Town Streets Rehab will be proposed for construction within the 2024 RTIP/STIP and at least a portion of the \$1.7M match required for a Federal FLAP grant to reconstruct State Line Road will also be proposed. STIP funding has been on the decline statewide. An estimate of 2024 STIP funding from the State is due in late summer of 2023. A negative RTIP/STIP balance for Inyo County will continue for the next several cycles. It is plausible for the Inyo County RTIP to be out of the negative by 2026. This is highly dependent upon Kern COG repaying RTIP funds forwarded by Inyo County during the 2016 STIP cycle for Freeman Gulch Phase 1.

State Line Road Rehabilitation Federal Lands Access Program (FLAP) Grant

This project was approved by the Federal Highway Administration on December 14, 2022. This project will rehabilitate and widen State Line Road from Death Valley Junction to the State Line. State Line Road will be widened to 28 feet with 12-foot-wide travel lanes and two 2-foot-wide paved shoulders. Signage, striping and safety-related features will be included. The County, in partnership with the Federal Highway Administration, will complete a review of this project under the California Environmental Quality Act and the National Environmental Policy Act. This roadway experiences heavy traffic volumes and is a popular route to Death Valley. The project will improve access to Death Valley National Park, Ash Meadows National Wildlife Refuge, and Bureau of Land Management Lands. The project adjoins another FLAP project on Bell Vista Road in Nevada, which is slated for construction in 2025. State Line Road construction funding is preliminarily programmed for fiscal year 2028.

Regional Transportation Plan (RTP)

This planning document involves the development and selection of transportation projects that are then eligible to be programmed in specific amounts and program years in the Regional Transportation Improvement Program. The ICLTC is currently working under the 2019 RTP with an update due this November, the 2023 RTP. The RTP is intended to be a fiscally constrained planning document for a twenty-year period. The RTP is updated every four years. The development of this plan requires local and regional coordination. This plan was approved by the Inyo County Local Transportation Commission (ICLTC) in October 2019. The ICLTC with the help of LSC Consulting is in the process of outreach and public comment to develop the 2023 RTP update. Any road construction and transportation infrastructure beyond basic repair and maintenance within the next four years should be included in this document.

Inyo County Active Transportation Program Plan

Inyo County, with a consultant, drafted an Active Transportation Program (ATP) Plan and held public outreach meetings. The 2015 ATP was released for public review and comment and then approved by the Inyo County Local Transportation Commission in April 2016. The 2015 ATP Plan includes:

1. Bicycle Element – an update of the 2009 Inyo County Collaborative Bikeways Plan;
2. Pedestrian Element – this describes existing facilities, examines past accident records, estimates the current number of pedestrians, lists and prioritizes potential projects, and identify funding sources;

3. Recreation Trails Element – this identifies areas where there are deficiencies in motorized and non-motorized recreational trails, lists and prioritizes potential projects, estimates the number of users for a given trail segment, and describes how the projects provide for the viewing of points of interest; and
4. Safe Routes to School Element – this section creates Safe Routes to Schools maps for all areas in Inyo County and updates the Safe Routes to School maps for schools inside the City of Bishop.

The Inyo County LTC is in the process of updating its Active Transportation Plan and anticipates completion in the Fall of 2023. An Active Transportation Plan or its equivalent is a requirement to submit application for ATP grant funds. In 2018 Inyo County submitted applications for several competitive ATP Cycle 4, 2019 Grants. One of the three submissions was successful. The California Transportation Commission awarded funding for the “Lone Pine Sidewalk Construction and ADA Improvement Project.” During the 2022 ATP grant cycle, the City of Bishop applied, but was not successful. The 2022 ATP grant program was ten times over-subscribed and highly competitive. Inyo County LTC staff are currently identifying projects to try and find a competitive concept for the next ATP Cycle 7.

Eastern Sierra ATV Adventure Trails System Project

The County certified an EIR for this project in early 2015, which included potentially up to 38 combined-use routes on County roads for Off-highway vehicles. The Board approved seven of the routes for a pilot program, three of which opened in the summer of 2015. The County reached an agreement with the City of Los Angeles Department of Water and Power (DWP) to open the remaining four routes in December 2016. The pilot program is designed to test the extension of combined use routes from the existing law’s three-mile limit to a longer ten mile limit. An update hearing before the Board of Supervisors was held in December and a final report was sent to the California Legislature in December as required by the law. The Legislature has extended the pilot program for another five-year period now expiring January 1, 2025.

Local Road Safety Plan (LRSP)

The Local Transportation Commission (LTC) received in 2020 a grant to complete a local road safety plan to identify potential highway safety improvements in the City of Bishop and County of Inyo. ICLTC staff with a consultant, presented a final LRSP to the Commission in October 2022. The 2022 cycle of Highway Safety Improvement Plan (HSIP) grants required an LRSP as a pre-condition.

Highway Safety Improvement Plan (HSIP)

Inyo County Public Works received an HSIP grant to add fog-line and centerline striping at various locations throughout southern Inyo County. This striping work is complete. Public Works won another HSIP grant to replace the Onion Valley Road guardrail. Two grant proposals for the HSIP program were submitted in October 2022 for signage and safety improvements along Trona Wildrose and Emigrant Pass in Southeast Inyo County. Results will be announced in early 2023.

Inyo-Mono Integrated Regional Water Management Program (IRWMP)

The ICWD participates in this collaborative body made up of public, private, and not-for-profit entities. MOU signatories include Inyo and Mono counties, the Town of Mammoth Lakes, the

City of Bishop, tribes, water districts, and community service districts. The group consists of about 34 voting members. The mission of the Inyo Mono Regional Water Management Group (RWMG) is to “To research, identify, prioritize, and act on regional water issues, and related social and economic issues, so as to protect and enhance our environment and economy.” A Phase II Inyo Mono IRWM Plan was completed in 2012, which was revised in 2014 and again in 2019.

To date, the Inyo-Mono IRWM Program has raised more than \$7.75 million to support water infrastructure and ecosystem stewardship projects, provide technical assistance and project development services to small water systems, and engage disadvantaged communities throughout the region. Most recently, the Inyo-Mono IRWM Program was awarded \$2.762 million through Proposition 1 for nine projects, five of which are in Inyo County. Public Works will receive \$558,000 to replace water meters in Laws, Independence, and Lone Pine. In addition, Mono County will receive funding to build a groundwater model for the Tri-Valley, which is a project delineated in the Owens Valley Groundwater Sustainability Plan.

The long-term outlook for the IRWM Program is uncertain at this time. Once the Prop 1 funding is exhausted, there will be no more IRWM-specific funding available from the State. The RWMG is investigating other possible funding mechanisms to continue the Program.

Inyo/Los Angeles Long Term Water Agreement

The Inyo/Los Angeles Long Term Water Agreement (Agreement) is settlement to CEQA litigation between the County and Los Angeles concerning the operation of Los Angeles’s second aqueduct. The Agreement requires Los Angeles to manage surface water and groundwater so as to avoid any significant adverse impacts that cannot be acceptably mitigated and to provide a reliable supply of water for Inyo and Los Angeles. Activities conducted by the County and Los Angeles include annual planning of water management activities, implementation and monitoring of mitigation projects, monitoring of habitat and hydrologic conditions, and evaluation of current conditions relative to the Agreement’s goals.

Specific activities undertaken during 2021 included continued monitoring of hydrologic and environmental effects of LADWP’s test of well 385 near Fish Slough and completion of technical reports describing the results of that test. An evaluation of conditions and potential modifications to the McNally Ponds and Native Pasture project in the Laws area was commenced in 2021. Inyo and Los Angeles implemented several adaptive management measures in the LORP including revised flows in the delta habitat area and substantially revised the wetland management procedures in the Blackrock waterfowl management area according to an Interim Plan developed by Inyo and Los Angeles. Staff also implemented new monitoring programs to assess the effects of these measures. These programs are discussed in greater detail below. The development of enhanced biological monitoring at certain mitigation sites and implementation of a Type-D study of willow and cottonwood development in riparian areas of the Owens Valley continued. A significant effort is to conduct ongoing monitoring of phreatophytic vegetation and hydrologic conditions on Los Angeles’s land throughout the Owens Valley floor.

Lower Owens River Project (LORP)

The LORP is a compensatory mitigation project under the Long-Term Water Agreement with the Los Angeles Department of Water and Power (LADWP). The project was established to offset

impacts that are difficult to quantify or mitigate directly. After 15 years, the LORP is partially meeting its goals of creating a thriving and diverse ecosystem for the benefit of biodiversity and endangered species. To assess its progress, refer to the 2020 LORP Annual Report, available at: https://www.inyowater.org/wpcontent/uploads/2020/01/2019_DRAFT_LORP_ANNUAL_REPORT-reduced-1.pdf

The LORP project has resulted in the significant greening of river-riparian areas since 2006, but the growth of willow and cottonwood forests has fallen short of expectations. Instead of a predicted increase, there has been a net decrease in forest canopy. The absence of certain bird species, which use riparian trees for habitat and serve as indicators of project success has been noted. To address this issue, the Water Department has started a tree recruitment study, now in its second year. The study aims to document past recruitment patterns and inform future adaptive management actions that might encourage natural recruitment.

In the Project area, bulrush and cattails have filled in wetlands, and ponds, and the river, and have greatly diminished the amount of open water in the project area. Emergent vegetation continues to limit recreational access, encroach upon ranch pasture, and occupy land where tree willow might otherwise establish. In the river, the combination of warm water and high flows, which stir up accumulated organic material, can cause a decrease in dissolved oxygen. On numerous occasions this situation has led to fish kills. In response to low run-off condition, seasonal habitat flows in 2022 were less variable than in previous years and no water quality impacts to the fishery were noted. Poor water quality will likely be a permanent concern for LORP management.

Surveys completed in August 2018 found a significant increase in populations and spread of the noxious weed *Lepidium* due to flooding in 2017. A weed survey in 2021 found that the spread of *Lepidium* has somewhat stabilized, but that tamarisk had become abundant in areas that have been previously cleared. ICWD and Inyo/Mono Agricultural Department are engaged in cooperative planning to control further spread of weeds in the LORP.

In response to a 2019 LORP evaluation, changes have been made to reduce flows into the Delta Habitat Area during the growing season—this to limit the growth of emergent vegetation and improve habitat for waterfowl. Another reaction to the evaluation is a study of trees in LORP—in an attempt to understand how they established and what we might do to encourage new tree recruitment.

The project area has seen the growth of bulrush and cattails, which have filled in wetlands, ponds, and the river, reducing open water. Emergent vegetation, including the noxious weed *Lepidium*, continues to impede recreational access, encroach on pasture land, and limit the establishment of tree willows. The combination of warm water and high flows in the river can lead to decreased dissolved oxygen, which has resulted in fish kills on multiple occasions. However, there were no reported water quality impacts to the fishery in 2022. Water quality remains a permanent concern for LORP management.

Surveys conducted in 2018 showed a significant increase in the populations and spread of *Lepidium* due to 2017 flooding. A 2021 weed survey found that the spread of *Lepidium* had stabilized, but tamarisk had become prevalent in cleared areas. The ICWD and Inyo/Mono

Agricultural Department are collaborating to prevent further weed spread in the LORP. To address the findings of a 2019 LORP evaluation, changes have been made to reduce flows into the Delta Habitat Area during the growing season, improving habitat for waterfowl and limiting emergent vegetation growth. These changes will still comply with the legally mandated average annual flow limits. Additionally, a study of trees in the LORP has been initiated to understand their establishment and inform new tree recruitment.

Another reaction to the evaluation is a study of trees in LORP—in an attempt to understand how they established and what we might do to encourage new tree recruitment. Average annual flows will still comply with legally mandated limits.

Inyo and LADWP with the support of the MOU parties, and approval of the Standing Committee approved an Interim 5-year Blackrock Waterfowl Area (BWMA) Plan in 2021. The new water management was implemented in the fall 2021. Under the plan, water is provided to three of the four basins (Drew Unit is dried for the experiment). Instead of the year round flooding called for in the original management plan, the area will receive water adequate to provide 500 acres of flooding from October to March. The flooded basins will be dried in the growing season to discourage the spread of cattail and Bulrush, which had diminished open water habitat under former management. Progress on this plan is reported in the LORP Annual Report and at a public meeting every May.

Owens River Water Trail (ORWT)

Owens River Water Trail would open up about 6 miles of river channel east of Lone Pine for recreational canoeing, kayaking, and paddle boarding. The County has been awarded two grants to construct the ORWT; \$500,032 from the California Natural Resources Agency (CRA) in 2016, and \$110,000 from California Division of Boating and Water in 2017. These funds will pay for design, engineering, and permitting for improvements at the launch and take-out facilities. LADWP funded the development and production of the draft EIR, which was completed in May 2019. The CEQA document will be certified as soon as the terms for a long-term lease with LADWP are known. The lease will allow the development of water entry and exit points that are located on LADWP owned lands.

Mitigation Projects

One of the key roles of the ICWD is to assist with, monitor, and report on the implementation and ongoing management of 64 Environmental Projects and Enhancement/Mitigation Projects, which are LADWP obligations in the Owens Valley. These mitigation projects include civic improvement, revegetation, wildlife enhancement, habitat recovery, and the LORP. These projects are mitigation measures adopted by LADWP in the 1991 EIR; projects that are provided for in the 1997 MOU; and projects developed subsequently. If mitigation goals are not being met, or projects are not being managed as stipulated, or simply not being implemented, the ICWD works with the LADWP and MOU parties to either help implement or modify the project. The full list of these projects and their status, as well as other useful information can be found in the Inyo County Water Department's webpage www.inyowater.org/mitigation. In 2022 an interactive online map of all mitigation projects was developed by the ICWD. The map can be accessed at <https://experience.arcgis.com/experience/44b652a16c4b443b9b4a2e7dc3fcbb91/>. In 2020, Los Angeles and the County worked on a joint assessment of the status of mitigation projects and other activities mandated under the Agreement. Inyo County and LADWP agreed on the status of all but two of the mitigation projects (Five Bridges revegetation, and the LORP),

and one of the other mandated commitments (Haiwee Reservoir). In Inyo County's assessment, 48 projects were either complete, or they were implemented and ongoing, and 16 projects were either implemented but not meeting goals or not fully implemented. Other revegetation mitigation projects claimed complete by LADWP are being assessed and evaluated by the County.

A focus of upcoming work will be the development of scientific studies to assess habitat related projects—to determine if changes in management can improve conditions. As well, the County and LADWP are investigating moving the ponds portion of the McNally Ponds and Native Pasture Project from the McNally Ditch, where the water supply is both unreliable and/or prone to creating drawdown impacts, to an area just below Farmers Pond, where upstream water resources might allow reliable annual operation of substitute ponds in an environment more favorable to waterfowl and conducive to habitat development.

Sustainable Groundwater Management for the Owens Valley (SGMA)

The Sustainable Groundwater Management Act of 2014 (SGMA) requires that local Groundwater Sustainability Agencies (GSA) manage groundwater basins in California. The Owens Valley Groundwater Basin (Basin) includes Owens, Chalfant, Hammil, and Benton valleys, and originally, Inyo County, Mono County, City of Bishop, and the Tri Valley Groundwater Management District were designated as individual GSA's. In 2018, the four agencies withdrew as GSA's to allow the Owens Valley Groundwater Authority (OVGA) to become the exclusive GSA for the Basin. Seven additional community service districts also elected to become members of the OVGA. A grant was acquired and consultant selected to develop the Groundwater Sustainability Plan (GSP) for the Basin in late 2019. The Basin initially was designated as medium priority which requires that groundwater must be managed by a local GSA in accordance with an approved GSP. Work to prepare the GSP by staff and the consultant, Daniel B. Stephens and Associates, began in earnest in early 2019. The Basin boundary adjustment to remove the Starlight area (Starlite wells tap a different aquifer than the rest of the Basin) triggered a re-evaluation of the Basin priority by the Department of Water Resources which released a draft report in April 2019 designating the Basin as low priority. Under SGMA, low priority basins are not required to be managed by a GSA. Following several months of uncertainty, the OVGA decided that regardless of the basin status, the agency should proceed with development of the GSP. The designation of the basin as low priority was finalized in December 2019. Four agencies subsequently decided in 2020 to withdraw from the OVGA. Additional changes to the OVGA composition occurred in 2020 when the Owens Valley Committee (a local environmental group) and the Lone Pine Paiute Shoshone Tribe were added as Interested Parties.

Work on the GSP accelerated in 2020, specifically the components to acquire existing hydrologic data, describe the basin hydrology, water balance, groundwater dependent ecosystems, and hydrologic conceptual model, prepare draft sustainable management criteria, develop an online hydrologic database management system and website, and adoption of a mission statement and public engagement plan. Consultant work products for the GSP were presented at regular OVGA meetings and discussed at several evening workshops in 2020 and 2021. Unfortunately, due to coronavirus (COVID-19) pandemic restrictions, the OVGA was prevented from conducting the public process to engage stakeholders in-person as intended. The OVGA Board

meetings and stakeholder meetings are public and were migrated to a virtual format successfully. In Benton, Hammil and Chalfant valley, internet access is relatively poor, and the OVGA resorted to a slower and higher cost direct mailer to reach residents in those communities.

The final GSP including responses to public comment was adopted by the OVGA on December 9, 2021. The Basin was divided into three management areas, Tri-Valley/Fish Slough, Owens Valley, and Owens Lake based on the differing hydrologic characteristics of each area. Tri-Valley exhibits chronically declining water levels. Water levels in the Owens Valley and Owens Lake fluctuate but do not exhibit declining trends. Sustainable management criteria and management actions in the GSP reflect the desire to avoid negative results in the Owens Lake and Owens Valley areas. In Tri-Valley, the management actions prescribe a path to address identified data gaps and to seek funds to develop numerical groundwater models necessary to make informed decisions to address the declining water levels. Given the low priority status, implementation of all or parts of the GSP is at the discretion of the OVGA.

In early 2022, Mono County elected to withdraw from the OVGA. Subsequently, The Tri Valley Groundwater Management District was granted exclusive GSA status for the portion of the basin within their jurisdiction and Mono County was granted GSA status for the remainder of the Basin in Mono County. The OVGA no longer has a member with land or water management responsibility in Mono County, and the agency is responsible for sustainable groundwater management only within the Inyo County portion of the Basin excluding lands owned by Los Angeles Department of Water and Power. The Owens Lake is owned by California and managed by the State Lands Commission. The Commission has discretion to determine if measures in the GSP would be applied to operations on the lakebed.

Given the low priority status and relatively stable (fluctuating but not consistently declining) water levels in the Basin in Inyo County, the OVGA elected to implement two management measures to maintain and publish a complete database of pumping and water levels in the Basin. Inyo County will share applications for new well drilling permits with the OVGA hydrologic staff for review and inclusion in the database. The GSP identified a data gap for the amount of pumping by private pumpers and Community Service Districts. This is a relatively small component of pumping but the lacking data be acquired and added to the database under a Well Registration Ordinance adopted by the OVGA in September 2022.

Two management actions in the GSP that are no longer OVGA projects are being pursued by other agencies. Mono County has been awarded a grant through the Integrated Regional Water Management Group to develop the model for the Tri-Valley/Fish Slough portion of the Basin, and the Tri-Valley District is implementing steps to increase groundwater monitoring to address that data gap.

Local Agricultural Study

The Agriculture Department worked with a consultant to complete a study aimed at quantifying the value of local agriculture to our economy. This study was completed in 2017 and provides more in-depth analysis than the gross production value that is presented in the annual Crop and Livestock Report. Areas of analysis include comparison to other local industries, valuation of industries reliant on or linked to agriculture, economic ties between Inyo and Mono Counties, number of jobs maintained by this industry, economic contributions by crop and land ownership, a valuation of taxes generated by this industry, and estimated value of ecosystem services provided by agricultural producers. This report continues to provide valuable information to the

County.

The Agriculture Department also continued the continuing education program in 2022, but later than normal and via zoom due to Covid. The Eastern Sierra Weed Management Area and Owens Valley Mosquito Abatement Program divisions fully implemented a GIS based electronic field monitoring and reporting system that will help to provide more efficient and effective survey, treatment, and reporting of field operations.

Cannabis

The division began inspections of cultivation sites and continued inspections of retail locations. Various changes were made to the Inyo County Code in relation to cannabis with the input of industry and other county departments with the intention of improving and streamlining processes. The division also implemented a licensing system to integrate application review, renewals, taxes, and other processes into one system.

The Eastern Sierra Small Business Resource Center

In early 2022 the Eastern Sierra Small Business Resource Center was completed. It is a welcome center for the region's businesses and entrepreneurs. Its vision is to directly support the business through access to knowledge and resources, networking, collaboration space, and enhancement of the region's entrepreneurship ecosystems. It has been a long-standing vision of the Inyo County Board and Administration to provide business the support and resource they need to start, grow and thrive; thereby adding living-wage jobs for Inyo County citizens. The BRC's direct services and core activities include the navigator program, events and meetups, and business development services.

III. General Plan Elements

The General Plan details the County's guiding principles for a variety of planning topics and is the roadmap for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

- Land Use
- Circulation
- Conservation
- Open Space
- Noise
- Safety
- Housing

The elements may be combined or renamed, but basic requirements must be included. An agency may adopt any type of optional element, such as an Economic Element, at its discretion. Only the Housing Element must be certified by another agency (i.e., HCD), although the State Geologist and CalFire provide some oversight of other aspects.

The Inyo County General Plan consists of the following Elements:

- Government

- Land Use
- Economic Development
- Housing
- Circulation
- Conservation/Open Space
- Public Safety

Subtopics are included in the elements to meet California's requirements. The following sections address implementation for each of the County's General Plan Elements.

Government Element

The Government Element includes the following goals (i) promoting consistency of other agencies' actions with General Plan (Goal Gov-1), (ii) encouraging collaborative planning and public participation (Goal Gov-2), (iii) increasing private land ownership (Goal Gov-3), (iv) guiding federal land actions and encouraging economic development (Goal Gov-4), (v) protecting and developing water resources (Goal Gov-5), (vi) preserving and expanding agriculture (Goal Gov-6), (vii) enhancing opportunities for recreation, including for off-road vehicles, hiking, and biking (Goal Gov-7), (viii) encouraging improved management of wildlife and fisheries (Goal Gov-8), (ix) promoting exploration, development, and reclamation of mineral resources (Goal Gov-9), (x) balancing energy development (Goal Gov-10), and (xi) enhancing transportation and preserving access (Goal Gov-11)

To achieve these goals, the County has continued dialogue with local, regional, State, and federal agencies on a variety of projects, as discussed elsewhere in this report, thereby continuing the previous coordination efforts with other agencies. The County constantly strives to ensure collaboration between national, California, and regional agencies as required by federal, State, and local regulations. The County works to make such agencies aware of County programs and policies and bring their actions into conformance with the General Plan. During 2018, the County worked with the US Forest Service, BLM, the US Fish and Wildlife Service, the National Park Service and other state and federal agencies in regional planning efforts affecting Inyo County resources.

The County also involves citizens, Native American tribes, and public interest groups in the planning process whenever feasible. Staff works to ensure that the public is made aware of all planning projects through mailings and notices in the newspaper to allow for their participation. Routine feedback and public input is requested, and the County's website is maintained to provide for current up-to-date information regarding planning issues.

Land Use Element

The Land Use Element guides County land use policy and insures that appropriate development takes place, with adequate provision of public services and utilities. Land use designations are specified, defined, and mapped in the Land Use Diagrams. The land use designations roughly correspond to the County's zoning districts. Public services and utilities are also addressed in the Land Use Element. Development in and around existing towns is encouraged, which is where

most building permits are issued. Potential impacts from new development are assessed under CEQA. Additional conditions of approval and mitigation may be required if deemed necessary to provide for issues such as screening, habitat conservation, parking, and noise-reduction, or otherwise address issues per the General Plan's direction.

Economic Development Element

The Economic Development Element works to support long-term efforts to improve economic conditions for all County residents, and addresses tourism, natural resources, and retail sales. Towards these ends, the County has continued to promote access to public lands and limit any new restrictions being planned. Promotions regarding Inyo County in major population centers elsewhere in the State (including at the State fair) are carried out. Filming opportunities are exploited, and several dramatic locations were featured in film, television, and other venues in 2022. There are also several new economic development programs. These are outlined in the Other Plans and Projects section.

Housing Element

The Housing Element works to provide housing for all of the community, and addresses the needs of specified populations. In 2022, the County completed its 6th Cycle Updated of the Housing Element, which was certified by HCD in August 2022. Preliminary data indicate that in 2022 sixteen new units were applied for, and that construction began on a significant number of the new units, and 3 units obtained certificates of occupancy.

The County continues to work with service providers to provide for the needs of lower- income households, the disabled, and other special needs populations, per the direction provided by the Housing Element. The County is also working to update the Zoning Ordinance, which incorporates new State zoning requirements regarding housing.

Circulation Element

The Circulation Element addresses a wide variety of topics, including roads, scenic highways, public transportation, bicycles and trails, railroads, aviation, canals, pipelines, and transmission cables. These planning programs prioritize improvement to achieve implementation measures for roadway repaving and reconstruction projects.

As discussed previously, projects are reviewed to minimize impacts, provide for parking, reduce vehicle trips, and optimize transportation access. Continuing improvement in telecommunications infrastructure provides opportunities for telecommuting and economic development, and Digital 395 provides an excellent opportunity for telecommunications enhancements locally. The County continues to work with Caltrans regarding the Olancho-Cartago Four-Lane project and is seeking ways to implement the strategies identified in the corridor study prepared for the area proposed to be abandoned.

The Adventure Trails project works to provide access and encourage economic development. Viewshed issues along scenic highways are also addressed, as they may apply. The County continues to encourage the Forest Service and other federal agencies to address local concerns

regarding appropriate motorized transport on federal lands and to otherwise maintain and improve access.

The County continues to work with and support ESTA to implement transit service throughout the County and beyond. The Short Range Transit Plan completed in 2016 and the Roles and Responsibilities Analysis started in 2010 implement the General Plan's direction to support and promote public transit and accessibility. In 2016, the County approved the Inyo County Active Transportation Plan (ATP), which includes bicycles, pedestrians, safe-routes-to-schools, and recreation trails. An update to the Regional Transportation Plan (RTP) is required every four years. The latest update was scheduled, completed and approved in 2019.

The County worked with the City of Bishop, Caltrans, and other local stakeholders to implement the Collaborative Bikeways Plan, which was adopted in 2008. This project implements the Circulation Element's bicycle goals, policies, and implementation measures. As discussed above, the Inyo 2016 ATP built upon and incorporated the policies and goals set forth in the 2008 bikeways plan. Continued coordination with LADWP, the Forest Service, and the BLM ensures appropriate trail maintenance and access to public lands.

The County continues its planning efforts towards commercial air service at the Bishop Airport. The County continues working on improving other airports in its jurisdiction by seeking grant funds and coordinating with Caltrans and the Federal Aviation Administration. The Bishop Airport layout plan and narrative was also completed and sent to the FAA for review and approval in 2019. Work continued throughout 2020 on the project and scheduled commercial passenger service to the Bishop Airport by United Express (operated by Skywest) began on December 19, 2021.

Conservation/Open Space Element

The Conservation and Open Space Element works to provide for resource management, open space for recreation, and park development. Inyo County's Open Space Element includes sections on soils, agriculture, minerals and energy, water, biology, cultural (i.e., archaeology), visual, and recreation.

The County continues its programs to support agriculture and ranching. Mineral resource development is encouraged, and the County reviews projects to ensure compliance with SMARA and other regulations. As discussed above, the Planning Commission continues its work providing oversight for reclamation plans, and staff inspected about 80 mines in 2022. The County is working with State and federal agencies to encourage appropriate mineral production.

The Environmental Health Department provides oversight and permitting for potable water and wastewater treatment systems in order to manage and improve water quality. Individual projects are reviewed to ensure that they do not adversely impact groundwater quality or quantity. Work on the LORP and other enhancement projects improve surface water quality through biological filtering. Water transfers are reviewed to minimize environmental and economic effects. Potential impacts on biological, cultural, and visual resources are analyzed for projects and programs through environmental review processes. Architectural Design review in Lone Pine is carried out to ensure compatibility. The County continues to work to improve its parks and

provide access to federal lands.

Public Safety Element

The Public Safety Element works to reduce hazards regarding air quality, floods, avalanches, wildfires, geology and seismicity, and noise. The County continues to cooperate with DWP to reduce dust from Owens Lake, and evaluates air quality issues for major discretionary projects. Building permits and other development proposals are reviewed for flooding, fire, avalanche, and faulting hazards. The County continued its work on a Hazard Mitigation Plan in 2017 and it was approved by FEMA in December 2017. In September 2018 the County's General Plan Public Safety Element was amended to add by reference the Hazard Mitigation Plan. Incorporating the MHMP into the General Plan is beneficial to the County as it adds identification of potential hazards, analysis, and mitigation language to the General Plan; and, it opens up more potential funding opportunities to the County in the event of a disaster. The Hazard Mitigation Plan and Safety Element are currently in the beginning stages of being updated and staff from several county departments will be working on it.

IV. General Plan and Zoning Code Update

The County comprehensively updated its General Plan on December 11, 2001. One of the follow-up actions was to update the County's Zoning Code per the direction provided in the General Plan. During the past several years staff has been working to update the Zoning Code and conducting workshops on proposed changes with both the Planning Commission and the Board of Supervisors. As a result of those changes to the Zoning Code, related changes to the General Plan are being considered to maintain consistency between the two documents.

During 2013, staff held numerous meetings with stakeholders and public workshops throughout the County to provide information, and receive input and feedback on the updated general plan and zoning code update. Results of the stakeholder and public outreach were presented to the Planning Commission in late 2013 and to the Board of Supervisors in early 2014. Staff is incorporating the results of public outreach, as well as comments from the Planning Commission and Board of Supervisors, and working to conduct environmental review in 2023.

V. Conclusion

The General Plan is the County's constitution and guiding vision. Due to the world's ever-changing nature, upkeep and maintenance of the General Plan is a continuous process. The County implements the General Plan's vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process.

The County provided leadership and participated in many planning activities in 2022, as identified in this report. It continued its project review responsibilities to further the General Plan's goals, policies, programs, and implementation measures.

Appendix A

Government Code Section 65400

(a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development pursuant to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2). Prior to and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

The report may include the number of units that have been substantially rehabilitated, converted from nonaffordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

(b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or

judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

Appendix B

Jurisdiction	County - Unincorporated	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	04/30/2021 - 04/30/2029

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		14
Total Units		14

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	4	4	2
2 to 4	0	0	0
5+	0	0	0
ADU	10	8	1
MH	3	2	0
Total	17	14	3

Housing Applications Summary	
Total Housing Applications Submitted:	17
Number of Proposed Units in All Applications Received:	17
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas